

# Billboard

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THE INTERNATIONAL AUTHORITY ON MUSIC, VIDEO AND DIGITAL ENTERTAINMENT • 110TH YEAR • APRIL 23, 2005

## HOT SPOTS



### 5 Lil Jon's Mobile Tone

Lil Jon jumps on the wireless wagon of acts forging mobile-content deals outside their label relationships.



### 28 Dean's 'Little' Risk

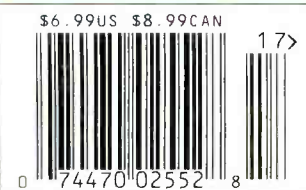
Billy Dean rolled the dice and came up a winner with his self-financed album, "Let Them Be Little."



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"The O.C." mastermind Josh Schwartz discusses the role that music plays in the tastemaking series.

Breaking news around the clock: **billboard.biz**



# Diamond Jubilee

## Promoters Hope To Take Star's Tour To The Bank

BY RAY WADDELL

The U.S. touring industry will get a 24-carat boost from Neil Diamond this summer. One of the most consistently bankable performers of the past 30 years, Diamond will hit the heartland July 25 at the Qwest Center in Omaha, Neb.

Neil Diamond—Live World Tour 2005 will play at least 34 cities across the United States as part of the series, *Billboard* has learned. AEG Live will promote the U.S. portion, in conjunction with longtime Diamond tour directors Sal Bonafede and Jeff Apregan.

"Neil Diamond touring America is good for the arenas, it's good for his fans, and it's good for the touring industry," AEG Live CEO Nancy Phillips says.

The tour will support Diamond's new Rick Rubin-produced album that will arrive this summer on Columbia. Dates are on the books through Oct. 26 at the Philips Arena in Atlanta.

*(Continued on page 59)*

Photo: Jesse Diamond

## No Deal For HOB Concerts

BY RAY WADDELL

It's déjà vu for the House of Blues. For the second time in three years, the company has entertained the sale of its concert division, then ultimately stayed intact.

In news first tipped April 13 on *billboard.biz*, House of Blues Concerts is once again off the block, according to CEO Greg Trojan.

"We feel like retaining our concert business will generate more growth for House of Blues than selling it," Trojan tells *Billboard*. "[Selling] would have had to be a situation where we

*(Continued on page 61)*

## Radio Does Know Jack

BY PAUL HEINE

Radio's playlist liberation movement hatched in late 2001 at a birthday party in Winnipeg, Manitoba. A radio was blasting when Howard Kroeger, director of operations and programming for CHUM Broadcasting's Winnipeg stations, arrived at his friend's 40th-birthday bash. It was a competitor's classic rock station, and Kroeger used the occasion to conduct an informal focus group among the partygoers, most in their mid- to late 30s.

Whenever Boston, the Cars, Meatloaf, Super-

*(Continued on page 59)*

KROEGER: JUMP-STARTED LATEST HOT FORMAT

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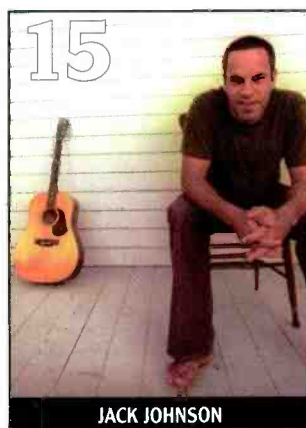
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JACK JOHNSON



B.G.

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VENUS HUM

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 Information: 646-654-4660

Billboard/American Urban Radio Networks R&B/Hip-Hop Conference & Awards

Aug. 3-5 at the Hotel InterContinental, Atlanta  
 Information: 646-654-4660

Billboard Dance Music Summit

Sept. 19-21 at the Union Square Ballroom, New York  
 Information: 646-654-4660

Billboard Touring Conference & Awards: Roadwork '05

Oct. 25-26 at the Roosevelt Hotel, New York  
 Information: 646-654-4660

billboardevents.com



## **DISCOVER AND DOWNLOAD + THE BRAVERY = 30,000 1ST WEEK**

New bands, live performances, tons of video play  
and free downloads for our audience.  
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Switchfoot wins this year's highest Gospel Music Assn. accolade



# Upfront

TOP OF THE NEWS

Richard Blackstone to head up Warner/Chappell Music



## IFPI Seeks Dialogue With ISPs

BY EMMANUEL LEGRAND and CESCO VAN GOOL

LONDON and AMSTERDAM—With a new round of litigation under way, the global music industry is putting the onus on Internet service providers to join in the battle against illegal file sharing.

