

## Los Angeles Sync Industry Study

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#### EMEE

## EMEE foreword

#### Developing European Music Export Capacity

European musical talent and entrepreneurial spirit have demonstrated global competitiveness, however, European music markets and sectors remain fragmented.<sup>1</sup> Thus many European artists, creators, professionals and music companies, especially from smaller countries or from less developed music ecosystems, face significant hurdles in realizing their full international potential.<sup>2</sup> To address these obstacles, music export organizations (MEOs) have been set up in most European countries. These MEOs provide services and support to the sector, helping to develop their international networks, career, and business opportunities.

In 2018, the majority of European MEOs formed a network called the European Music Exporters Exchange, or EMEE for short, with the mission to learn from each other and

coordinate resources and actions to increase opportunities for European talent and entrepreneurs on a global level. Today, EMEE is a non-profit association made up of 33 national and regional music export organizations from 28 countries, with its registered office based in Brussels.

In 2019, the European Music Export Strategy was outlined in a study commissioned by the European Commission,<sup>3</sup> providing a 6-step path for developing music export capacity on a European level, and a "toolbox" of actionable proposals to implement the strategy. In subsequent years and through several projects and pilots, EMEE has developed a comprehensive and strategic approach to international market entry with consecutive steps including conducting market studies, fact-finding, prospecting, and trade missions. These activities aimed to develop a thorough understanding of the target markets and establish relevant networks.

European Commission, Directorate-General for Education, Youth, Sport and Culture, Smidt, P., Sadki, C., Winkel, D.et al., Music moves Europe – A European music export strategy: final report, Publications Office, 2020, <u>https://data.europa.eu/doi/10.2766/40788</u>.

<sup>2</sup> Ibid.

<sup>3</sup> The study can be found here: <u>https://op.europa.eu/en/publication-detail/-/publication/d7de0905-68c5-11ea-b735-01aa75ed71a1</u>.

## Introduction

This present study is based on interviews and discussions before, during and following the EMEE prospecting mission to Los Angeles which took place between June 5th – 7th, 2024. Chapter 1 provides a brief and basic definition and explanation of what is meant by synch and why it might fit into an export strategy of an artist, a creator, or a music company. Chapters 2 to 5, researched and written by Priya Autrey, provide an overview of the synch industry in LA. Chapter 6 provides the summary findings of the EMEE prospecting mission to LA, synthesizing the key learnings and takeaways of the attending European music export organizations. Many experts and professionals provided their insights through direct communication, talks or presentations, all are listed above in the credit page – once again, the author and the EMEE team would like to thank them for their contribution!

#### About the author

Priya Autrey loves the powerful, emotional intersection of music with visuals and the opportunities that combination provides for both musical artists and storytellers. She works in multiple facets of the music industry with a specialization in synch across music publishing, recording, marketing, artist management, clearance and music supervision. Based in Los Angeles, she manages artist, producer, and composer, Blue Stahli. As an independent music supervisor, she music supervised the documentary film, American Symphony for which she received a Guild of Music Supervisors Award nomination for best song written and recorded for a film. She was the Executive Director, Music Production for Freeform and Onyx Collective at The Walt Disney Company. There she oversaw the placement of songs and music customizations in marketing campaigns for shows such as Cruel Summer, Single Drunk Female, and Praise Petey as well as served as the executive in charge of music on TV series The Other Black Girl, Good Trouble, and Motherland: Fort Salem. Previously, she's held positions at record label, Rostrum Records; music publisher, Warner/Chappell; and performing rights organization, BMI.

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# 1. What is synch and why should music exporters focus on it? A general Introduction.

#### 1.1. Defining synch<sup>4</sup>

In the music industry, synch or synchronization refers to **licensing** a piece of music for use in an audiovisual work, such as a film, TV series, advertisement, or video game, etc. That "piece" of music usually consists of a particular <u>musical work</u> and a particular <u>recording</u> of a <u>performance</u> of that work. All three are protected under copyright law and therefore a license is needed to use, or in other words "synch", this piece of music in an audiovisual project. Such a license is usually referred to as a synch license.

Synch can also refer to the <u>creative professional</u> <u>practice</u> of synch agents and music supervisors who, in addition to dealing with the legal side of licensing and technical side of providing the track and metadata, also have a <u>creative</u> role as music curators to find and select the most suitable music for a given project.

## Whose rights are involved in synch licensing?

Synching a piece of recorded music directly involves three types of rights and commonly two types of rights holders:

- 1. the **author(s)** who wrote the melody and lyrics, often represented by a music publisher. The author's rights are generally referred to as **publishing rights**.
- 2. the **record producer**, often record labels or sometimes artists themselves. The record producers invest and organize the recording of the first, or the master, version of the track and thus their rights to the recording are generally referred to as **master rights**.

When recording a track, the record producer might also have to secure the permission of the **performers** who are performing on the recording and thus will have **performers' rights**. There are differences to the degree performers are granted such rights between the US and Europe, though. The Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (1961) grants certain rights to performers with regards to "fixation" (recording) of their performances.<sup>5</sup> This means those producing the recording need to ensure performers' permission. As of June 2024, 97 countries have signed the Rome Convention<sup>6</sup>, but the US is not among them. While in the US some protection for performers under its copyright laws is provided, it does not recognize the full range of rights granted under the Rome Convention, including the right to equitable remuneration for broadcasting and public communication of performances. In countries where performers do have more extended rights, it is general practice that they assign their rights over to the record producer, otherwise it would be very difficult for the producer to distribute these recordings, including using them for synch. Therefore, the master rights usually also include the performer's rights in the package.

## What rights are involved in synch licensing?

In the usual jargon of the industry the phrase "synch rights" is used. However, technically synching requires a bundle of different rights to be included in the license agreement.

For example, the main right used when creating an audiovisual work and synchronizing a music track to it, is the **reproduction right**, because the track (a recording containing a performance of a work) is being copied to create the new audiovisual work. Later on, when the audiovisual work is released and distributed, other rights come into play as well, such as **distribution right** (of physical copies), **public performance, broadcasting** and **making available rights**, as well as possibly **lending rights** and others. A synch license will need to clarify all of the rights being used in the particular project when creating, producing, releasing and distributing an audiovisual work (a film, TV show, advertisement, video game, etc.).

<sup>4</sup> This chapter reproduces a text nearly verbatim written by Virgo Sillamaa for the "Europe in Synch" project.

