

ON COPYRIGHTS

Song Leader & Organist Workshop
LLC Summer Services Online 2020
Jun. 30th at 7 pm CDT over Zoom

WHAT IS COPYRIGHT?

“Copyright is a form of protection grounded in the U.S. Constitution and granted by law for original works of authorship fixed in a tangible medium of expression. Copyright covers both published and unpublished works.”

COPYRIGHT.GOV

THE COPYRIGHT LAW OF THE UNITED STATES

grants monopoly protection for "original works of authorship". With the stated purpose to promote art and culture, copyright law assigns a set of exclusive rights to authors: to make and sell copies of their works, to create derivative works, and to perform or display their works publicly. These exclusive rights are subject to a time limit, and generally expire 70 years after the author's death. In the United States, any work published before January 1, 1925, is generally considered public domain.

WIKIPEDIA

WHAT ASPECTS CAN BE COPYRIGHTED
IN A HYMNAL OR A CHORALE BOOK?

Melody
Text
Translation
Text Revision
Arrangement

in songs, melody and text are the main rights. Revisions,
arrangements and translations become the copyrighted material
once the melody or text rights

have expired.

BACKGROUND INFORMATION FOR THE LLC HYMNAL (2008) AND CHORALE
BOOK (2016):

Songs collected from *Siionin laulut ja Virsikirja*, various hymnals from Europe and North America. Acquired texts and melodies

Thorough work for hymnal, securing rights for melody and text.
Also securing rights to translate lyrics from the original language.
Requesting rights for printed hymnal and also for recording the songs.
No mention of royalties, streaming, broadcasting, synchronizing

ROYALTIES a sum of money paid to an author or composer for each copy of a book sold, song recorded or for each public performance of a work.

STREAMING listening to music or watching video in 'real time', instead of downloading a file to your computer and watching it later. With internet videos and webcasts of live events, there is no file to download, just a continuous stream of data.

BROADCASTING the transmission of programs or information by radio or television

SYNCHRONIZING audio or video synchronized with another format for presenting information and/or with time-based interactive components, unless the media is a media alternative for text that is clearly labeled as such

SOURCES: GOOGLE, WIKIPEDIA

Hymnal done very well,
payments done in collaboration with the SRK.
Lots of work at the office and as volunteer work.

Paul Waaraniemi served as project leader.
Sheldon Ylioja was hired
to complete the music aspects of the project.

CHORALE BOOK 2016

Hymnal has text and melody, Chorale Book has additional harmonies

LLC commissioned arrangements from five musicians in Finland

Commissions were paid, permissions were not requested or attained at that point

Due to e.g. staff changes at the LLC at that point,
the project was only partially done

Secured rights for arrangements in the Chorale Book in the fall of 2019

Created a list of copyright ownership: 864 titles of ownership.
LLC doesn't own anything.

[HTTPS://WWW.LLCHURCH.ORG/SONG-LEADERS-ORGANISTS](https://www.llchurch.org/song-leaders-organists)

CORONA

Everything suddenly online;
we needed rights to broadcast and stream the songs

Hired a lawyer to understand
how we should proceed with the royalties in the US.
Majority of the owners are in Finland and the Finnish copyright owner
member association (Teosto) doesn't deal with recordings or streaming
that are done in the US.

Working with our lawyer, we arrived at the following solution:
we can make contracts with the copyright owners
and agree directly with them
on reimbursement for all the necessary rights.

Lawyer drafted a contract that secures all possible rights the LLC could have without owning the song.

This contract has been offered to all the major parties and so far they have all signed it for free or for a one-time minimal reimbursement.

SRK, for example, has over 190 titles, we got blanket rights for them for free.

Most people have also wished us God's blessings and are happy their work is being used. Many copyright owners are not in faith, and they still value the fact that these songs are used in daily congregation life.

DO NOT WEBCAST

Ownership mainly by publication houses,
original authors are famous composers or poets
or song is taken from another church's hymnal

Currently there's no feasible way of getting rights to record, stream,
broadcast or synchronize those songs because of the different
territories that different agencies have authority over

We have a unique situation because of having very marginalized material, Finnish texts and melodies in the larger context of religious music in North America, it's not beneficial to them to make it feasible for us

We can enjoy those songs at services (pre-service or closing song if broadcasting), camps and at our homes and wait for the copyright to expire.

OVER 500 SONGS ARE OK FOR US TO USE

MUSIC PROGRAMS

copyright for religious organizations

copyright law offers many exemptions specific to certain organizations.

religious services exemption

Generally, a copyright owner has the exclusive right to public performance of their work. The religious services exemption allows the public “performance of a nondramatic literary or musical work or of a dramatico-musical work of a religious nature, or display of a work, in the course of services at a place of worship or other religious assembly” (17 u.s. code § 110(3)). This exemption allows congregants to sing hymns during service without first getting permission. It also allows pastors to recite poems in their sermons.

The religious services exemption does not cover recording a performance. You will need permission to record any performance of a copyrighted work in your service. If getting permission is not an option, you can edit out the copyrighted work from the recorded performance.

Scholarly Communications Office, Emory University

Therefore: Music programs are fine to do without copyright worries. If you broadcast or record them, you need to consult the Do Not Webcast list. If you're doing other arrangements besides the chorale book, seek the permission.

IMPORTANT NOTE:

The fact that LLC has the right to use this intellectual property doesn't mean an individual congregation or church member has the right to use the songs for their personal or communal publications, i.e. more formal, permanent, possibly monetized publications.
Personal or family use is fine.

List of the ownership is found on the LLC website

[HTTPS://WWW.LLCHURCH.ORG/SONG-LEADERS-ORGANISTS](https://www.llchurch.org/song-leaders-organists)

If congregations want to make recordings,
please contact the LLC to ensure permissions are in order:

LKERANEN@LLCHURCH.ORG