



CALLERLAB

International Association of Square Dance Callers

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BMI/ASCAP Licensing Frequently Asked Questions

Why is There Licensing?

It's illegal to play a copyrighted song in public without the author's permission— a “license.” It's absurd for each author to license songs individually (imagine the paperwork!), so they formed BMI & ASCAP, who do it for them.

US Performance-Rights Organizations

In the United States, there are three “performance-rights organizations”. They act as agents to collect royalties that are owed to composers for the performance of their music.

BMI

Broadcast Music, Inc represents mainly composers who work in the radio, television, and movie industries.

ASCAP

The American Society of Composers, Artists, and Publishers is the oldest copyright licensing organization in the US. It represents such composers as Irving Berlin and George Gershwin.

SESAC

SESAC started out representing gospel music and European composers; more recently, they've branched out into popular music.

How did BMI and ASCAP Get Involved In Square Dancing?

Over the past 40 years, BMI and ASCAP have turned their sights to square dancing several times. But there was never an easy way for them to track down square dance clubs for licensing and enforcement. Then, in 1990, they discovered S/D publications, which made it easy to find clubs. They mailed out about 4000 contracts to individual clubs and callers. This made people realize their exposure, and caused much concern.

There was another problem: Clubs are small, but BMI & ASCAP are big. So BMI & ASCAP offered their standard deal: \$22 each per dance, payable a year at a time in advance. For many clubs, that'd have been devastating--but small clubs had no way to negotiate for better terms. And new clubs would face an impossible up-front expense.

In an effort to avoid the unreasonable expense that BMI and ASCAP would impose on square dance clubs, CALLERLAB & ROUNDALAB approached them to negotiate a more satisfactory licensing arrangement. BMI & ASCAP agreed to allow licensing of members of these organizations rather than payment of the

license fee by individual clubs--on the condition that *all* US members be licensed.

Who Is Responsible For Having a License?

Anyone who performs or plays copyrighted music needs a license. Normally, the event's organizer is responsible for obtaining the required licenses. For commercial concerts, that's the promoter. For commercial trade shows, it's the trade-show organizer or individual booth-holder. For square dances, it's the dance organizer. Most dances are club-organized, so clubs are responsible for being licensed.

If Clubs Are Responsible, Why Do They Want Me To Have A License?

Not all clubs belong to dancer federations, so there's no good way for clubs to deal with BMI & ASCAP as a group. When the issue arose, club leaders got worried. BMI & ASCAP were threatening legal action, and the club leaders would be personally liable for hefty copyright penalties. The idea of paying \$20,000 per song is pretty frightening! CALLERLAB's deal with BMI & ASCAP solved the problem of license cost—but a club is only safe if every night's caller has a license. So to protect themselves, clubs have started to ask all their callers to be licensed.

When Do I Need A License For Myself, Rather Than for A Club?

If you run dances or weekends of your own, you'll need a license for yourself. Where Can I Get Licensed? You have some options: Deal with the licensing organizations yourself, join CALLERLAB, or get a license through CALLERLAB. BMI & ASCAP aren't set up to deal with individual callers, but they'll license clubs for about \$22 per dance each—if you buy a year's worth of licenses *in advance*.

[Joining CALLERLAB](#) gives you both licenses, plus liability insurance, plus access to CALLERLAB's support and education services. Or you can [get a license from CALLERLAB](#) without becoming a full member. As a Licensee Member, you pay just the BMI & ASCAP fees plus a \$20 administrative charge! Being licensed thru CALLERLAB covers you when calling club dances & weekends, your own dances & weekends, and calling at all festivals except State and National Conventions. Those conventions must get their own licenses. You're also covered if you do rounds or Country Western dances as part of your overall square-dance program.

Who Licenses a Particular Song?

Each performance-rights organization keeps a list of the composers and songs they license. But you can't get a list, so it's hard to tell who you should deal with for a specific song. And since 1978, the songs don't even need to have a copyright notice to be protected--so you often can't find out who owns the copyright and approach them.

Canadian Music Licenses

Canadian callers who call in the US *do* need BMI/ASCAP licenses. Callers who call in Canada also need a music license; the Canadian Western-Dance Instructors Association ([CWDIA](#)) can help.

Overseas Music Licenses

The European Association of American Square-Dance Clubs ([EAASDC](#)) has made licensing arrangements with the German licensing organization. You can contact them for details.

Elsewhere, we urge you to contact your local caller's organization for help and information.

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