<sup>5</sup> WIPO. Summary of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (1961). Available online: <u>https://www.wipo.int/treaties/en/ip/rome/summary\_rome.html</u>.

<sup>6</sup> WIPO. WIPO-Administered Treaties. Contracting Parties: Rome Convention. Available online: https://www.wipo.int/wipolex/en/treaties/ShowResults?search\_what=C&treaty\_id=17.

### 1.2. Why is synch important in a music export strategy?

Even though it is difficult to assess the real economics of synch as a subsector of the music industry, it is clear that its prominence has grown. Not least so in the programmes of music industry conferences with panels featuring music supervisors and synch agents becoming something of a must-have. Synch deals are often portrayed as lucrative for artists and rights owners and with good reasons – at the high end of the scale these can range into tens and perhaps even hundreds of thousands. Especially for the independent artists and professionals who are seeing all other revenue streams dwindling, a potentially sizable upfront synch fee can seem understandably lucrative.

While synch as a sector and a potential revenue stream seems clearly on the rise, the specific way it works means it won't be taking over as the main revenue stream for any artists, even if it can supplement it well for some. For those owning or representing catalogs, synch can offer a more regular revenue stream, given that the music is properly cleared and ready to be synched at a near-moment notice.

**For artists**, it is important to acknowledge the limits of what role synch deals can play in their overall business. Synch is driven by the specific need of an audiovisual media production. The music supervisors working to place music will be seeking and licensing carefully selected tracks. Mostly, all an artist can do to land a synch deal is to be represented professionally, i.e through a publisher, label, or a synch agent, and be ready for it when it comes. That said, having good connections with music supervisors will help as being known increases the chances of being found suitable for a project.

For artists, synch can be an element in their overall export strategy in several ways:

3. If the export strategy focuses on a certain market, then in addition to other key partners, such as a booking agent, a label and a publisher to distribute and promote the music, and a PR partner, a dedicated synch representative can add additional opportunities to the mix. While pitching songs for synch can be done fairly actively, it is much less likely to yield results in step with other plans, such as organizing a tour and/or promoting a release. Still, establishing a high level of synch-readiness should be a goal, especially when working in markets with advanced and plentiful opportunities, such as the US music market.

- 4. In case of a successful synch placement, it might be useful to build other activities around it, such as a promotional campaign and seek to use it to grow audiences and awareness of the artist brand more broadly. Having a track featured in a prominent way in a Netflix series can create a lot of promotion around the artist. Very few synch placements would break an artist, but some might break a song, which could be a strategic step to build an artist in a given market.
- 5. Synch can also exist as a fairly standalone strategy. Even if a European artist feels that developing a full US presence is simply too difficult and risky, having professional representation for synch can still present opportunities. Music supervisors often need very specific music for particular briefs and are not only looking for tracks by otherwise well-known artists in their own market (though being known might certainly help). In case a synch deal lands a placement in a TV drama series with global distribution, all the benefits described above could potentially be used also in other markets, where the series is streamable.

**For composers and producers**, working with creating music for audiovisual media productions offers many opportunities. In contrast to the low probability of landing a synch placement for an already released track, creating commissioned music for films, TV series, games or ads can constitute a core business for music creators and companies working in this space. However, this is a competitive market and a music creator who wants to develop a profile in LA, it might mean the need to work or even reside there for at least some periods to build relationships and a professional profile. Still, with connections between the LA music and music companies gradually deepening, more opportunities might become available in the future.

## 2. Why LA? Introducing the synch industry in Los Angeles

#### 2.1. Synch industry in the US

In the US, incorporating a song into visual media such as a film, television show, video game, advertisement, or film trailer (all considered synch uses) involves clearing the two sides of a song: the master recording (the audio portion of a song created by the recording artist) and the song's composition (music and lyrics created by the songwriters). There are exceptions to this rule, but in most cases that is the basic procedure. Clearance involves a music supervisor or music clearance specialist identifying all parties with a copyright interest in a song. Interested parties in a copyright are usually a record label or publisher if the artist is signed (there can be multiple publishers depending on how many writers on a composition). Additionally, if an artist and/or songwriter is unsigned, they may hold the rights themselves or have their rights for sync clearances administered by a third-party pitch company. Once interested parties have been identified, they will be contacted to negotiate a licensing fee based on the required rights. If the song use moves forward, it will move to licensing (the formal contractual agreement) and payment.

When clearing a song, the main details conveyed by the music supervisor or clearance specialist in their request to each licensor include:

- The type of project (feature film, documentary, television show, etc.)
- A description of how the song is used (plays in the background with either vocals or instrumental only, performed on screen, over credits, etc.)
- The duration of the use, a scene description (sometimes with script pages can be provided upon request for a film or television use)
- Type of media (for example: all media, now known or hereafter devised)
- Territory
- Term of license

A licensor will review the request and determine a fee (or if there is a proposed fee, whether it is acceptable or want to negotiate). If an artist or songwriter has approval rights, the request will be presented to them for their review and approval before the licensor sends back their approval (or denial).

In the US, ancillary income that can be derived from a synch use for songwriters and publishers are performance

royalties paid by a performance rights organization (PRO). These royalties are paid when a film, television show, or commercial is broadcast on television or via a streaming service. PRO royalties are not paid for theatrical exhibition of a film which differs from many countries outside the US. Also, it is worth noting that in the US performing rights only cover sound recordings broadcast via non-ondemand, also called linear, digital radio transmissions only. There are no performing rights royalties for sound recordings by traditional linear broadcast via terrestrial radio (i.e. AM of FM radio) or any type of television.

#### 2.2. LA as a worldwide sync hub

It's not an exaggeration to call Los Angeles the Entertainment Capital of the World. LA is home to the five major US entertainment companies - Universal Pictures, Paramount, Warner Discovery, Disney Entertainment, and Sony Pictures which produce and distribute audiovisual content for US audiences and beyond. Streaming services such as Netflix, Amazon, and Apple, have also become contenders with the major studios for both creating content and being platforms to distribute content.

