

VMEA Audio, Video, Multimedia Copyright Policy

In an effort to protect VMEA and our members from the potential of legal action, we are adopting new copyright policy regarding audio, video, and the use of multimedia. The development of this policy has been in cooperation with our section presidents, our legal counsel, and NAFME and their legal counsel. This new policy takes effect immediately for all VMEA events. The policy language is not intended to substitute any action or policy currently in place by any of our member sections. Each section may assume more rigorous standards including, but not limited to, moratoriums on recording and the use of multimedia in VMEA performances/events.

Mechanical Licensing

A mechanical license is required to make and distribute recordings of music on CDs, records, tapes, digital downloads and other digital configurations. Audio recordings made to be available for distribution and/or available for sale, as sanctioned by VMEA or its affiliates, must obtain mechanical recording rights in advance of a performance, recording, and sale of any such recording. Notwithstanding the foregoing, a mechanical license is not required if the music being recorded and distributed is in the public domain, or if the music is original work created by the recorder/distributor.

Recordings of performances by students may be made without a mechanical license for evaluation or rehearsal purposes. Copying of recordings limited to classroom use, not for sale and for educational purposes may be considered as "Fair Use", provided that the purpose of such copying does not substitute the purchase of music. For additional information regarding fair use by educators, please see Circular 21 issued by the U.S. Copyright Office, which is available at <https://www.copyright.gov/circs/circ21.pdf>

See the link below for additional information on mechanical licensing:

[Harry Fox Agency](#)

<http://www.songfile.com/>

Synchronization Licensing

A Synchronization license ("sync license") is required to synchronize a song or a piece of music with visual images, such as including music in a film, TV program, commercial, video, and any visual media. Video and visual media productions containing music that are made available for sale, as sanctioned by VMEA or its affiliates, must obtain synchronization license rights in advance of the production, distribution, and sale of any such video/visual media. Notwithstanding the foregoing, a sync license is not required if the music being included in the video/visual media is in the public domain, or if the music is original work created by the producer of the video.

A sync license is obtained by asking the copyright holder for permission directly, or by contacting the publisher who represents the songwriter or producer. There are also service providers available to assist with obtaining sync licenses from the copyright holder.

