

NEWS MUSIC NOW

WHERE NEWS MUSIC COMES ALIVE

News Music Now | Cut Counts Now | The Great Forum

TITLE 17, CHAPTER 1, USCS Sec. 107 LEGAL USE OF COPYRIGHTED MEDIA THROUGH THE FAIR USE ACT

Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use as reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

The files and content of this site, News Music Now and all its subsidiaries, are covered under the Fair Use Act taking into play all possible perspectives. From every point of view, News Music Now abides by all the factors and conditions of the Fair Use Act and takes the precautions necessary to make sure that we do overstep our site's boundaries nor those of the law. Let us take a closer look at the four points enumerated in the list above:

1. The files on the News Music Now family of sites are not for profit. Furthermore, we believe our sites advance new knowledge by educating the general public about the styles of news music composition, organization, creation and its utilization on a day-to-day basis in television news.
2. While there are some files on the site that may reflect the original music from various composers, they are not direct duplicates or masters of anything from the composers. We have also, notwithstanding, taken careful precautions to ensure that the content is not easily misused, primarily by reducing (degrading) the sound quality of the music samples by extreme amounts. The site's objective is to offer television stations (prospective clients) a quick and easy way to listen to different pieces of news music and to help them with the music selection process. The samples hosted on the site are clearly marked as not for use in a public or production environment. Any notion that visitors will be able to use our samples for other reasons is a preposterous assumption, since the files have been compressed to the point where they are only barely recognizable and not even suitable for misuse.
3. The proportion of each copyrighted work of the music put online is miniscule compared to the whole composition — news music packages contain hundreds of cuts; only a small percentage of cuts appear on News Music Now and those are only designed as reference material for future clients.
4. The effect on potential market value is very limited. Again, due to the precautions taken before the material has been placed on the site, the material is not likely or even able to be misused.

Furthermore, we would state that the potential market value of the music increases since News Music Now assists the companies and clients in associating a their musical signature/theme with their brand. News Music Now does not claim ownership of the music on this site and specifically names the composer and publisher, as well as clear and present notices throughout the sites for people wishing to misuse the material we place on them. Credit to the composer and copyright owner is given whenever and wherever possible in many places on our sites.

In accordance to the companies who partner with us and willingly donate material, we do not encourage trading and rather discourage our visitors from doing so. We do our best to make sure that our public message board, The Great Forum, stays clean of copyrighted material and that our users do not trade news music packages.

The News Music Now family has put forth an abundance of effort into meeting the demanding needs of the parties holding the copyrights to the music on this site (read the disclaimer on the Homepage of News Music Now for more information.)