Besides film and television, LA is home to several video game companies, advertising agencies, and trailer houses. Add the multiple music companies, record labels, and music publishers based in LA and you can see the results of the constant exchange of music and synch opportunities by their proximity to one another. The potential of these relationships to amplify music and artists is a very real aspect and benefit of having a presence in Los Angeles. While synch uses alone cannot be relied on as a form of marketing due to their unpredictability, when they happen, they can be a meaningful form of music discovery for US audiences, particularly overseas artists that are not as well known in the US. If coordinated carefully with other promotional efforts, they can also help with the "buzz" to help grow an artist's fanbase.

The US synch business had seen incredible growth over the past 10 years and is now recognized as a significant source of income for music companies. According to a 2022 article in Billboard,<sup>7</sup> US synch revenue solely on the recorded music side (does not include music publishing figures), spiked 23% in 2018 from the previous year at \$285.5 million before falling again in 2019 and 2020. Another spike occurred in 2022 when US synch revenue for recorded music (again, does not include music publishing figures)

<sup>7</sup> Peoples, G. (29.09.2022). Music Synch Revenue Is Growing Faster Than Ever. Billboard. Available online: https://www.billboard.com/pro/music-synch-revenue-tv-film-growing/.

reached \$382 million which was a 26% increase over 2021.8

While the dip in recorded music synch revenue in 2021 is largely attributed to the slowdown and stoppage in television and film productions during the height of the Covid-19 pandemic in 2020, 2023 marked further challenges for synch revenue stemming from dual strikes by the Writers Guild of America (WGA) and the Screen Actors Guild (SAG), which again stopped both television and film productions in the US for the better part of six months. Furthermore, after years of expanding numbers that coincided with the rise of streaming platforms, 2023 marked the first year of a decline in the number of scripted television series in production. Scripted television series (see 4.2.) are shows where the storytelling is derived from a script which is then performed by actors, filmed, and edited into a final version for air. In both 2021 and 2022, there were 633 scripted series produced. In 2023, that number fell to 481 scripted series marking the end of "peak TV". It is expected that the number of scripted television series will see a further reduction in 2024.9

Even with the decline in the number of scripted television productions, which many studios see as a correction after a time of untenable growth, there will still be many synch opportunities originating from Los Angeles, although it is a very competitive field.

### 2.3. Synch practice in Los Angeles

In Los Angeles, music is represented for synch by record labels, music publishers, third-party synch pitching companies, production music libraries, and recorded music distribution companies, collectively called music licensors. Music licensors can vary in size from majors to indies. Majors will have copyrights that number in the hundreds of thousands with an entire global team focused on various areas within synch. Indies tend to be mid-tier or smaller companies with fewer copyrights and a modest-sized team that is more localized to Los Angeles. They may be more hands on and personalized to the artists and songwriters they work with. Third-party pitch companies tend to be more boutique in terms of staffing and catalog size and might focus their entire company on specific areas of synch such as trailers or certain types of genres. Additionally, third party pitch companies mainly work with individual artists who own their masters and publishing or they may represent catalogs for entire independent labels and/or publishers. Although they are more ancillary to music licensors, artist management companies are known to employ in-house sync marketers functioning as a direct line between artists and music supervisors while also amplifying the efforts of an artist's label and/or publisher.

<u>Music Supervisors</u> are either in-house employees at ad agencies, video game companies, trailer houses, or film

and television studios, or they are hired directly onto productions as freelancers. While there are some music supervision companies in Los Angeles, they are typically structured with a principal music supervisor (or multiple music supervisors) at the helm and a team working under them. While there are many other aspects to their jobs, music supervisors work directly as the go-between for sourcing music for a production with music licensors. They send out music search briefs to synch pitchers at music licensors which detail the type of music they are looking for including direction on genre, mood, lyrical content, tempo, instrumentation, and budget to help focus the search.

<u>Music Clearance</u> is sometimes handled by the music supervisors directly, but often there are additional individuals who focus specifically on clearances. Music clearance specialists can be considered a subset of music supervision who are hired specifically to handle music clearances. This is the person who will work with the music supervisor to determine which songs are being considered for the production and research and identify all music licensors on the copyright of a song (i.e. labels and/ or publishers). They send out clearance requests to each party to obtain approval for a song's use and a fee quote. They work with a member of a sync licensing team at a music company to obtain the approval and fee quote.

Sync marketing teams at music licensors (sometimes called sync agents, creative sync teams, or sync pitchers) handle the creative pitching of songs to music supervisors. Some music licensors structure their teams by specific media (i.e. television, films, sports, video games, documentaries, advertising, and trailers/promos). They proactively work with music supervisors to keep them informed of artists on their roster and alert them of new music, answer their search briefs and pull song ideas from their catalogs for consideration within a production.

Sync licensing teams are a counterpart or sometimes an extension of sync marketing teams at music licensors and are individuals who specifically focus on the clearance, negotiation, and licensing of a song at a record label, music publisher, or third-party pitch company. They handle the business and administrative aspects of a song's clearance by managing clearance requests that are sent for a song when a production wants to license a song for use. They are responsible for making sure that any approvals that are required by an artist's or songwriter's contract are sought as well as quoting a fee back to the music supervisor or music clearance personnel based on the type of media and use of a song within a production.

<sup>8</sup> Rosenblatt, B. (09.03.2023). New Music Industry Numbers From RIAA And Edison Research Show Growth Slowing. Forbes. Available online: https://www.forbes.com/sites/billrosenblatt/2023/03/09/new-music-industry-numbers-from-riaa-and-edison-research-show-growth-slowing/?sh=746569344acf.

<sup>9</sup> Spangler, T. (19.01.2024). Off-Peak TV: Number of U.S. Scripted Shows Fell 24% in 2023, Study Finds. Variety. Available online: <u>https://variety.com/2024/tv/news/us-scripted-tv-shows-2023-peak-tv-study-1235877669/</u>.

## 3. Music publishers, supervisors and synch agents

### 3.1. Main Actors Open to International Collaboration

International artists can expand their reach for securing synch placements by partnering with a Los Angeles based team to act on their behalf. Besides being a route to having a local presence in LA who is acquainted with the scene, some US licensees prefer working with companies familiar with US music and entertainment business practices. Additionally, having a US presence can help with overcoming time sensitive matters that can become more complex when accounting for time differences. Companies range in size from large global major labels and publishers to more mid-size, independent labels and publishers to independent third-party pitch companies run by small teams or even individuals.

