

First Edition

THE PROFESSION OF PUBLISHING MUSIC

Dan Galen Hodges, Jr., D.B.A.
and Eric M. Griffin, J.D.

THE PROFESSION OF PUBLISHING MUSIC

THE PROFESSION OF PUBLISHING MUSIC

First Edition

Dan Galen Hodges, Jr., D.B.A., and Eric M. Griffin, J.D.

Belmont University

cognella
SAN DIEGO

Bassim Hamadeh, CEO and Publisher
Christina Brown, Associate Acquisitions Editor
Jana Jarvis, Project Editor
Jeanine Rees, Production Editor
Jess Estrella, Senior Graphic Designer
Susana Christie, Developmental Editor
JoHannah McDonald, Licensing Coordinator
Natalie Piccotti, Director of Marketing
Kassie Graves, Senior Vice President, Editorial
Alia Bales, Director, Director, Project Editorial and Production

Copyright © 2026 by Cognella, Inc. All rights reserved. No part of this publication may be reprinted, reproduced, transmitted, or utilized in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying, microfilming, and recording, or in any information retrieval system without the written permission of Cognella, Inc. For inquiries regarding permissions, translations, foreign rights, audio rights, and any other forms of reproduction, please contact the Cognella Licensing Department at rights@cognella.com.

Trademark Notice: Product or corporate names may be trademarks or registered trademarks and are used only for identification and explanation without intent to infringe.

Cover images: Copyright © 2025 iStockphoto LP/Eugeniusz Dudzinski.

Printed in the United States of America.

Contents

Web-Based Resources: Accessing QR Codes and Links vii

Introduction viii

Unit 1 Historical Perspective 1

Chapter 1 Origins of Music Publishing 3
Chapter 2 Emerging Creator's Rights 11
Chapter 3 Inventions and Creation of New Royalty Streams 22
Chapter 4 Evolution of Copyright Law 33

Unit 2 Copyright & Music Rights 45

Chapter 5 Modern Music Copyright 47
Chapter 6 Performance Rights Organizations 58
Chapter 7 Mechanical Rights 72
Chapter 8 Synchronization Rights 81

Unit 3 Day-To-Day Music Publishing 93

Chapter 9 Business Structures and Organizational Styles 95
Chapter 10 Music Publishing Income Streams 105
Chapter 11 The Business of Songwriting 112
Chapter 12 International Music Publishing 123

Unit 4 Additional Topics 131

Chapter 13 Sampling 133
Chapter 14 Demos and Working With Union Musicians 139
Chapter 15 Catalog Sales and Acquisitions 149
Chapter 16 Future of Music Publishing 154

Appendices 159

Appendix A Mechanical/DPD License 161
Appendix B Synchronization License Agreement 164
Appendix C Letter of Direction/Royalty Assignment Form 167
Appendix D Exclusive Songwriter Agreement 168
Appendix E Assignment of Copyright 179
Appendix F Single-Song Agreement 181
Appendix G Administration Agreement 189

Web-Based Resources: Accessing QR Codes and Links

The author has selected some supporting web-based content for further engagement with the learning material that appears in this text, which can be accessed through QR codes or web links. These codes are intended for use by those who have purchased print copies of the book. You may scan them using a QR code reading app on your cell phone, which will take you to each website. You can also search for the link using a web browser search engine. Readers who have purchased a digital copy of the book can simply click on the hyperlinks beneath each QR code.

Cognella maintains no responsibility for the content nor availability of third-party links. However, Cognella makes every effort to keep its texts current. Broken links may be reported to studentreviews@cognella.com. Please include the book's title, author, and 7-digit SKU reference number (found below the barcode on the back cover of the book) in the body of your message.

Please check with your professor to confirm whether your class will access this content independently or collectively.