On April 12, the International Federation of the Phonographic Industry and its national trade group members launched legal cases against 963 individuals in 10 European countries and Japan. This brings the number of cases the trade groups have filed against individuals accused of downloading or uploading illegal Internet music files to 11,552. Of that figure, 9,900 cases were brought in the United States.

IFPI chairman/CEO John Kennedy describes the latest round as "the biggest wave of legal actions so far against Internet music file sharers."

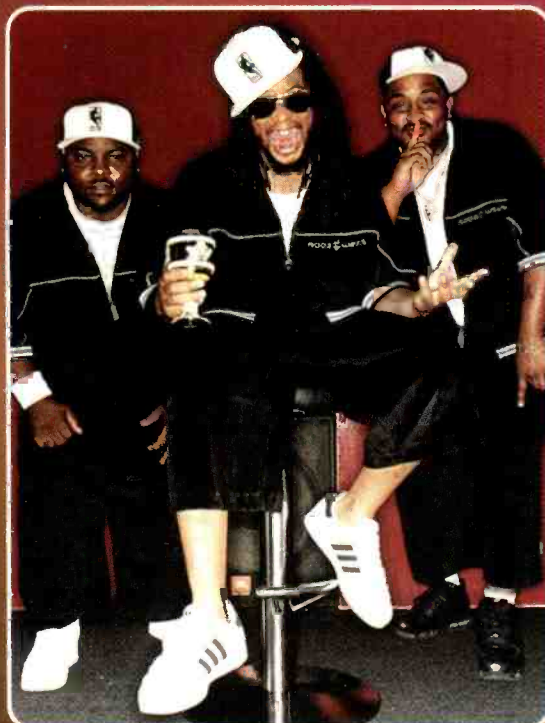
The suits include cases in four European countries that had not previously been targeted: the Netherlands, Finland, Ireland and Iceland. IFPI groups in Austria, Denmark, France, Germany, Italy and the United Kingdom began litigation against file sharers in 2004. (Details of the proceedings are available at [ifpi.org](http://ifpi.org).)

Also for the first time, an Asian country has joined the ranks of those targeting Internet piracy. The Recording Industry Assn. of Japan launched its first civil proceedings against 44 peer-to-peer users.

(Continued on page 60)



KENNEDY: 963 INDIVIDUALS TARGETED



## Two Tone Deals

### Lil Jon Makes Pact With Blingtones

BY ANTONY BRUNO

Lil Jon's deal with Blingtones is the latest example of a hitmaking artist forging a mobile-content deal outside of his label relationship.

The King of Crunk signed with the mobile label to produce original ringtones and provide other wireless-specific content like voicetones, graphics and a wireless videogame.

Other artists who have forged such deals include Snoop Dogg, 50 Cent, Ludacris, Q-Tip and Timbaland. (Continued on page 60)



### Coldplay Dials Up Cingular Sounds

BY ANTONY BRUNO

Capitol Records has released a segment of the first track from Coldplay's much-anticipated "X&Y" album as a master ringtone a week before the full song can be heard on the radio, and more than a month before the album's June 7 street date.

The 30-second clip from lead single "Speed of Sound" was offered exclusively through Cingular Wireless beginning April 12 as the debut title for the wireless carrier's new Cingular Sounds music service. (Continued on page 61)

## Glastonbury Shows Its Difference

BY LARS BRANDLE

LONDON—The Glastonbury Festival is going back to its roots.

Founder and organizer Michael Eavis has declared that 2006 will be a "fallow" year, in which the iconic event will go on hiatus to allow the grounds where it is held time to regenerate.

So the 112,000 ticket-holders at this year's festival June 24-26 in Somerset, England, should be mindful to lap up the experience.

"It's perfect for us, and it gives all the right messages to the rest of the world," Eavis says of the year off. "We don't do [the festival] because we have to do it, and it's not tied to commercial interests. The crew gets really stimulated, and then we bounce back a year later. It does what it's supposed to do. It's one of the things that makes Glastonbury so special."

Glastonbury took similar breaks in 2001 and 1996. "It's a quirk that we're used to," explains Melvin Benn, managing director of British promoter Mean Fiddler Music Group, which has a critical role in the fest's operation. "The nature of [the] Glastonbury Festival allows it to happen. I think other festivals would struggle."

The skipped year will mark the end of Mean Fiddler's five-year arrangement with Glastonbury. The company reached terms with Eavis after the 2001 event was scrapped. Through that agreement, Mean Fiddler took an initial 20% stake in the festival. (Continued on page 60)



BENN: PROMOTER'S DEAL ENDS THIS YEAR

## Coming Next Week: The New Billboard

The countdown is on! There is just one more week until the new *Billboard* is in your hands.