One thing to note: artists and songwriters exploiting their music in the US should communicate any hesitations they have with particular subject matter being coupled with their music with the teams they plan to partner with so they are aware of what to avoid. Generally, but with the exception of music libraries, artists and songwriters can make sure that synch restrictions such as for alcohol brands, political interests, films rated NC-17 (adults only), etc. are expressed in their contract and that requests to use their music are submitted for their prior approval.

In each case and as with any contract for a potential partnership, most material terms are negotiable and should be thoroughly reviewed and understood before signing.

Depending on an artist's goals, some options for US representation are described below:

 <u>Sub-publishing agreement with a US or global publisher</u> – Most major publishers such as Universal Music Publishing, Warner/Chappell, Sony Music Publishing, Peer, and Kobalt have offices around the world which uniquely enable them to represent the publishing for songwriters within multiple territories and have local offices around the world. This tends to benefit highly active international songwriters the most as sub-publishers will want to see a growing track record of activity within their respective territories to collect on. A sub-publisher will be able to use their resources, such as an in-house sync marketing team, to exploit an international songwriter's compositions within the local market.

- Distribution or license deal with a US label Another option for international artists and/or labels is to partner with a US based label or distribution company for releasing sound recordings in the US or designated territories (such as the world excluding an artist's home territory in which marketing and release plans will be handled by their local label). This allows an artist to have a more targeted approach to their music releases in the US by having access to a US based team and marketing resources such as publicity, advertising, and synch marketing, but is the most effective if an artist also plans to tour in the US to support the release or has other significant US marketing activity.
- Production Music Libraries Library music is a necessity for most productions. Whether it's playing in the background under characters talking during a bar scene, a cue within a television promo, or even used as score for an independent film, music libraries provide productions with a time efficient, easy-toclear, alternative to licensing highly priced commercial music. Music libraries are often subsidiaries of major labels or publishers and will have blanket licensing deals with various networks or studios. From a songwriter/ artist perspective, music libraries provide a potential opportunity to create music specifically with productions in mind. Due to their nature of being under a blanket agreement, artists and songwriters have no approvals over the way in which these songs are used, therefore, the songs that are included in libraries aren't ones that they have any emotional or commercial attachment to. That said, music in libraries is still of a high quality.
- Third-party pitch companies These are companies that will work with individual artists and/or songwriters or on behalf of a label or publisher to market and secure synch placements. Often, they will work on a commission only basis for a percentage of synch licensing fees, but some will work on retainer plus a percentage of synch licensing fees (usually when representing a label or publisher) for an agreed upon period of time. They typically do not acquire any rights to songs represented and the rights remain with the artist, songwriter, label or publisher, however be aware that some companies may try to include a "trigger clause" where they obtain ownership in a song or songs if they reach a certain threshold of licensing fees or activity.

Below are a few of the many third-party pitch companies located in Los Angeles to provide examples of some of the options available. While their inclusion in this list isn't an endorsement, these companies are known for having European artists on their rosters and are open to working with international artists that create music that they feel there is a market for with their synch clients.

#### Spectra Creative Studio - Arbel Bedak, Owner/Creative Agent spectracreative.studio

Spectra Creative Studio is a division of Spectra Creative Agency focused on catalog representation and bespoke music for sync licensing. They represent the music of OONA Recordings out of Sweden and Continentica Records out of Norway as well as the music of Iceland-based artist MSEA, British composers/percussionists Minihi, Italian composer/pianist Olivia Belli, and Norwegian composer/ artist Kate Havnevik, to name a few. Spectra Creative Agency also represents composers Rebekka Karijord (Sweden), Marco Caricola (Italy), and Fred Avril (France).

The focus of the Spectra catalog is broadly on cinematic music, whether it's existing film scores, neoclassical music, or music from any genre with a cinematic feel (for example, we represent a company that produces cinematic hip hop for trailers). They are often approached for bespoke pieces for ads, trailers, and series. As an example, they produced string covers of Beyonce and SZA songs for the Netflix series *Queen Charlotte*.

#### Nice Management and Consulting - Steve Nice nicemgmt.com

Nice Management and Consulting represent artists through its synch licensing division. They have placed music in several films, including the second installment in the hit "Twilight" saga, "New Moon", and television shows such as ABC's hit drama, "Grey's Anatomy", Netflix's "The Lincoln Lawyer" and "Atypical", HBO's "Insecure", Showtime's "Shameless", the CW's "Riverdale" and "Nancy Drew" and CBS' "So Help Me Todd" and "NCIS LA" to name a few. They have also placed music in commercials for several major brands such as Google, Apple, Nike and Chevy, as well as in video games such as Guitar Hero, EA Sports' Madden, Tony Hawk and Rock Band.

#### Think Music, Inc

thinkmusicgroup.com thinkmusicgroup.com/placements

Think Music, Inc., is an exclusive representation licensing and publishing company, aimed at providing the music supervision community with premier (and primarily one-stop) music from artists, writers, producers, and record labels from around the world. They are also able to utilize their premier artists and writer/producers to create custom songs for any type of project. They tend to lean a bit left of center and represent music of all genres. Their primary focus is licensing music for Television, Film, Advertisements & Trailers.

Think Music represents European artists and catalogs — including Unity Group (French record label), Thomas Hien (Germany), The Clockworks (UK), Amy Swift (UK), among others!

#### Secret Road Music Services secretroad.com secretroad.com/latest

Secret Road Music Services is an independent music licensing agency with a goal to represent excellent independent music in all genres. Although they particularly excel in the singersongwriter and indie-pop vein, their catalog also includes hip-hop, alt-rock, and vintage, to name a few. They support their artists to cultivate lasting and lucrative careers through high-profile placements of their songs in film, TV, advertising, video games, etc. They pride themselves as an artist and business-friendly music licensing, artist management and publishing company which allows artists to forge their own unique and independent path in the music industry. They are also devoted partners to music supervisors and ad agencies, often serving as a one-stop shop while offering a concierge-style experience honoring their creative vision.

They are always looking to expand their international roster beyond artists they currently work with based in Mexico, Bali and the UK. Beyond growing their international artist community, Secret Road has a presence across Europe, Australia and Southeast Asia. Several of their artists have successful careers throughout Europe and Southeast Asia, partly due to Secret Road's synch efforts.