Introduction

In recent years, music business programs have become a growing discipline at universities across the United States and the world. As programs continue to grow, there are a few quality textbooks focused on an introduction to the music business broadly covering all facets of the industry; however, there are relatively few textbooks delving specifically into each of the individual facets. Having been a music publisher for 30 years and now serving as an associate professor of music business teaching the discipline, I recognized a need for a text that focuses squarely on the business of music publishing. A quality text for the discipline, in my opinion, should include the history of publishing, basics of copyright law, structures and income streams of music publishers, and a look at the issues for publishers in the current environment after 2018's Music Modernization Act. In my music publishing courses, I have been using multiple sources to cover each of these facets but have long desired to either find a definitive publishing text or develop a new text to better serve my students. This book aims to serve that purpose and to discuss each facet of music publishing in-depth, give a solid view of the discipline, and show how the business has evolved from the very first publishers to the issues that music publishers encounter in today's technologically heavy environment.

HISTORICAL PERSPECTIVE

CHAPTER 1

Origins of Music Publishing

Chapter Objectives

To have a firm understanding of music publishing, it is a good idea to be knowledgeable about its beginnings, historically. This chapter examines the invention that spawned the profession and the spread of creative works throughout Europe and the American colonies. On completion, students will understand the impact of publishing on the world as well as the beginnings of the need for protecting the works of creators.

The First Publishers

For the majority of human history, the creations of the authors of books and music were passed down to subsequent generations either through word of mouth or by making copies by writing them down by hand. These written versions were rare and valuable. Due to this aspect, most humans did not have access to books and were only exposed to music in live settings. It was not until the invention of the **printing press** between 1440 and 1450 that creative works could be printed and made available to a vast number of the world's population, thus creating the era of mass communication (Barnes, 2020; Unwin et al., n.d.). The device was revolutionary and used carved blocks of metal, each having a raised letter covered in ink that was arranged by the page and pressed onto the paper. It may sound rudimentary by today's standards, but the process, which was called movable type, allowed printers to print mass quantities of works that earlier would have been handwritten. The press consisted of a large wooden screen that was rotated with a handle to press the ink-covered letters onto the paper.



Figure 1.1 Gutenberg's Printing Press

While it is debatable who invented the printing press, **Johannes Gutenberg** is widely credited as its inventor. Historians have found earlier examples of similar devices using blocks of wood from ancient China and Korea, however (Barnes, 2020). The work that Gutenberg decided would be his first to mass produce was the Bible, which is now known as the Gutenberg Bible. He printed over 150 copies of the Bible using 300 letter blocks and 50,000 sheets of paper (Barnes, 2020). Only 20 copies of Gutenberg's Bible remain, and one can be viewed in the U.S. Library of Congress.

After Gutenberg's invention, the technology associated with the printing press spread throughout Europe over the next 50 years. As a result, an intellectual movement was spawned resulting in the education of the middle class (Unwin et al., n.d.). Before the printing press, education and literacy were primarily luxuries enjoyed by members of the clergy and wealthy. As the expansion of presses continued, the person owning and operating the printing press became known as a publisher. By the 19th century, publishing had become a respected and lucrative occupation and the mass production of books helped to spread knowledge to all parts of the world (Unwin et al., n.d.).



Figure 1.2 Gutenberg's Bible

Early Music Publishers

As printing presses and early publishers sprouted all over Europe in the 15th century, some decided to mass-produce printed notes on a staff, in the form of sheet music, as well as books. The very first sheet music known to have been printed with movable type was the *Missale Romanum* printed in Rome by Ulrich Han on October 12, 1476. It contained 16 leaves of Roman plainchant, or plainsong, written in Roman notation style (Lorinczi, 2018). Despite Han being the first to publish music, **Ottaviano Petrucci**, a 16th-century printer and publisher from Venice, is credited as the father of modern music printing/publishing. Venice was a major center of trade and art during the time period and Petrucci held a monopoly on printing music in Venice for 20 years (Lorinczi, 2018). One of his most widely known publications was *Harmonice Musices Odhecaton*, published in 1501. It comprised three collections with a total of 287 works of music (*Harmonice Musices, n.d.).*

