

What is a Cue Sheet? And Why Should I Care? By Robert Kramer

Did you ever wonder how the music in a production is paid for? Sure, the producers pay to use it, but does it end there? What is the producer's responsibility to the musician and publisher? Do they get royalties? Does that mean the producer has to cut them a check each month out of any profits? How does it all work?

As a producer, these were all questions that I wanted answers to. So, I searched. What I found was both complicated and enlightening. The answer to most of my questions is: cue sheets. But let me back track a little bit.

There are two main music organizations that a producer needs to be aware of: ASCAP and BMI. These organizations make it their job to keep track of the music used in productions for film and broadcast. Both organizations have helpful sections on what is expected of a producer and of a musician.

First, we need to understand that Networks, cable, PBS, and local stations all pay a certain amount of money into a pot each year. From this pot, royalties are distributed to musicians and publishers based on the number of times their music was aired on television. They keep track of this through cue sheets that every production fills out and submits to either ASCAP or BMI. These organizations match the cue sheets to broadcast schedules and performances. Producers do not pay into this pot for their productions, producers pay the musicians for use of the music. Royalties only come from this pot.

So, what is a cue sheet? According to ASCAP, "A Cue Sheet is a document that lists all of the musical elements of an audio/visual production." According to BMI, "An accurately filled out cue sheet is a log of all the music used in a production. This information includes: Series/Film Title, Series/Film Title AKA, Episode Title, Episode Title AKA, Episode Number, Air Date, Show Length, Music Length, Production Company Information, Song/Cue Title, Composer, Publisher, Performing Rights Society, Timing, and Usage."

There is an industry standard for cue sheets and BMI and ASCAP have made it easy for the producers. They have created a web based application called RapidCue that allows production companies to enter, manage and electronically submit cue sheet data to ASCAP and BMI. The production company is responsible for submitting the cue sheets, ideally, no later than three months after the first television broadcast or before the first foreign theatrical performance for a film.

When don't I need to register a cue? ASCAP says, "You do not need to register a work if the work is: underscore (music written for the audiovisual production and will only exist within the production); logo; theme (theme music written for the audiovisual production and will only exist within the production). A registration is required if the work is: not written for the audiovisual production and will exist outside of the production (even if it is another production); a work that has a life outside of the production (e.g. popular work

that airs on radio). Commercials and Infomercials also require cue sheets. Anything that is broadcast with music in it needs a cue sheet.

One interesting side note about the way cues are paid. According to ASCAP, “If the production company negotiated that it retains the publishing interests of the underscore in the composer’s agreement, it is obviously in their best interest to establish a publishing company to receive performance royalties.”

So, the production company’s responsibility is to keep track of the music details within the production and submit a cue sheet in a timely manner. A lot more information is available on both BMI’s and ASCAP’s web sites. BMI even has an example of what a properly filled out cue sheet looks like. And finally, yes, even if you bought royalty free music, the moment it is going to be used in a broadcast or performance a proper cue sheet is required. Because the creator of the music and publisher still get royalties from the pot paid for by the broadcasters. The Royalty Free license only applies to the production using the music, but that can get complicated too. Check out the copyright article in this issue for more details about this topic.