#### The Greater Goods Co. - Mike Jansen, Founder

thegreatergoodsco.com instagram.com/thegreatergoods\_co

Independent sync licensing company exclusively representing indie artists and labels across all mediums. Labels and artists include Roc Nation, Oasis, Moby, Cautious Clay, Metric, Fader Label, etc. International artists include numerous Asian/ AAPI acts via 88Rising, Oasis (UK), Muzi (SA), Duval Timothy (UK), Jesse Markin (FIN), WITCH (ZAM), Idris Elba (UK), Benny Sings (NL), Donna Blue (NL), Pearl & The Oysters (FRA).

Primarily representing new/current (2011 and beyond) artists but also representing some vintage catalog. Very tightly curated so not taking on much new talent but always open to things that are the perfect fit.

#### VQ Creative LLC - Vince Quintero, Founder vqcreative.com linkedin.com/in/vincequintero

Founder Vince Quintero currently oversees London Based Notting Hill Music Publishing/Notting Hill Music Masters (Record Label), Giant Music, Harvey Mason Media, Hallwood Media, Heavy Hitters Music, Verswire, and many one off developed and developing artists. I work across all media (Film, TV, Trailers, Video Games & Advertising) worldwide for creative sync licensing.

Placements include: Euphoria, Shameless, Blue Beetle, BOSE, 2K NBA, Outerbanks, EA FC 25, Deadpool 3, The L Word, Mayor of Kingstown, The Cleaning Lady, The Rookie, KFC South Africa, UFC, Queen Sugar, Airwick, Taco Bell, NCIS, Corona, Obliterated, Rap Shit, Jacobs Coffee, Maid, All American, Este Lauder, Maybelline, The Boys, Anyone But You, Brothers, Dave

### 3.2. Relevant industry events for synch

#### Guild of Music Supervisors Conference gmsmediaconference.com

An annual event held every August or September, this event is mostly educational in nature and gives those interested in music supervision, whether that is as an up-and-coming music supervisor or as a music representative looking for points of entry towards song placements, the best approaches to connect with music supervisors for music pitching, trends in music supervision, and panels on the different areas of synch. The conference is ticketed and open to anyone with an interest in music supervision with roughly 400 attendees (both in-person and virtual) and 100 panelists and moderators.

#### Guild of Music Supervisors (GMS) Awards gmsawards.com

Held annually in February or March, The GMS Awards celebrate excellence in the field of music supervision. The categories cover film, television, documentaries, advertising, and video game music supervision. This is the biggest annual event of music supervisors in the US with over 1,100 attendees, music performances, and special guests. The awards are a ticketed event and open to members of the GMS and Friends of the Guild subscribers.

#### Durango Songwriters Expo

durango-songwriters-expo.com

An annual event to connect music supervisors with songwriters and artists. Includes showcases and informational sessions. There is a submission process to be accepted as an artist as well as a fee to participate. Held in Ventura, California (about one hour driving from Los Angeles) and there is also one held separately in Broomfield, Colorado (about three hours flying from Los Angeles).

#### Sync Con

synccon.com

An annual event since 2018. Described as "A Music in Film and TV Conference. Meet and Network with WORLD'S Top Music Supervisors and Decision Makers for Music for Media." The event has been held in various cities and virtually, but in 2023 was in Los Angeles.

#### ASCAP and BMI

ascap.com/news-events/calendar/ bmi.com/events/calendar/2024/05

Two of the main US performing rights organizations hold various events throughout the year, some of which are film and television music related. Their events range from panels, workshops, showcases, as well as awards shows (however these are invite only). Their websites provide the latest information on events:

#### Sync Focused Songwriting Camps

These happen sporadically and are hosted by various companies such as third-party pitch companies or publishers usually in collaboration with music supervisors who provide specific briefs for projects they are working on. Participants are then given the opportunity to create a song based on the brief, record it, and present it. There have been several occurrences where a song created at a synch camp has gone on to be utilized by the music supervisor.

## Who synchs? The main client industries.

The versatility of Los Angeles as a synch hub can be demonstrated by the presence of just about any type of media company one can think of. With multiple major film and television studios, video game companies, trailer houses, advertising agencies, streaming platforms for both audio-visual media and recorded music all with global reach, there is very little in terms of media that doesn't have a presence in Los Angeles. Music placements - whether licensed, customized, or composed - present multiple opportunities across these media.

That said, there are limited opportunities for music placements which are highly sought after. Conversely, there are many competitors often submitting multiple songs just for one spot. Sometimes music placements can begin at the script stage where a song is written into a scene which offers little chance to pitch unless the song needs to be replaced due to budget or other reasons, but other times, spots to be filled with music can be opened up for a search by a music supervisor looking for the perfect song to elevate a moment. Multiple songs could work, but only one will be selected. Larger budget projects, particularly major studio films and trailers, tend to license well known songs or artists, however, there are opportunities for lesser known and independent artists across all levels the majority of whom are represented either by a label, publisher, or third-party pitch company. To be the most competitive, songs need to be of high quality and depending on the project, be in line with current trends in music and/or match the parameters of a brief for a specific time period, genre, or mood. In all cases, a song must be easily clearable where all interested parties in the copyright can be located and are responsive.

Daunting as it may seem, there are still many success stories of international artists who have seen their music find its way to screens in the US. Lxandra (Finland), IDLES and Jungle (both UK), Sampa the Great (Zambia), and Dean Lewis (Australia) have had their music appear in countless US television shows, films, and movie trailers, via their US partnerships, helping to expand their reach with American fans. Hildur Guðnadóttir, Alexander Desplat, and Natalie Holt, of Iceland, France, and the UK respectively, are composers who have scored major American films and television shows.

#### 4.1. Films

Films are productions that are feature length (over 40 minutes) and released theatrically. More recently, films are also produced to premiere on streaming platforms with a limited theatrical run (which is necessary for certain awards eligibility such as the Academy Awards<sup>10</sup>). Films can be produced by smaller, independent production companies and shopped to be acquired for distribution by a bigger film company or they are also produced directly by major studios, such as Universal, Sony Pictures, Netflix, Disney, Warner Bros., etc. and distributed within their own infrastructure. According to The Cinema Foundation's State of the Cinema Industry report released March 2023, in the US there were 71 widely released theatrical films (2,000 or more screens) in 2022, down from 2019's pre-pandemic figure of 112. That same report indicated that number is on the rise and estimated that there were 107 widely released theatrical films in 2023.11

#### 4.2. TV shows

Television shows air via linear television networks (where show airings are pre-programmed by the network) or streaming services (which offer consumers on demand selection of what they would like to watch). Shows include scripted (live action and animation) and unscripted (reality or docuseries), sports, and news. As previously mentioned, the number of scripted television series is on the decline with 481 in 2023 and fewer expected in 2024, however, those numbers don't include unscripted shows or sports which are both also users of music.