Shortly after Petrucci in Italy, French printer **Pierre Attaingnant** improved the printing technique from printing the staff and notes separately to what was called **single-impression printing**. The technique printed the staff and notes at the same time that cut the time and labor to print music in half. The style was quickly adopted throughout the rest of Europe. Attaingnant's first such use of single-impression printing was in the book *Chansons Nouvelles* in 1528. His printings represented over 150 composers of psalms, dance collections, and motets. One hundred and eleven of his publications survive today providing a cross-section of the culture and music during the Renaissance period of 16th-century France (Pierre Attaingnant, n.d.).



Figure 1.3 Harmonice Odhecaton Cover

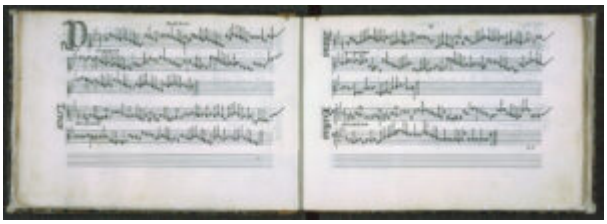


Figure 1.4 Harmonice Odhecaton Interior

Across the English Channel, **Thomas Tallis** and **William Byrd** became two of the most successful English composers of the Renaissance period. Their works comprised mostly religious choral and instrumental music. The country was split religiously between Catholics and Protestants; however, the pair's music transcended and was accepted by both sects (Smith, n.d.). In addition to being composers, Tallis and Byrd published more than just their own works. Queen Elizabeth I granted them the exclusive right to publish music in England in 1575 giving them a monopoly that they held until 1596 (Poetry Foundation, n.d.; Cole, 2008). This was the first recorded instance of an exclusive patent for the printing of music (Tallis, n.d.).

Beginnings of Licensing and Copyright Law

While the profession of publishing became prevalent in the early 1600s, there was very little protection for printers for their works being copied and distributed. This concept in the form of licenses was first instituted in England by **King Henry VIII** when he granted licenses to printers to protect their publications (Lorinczi, 2018). When King Charles II assumed the throne in 1660, he chose to enact new copyright regulations in the form of the **Licensing of the Press Act of 1662**. The act required that all intended publications be registered with the government. The intent of the law was more focused on censoring the press and preventing seditious and scandalous books and periodicals instead of protecting creators; however, it

did protect publishers from others copying, printing, and distributing their publications (Nipps, 2014). It was during this time period that the term royalty was first attached to copyright as a "royal guarantee of intellectual property" (Stack Exchange, n.d., para. 1).

As the profession of publishing grew during the 1600s, one music publisher rose above the rest. **John Playford** began his music publishing career in 1648, and his career blossomed to the point where it was said that he published most of the music issued in England during his time (Grashel, 1984). One of Playford's most notable publications was *English Dancing Master*, published in 1651. Playford's music publications were so popular that many crossed international boundaries and became an inspiration for early American works and served as a source for early colonial publications. Thirteen Psalms from Playford's collections were included in America's first known book publication *The Bay Psalm Book* (Grashel, 1084).

While licensing became prevalent in Great Britain during the 1600s, it was not until 1710 that the world saw its first copyright law in the form of **The Statute of Anne** (Lorinczi, 2018). Named after Queen Anne of Great Britain, the law aimed to encourage learning and authorship by granting authors a limited copyright on their works. Prior to the passing of the law, most of the printing in England was controlled by the Stationers' Company, a guild with a near-monopoly. By giving authors some control over their works and potential profits, the law hoped to incentivize the creation of new books and knowledge (Deazley, 2008). The law gave protection to the publishers of books for a period of 14 years for new books that could be renewed, if the author was still alive, for another 14 years at the expiration of the initial period. Books published before the law went into effect were granted 21 years of protection. Published books had to be deposited in the libraries of universities across Great Britain so the public would have access. Any individual deemed to have infringed on a publisher's copyright by printing or reprinting a book without permission would have to pay a fine of one penny for every sheet in the book. The infringing copy also had to be destroyed. The statute gave authors protections as well where they had the right to sell their works to publishers, but once the initial period expired the publisher was free to renew the term without compensating the author a second time (The Statute..., n.d.). The Statute of Anne served as a model for future copyright laws in other territories including the United States of America which was founded in the late 1700s after the revolutionary war in the colonies.