As you read this week's issue, we are hard at work putting the final touches on our cover-to-cover redesign. Here's a preview of what you will see:

- An entirely new look: New typefaces. New use of graphics. More color. Redesigned charts. And a new design sensibility that lets *Billboard* take its place among today's best-looking publications.

- Bold new covers with big, bright artwork and headlines to point you to our key stories for the week.

- No more "jumps." We are jettisoning those annoying "continued" lines. No more flipping around the magazine to find the rest of a story.

- Increased coverage of the topics that matter most in the new millennium. We are stepping up our coverage of brand marketing, digital and mobile, legal and management—all of the areas that are driving today's market.

There's much more, but we don't want to give it all away. Check us out next week. We're sure you'll be pleased with the new *Billboard*.

## Switchfoot GMA's Top Act

### Gospel Music Assn. Hands Out Dove Awards

BY DEBORAH EVANS PRICE

NASHVILLE—Christian crossover band Switchfoot took top honors at the 36th annual Gospel Music Assn. Music Awards, winning Dove trophies for artist of the year as well as winning the rock contemporary song and shortform video awards, both for “Dare You to Move.”

The group also took the longform music video accolade for “Switchfoot Live in San Diego.” The band’s Columbia/Sparrow album, “The Beautiful Letdown,” has sold 2.3 million units, according to Nielsen SoundScan.

The Crabb Family also netted four awards. They were for Southern gospel recorded song (“He Came Looking for Me”), country recorded song (“Forever”), traditional gospel recorded song (“Through the Fire,” featuring Donnie McClurkin) and Southern gospel album (“Driven”).

As a group, Casting Crowns claimed three honors, including group of the year and inspirational recorded song for “Voice of Truth.” Frontman/principal songwriter Mark Hall picked up four awards, including his second consecutive Dove for songwriter of the year and one for song of the year for “Who Am I.”

“For a writer and an artist, it’s a great encouragement. I’m so blessed that the little gift that I have gets to have an award show,” he told *Billboard*, adding that he wished other Christian vocations had an opportunity for such recognition. “They need to have the

church bus driver awards and the Vacation Bible School craft lady awards because everybody needs to be encouraged like that.”

BEC artist Jeremy Camp won his second consecutive Dove in the male vocalist category. He also took home the Dove for rock recorded song for the hit “Stay.”

Nicole C. Mullen was named female vocalist of the year, an honor she won in 2002. Her 2004 album “Everyday People” won the urban album of the year award.

Ed Cash was named producer of the year. He produced the praise and worship album of the year winner, Chris Tomlin’s “Arriving.” Word band Building 429 won in the new artist category.

Israel & New Breed won in the contemporary gospel recorded song (for “Again I Say Rejoice”) and contemporary gospel album (for “Live From Another Level”) categories.

Music from Mel Gibson’s film “The Passion of the Christ” was honored in two categories.

The multi-artist “The Passion of the Christ: Songs” was named special event album, while “The Passion of the Christ Original Motion Picture Soundtrack” garnered instrumental album accolades.

The awards were held here April 13 at the Grand Ole Opry House and concluded the annual Gospel Music Week convention. GMA members voted on the winners. The show will be televised in syndication later this year.

For a complete list of winners, go to [billboard.com/awards](http://billboard.com/awards).



CASTING CROWNS: PICKED UP THREE AWARDS

## WMG Looking To Add Rap, R&B Juice With Bad Boy Deal

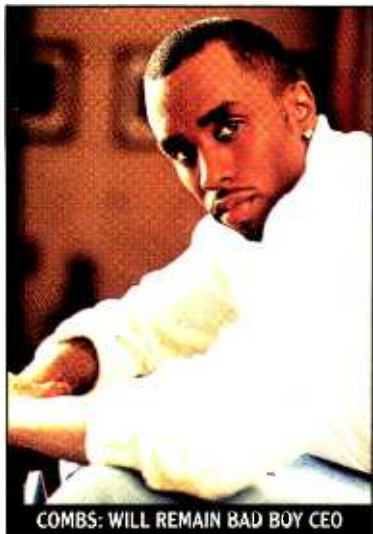
BY BRIAN GARRITY and TAMARA CONNIFF

NEW YORK—Sean “P. Diddy” Combs’ Bad Boy Entertainment has entered a worldwide 50-50 joint venture with Warner Music Group.