#### 4.3. Video games

Video Games are massive and, revenue-wise, dominate the film and recorded music industries. According to this Forbes article from 2022, global gaming revenue was estimated to be \$184.4 billion compared to global recorded music (\$26.2 billion) and global movies (\$26 billion)<sup>12</sup>

<sup>10</sup> The eligibility criteria for the Academy Awards can be found: <u>https://www.oscars.org/sites/oscars/files/2024-04/97th\_oscars\_complete\_rules.pdf</u>.

The Cinema Foundation. (2023). State Of The Cinema Industry. Available online: <u>https://theatreowners.org/wp-content/uploads/2023/03/State-of-the-Cinema-Industry-March-2023.pdf</u>.
Arora K. (17.11.2023). The Gaming Industry: A Rehemath With Upprecedented Global Peach. Earber: Available

<sup>12</sup> Arora, K. (17.11.2023). The Gaming Industry: A Behemoth With Unprecedented Global Reach. Forbes. Available online: https://www.forbes.com/sites/forbesagencycouncil/2023/11/17/the-gaming-industry-a-behemoth-with-unprecedented-global-reach/?sh=65650c5d512f.

The reports from Newzoo<sup>13</sup> and CNN<sup>14</sup> show that, in the US alone, video game revenue in 2023 was estimated to be \$48.3 billion compared to the US film box office revenue of \$9 billion. Some video game companies with headquarters or offices in Los Angeles include Riot Games, Electronic Arts, Activision, and Sony Computer Entertainment. Many game companies have dedicated music departments to handle licensing music or sourcing composers for original songs or scores.

The power of video games is also translating into more video game properties becoming hit film and TV productions such as the *Super Mario Brothers* movie and *The Last of Us* series in 2023 and the *Fallout* series in 2024.<sup>15</sup>

#### 4.4. Trailers

Trailers (and promos) are just as important as the films, television shows, and video games they promote. Trailers are a marketing tool for entertainment companies to announce upcoming releases and music is a major part of the emotional hook to build audience excitement. Trailers are produced by trailer houses or sometimes in-house at film, television, or game studios, networks, or streaming platforms and often have dedicated music teams or they may outsource music to freelance music supervisors. Studios will often invest considerable sums to create trailer spots to be placed within social media campaigns, television and streaming platforms, and in theaters ahead of feature movie presentations. Los Angeles is home to many trailer houses such as Trailer Park, AV Squad, Workshop Creative, Bond, Buddha Jones, and many more.

#### 4.5. Advertising

Advertising agencies in Los Angeles include Deutsch, Saachi & Saachi, TBWA/Chiat/Day, Media Arts Lab, 72 and Sunny, among many others. They handle creative marketing campaigns for national brands including clothing, technology, cars, household products, foods and restaurants, and many other categories. Depending on the creative vision an advertiser is working to execute, they may choose to license an existing song or have a song created that is unique to a brand.

<sup>13</sup> Wijman, T. (08.08.2023). New free report: Explore the global games market in 2023. Newzoo. Available online: https://newzoo.com/resources/blog/explore-the-global-games-market-in-2023.

<sup>14</sup> Maruf, R. (02.01.2024). US box office in 2023 passed \$9 billion, the best total since before the pandemic. CNN. Available online: <a href="https://edition.cnn.com/2024/01/02/business/us-box-office-2023-best-since-before-pandemic/index.html#:~:text=US%20box%20office%20in%202023,before%20the%20pandemic%20%7C%20CNN%20Business.">https://edition.cnn.com/2024/01/02/business/us-box-office-2023-best-since-before-pandemic/index.html#:~:text=US%20box%20office%20in%202023,before%20the%20pandemic%20%7C%20CNN%20Business.</a>

<sup>15</sup> Arkenberg, C., Loucks, J., Westcott, K., Patel, H. (29.11.2023). Cinematic and interactive universes: Games and studios come together to bring the biggest stories to life. Deloitte Center for Technology, Media & Telecommunications. Available online: <a href="https://www2.deloitte.com/us/en/insights/industry/technology/technology-media-and-telecom-predictions/2024/blurring-the-lines-between-video-games-and-movies.html">https://www2.deloitte.com/us/en/insights/industry/technology/technology-media-and-telecom-predictions/2024/blurring-the-lines-between-video-games-and-movies.html</a>.

## 5. How to work in the LA synch industry and where to start?

When a European artist or songwriter is ready to make the leap to breaking into the LA market and the US at large, what are the steps in between? Depending on what goals are set – whether that's targeting the US primarily for synch opportunities, being a composer, or a larger scale push towards growing their US fanbase - there are many practical approaches and timelines to how those goals can be met. Multiple artists appear to be overnight successes, but in reality they are "5 year overnight sensations". In that time, they are creating and refining their music, working on their brand, performing, building their teams for management, promotions and marketing and overall, building their fanbase. There is no one way, but planning, relationships, and patience are key.

#### Approaching Synch

*"Music in film & TV is hyper efficient storytelling."* Jonathan Leahy, Music Supervisor

As previously discussed in section 3.1, there are a few different ways for an artist or their local European representatives to approach having their music pitched for synch opportunities in the US. But, before starting the work towards finding a partner for representation, there are a few things to consider when it comes to the music itself. There are no doubt certain songs that work better than others for synch so Los Angeles-based **music supervisor at SuperMusicVision, Thomas Golubić**, provided some insights to EMEE from a music supervision perspective:

Does it make sense to solely focus on making songs for synch?

Songs created for sync - in other words written with the express purpose of being "syncable" - often lack emotional integrity. They can be successful intellectual exercises with a higher likelihood to find placements in advertising and trailers, where a specific set of familiar tropes are more welcome, but only if the audience engagement needs to be quick and efficient. For long-form film and television narrative storytelling, a lack of authentic emotional engagement in the song creation can often work against the needs of the story and the integrity of the characters and the storytelling. If a song feels like it came straight from the head, and bypassed the heart, you can do damage.