Early American Music Publishing

The beginnings of publishing in the American colonies can be traced back to the emergence of what were called **broadsides**. Broadsides were a tradition brought to the colonies from Great Britain that were one sheet or pamphlet with a lyric printed on one side that noted a well-known song's melody to which the lyric on the pamphlet should be sung (McShane, 2017). Many broadsides were love songs or stories, but, in some instances, broadsides were political in nature. In the American colonies, broadsides were used for breaking news and were produced rapidly and distributed free in churches, taverns, and town squares for immediate impact (Library of Congress, n.d.). The type of publication was used extensively throughout the revolutionary war and well into the 1800s to disseminate news to the public quickly. One famous example is the patriotic American song *My Country Tis of Thee*. The lyric to which was written in 1832 by Samuel F. Smith (All About History, n.d.). Many of today's Americans might not even realize that the melody is the exact melody of the British song *God Save the Queen (King)*.


(161)

Anno Octavo

Annæ Reginæ.

An Act for the Encouragement of Learning, by vesting the Copies of Printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned.

Figure 1.5 The Statute of Anne

Despite the printing press being invented in the 1400s, the American colonies did not have a printing press until 1636. British printer Reverend Joseph Glover decided to remedy the issue and moved his family along with his personal printing press to Massachusetts. Along with his possessions, Glover paid for the passage of **Stephen Daye**, who in return for himself, his wife, and his son's passage to the new world, would be under contract to work for Glover. Glover did not survive the trip across the Atlantic, so his wife Elizabeth became the owner of the printing press and of Daye's contract. Daye immediately set up the printing press in Cambridge, Massachusetts at Harvard College and went to work along with his son Matthew. Initially, the Dayes printed broadsides, but in 1640 they printed the first book to be published in the Americas, *The Bay Psalm Book*. The book was extremely successful and was widely known throughout the colonies. Around 1700 copies of the book were sold but only 11 are accounted for today. In 2013, one of the remaining copies sold for $14,165,000 at auction (Arkin, 2013). It was not until 1643, 3 years later, that the Bible was first published in the colonies (Innovation in ...., n.d.).

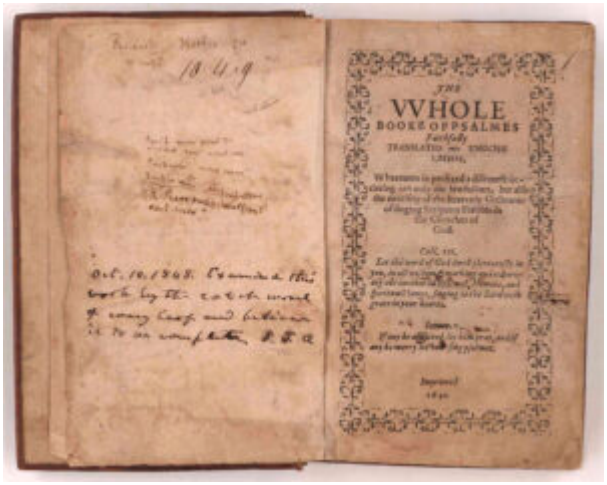


Figure 1.6 The Bay Psalm Book

Early music publications in the Americas sourced much of their material from European works, but as publishing became more prevalent in the colonies local composers began to rise to prominence. One such composer was **William Billings**, who is known as America's first professional composer. He was born in Boston, Massachusetts in 1746. Billings was a singing teacher, and he organized the first church choir in the Americas. In 1770, he published his book *The New England Psalm Singer*, which comprised 120 compositions. The book as alternately titled *American Chorister* and contained an engraving from his friend Paul Revere on the front piece. *The New England Psalm Singer* was the first publication of a music collection comprised entirely American-written music (Songwriters Hall of Fame, n.d.). His works were widely circulated throughout the revolutionary war, and his song *Chester* is known as America's first war song. By 1790, almost all songbooks published in America contained some of his compositions. William Billings was posthumously inducted into the Songwriters Hall of Fame in 1970.

