

IMAGE & STYLE

ISSUE 33

MAGAZINE

MOTOR SPORTS DOMINATION

IndyCar series
Two out of Three Penske
F1 - Nico Rosenberg
MotoGP Argentina

BOXING

Manny
Pacquiao
Departs
A Winner



**Happy
Mother's Day**
*Mother's Day
gift ideas*

FASHION

Designer Guido
Maria Kretschmer

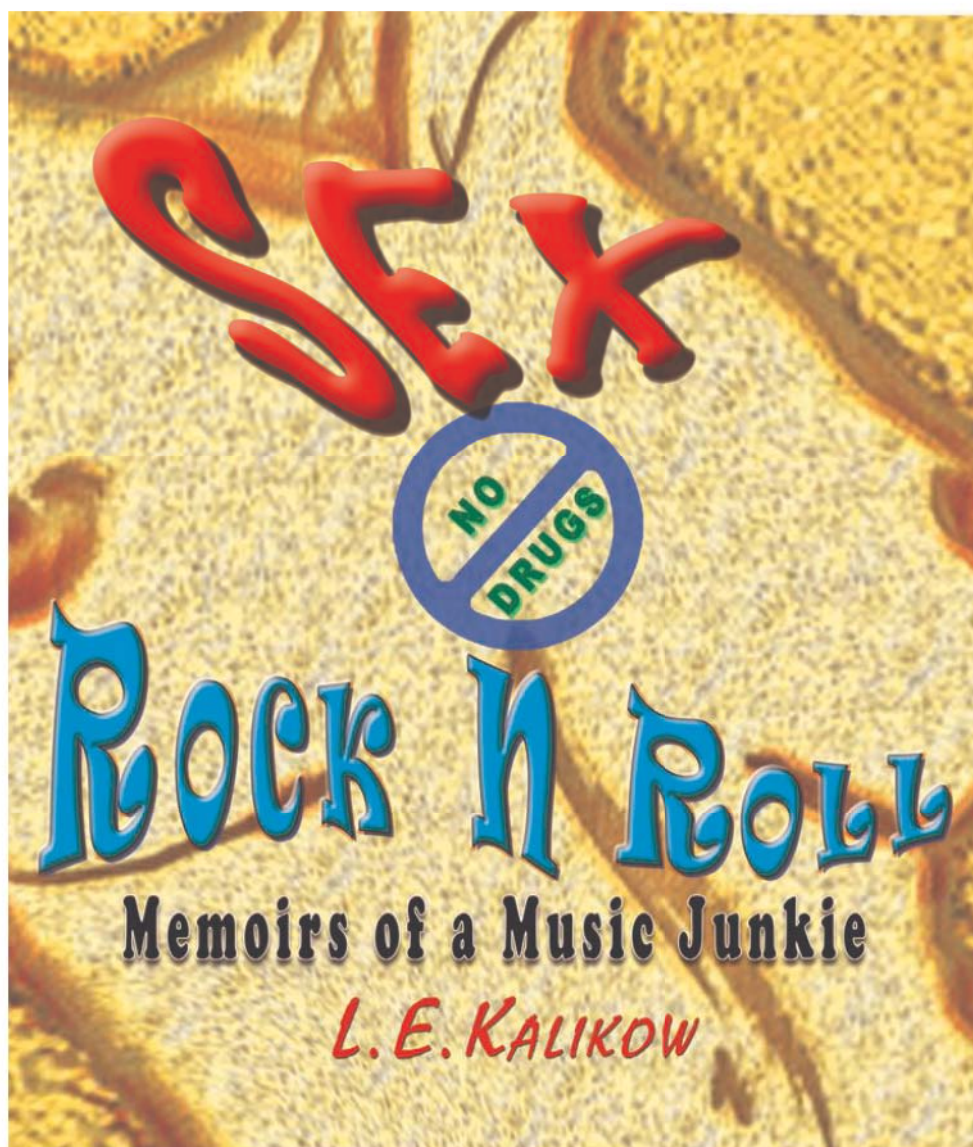
HIGH NOTES

ACMA'S
Prince Departs

**LAUREUS
WORLD
SPORTS
AWARDS**

RACHELE

BROOKE SMITH



THE ARTIST ALWAYS GETS SCREWED!

BY L.E. KALIKOW AUTHOR OF SEX,
NO DRUGS AND ROCK "N' ROLL

There's something wrong in The Arts, rewarding the hucksters over the creators. Speculators sell and re-sell paintings for millions, without a penny in royalty or commission going to the artist or his family while a struggling musician with a hit record can starve as everyone in the sales and marketing food chain takes a bite.