As part of the agreement, sources say, WMG is acquiring a \$30 million equity stake in Bad Boy Records and its catalog, which includes Combs, Mase and the late Notorious B.I.G.

Even though WMG now owns 50% of Bad Boy, Combs tells *Billboard* he will have the option to buy it all back down the road. However, he adds, “Right now it’s like a marriage, and I’m not looking to get divorced.”

Combs will continue in his role as Bad Boy CEO, and the New York-based label will be distributed in the United States through Atlantic Records, which will also provide marketing and promotional support.



COMBS: WILL REMAIN BAD BOY CEO

Combs says his interest in WMG was driven by chairman/CEO Edgar Bronfman Jr. and U.S. Recorded Music chairman/CEO Lyor Cohen. “We started talking,” Combs says, “and the vision that they have for

Warners is a similar vision for what I have for the future of Bad Boy. They are also at a time where they need something hip-hop, urban and specialized.”

The move comes as WMG is gearing up for a \$750 million initial public offering. The major label, which last year saw its market share in rap and R&B slip to less than 10%, has been looking to build its strength in those genres.

“The Bad Boy name has not only stood for hip-hop music for more than a decade, but has evolved into a unique and vital brand,” Cohen said in a statement.

In moving to WMG, Combs is buying Bad Boy out of a 2-year-old distribution pact with Universal Records that was scheduled to run through 2006. The Bad Boy/Universal deal yielded only one notable hit, the “Bad Boys II” soundtrack.

Universal declined to comment.

## A LOOK AHEAD

### ‘Mimi’ To Debut Over ‘Rainbow’

BY KEITH CAULFIELD

Go ahead and call it a comeback. Mariah Carey is on course to land her first No. 1 album on The Billboard 200 since 1997—and with her biggest opening week ever.

First-day sales of Carey’s new “The Emancipation of Mimi” (Island/IDJMG) suggest that her eighth studio album could surpass 350,000 units, easily placing it at No. 1 on the big chart.

With a busy promotional schedule during release week—including visits to “Good Morning America,” “TRL,” “Live With Regis and Kelly” and “Late Show With David Letterman”—chart prognosticators suggest Carey’s number may rise even higher.

Her last No. 1, “Butterfly” (Columbia/Sony Music), bowed

with 235,000 in 1997. Her 1999 set “Rainbow” (Columbia/Sony Music) holds the record for the singer’s biggest opening week, having bowed at No. 2 with 323,000 units.

Also heading for a record-high sales week and chart bow is Mudvayne, as its “Lost and Found” (Epic/Sony Music) could do upwards of 150,000 units, ensuring the band its highest debut yet. The act’s last album, “The End of All Things to Come,” started at No. 17 with 79,000 units in 2002.

Garbage’s fourth effort, “Bleed Like Me” (Almo Sounds/Geffen), may sell as much as 75,000 units in its first week. If that number holds, the group will earn its first top 10 album. The set’s lead single, “Why Do You Love Me,” has already gone top 10 on the Modern Rock Tracks chart.

## Jones, Walsh Join Billboard Staff

The Billboard Information Group has filled two key positions on the New York editorial team, just in time for the launch next week of the *Billboard* redesign (see story, page 5).

Ivory Jones joined the staff April 12 as R&B/hip-hop editor for *Billboard* Radio Monitor and staff writer for *Billboard*. On April 18, Chris M. Walsh comes aboard as associate editor of *billboard.biz*.

Jones will cover the hip-hop beat for Monitor and *Billboard* and their respective Web sites. She will also author the biweekly Beats & Rhymes column in *Billboard* and play a key role in the *Billboard* R&B/Hip-Hop Conference & Awards.

Jones reports to *Billboard* co-executive editor Ken Schlager and Monitor editor-in-chief Scott McKenzie.

Jones joins from Rolling Out Urbanstyle Weekly, where she has been manager of the lifestyle and entertainment publication’s Philadelphia edition since November 2004. She joined Rolling Out in June 2003 as a senior staff writer at the publication’s Atlanta headquarters.

Jones’ bylines also have appeared

on allhiphop.com and in RIME Magazine, Right On Magazine, The Atlanta Business Journal and Atlanta Metro Magazine. She holds a bachelor’s degree in English from Clark University in Atlanta.

Walsh will join the reporting, editing and production team at *billboard.biz*, *Billboard*’s daily business news site. He will report to

*Billboard* co-executive editor Tamara Conniff.

