

Video-Safe Music!

Librarians are invited to use music from the attached list to create videos with their 2009 summer reading program participants. Please read the following information about how to use this resource without running into copyright trouble. Check www.TheProgramRoom.com for the latest update to this document. 9/24/08.

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Questions and Answers

Q. Why Is This List Necessary?

A. Syncing existing music with your video legally requires permission from the copyright holder of the music. Generally this means contacting the publishing company to secure permission, which can take time. This list lets you quickly find music that has been pre-approved for use with video.

Q. What is "Video-Safe"?

A. All the artists on this list have given their consent for you to sync their music to video. In fact they are eager for you to do so! These songs are safe to use without worrying about copyright infringement, as long as you follow the guidelines below. In addition, all the artists on this list are children's music artists, so you can trust their song lyrics and themes to be appropriate for use with young children.

Q. Are There Any Restrictions?

A. Yes! When using these songs you **MUST** follow the guidelines below. Any departure from these guidelines requires additional permission from the artist first.

Q. Should I Get This in Writing?

A. The artists on this list have consented through me to allow this use of their music. You can take this in good faith, as I do, however it never hurts to spell things out with a written release form. See "Legal Advice" below.

Q. Where Do I Get the Actual Songs?

A. If you have CDs by these artists, you can simply pull the song from your own copy of the CD. If not, each artist has listed a source for reviewing and obtaining their material. In addition, every artist listed has offered to send you a free digital copy of any song you intend to use in a video; just contact them and ask for it!

Guidelines

1. Do Not Use Cover Songs

The permission granted by these artists only applies to their own songs, and does NOT extend to cover songs. Cover songs are songs written by someone other than the recording artist. Please double-check that the writing credit on the CD matches the songwriter named in this listing to be sure you haven't selected a cover song. If you aren't sure, contact the artist and ask.

2. Give Credit

When you sync a song to video, you must display credit for the songwriter and artist. If they are the same person, this can be one credit. Include the song title as well. Credits can be split into more than one screen if needed, or scrolled.

Examples:

"Take Me To Your Library" by Monty Harper

"Get a Clue" by Monty Harper, performed by Monty Harper and the Scribblemonster Band

3. Keep the Video Clean and Legal

All video content must be "Rated G." Use of material that is deemed by the artist to be objectionable for children is grounds for withdrawal of permission to use their songs. We realize that this is subjective, but hey, you're a children's librarian; you know what we mean. Also, do make certain that all video content is original, copyright-free, or properly licensed.

4. Do Not Edit Songs

You must use the entire song the way it was originally recorded, unless the artist has given permission to edit. Check each artist's listing for this information.

5. Check Before Posting Online

Most of the artists on this list have given permission for videos incorporating their songs to be posted online. Some artists have asked that they see the video first before giving permission for it to go online. Check each artist's listing for this information.

6. Do Not Sell or Distribute (Other Than to Participants)

If you use a song from this list with your video, you may provide one copy of the video on DVD or video cassette to each of the participants who created the video. Beyond that, you may not sell or physically distribute (even for free) copies of your music video. This would require that you secure a mechanical license and pay the artist a royalty for each copy sold. Some artists may wave their royalties for a library, especially for a small number of copies; it can't hurt to ask!

7. Please Allow Artists to Sell or Distribute

Some of the artists on this list have expressed interest in using any videos that might be created for their songs. For example, they may want to include the video you make as a bonus selection on a CD or DVD. The assumption is that the kids and librarians who made the video will be happy to see it find a larger audience this way, and that they will not expect to receive a royalty. Artists will need your written permission in order to do this. Please provide it if asked! (See number 8)

8. Ask Workshop Participants to Waive Their Copyright

In order to make it easy for you to respond to opportunities to share your video with the world (see number 7), you will want to have participants sign a waiver stating that the video portion of their work together will go into the public domain, or that the library will retain the copyright. (See "legal advice" below.)

9. Notify the Artist

If you use a song from this list in a music video, please contact the artist to let them know, and send them a copy of the video. They will be thrilled! Everyone who added their name to this list is hoping you'll use one of their songs and will be excited to hear from you.

10. Do Not Use Past the Expiration Date!

Some of the artists on this list have limited their permission to projects created before or during the Summer 2009 reading program. If you are making videos with kids after that, be sure to check each listing to find out if you still have permission.

11. Check the Listings

Some artists have included further information about how they do or do not want their songs to be used. Please read each listing carefully before auditioning that artist's music for use with a video.

Legal Advice

1. This Document is Not a Contract

This document is a resource intended to give you access to music that is available to be synced to video. It is not a legally binding contract. How you use it will depend on your own comfort level. If your library has a legal department, you may want to have a chat with them before setting up a video workshop.