What about covers of English-lyric songs in a non-English language? While there are some copyright considerations

to be made with a translation of a song in the US, covers are a chance for an artist to apply their own take and style to a recognizable song. Thomas says:

Hearing a familiar song in a foreign language presents an opportunity to engage the audience in the discovery process, where the listener works through the unfamiliarity of the language with a melody they recognize. This engages the audience into the discovery process - remembering lyrics, thinking about how they may apply to the story - and that may draw the audience into a discovery head-space (what more is there to explore), instead of an expectation management space (when do I get what I already want).

#### European Synch Placements in Practice

#### Oscar Mazzola, VP of A&R, Film, TV and Ads - Wise Music Group

Wise Music is a music publishing company with three US offices and an additional ten offices worldwide. Volker Bertelmann, also known artistically as Hauschka, is a German composer and artist signed to Wise Music. Oscar Mazzola who is based in Wise Music's Los Angeles office and says

"Volker is a neo-classical composer who developed a very unique sound by adding odd things to his piano, like ping-pong balls, paperclips and other things that would make certain keys on the piano muted and more percussive." "We consistently pitched his music to the people at Apple and over time they became fans of his work. One of the compositions that stuck out for them is called, 'Nature Fights Back'"

#### says Oscar. He goes on to say

"This sound became the template for one of Apple's ad campaigns titled 'Work From Home' and they reached out to Volker to ask if he could add additional elements to this composition so it fit the creative better. This campaign was so successful, that he has completed 3 additional versions of the commercial and each time he was asked to do

#### Jonathan Leahy, music supervisor - Aperture Music

Aperture Music is a music supervision company based in Los Angeles. Their work covers a range of projects across TV and film. Jonathan worked on the TV series *Good Girls* and there were opportunities for him to place European artists in the show that could be considered unconventional.

"Importantly - Good Girls is set in Detroit, with a cast of characters that all speak English, yet we still pulled music from all around the world. To me this is a more interesting concept by using international music"

he says. Artists such as Alice Boman (Sweden), Polo & Pan, SebastiAn (both France), and Charlotte Adigéry (Belgium) are just a few of the European artists that were included in the show. Jonathan also believes there is room for using non-English songs in US productions and states they

"can free you from focusing on the literal lyric meaning, and allow yourself to just respond to the music."

#### Leticia Alvarez, VP Copyright Administration - Wise Music Group

As the executive in charge of copyright administration for Wise Music Group, Leticia Alvarez had the unique position of serving as the bridge between the administrative and creative interests of songs represented by the publisher. She has the following advice for songwriters and artists looking to include synch as part of their strategy:

At the heart of every music supervisor I have ever met is a music enthusiast with a very diverse plate. This means there are organic avenues of opportunity to get your musical works heard.

Make sure your works are readily available in the United States. Digital Service Providers and social media platforms have created a worldwide distribution channel for your music. Take advantage of this opportunity and ensure your music is distributed to the leading services like Spotify, Apple Music, Instagram, etc ... Great music and performances are shared by everyone.

If you are monetizing your creative works, you are a small business. Take advantage of the opportunities provided to you by your local government as an artist and as a small business owner. Get involved in local and regional music industry organizations which can expand your knowledge of the business of music as well as provide access to seasoned music professionals. While there are alternative avenues into the music business, established agents, managers, record companies, music publishers and their sub-agents still play an important role in the music industry landscape. They are trusted sources of quality recordings and music and will have the ability and the business relationships to promote your work internationally.

#### Adam Lewis, Founder - Planetary Group

Planetary Group is a Los Angeles-based artist development and promotions company. UK band, The Last Dinner Party, is a group he recently worked with to break into the US market. He provided the following breakdown on some of the benchmarks that helped the band catch the attention of US fans from a promotions standpoint:

The band have a spectacular sound and look that, frankly - is different from what is currently out there. So they really stood out. Although they harken back to another era, for this generation - it is a very new sound. So - we were able to get young and old excited about this project.

What is great about the set up for this was that we were working singles starting in late May/early June of 2023 - for an LP project that did not come out until late Jan/early Feb of 2024. This is a lot of lead time.

It's rare in the college radio world that we work that far out - but that was the plan. It's also rare that they set up singles, prior to the LP chart as well as they did prior to the LP. Both singles charted.

The label was aggressive early - as was management - which made a difference in this going well.

Finally - our goals on this were to get Top 20 and perhaps get Top Ten if it went really well. We never thought we were going to get a #1 - but - it took off - so we chased it. Again, it's rare for a debut artist to go number one. To do so for two weeks was a really proud moment. A new band, All female. From Europe. Out of nowhere. This was a big win!

By having the long lead time, management and label engaged, and working the band from the bottom up - really made all the difference.

## 6. The role of European music export offices and EMEE

### 6.1. Why is it important for European export offices to focus on LA?

As mentioned, LA can still be considered the entertainment capital of the world. The sheer volume of productions means simply that a large share of opportunities are generated in LA and catered to by LA music companies and supervisors. From the European perspective it might seem that European artists and music have little offer to the over-abundant LA scene. According to another myth only very well-known artists are of interest to LA based music supervisors. Both are misplaced simplifications. Music supervisors, LA based or otherwise, are always on the lookout for very diverse kinds of music and this can include mainstream tracks by superstars as well as music in peculiar niche genres, sung in foreign languages.

### 6.2. The role of European music export offices

The European music export offices (MEO) are support and service organizations providing a mix of different resources for artists, professionals and music companies16. Due to the public interest nature of their position in the music ecosystem, they are not well placed to directly pitch or represent artists and catalogs from their country. In contrast to labels, publishers or managements who are representing the private interests of a clearly defined roster, the MEOs cannot favor one artist or catalog over another as it would turn them into gatekeepers, which is in conflict with their mission to develop the music ecosystem of their countries or regions broadly and provide their services openly. However, there are many ways the MEOs can make an impact.