Walsh comes to *Billboard* from the Verve Music Group, where he has served as new media and strategic marketing coordinator since October 2003. In this role, he managed Web sites for the label and

its artists and wrote Verve-related news stories. Since November, he also has been a reporter for US Weekly, covering celebrity and pop culture events.

Before joining Verve, Walsh was product manager/music for San Francisco-based digital jukebox firm Ecast. He also held a series of administrative posts with Virgin Records America, including A&R production coordinator. He holds a bachelor’s degree in business administration from Providence College in Rhode Island.



JONES



WALSH



Thanks to:  
**THE USED** and  
**MY CHEMICAL ROMANCE**  
For Tearing it Up  
in Niagara



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Watch MTV2 soon for the video of the Used / My Chemical Romance collaboration "Under Pressure" shot at the \$2 BILL, dedicated to the victims of the tsunami. A portion of the proceeds from the download of that track will be donated to [musicforrelief.org](http://musicforrelief.org)

## N.Y. Broadens Copyright Protection To Older Works

BY SUSAN BUTLER

NEW YORK—The protective arms of the law in this state are embracing recorded music, extending copyright to older recordings made anywhere in the world—even if they have fallen into the public domain overseas.

Drawing the legal spotlight away from the ongoing battles over digital distribution and shining it on restoration and reissues, the New York State Court of Appeals held April 5 that sound recordings not covered by federal copyright law—those produced before Feb. 15, 1972—are protected



New York law protects this Edwin Fischer recorded performance from the 1930s.

until Feb. 15, 2067, by the state's common law (the law created by the courts through legal precedent).

As a result, such historical recordings as the 1930s classical performances of Yehudi Menuhin, Pablo Casals and Edwin Fischer that were made in England cannot be copied or distributed in New York without permission of the copyright holder, even when they are public-domain recordings in the country where they were recorded.

The opinion came nearly three years after Capitol Records filed suit in the U.S. District Court in New York against  
*(Continued on page 60)*

## Warner/Chappell Head Named

### Richard Blackstone Will Replace Departing Les Bider

BY SUSAN BUTLER

NEW YORK—Warner Music Group is taking another step toward reshaping its future, tapping Zomba Music Publishing president Richard Blackstone as the next chairman/CEO of Warner/Chappell Music.

Blackstone will take the reins from Les Bider, who announced Feb. 17 that he will depart when his contract expires in December (*Billboard*, Feb. 26).

As the group readies its initial public offering, executives declined to discuss their plans because of the regulatory quiet period.

Many publishers and lawyers tell *Billboard* they are surprised that longtime Warner/Chappell president Richard Shoemaker was not elevated



BLACKSTONE: 'NEW BLOOD' FOR WMG

from under the publishing group," sources say.

In contrast to the other major publishers that signed high-profile deals in the last year, there were no big signings of songwriters/artists at Warner/Chappell. The publisher could not spend money to compete in the market, sources say, and its staff was cut to the bare bones.

Hiring New York-based Blackstone marks a change, these observers say. It signals a likely desire by WMG chairman/CEO Bronfman to shift the publisher's West Coast operations to New York and to bring in "new blood."

#### 'UNIQUE BACKGROUND'

Blackstone joined Zomba in 1989  
*(Continued on page 61)*

to the post. He weathered many changes during the last year, they say.

When WMG's ownership was in play and it was acquired by the Edgar Bronfman Jr.-led group, it "cut the legs out

## RIAA Suits To Hit Students

BY BILL HOLLAND

WASHINGTON, D.C.—As if the Internet wasn't enough of a piracy challenge for the record business, now the Recording Industry Assn. of America has to turn its attention to the even more efficient university network known as Internet2.

The RIAA announced April 12 that it is targeting college students who use Internet2 to illegally download music.

In all, 405 students at 18 colleges across the country will be slapped with copyright-infringement lawsuits. Officials said students are using Internet2's file-sharing application known as "i2hub" to illegally get music on "a massive scale."

"This next generation of the Internet is an extraordinarily exciting tool for researchers, technologists and many others with valuable legitimate uses," RIAA president Cary Sherman said. "Yet, we cannot let this high-speed network become a zone of lawlessness where the normal rules don't apply."

Sherman said the students mistakenly viewed i2hub as a safety zone, adding, "We punctured that perception."

The RIAA said it has evidence of i2hub infringement at another 140 schools in 41 states. While these schools were not included in the initial round of lawsuits, Sherman said letters are being sent to each university president.

The letters will alert them to the illegal activity occurring on their

campuses on both Internet2 and centralized piracy servers often set up by students on a college's local area network.