Another notable composer from the 1700s early American era was **Josiah Flagg**, known as the "pioneer of psalmody and concert life" (Music, 1989, para. 1). Born in 1737 in Massachusetts, Flagg was an avid musician in his youth and was a member of Boston's Christ Church bell ringers boys' group together with his childhood friend, the legendary Revolutionary War hero **Paul Revere**. Flagg also fought in the Revolutionary War and Revere became a lifelong friend. Flagg and Revere often composed music together and one of their notable early publications was entitled ***A Collection of the Best Psalm Tunes*** engraved by Revere and published in the year 1764. The collection was one of the largest publications in early America and included 118 pieces of music. Another notable fact was that the collection was printed on the first paper that was made in America (Music, 1989). Flagg's friendship with Paul Revere also connected him to composer William Billings. Flagg was listed on the title page of *The New England Psalm Singer* as one of the salesmen of the publication, where he also placed an advertisement on page 21 for music staff pens. In addition to publishing, Flagg spent much of his early career before the war promoting concerts.

Chapter Summary

Up until the invention of the printing press, the only way music or books could be printed or disseminated to the public was by hand copying. Afterward, it became possible to mass produce books and sheet music and sell it to the public resulting in, not only educational opportunities for the masses but also creating the profession of printer and publisher. As the profession spread throughout Europe and the American

colonies, the notion of popular songs and music became the early form of what is known today as a hit. The growth of the publishing industry also began to spawn the idea that publishers and creators should have protection for their works limiting others from copying and distributing them without permission. Early regulations in Great Britain to license music and protect publishers became the foundation for the copyright laws that we have today.

Key Terms

The Bay Psalm Book
Broadsides
A Collection of the Best Psalm Tunes
Johannes Gutenberg
John Playford
Josiah Flagg
King Henry VIII
Licensing of the Press Act of 1662
The New England Psalm Singer
Ottaviano Petrucci
Paul Revere
Pierre Attaingnant
Printing Press
Single-Impression Printing
Steven Daye
The Statute of Anne
Thomas Tallis
William Billings
William Byrd

Chapter Questions

1. Explain how the invention of the printing press changed how information was dispersed to the public and the influence that the press had on society.
2. Discuss the rising need for protecting publications during the time period and how this was achieved.
3. Explain Broadsides and how they were utilized in colonial America.
4. Discuss the Statute of Anne and its significance.

References

All About History. *(n.d.). My country tis of thee*. Retrieved July 12, 2023, from https://www.allabouthistory.org/my-country-tis-of-thee.htm

Arkin, D. (2013, November 26). First book ever printed in US sold at auction for $14M, breaking records. NBC News. Retrieved from https://www.nbcnews.com/news/us-news/first-book-ever-printed-us-sold-auction-14m-breaking-records-flna2D11662667

Barnes, S. (2020). Learn how the invention of printing press changed the world for the better. *My Modern Met*. https://mymodernmet.com/history-of-the-printing-press/

Cole, S. (2008). Who is the father? Changing perceptions of Tallis and Byrd in late nineteenth-century England. *Music and Letters. 89*(2). 212–226. https://doi.org/10.1093/ml/gcm082

Deazley, R. (2008) Commentary on the Statute of Anne 1710. In L. Bently & M. Kretschmer (Eds.) *Primary Sources on Copyright* (1450–1900), www.copyrighthistory.org

Grashel, J. W. (1984). John Playford's an introduction to the skill of musick and its influence on musical textbooks of colonial America. *Bulletin of Historical Research in Music Education. 5*(2). 39. https://doi.org/10.1177/15366006840050020

