

# Shades of 'Grey' in Copyright Debate at M3

By Michelle Mercer

Miami Beach

Though the Winter Music Conference in Miami Beach is partly billed as a business meeting, over the years the event has largely become an opportunity for the electronic music industry to indulge in a sunny five-day marathon of dance music excesses. Last year, the conference's concentration of parties and shows in the South Beach area drew tens of thousands of revelers from around the world and generated several million dollars in revenue. "Winter Music was becoming more and more like spring break," said Kemado Records' Jeff Kaye, who has attended the Miami Beach event for six years.

"I never registered for the conference but usually ran into someone at a pool somewhere, and it would lead to a deal eventually. The business was incidental."

But this year even some of the more hedonistic dance-music producers and professionals got business-minded in Miami Beach at a splinter event called the M3 (Miami, Music, Multimedia) Summit, held March 5-9 in South Beach. The M3 Summit was organized by David J. Prince, a journalist who built industry connections through his Miami Master List, a kind of Zagat's guide to the conference's parties that he's produced for the past seven years. "Everyone I know in the industry could benefit from facing the changing demands of the business," Mr. Prince said. "Electronic music is of course made with the latest technologies, and technology companies have the greatest opportunity to utilize the changes in the industry. So the M3 Summit was designed to address what the confluence of music and technology can be."

With the sponsorship of Motorola, M3 convened industry representatives for two days of panel discussions in a darkened, air-conditioned tent. A discussion on the future of digital distribution moderated by WIRED magazine Senior Editor Robert Levine generated dubious pronouncements—"The Album is Dead"—as well as practical suggestions.

For example, panelists advised independent record labels and producers to organize their "metadata," the music production, copyright, radio format and genre information that is used for categorization by iTunes and other online retail sites. In addition to providing information for consumers looking for a specific artist or genre, metadata identifies features of a song that advertising agencies and television and film producers use when shopping for music. For instance, a music supervisor for a



DJ Dangermouse (front) and his 'Grey Album,' were highlights at the M3 Summit.

car commercial might search metadata for a song about driving.

Another discussion addressed the relationship between electronic music and advertising, with a panel that included music producers, label owners, and representatives from Mitsubishi and the Ogilvy & Mather advertising agency. Panelists discussed how in lieu of mainstream radio airplay, television commercials have become a viable and fashionable medium in which electronica artists can promote and sell their music. Panel moderator Beth Urdang, a music supervisor for Agoraphone, even claimed this advertising income could create a new "musical middle class" among electronica producers.

The M3 Summit also showcased a diversity of dance music in four evenings of performances called Sunset Sessions, held at the Doubletree Surfcomber Hotel on a stage spectacularly set between the hotel pool and the ocean beach. "In dance music, it's been anonymous DJs who drive the scene," M3 Talent Director Jonathan Rudnick explained. "We wanted to feature some performers with personalities and show that there's more than one way to make electronic music, just as there's more than one way to do business with electronica."

While the synthetic, pounding sound of house and techno music dominated Winter Music Conference sets—relentless danceclub beats were as ubiquitous as art deco architecture on South Beach streets—M3 focused on more eclectic acts like the Brazilian DJ Patife's drum-and-bass-fueled bossa nova and British rapper

Dizzee Rascal. The Sunset Sessions also paired DJs with live acts: In Saturday night's appearance by Louie Vega's Elements of Life band, Latin percussionists and soul singer Raúl Midon enlivened the programmed beats of DJ Spinna.

The most highly anticipated M3 appearance was by DJ Dangermouse (Brian Burton), an artist whose recent "Grey Album" controversy has made him an icon for the internal struggles of the music industry. Mr. Burton's critically acclaimed recording combines vocal tracks from Jay-Z's "Black Album" with the Beatles' classic White Album. Mr. Burton did not seek permission from EMI Records, which controls the sound recording rights to Beatles material. When EMI issued a cease-and-desist order to Mr. Burton, he complied, but late last month online retailers organized a one-day protest called "Grey Tuesday," which resulted in close to a million downloads of the record.

In a public interview with Mr. Prince on Sunday afternoon, Mr. Burton made carefully worded comments about how he'd had no intention of actively challenging copyright laws with the "Grey Album." Mr. Burton then gave his first live DJ set featuring the "Grey Album" material at a Sunset Session that night. "I looked into clearing the copyright for the Beatles' material," Burton explained, in a private interview after his DJ set. "My friends in the industry said it would never happen. The Beatles' stuff almost never gets cleared. I went ahead, thinking the record would be an underground phenomenon at best. The huge response to the 'Grey Album' shows that people don't believe that publishing rights should stop creativity. And even if people on the whole don't believe it should be downloaded, how can you stop people from stealing candy from the candy stores?"

During Dangermouse's set, Christopher Stern, the creative director of P. Diddy-owned Bad Boy Records, listened at poolside. Technology and advertising companies may be finding new ways to do business with dance-music professionals, but Mr. Stern said the discussions and performances at the M3 Summit only called attention to the fact that technology is still a double-edged sword for the recording industry. "What Dangermouse produced is great. But unless some Japanese guy comes up with something that makes your computer blow up when you download music, we're going to be out of business in two years."

Ms. Mercer is a musical commentator for NPR and is writing jazz musician Wayne Shorter's biography for Tarcher/Putman Books.