Although evidence of infringing activity on i2hub is extensive, the RIAA is limiting the number of lawsuits to 25 per school at this time.

According to the RIAA, in a one-time tracking capture in March, the students being sued were sharing more than 1.5 million total files—music, video, software—including more than 930,000 music files.

The RIAA claims that defendants in this latest round of suits have, on average, 3,900 illicit files, 2,300 of which are MP3 files.

*(Continued on page 61)*

## NEWS LINE

THE WEEK IN BRIEF

**Island Def Jam Music Group** chairman Antonio "L.A." Reid announced April 13 that the company has formed a 50-50 joint-venture deal with Russell Simmons' latest company, the Russell Simmons Music Group.

Simmons, who will head RSMG, has named King Shah Productions/Chocolate City Music founder Tony Austin president of the new operation. Initial signings include Reverend Run (a former member of Run-D.M.C. and Simmons' brother) and R&B sister-trio Buddafly; both have albums slated for later this year.

Since co-founding the original Def Jam Records two decades ago, Simmons has branched out to film, TV, fashion, Broadway and food/beverage businesses.



SIMMONS

MICHAEL PAOLETTA

**EchoStar Communications' Dish Network** must honor a contractual obligation to carry a new music-video network from Vivendi Universal and Universal Music Group, a U.S. District Court in New York has ruled. The court issued a mandatory preliminary injunction April 14, ordering EchoStar to carry the channel as soon as possible. Litigation is still pending. The ruling paves the way for UMG to be the first music company to launch its own music video channel. EchoStar is the second-largest U.S. satellite TV service, with more than 10 million subscribers.

BRIAN GARRITY

**In one of a series of music division** promotions at the William Morris Agency, David Snyder adds head of music operations to his previous title of head of the AC department. The Los Angeles-based 15-year WMA vet was the architect of the first computerized booking system used by an agency to organize and track national concert tours.

The agency also upped two senior VPs, Marc Geiger and Tony Goldring. Geiger was named head of contemporary music. The co-creator of the Lollapalooza tour, he co-founded ArtistDirect in 1996 before joining WMA in Los Angeles in 2003. Goldring was named head of the international department. He joined WMA's Los Angeles office in 2000.

All report to WMA Worldwide head of music Peter Grosslight, who says he orchestrated this restructuring following the retirement of his longtime WMA Music partner, Richard Rosenberg, last year.

RAY WADDELL

**MusicNet, the digital music** service formed by several music labels to jumpstart the online-distribution market, has been purchased by New York-based private equity firm Baker Capital. MusicNet provides the back-end technology for music services run by AOL, Trans World Entertainment, Virgin Entertainment Group's Virgin Digital and HMV. According to Baker Capital, MusicNet will continue to provide services as an independent company. Terms of the deal were not disclosed.

ANTONY BRUNO

**Former Korn member** Brian "Head" Welch and actor Stephen Baldwin have formed Livin' It Records. The New York-based label, which is seeking distribution, aims to release Welch's debut solo album later this year.

Baldwin will promote Livin' It through his "extreme sports ministry" of the same name. The ministry is part of Christian organization Palaufest Productions.

MICHAEL PAOLETTA

**Federal Communications Commissioner Jonathan Adelstein** keynoted a Future of Music Coalition "policy day" April 12 in Washington, D.C., highlighting what he said were new and developing opportunities for artists to deliver their music to the public. A digital-radio policy is one way the FCC can help, Adelstein said. The relevance to musicians, he said, is that "digital radio gives new opportunities for expression that aren't heard on commercial radio." Another policy objective is more access to the Internet. "The more broadband pipelines that are out there," Adelstein said, "the more musicians can share their work."

TONY SANDERS

**Chicago-based rock label Victory Records** has renewed its contract with New York-based RED Distribution. Victory had fielded offers from nearly every major distributor. Victory's deal with RED was due to expire at the end of July. The two have worked together since 1996. Sources indicate that the new deal is not long term. Victory founder Tony Brummel and a RED representative declined to comment.

TODD MARTENS

**Word Label Group** is relaunching the Myrrh Records label. Founded in 1972 as a division of Word Records, Myrrh was discontinued in 2000. It had been home to Amy Grant. The resurrected Myrrh will focus on worship music and expects to release new product later this year.

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## Dueling DRM Does Not Help Digital Market Stop Throwing Stones

Apple Computer recently has been waging a back-and-forth battle with the hackers who created PyMusique, a solution that strips Apple's FairPlay digital-rights-management technology from any track bought from iTunes. But just this past February, Steve Jobs contacted major record labels directing them to a blog containing a hack method for the new Napster to Go service.