2. Participant Release Form

You will probably want to have all participants in your video workshop sign a release form. One purpose for this is to secure "publicity rights," that is, to get permission to include participants' voices and images in your video. The other purpose is to spell out where ownership of the final product will lie. You may want to put the video into the public domain, or to specify that the library will own the copyright. Some sample release forms are included below. (Note that if you sync your video to an existing song, you cannot change the copyright status of that song in this way. You will still need permission from the songwriter to do anything with the video other than what is spelled out in this document.)

3. Synchronization License

The artists listed below have all expressed how eager they are for their songs to be used. I have only included artists who requested to be on the list, with full awareness of how their songs may be used. However, to be absolutely sure, for each song you use, you may want to have the artist sign a license to cover your use of the song, especially if you plan to post the video online or distribute copies in any way. This is mandatory if you wish to change the terms of the agreement as outlined in this document.

Release for Photograph Publication and Duplication (sample release #1)

I, (name of Parent or Guardian if under 18),

do hereby give and grant to the Oklahoma Department of Libraries the exclusive right to publish, reprint, duplicate in whatever form or mode and dispose, donate, transfer, or lend the following described photographs of, (Child's/children's name)

and fully relinquish any title, claim or interest in the described photographs whatsoever. Further, I am at least 18 years of age, and a parent or guardian with the undisputed right to make such transfer of ownership and/or right of use.

Copyrights: Any copyrights such as the donor may possess in this property are hereby transferred to the Oklahoma Department of Libraries.

Duplication: The Oklahoma Department of Libraries reserves unto itself the right to duplicate or reproduce this property for purposes of promotion or preservation.

Additions: Additions to this property shall be subject to the terms of this release.

In full accord with the provisions of this release, I hereunto set my hand:

Signature of parent or guardian if under 18

Date

Address of Donor/Legal Agent! Owner/Parent or Guardian

Phone number

STANDARD/MINOR RELEASE - sample release #2

PARTICIPANT'S NAME:

PROGRAM:

For the opportunity to participate in the above-identified video program produced by [YOUR COMPANY NAME], I agree that the program(s) may be broadcast and distributed without limitation through any means and I shall not receive any compensation for my participation.

I confirm that any and all material furnished by me for this program is either my own or otherwise authorized for such use without obligation to me or any third party. I also agree to the use of my name, likeness, portrait or pictures, voice and biographical material about me for educational, program or series publicity and organizational promotional purposes.

I further agree that my participation in the program confers upon me no rights to use, ownership or copyright. I release [YOUR COMPANY NAME], its employees, agents, and assigns from all liability which may arise from any and/or all claims by me or any third party in connection with my participation in the program(s).

It is understood that [YOUR COMPANY NAME] is under no obligation to broadcast the above-identified program(s) or series.

Agreed to and signed this ____ day of _____, 2000 by:

Participant's Signature Street Address City, State, Zip

I, _____ am the parent or legal guardian of the above-named minor and I endorse the above statement in his/her behalf on this ___ day of _____, 2000.

Parent or Guardian / /
Street Address City, State, Zip

SAMPLE VIDEO RELEASE FORM #3

To Whom It May Concern:

I (the undersigned) do hereby confirm the consent heretofore given you with respect to your photographing me or my child in connection with your video/television program entitled

_____ ,

and I hereby grant to you, your successor, assigns and licensees the perpetual right to use, as you may desire, all motion pictures and sound track recordings which you may make of me or my child, and the right to use my name and/or child's name or likeness in or in connection with the exhibition or any other use of such video or recording.

I am over eighteen years of age.

Signature: _____

Name (*print*): _____

Name of Child: _____
(*print*)

Home Address: _____

Phone Number(s): _____

Date: _____

Artist Listings

Unless otherwise stated, permission applies to all songs by the given act/songwriter combination. Permission does not apply to “cover songs,” that is, songs recorded by the artist that were written by other songwriters. Nor does it apply to songs written by the listed writer but recorded by a different artist. If you are uncertain, please contact the artist before using a song!

The “Permission” section differs from artist to artist. Please read each one carefully before using any music from that artist.

You may request free digital copies of songs from any of the artists on this list. Please only request song files that you intend to actually use in a video. Thanks!

Bill Harley

Songwriter: Bill Harley

Contact: debbie@billharley.com

Website: www.billharley.com, www.myspace.com/billharleymusic

Source for songs: iTunes, Amazon.com

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may not be edited.

Expiration: Do not use songs after 9/1/09

Bonnie Lockhart

Songwriter: Bonnie Lockhart

Contact: bonnie@bonnielockhart.com

Website: www.bonnielockhart.com

Source for songs: iTunes, www.cdbaby.com (search for Bonnie Lockhart)

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may be edited for this use.

Expiration: Do not use my songs after 9/1/09

Cotton Candy Express Music

Songwriter: Lori Moitié & RJ Johnson

Contact: lori@kidsgroove.com

Website: www.kidsgroove.com

Source for songs: www.myspace.com/cottoncandyexpressmusic

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may be edited for this use.