MY FIRST MAJOR RECORD CONTRACT

In 1971 when I brought my first major recording contract home to my patent attorney father, as he read, he just kept shaking his head in disbelief. To him, it was so blatantly unfair and overreaching he didn't think it would hold up in court. This not being his area of expertise, we consulted with a major entertainment lawyer at the time. The result was a reality check on the outlandish 'standard' record company demands, with one-sided contracts that purportedly reflected the risk. However, he went on to explain that if you had a hit record, everything was renegotiable (not including his exorbitant legal fees).

In that contract I was to receive an advance against future royalties. Of course I would never see any of those royalties as the label book-kept them against everything from record returns to the toilet paper in the A&R bathroom. Seriously... any monies supposedly spent on my behalf, almost all of which I knew nothing about

and had no control over, was partially or completely my responsibility. This meant unless I had a major hit record, I could end up owing the record company ten times the money they advanced me in the first place! And that was just a recording contract

OTHER ARTIST INCOME

Despite the fact that I would most probably never see any money from record sales, I could still try touring and selling T-shirts. But after gas, equipment rentals, musician salaries, agent and management fees, car and truck breakdowns and repairs, Motel 6, and getting stiffed by club owners and promoters, I'd be lucky to break even. My only hope was possible music publishing songwriter royalties, which actually could make a difference. But the allure of the one-in-ten-thousand 'Rockstar Lottery,' whispered in my ear "you gotta be in it to win it!"

As vinyl gave way to cartridges and cassettes in the 80's and CD's in the 90's, the economics of the business remained somewhat the same... until the digital age and the Internet.

360 DEALS

With the introduction of free downloads, peer-to-peer music sharing and streaming services, record companies could no longer profit by stealing just the artist's record royalties. Now they wanted a piece of everything. Hence, the advent

of the "360 Deal."

The genesis of which was based on 60's TV groups like The Partridge Family and The Monkees, with the musician's chosen, and controlled by their respective production companies. Then in the early 90's Lou Pearlman, through his company, Transcontinental, auditioned and formed The Backstreet Boys, on the same basis, and signed them to Jive Records. The group was purportedly treated as employees with yearly salaries, reimbursement of costs and living advances, bonuses, profit sharing, etc. in exchange for the transfer of their recording, publishing, live performance and other rights to the company. In effect the artists owned nothing.

Soon all old-fashioned record contracts morphed into some form of 'multiple rights' deal. And even though record companies and producers were often unequipped to provide any management, publishing, merchandising or touring services, they now demanded a piece of, and often complete control over everything. Even down to the clothes and hairstyle the artists were allowed or required to wear. And like "Hotel California," once an artist signed in, there was no way out, as evidenced in the recent legal struggles of Kesha and Brandy. In fact, even under an original pre-360 record contract, in 1993, Prince actually denied his slave identity, became The Artist Formerly Known

as Prince and replaced his signature with a symbol to break out... one of the 'Great Escapes' of the 20th Century.

KARMA

Selling single songs was never viable. The profit was in album sales. And as I noted in my previous "What Happened To The Music," as the CD disappeared, so did old-fashioned record companies, swallowed by entertainment conglomerates, creating '360

American Idol brands' not nurturing artists.

So where does this leave today's singer/songwriter/musician? Although pure

and destiny.

For over 35 years, L.E. Kalikow served as President of Music Business Reference, Inc., as well as the editor and publisher of its information service "New On The Charts." Established in 1976, the service was widely used by music executives both in the United States and internationally. Listed in "Who's Who In America" for the past ten years, his career in the music business began as a singer/songwriter under production agreements with Chess Records in Chicago and both Capitol and Columbia Records in New

Although pure 'music superstars' and old world record companies may be vanishing dinosaurs, expensive controlled radio play has been replaced with a free instant international internet network.

'music superstars' and old world record companies may be vanishing dinosaurs, expensive controlled radio play has been replaced with a free instant international internet network. Eliminating the need for Gordon Gekko facilitators of the past, the ears of the world are now open and accessible. Even without an industry infrastructure, perhaps today's artists are better off, in control of their own career, image, art, income

York, and as a staff writer for Beechwood Music at 1650 Broadway. He performed as the opening act for artists such as Richie Havens, Eric Anderson, Van Morrison and Jefferson Airplane, among others

Sex, No Drugs & Rock 'N' Roll (Memoirs of a Music Junkie) is available for purchase on Amazon. The companion Soundtrack Album is also available on iTunes.