That Jobs would make a point of highlighting a competitor's security weakness is puzzling, given the shaky DRM ground on which Apple stands. The PyMusique solution is hardly the first shot at cracking Apple's DRM code. Several existing free solutions similarly strip the FairPlay DRM protection from iTunes-purchased files, such as that found at hymn-project.org. Additionally, there are several ways for iPod owners to swap entire music libraries from iPod to iPod in a fraction of the time it would take to download them.

The digital music industry remains in

its formative stages, generating excitement and innovation from the music and technology industries alike and engaging a growing number of consumers. For every DRM solution created, there is someone working to defeat it.

And as interest in digital music grows, Apple can expect additional hackers to target the closed iTunes/iPod

*For every DRM solution created, there is someone working to defeat it.*

system. Initiatives like PyMusique and hymn-project.org exist not because of a desire to steal music, but rather because consumers demand the ability to play legally purchased music on any device or system they want, just like they can with CDs.

So long as the flexibility of authorized

digital music is inhibited, some consumers will not have any qualms using other technologies to break that protection to exercise what they consider their usage rights.

What is it they say about people who live in glass houses? This is not the time to point fingers at your competitors' security holes when they could be better used plugging your own.

Sure, Napster has taken a shot at Apple with its "Do the Math" advertising campaign touting the benefits of a subscription service over the pay-per-download model. But that is a legitimate debate on an emerging issue that is being discussed throughout the industry.

By all means, highlight and compete on the differences in your user interface, your music discovery capabilities, your value proposition, even the devices you support.

But trying to compete on who has the best protection only serves to cast the entire digital music industry in a negative light.

—Antony Bruno

## Letters

### Indie Retail Vs. Starbucks: Another Voice

I am mystified by the naive remarks in Michael TenBrink's letter in the April 2 issue regarding Maverick Records' decision to give Starbucks an exclusive on the Alanis Morissette album. In his letter, TenBrink calls Jerry Kamiler of Trans World Entertainment "petty and unwise" for deciding not to stock the new album and pulling older product.

Let me assure you that Trans World Entertainment is not alone in its decision to pull all product by artists who enter exclusive sales ventures. We are an independent music retailer servicing the north-east corner of Colorado. We have managed to find success for almost 13 years now, but there are artists you will never find in our store. If you are looking for a Rolling Stones or Elton John CD, for example, you will have to look elsewhere.

TenBrink seems to sum up our actions as those of a "sore loser on the school playground." Well, he has one thing right: We are sore about such blatant arrogance from record companies that have forgotten how much of an impact "regular retail" (to quote Guy Oseary) has on album sales. In a time when albums are packaged with one, maybe two great singles, it is the music

retailer who encourages and secures the sale of an album.

What an unfortunate time we have stumbled upon when the companies whose product we are promoting no longer have confidence in us to sell their product. Is the barista at Starbucks going to tell you which tracks are really great or why that album is worth every penny of its price tag?

As for TenBrink's implication that by pulling product we are ignoring the wants of our customers, I assure him that our customers and their wishes are at the heart of every decision we make. We take the time to inform customers as to why we don't carry certain products. Every customer we have talked to supports our decision. You see, the closest Starbucks is a two-hour drive from our store, and it's a little longer than that to the nearest Best Buy. Our staff and customers are offended by the notion that the only people buying CDs live in select bigger cities.

In response to TenBrink's comment that stores are giving up revenue, I fail to see that. When we inform customers why we don't carry certain CDs, 99% of the time they leave the store with a CD from a different artist. Our customers don't want to wait

six weeks for product, and the truth of the matter is that in six weeks they will probably be interested in someone else anyway.

As far as coming up with "fresh" and "creative" ways to promote albums, we are constantly working to better ourselves. TenBrink suggest that we "unhappy retailers . . . partner with labels and artists" to get our own exclusives. Well, Michael, we are one of hundreds of thousands of sole independent music retailers in the country. Do you think there is a record company that would be interested in an exclusive with us? One store in the middle of the country?

It seems like every week we read about another music store throwing in the towel. We hope to be in this business for many years to come. Here at KC's Tapes and CDs, we have a great love and respect for the artists and record companies that have supported us. We are not "getting beat at our own game," we are simply fighting for our chance to play the game.

Celeste Delgado-Pelton  
Partner/manager,  
KC's Tapes and CDs  
Sterling, Colo.