Expiration: Do not use my songs after 9/1/09

Eric Herman

Songwriter: Eric and Roseann Endres, Eric and Roseann Endres and Kenn Nesbitt, Eric and Roseann Endres and Eric Ode

Contact: eric@EricHermanMusic.com

Website: www.EricHermanMusic.com/

Source for songs: www.CDBaby.com/all/ericherman

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Contact me first for permission before posting videos made with my songs online. My songs may be edited, but please contact me to approve any edits.

Expiration: Do not use songs after 9/1/09

Eric Ode

Songwriter: Eric Ode

Contact: info@ericode.com

Website: www.EricOde.com

Source for songs: www.EricOde.com

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may not be edited.

Note: Please contact me in advance of using the song. Thank you.

Expiration: Do not use songs after 9/1/09

Erin Lee & Marci

Songwriter: Erin Lee Kelly and Marci Appelbaum, Erin Lee Kelly, Marci Appelbaum

Contact: marci@gottaplay.org

Website: www.gottaplay.org

Source for songs: www.gottaplay.org, www.myspace.com/erinleemarci

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may not be edited.

Expiration: Do not use songs after 9/1/09

Googol Power

Songwriter: Susan Jarema (© Googol Learning)

Contact: susan@googollearning.com

Website: www.googolpower.com

Source for songs: www.googolpower.com

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may not be edited.

Expiration: Do not use songs after 9/1/10

Gunnar Madsen

Songwriter: Gunnar Madsen

Contact: madsen@gunnarspot.com

Website: www.GunnarMadsen.com

Source for songs: iTunes, amazon.com, cdbaby.com

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may not be edited.

Expiration: Do not use songs after 9/1/09

Magical Music Express (Pam Donkin & Greta Pedersen)

Songwriter: Pam Donkin & Greta Pedersen

Contact: greta@greta.net

Website: www.greta.net

Source for songs: www.greta.net

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Contact me first for permission before posting videos made with my songs online. My songs may not be edited.

Expiration: Do not use songs after 9/1/09

Marla Lewis

Songwriter: Marla Lewis

Contact: musemarla@gmail.com

Website: www.marlalewis.com

Source for songs:

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may not be edited.

Expiration: Do not use songs after 9/1/09

Monty Harper

Songwriter: Monty Harper, Monty and Evalyn Harper, or Monty Harper and Mr. Billy

Contact: monty@montyharper.com

Website: www.montyharper.com

Source for songs: www.cdbaby.com/all/montyharper

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may not be edited.

Expiration: None

Pam Donkin

Songwriter: Pam Donkin, or Pam Donkin & Greta Pedersen

Contact: pam@pamdonkin.com

Website: www.PamDonkin.com

Source for songs: www.PamDonkin.com

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Contact me first for permission before posting videos made with my songs online. My songs may not be edited.

Expiration: Do not use songs after 9/1/09

Rick Hubbard

Songwriter: Rick Hubbard

Contact: rick@kazoobie.com

Website: www.kazoobie.com

Source for songs: www.kazoobie.com/records.htm

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may be edited for this use.

Expiration: Do not use songs after 9/1/09

Robert Davis, Robert Davis and Snapping Toes, or Robert Davis Kids Show

Songwriter: Robert Davis

Contact: robert@robertdavis.ca

Website: www.myspace.com/robertdaviskidsshow, www.robertdavis.ca

Source for songs: iTunes, CDBaby.com, Amazon.com (Search for Robert Davis and Snapping Toes), www.robertdavis.ca

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may not be edited.

Expiration: Do not use songs after 9/1/09

Sue Schnitzer

Songwriter: Sue Schnitzer

Contact: suemusic@comcast.net

Website: www.WeBeeMusic.com

Source for songs: www.WeBeeMusic.com

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may be edited as follows: you may use a portion of a song alone or in a medley.

Expiration: Do not use songs after 9/1/09

The Cat's Pajamas

Songwriter: Janet Schreiner

Contact: catpjx2@comcast.net

Website: www.howlinrecords.com

Source for songs: www.howlinrecords.com

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may be edited for this use.

Note: On our album, *Reading Rocks*, there are two songs which could be used: "Señor Don Gato" (public domain) and "Pop Tarts" (ours). The other songs were written by other musicians. I would be happy to pass on their information so you could contact them directly and you could use The Cat's Pajamas' performance of those songs.

Expiration: None

The Hipwaders

Songwriter: Fausto Uquillas

Contact: wadertito@comcast.net

Website: www.hipwaders.net

Source for songs: www.cdbaby.com; search for hipwaders

Permission: I give permission for any of my original songs to be synced to video for non-commercial use. Videos made with my songs may be posted online. My songs may be edited for this use.

Expiration: None