



Establishing a Music Publishing Company

This article provides simple steps for establishing your own music publishing company. If you prefer to set your company up as a corporation or other business entity – that would require some additional paperwork. If you need assistance in determining which business entity is best for you, you should consult an attorney, accountant, or other professional.

1. You need a name for your business.

You can apply for whatever name that you want with the performing rights organization (PRO) but the more unique the name, the better the chances that you will be able to register it. The PRO wants to make sure that they send the check to the correct person so you will be asked to provide several possible names for your company on your application and they will tell you which name they allowed you to register.

2. Submit an application to ASCAP or BMI.

If you plan to publish other people's songs, you will need to have a company with both ASCAP and BMI. If you are a songwriter who performs your own music and you are interested in self-publishing, you can decide which performing rights organization you want to join.

It is really a personal choice as to which organization is the best fit for you. Visit their websites, call their toll free numbers, and ask questions: ASCAP, 800-95-ASCAP, www.ascap.com or BMI, 212-586-2000, www.bmi.com. Once you submit your application, it can take over a month to receive approval and find out which name they allowed you to register. There is another organization called SESAC. They are a little more selective and usually do not accept artists until they have hit a certain level of success.

3. Register your business name with your city/town.

In most states, a DBA or business certificate is required before you can open a bank account or cash a check in the name of your business. Wait until after your application has been approved by ASCAP and/or BMI and you know which name was accepted. Then, if necessary, file your business certificate or DBA ("doing business as") form under that business name in the community in which your business is located.

4. File copyright registrations.

File copyright registrations for all of your songs under your publishing company name. If you already filed copyright registrations under your legal name, you need to transfer the copyrights to the publishing company.

5. Register all of your songs with your performing rights organization.

This is one of the most important steps because if your song isn't registered, you cannot be paid. Just check with the ASCAP or BMI (whichever you signed up with). Both provide forms for you to complete and submit to register your songs.

6. Labeling your PRO affiliation.

Make sure that you have future CD materials printed with your PRO affiliation. An example might be: Published by [your business name], [BMI or ASCAP], 2006." Look at major label CD's for examples.

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