Harmonice musices odecaton. (n.d.). IMSLP Petrucci Music Library. Retrieved from https://imslp.org/wiki/Harmonice_Musices_Odhecaton_(Petrucci,_Ottaviano)

Library of Congress. *(n.d.). The popularity of broadsides*. Retrieved July 12, 2023, from https://www.loc.gov/collections/broadsides-and-other-printed-ephemera/articles-and-essays/introduction-to-printed-ephemera-collection/the-popularity-of-broadsides/

Lorinczi, S. (2018). A brief history of music publishing. *Songtrust*. Retrieved July 10, 2023, from https://blog.songtrust.com/brief-history-of-the-music-publishing

MacDonald, K. (2012). Innovation in Cambridge. *History Cambridge*. Retrieved July 12, 2023, from https://historycambridge.org/innovation/American%20Printing.html

McShane, A. (2017). Digital broadsides: The upsides and the downsides. Media History. 23(2). 281–302. https://doi.org/10.1080/13688804.2017.1307099

Music, D. W. (1989). Josiah Flagg. *American Music. 7*(2). 140–158. https://doi.org/10.2307/3052200

Nipps, K. (2014). Cum privilegio: Licensing of the press act of 1662. The Library Quarterly: Information, Community, Policy. 84(4). 494–500. https://doi.org/10.1086/677787

Pierre Attaingnant. (n.d.). *Britannica*. Retrieved July 10, 2023, from https://www.britannica.com/biography/Pierre-Attaingnant

Poetry Foundation. (n.d.). *William Byrd 1543–1623*. Retrieved July 10, 2023, from https://www.poetryfoundation.org/poets/william-byrd

Smith, D. (n.d.). William Byrd and Thomas Tallis. *Presto Music*. Retrieved July 10, 2023, from https://www.prestomusic.com/classical/articles/1124--favourites-william-byrd-thomas-tallis

Songwriters Hall of Fame. (n.d.). *William Billings*. Retrieved July 13, 2023, from https://www.songhall.org/profile/William_Billings

Stack Exchange. (n.d.). *Why is a license payment for intellectual property called "royalty"*. Retrieved July 11, 2023, from https://english.stackexchange.com/questions/447300/why-is-a-license-payment-for-intellectual-property-called-royalty

The Statute of Anne. (n.d.). Jerry Norman's history of information. Retrieved July 12, 2023, from https://www.historyofinformation.com/detail.php?entryid=3389

Thomas Tallis. (n.d.). *Britannica*. Retrieved July 10, 2023, from https://www.britannica.com/biography/Thomas-Tallis

Unwin, P. S., Unwin, G., & Tucker, D. H. (n.d.). History of publishing. *Britannica*. Retrieved July 9, 2023, from https://www.britannica.com/topic/publishing

Image Credits

Fig. 1.1: Copyright © by vlasta2 (CC BY 2.0) at https://commons.wikimedia.org/wiki/File:PrintMus_038.jpg.

Fig. 1.2: Zythème, "Gutenberg's Bible," https://commons.wikimedia.org/wiki/File:Bible_de_Gutenberg,_copie_de_la_BNF_Res_A71-(2).jpg, 2023.

Fig. 1.3: Ottaviano Petrucci, https://commons.wikimedia.org/wiki/File:Frontispicio_odhecaton_a.jpg, 1501.

Fig. 1.4: Ottaviano Petrucci, https://commons.wikimedia.org/wiki/File:Por_quoy_non_-_Pierre_de_la_Rue.jpg, 1501.

Fig. 1.5: Government of the UK, "The Statute of Anne," https://commons.wikimedia.org/wiki/File:Statute_of_anne.jpg, 1709.

Fig. 1.6: Stephen Daye, "The Bay Psalm Book," https://commons.wikimedia.org/wiki/File:JCB_Bay_Psalm_Book_title_page.jpg, 1640.