

Why does this concern me?

Many people using music for dubbing their films or photo shows do not know that they can not just use any music for the soundtrack. Outside the strictly private sphere (or in case of reproduction) they must always comply with the highly complex requirements governing the use of music.

A distinction is made between the musical **work** (author and publisher) and music **recording** (artist and record company). If you want to use a piece of music for a film/photo show and show it publicly or reproduce it, you must first obtain the approval of the relevant publisher (usually represented by the national Royalty Collecting Association of your country) and the relevant record company. Often the Royalty Collecting Association fees will be added then to other fees and expenses (e.g. Stage Rights, broadcasting royalties) for the music use.

With Highland Musikarchiv the process is much easier, because here all the rights are in one hand and with the purchase of a CD/DVD you automatically obtain the appropriate licence. By licencing directly to our clients, all CDs/DVDs of Highland Musikarchiv are ROYALTYfree.

This is possible because the composer Joachim Lehberger is not member of a collecting society (e.g. GEMA), but exploits his composer work directly by himself under copyright law.

With the purchase of Highland Musikarchiv CDs/DVDs you receive a licence document for the chosen application (e.g. non-commercial or commercial) and do not require further permits or face additional costs.

Every customer gets a release document issued in his name for private/non-commercial use ([sample PDF](#)) or commercial use ([sample PDF](#)) which clearly shows the origin of music. This document is also bases to fight of any fee requests from Royalty Collecting Associations if Highland Musikarchiv music is used for your production.

This release document is personal and not transferable to others. Licencing the non-commercial rights to a group of people (e.g. video club or a movie group) is not possible.

Notes for commercial use

Concerning the use of Highland Musikarchiv titles it is important to distinguish between commercial (professional) and non-commercial (amateur) use. Pricing for commercial application is higher compared to non-commercial use. Customers who already acquired Highland Musikarchiv CDs/DVDs including the rights for non-commercial use may at any time extend to include commercial rights. Prior payments for non-commercial rights would be fully credited in case of titles or CDs/DVDs purchased for commercial application.

Commercial rights are granted in a strictly personalized (i.e. natural or legal person), non-transferable and indefinite manner. Once the commercial rights on a CD/DVD or title are acquired it may be used without any further limitations, additional costs or administration routines (i.e. notification on use, lists etc.). Licence documents ("

[Release Document for commercial use](#)

" for commercial use are provided automatically with CD/DVD delivery, thus showing clear proof of origin.

The following criteria assist in determining between commercial and non-commercial use. Please note that even if one of the criteria below is fulfilled, commercial use is applicable:

- Any use of music titles by companies or legal entities, including internal usage, i.e. training, demos etc. Responsibility for the acquisition of the required rights is always with the person using the music titles in av-production, not the person placing the order for the production.
- Any use of music titles for advertising, e.g. sales promotion for products and services etc. as commercial backgrounds. In other words: any time music titles are used in any attempt to call attention to products, services and/or the company itself.
- Any use of music titles in context of trade fairs, exhibitions, shows or other events in pursuit of a commercial goal.
- Any use of music titles if the av-production (film, video DVD etc.) is copied/duplicated, more than 30 times and the copies are intended for sale.
- Any use of music titles for CD-ROM/multi-media production.

Examples

for non-commercial use

- Public screening without the primary goal to achieve financial gains (e.g. no entrance fee charged, no remuneration received). Covering the costs for organization of non-commercial events is acceptable.
 - Volunteer public screening in old people's homes, clubs (non-commercial), hospitals and other welfare services if no entrance fee is charged and no remuneration is received.
 - Duplication for private use, friends, people involved in the production, club members up to a total of 30 copies per production if distributed free of charge.
 - All projects with other producers (teamworks etc.), if the customer is involved and none of the above-mentioned criteria for commercial use are fulfilled.
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Determining if the use of Highland Musikarchiv titles is classified as commercial or non-commercial is not always easy since each situation is unique.

Highland Musikarchiv relies on the openness of its customers to decide if any special arrangements are required. The goal of Highland Musikarchiv is to find a fair solution for both sides. Customer satisfaction and advisory services are key goals of Highland Musikarchiv. Highland Musikarchiv ensures that customers are treated in a fair and equitable manner.

However, if clients intentionally use Highland Musikarchiv titles without - or with incorrect licensed - rights, Highland Musikarchiv would take similar action against such infringement as Collecting Associations (e.g. GEMA), since the legal situation is identical.

We, however, would like to point out, that - especially in the field of commercial use - the application of Highland Musikarchiv titles saves clients both, money and time by avoiding unnecessary administration.



With Highland Musikarchiv titles you have all the advantages on your side!