**Knowledge and professionalization** – While in other areas of music industry a learning curve is considered part of normal development, there is no room for mistakes in the professional synch world. The risks of using an inadequately cleared piece of music in a big production are very high and unreliable music providers will not be given a second chance. Therefore, the professional readiness to synch is of key importance. In contrast to the LA and the US music industry more broadly, especially when it comes to synch, there are many gaps in knowledge, skills and experience among European artists, creators and rights owners. In smaller European countries, the music market and industry are too small to organically carry a robust industry infrastructure, especially an area of competence as specialized as synch. Many artists and writers are selfmanaged, -released, and -published. This naturally means that a lot of creatively interesting music is not set up for synching – the rights owners are not easy to determine, splits might be unclarified, agreements undocumented, metadata missing and catalogs unorganized. There is much work to be done, in some countries more than others, to upgrade the synch-readiness and MEOs can serve a purpose here providing knowledge resources, training and consulting. The MEOs can thus also serve as conduits for expertise, tapping into the professional networks they have developed for specific skills and experience for approaching synch in the US market. This might include:

- Seminars to disseminate basic information about synch
- Webinars with LA music supervisors and other synch professionals
- Publicly available toolkits and guidelines that help to spread awareness about what it means to be synch-ready
- Organizing and providing information about noteworthy workshops and panels geared towards synch in the US that MEO members may find useful to attend if resources permit
- Training programs with hands on practical work on improving the synch-readiness of catalogs
- Seminars, workshops, etc. aimed at client industries, i.e. film, TV, games producers, improving the awareness and practical knowledge of licensing music into their productions.

This is increasingly being done, but for a broader impact much more still remains to do. There are also European projects in this area, for example Europe in Synch, which offers a workshop format bringing together music and client sector professionals to learn from each other demystify music synching as a practice and build networks. Collaborative synch camps are also on the rise in Europe, for example, a recent project funded from the LIVEMX programme is Sync About It, a conference and a camp in Bucharest, Romania in 2025.

**Networks and connecting** – European independent music companies, creators and artists, will mostly find it prohibitively expensive to build up and maintain a presence in LA in order to try and build a network. European music export offices can serve as connectors

<sup>16</sup> There are important differences between these organizations from country to country as some are public bodies, some private non-profit associations, some focused on providing funding, others on education and promotion. A recent report by EMEE provides a mapping of 29 European music export organizations for further information. Available online on the EMEE Resource Center: <a href="https://www.europeanmusic.eu/content/developing-music-export-in-europe-i/">https://www.europeanmusic.eu/content/developing-music-export-in-europe-i/</a>.

and help with the first steps, though for many of them doing it alone would also not be feasible. That's why conducting prospecting missions in groups, representing many European countries in one, coordinated by EMEE, can be useful. There are many follow-up activities the MEOs can do to share the value of being connected to relevant professionals in LA. Some of these include:

- Follow-up missions to LA for professionals, organized by a single or a group of MEOs together.
- Inviting LA professionals to European events, in some cases where possible linking these up into so-called incoming delegation tours where guests can visit multiple events in several countries in a row.
- Organizing practical formats, such as synch camps or pitch events, where European artists and writers can showcase their talent through creating bespoke music for briefs and creating direct connections with synch professionals.

**Funding** – many, though not all, MEOs provide funding for various export development activities. While very much focused on showcasing live performances and in some cases marketing in the past, the funding over the recent years is gradually broadening to include more kinds of activities. These can include travel support to participate in a synch camp or a residency or set up a mission to develop contacts. With European MEOs raising their awareness of the synch world, including in LA, they become more competent to design targeted funding programs to develop synch readiness among the music professionals, artists, writers and companies in their countries and regions.

#### 6.3. The role of EMEE

As was shown by the recent prospecting mission of a group of European MEOs to LA in June 2024, there is an added value to join the representatives of many, often small, European countries in a group for missions to develop first contacts in far-away markets, such as the US, Japan, India, Mexico, etc.<sup>17</sup> First, this creates a usefully diverse group of representatives that can be of interest to partners even in large markets. Second, it offers such opportunities to MEOs from smaller European countries who on their own would never be able to afford or justify such a mission alone. Such prospecting missions serve to make first contacts and provide insights for the MEOs to make sense of whether there are opportunities for their music industries to begin with.

EMEE as a network of European music export offices, is a platform for collaboration and coordination of activities, also for mutual learning and exchange of experience and knowledge. Given the high level of disparity in terms of what is feasible for MEOs from different countries, EMEE has taken a role to organize **prospecting missions**, that means missions for groups of MEOs to get their first sense of whether a faraway market would potentially be a destination where they should invest their energy and resources to create connections and opportunities for their artists, creators and professionals. These missions are accompanied by **market studies**, such as this, to share learnings and insights broadly. Both of these steps would be too costly and otherwise not feasible for many European MEOs. Once done, most of the follow-up will have to be done by the MEOs themselves, perhaps also in collaboration, and gradually paving the way for European professionals and music entrepreneurs as well as artists and creators to develop their presence. However, once the bridge is built, it also needs maintenance and EMEE can support and coordinate the efforts of MEOs by developing high level contacts and awareness among, for example, EU delegations and other missions and make sure that the learnings of one group of MEOs are shared with others.

Another important issue is funding as the inherent market failure for export development for smaller actors remains. EMEE has a role to contribute to shaping European music policy. It is doing that through the European Music Export Strategy, a strategic framework of coordinated action. One of the key elements is to make more flexible funding available for European cooperation, which includes joint missions to international markets. A recent funding programme LIVEMX is an example of such instruments.

#### 6.4. How can European MEOs and EMEE be useful for music industry representatives in LA?

While, as explained above, the MEOs cannot act as direct representatives of artists and catalogs from their countries and regions, there are several ways they can be useful for music supervisors or other synch professionals from LA.

- Information curators and connectors: the MEOs can guide the search of a music supervisor towards specific styles or genres and artists as well as companies active in these.
- Professional hosts: inviting LA professionals over to Europe for industry events, setting up meetings, workshops, panels, etc., thus helping to develop a local network.
- Mediating synch-ready music selection: in certain circumstances, which include a locally transparent arrangement of submitting and selecting tracks from publishers, labels or other rights owners with a trusted quality of clearance, the MEOs can set up a national or a regional synch resource or a newsletter that music supervisors can choose to receive.

In sum, while the way the MEOs work with their sectors locally is by nature too slow to cater to particular incoming briefs, there are broader benefits to be achieved through a more long-term strategic collaboration and connection to bring these national or regional music ecosystems to a higher synch-readiness and thus opening up new and unique repertoires from various corners of Europe.

<sup>17</sup> EMEE has organized prospecting missions for European MEOs to India in April and Mexico in December of 2023, LA in June 2024 and a forthcoming mission to Japan in November 2024.