Let your colleagues know what's on your mind. Send letters to Ken Schlager, Executive Editor, Billboard, 770 Broadway, 6th Floor, New York, N.Y., 10003, or e-mail to letters@billboard.com. Include name, title, address and phone number for verification. Letters should be concise and may be edited. All submissions published shall become the sole property of Billboard, which shall own the copyright in whole or part, for publication.

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Composer Steve Stucky is a 2005 Pulitzer Prize winner



Photo: Cornell University Photography

# Music

Olga Tañón makes her label debut on Sony BMG with 'Una Nueva Mujer'



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## Celtic Woman's A Sophisticated Lady

"Celtic Woman," the self-titled collection from four female Irish singers and a violinist, is the latest non-traditional music offering to capture people's attention. The album tops the *Billboard* Top World Albums chart for the fifth consecutive week.

Driven by repeated airings of a 90-minute PBS special and the group's appearance on NBC's "Today" on St. Patrick's Day, the title has sold 40,000 copies, according to Nielsen SoundScan.

Similar to such projects as the 5 Browns and Il Divo, *Celtic Woman* appeals to an older fan base that learns about new music through press and TV more than from radio.

"Celtic Woman," which features ensemble and solo performances of traditional Irish and contemporary melodies, streeted March 1 in the

United States on EMI/Manhattan Records. In a deal similar to the one EMI made with Robbie Williams, the label participates in all revenue streams, including CD, DVD, ticket and merchandise sales. EMI vice chairman David Munns struck the

The Beat

By Melinda Newman  
mnewman@billboard.com



joint venture with Irish indie label Celtic Collections.

Celtic Woman will launch the first leg of a summer tour July 20 in Cleveland. It is presented by Clear  
(Continued on page 14)



## NEWFOUND ACCEPTANCE

Mudvayne Stirs Broader Reaction At Rock Radio

BY CHRISTA TITUS

During a telephone conversation with *Billboard*, Mudvayne drummer Matt McDonough makes this pronouncement:

"I have to file my official disclaimer," he says. "At some point in this interview, and it's probably already happened, I have told you at least one lie."

McDonough's comment isn't as straightforward as it seems, and that's exactly his point.

"It's important to remember that there are no rules," he explains. "There is no right answer to a question in an interview. There's no right way to write a song. There's no rules for what we're doing. As an artist, I think it's exciting for us as a band to explore and to have the freedom to go into the space, to turn the lights on and to look around."

Indeed, the metal band prefers keeping things open-ended so people can draw their own conclusions about its music on its new Epic set, "Lost and Found," which streeted April 12. (A DualDisc of the album was released simultaneously.) Even though

such plain-spoken lyrics as "There's no voice in freedom" or "Turn off the radio/turn off the TV" seem to be direct mandates, McDonough and vocalist Chad Gray say that isn't the case.

"We don't want to tell people what anything's about, really. I think it takes something away from the listener," Gray says. "Like handing you a box wrapped up and telling you what's in it before you open it."

McDonough adds, "We have enough respect for our audience to give them the opportunity to think for themselves. We've never wanted to think of ourselves as being arrogant enough to know or to think that we could tell people what they should be thinking about or what they should assume songs are about. We leave it ambiguous."

"Lost and Found," produced by the band and Dave Fortman (Evanescence, Super Joint Ritual), already has a solid single at radio, "Happy?" It is No. 2 on the Mainstream Rock Tracks chart and No. 17 on Modern Rock Tracks.

(Continued on page 45)

## Nalick's 'Day' Has Come

BY MARGO WHITMIRE

More than a year in the making, the bravely emotional "Wreck of the Day" by Columbia newcomer Anna Nalick hits stores April 19.

The 21-year-old has steadily toured since the album's completion, holding her own alongside such artists as Gavin DeGraw and labelmate Ari Hest with a resonant voice and lyrics wise beyond her years.

"For me, music has diminished the intimidation factor in meeting anybody," Nalick says. "I've learned that anybody really is approachable because we've all experienced falling in love and love gone bad."

The album was originally slated for

(Continued on page 14)



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# Music

## Gospel Music Week Of Awards

One of the highlights of Gospel Music Week was the ASCAP awards dinner that honored its top songwriters and publishers April 11 at Nashville's Richland Country Club. **Jeremy Camp** was named Christian songwriter of the year.

The **Matthew West** hit "More," penned by West and **Jason Houser**, was named song of the year. It was published by **Westies Music Publishing, WB Music, Word Music** and **Extreme Writers Music**.

**EMI CMG Music Publishing** garnered the honor for Christian publisher of the year. The company had a banner year with such hits as "(There's Gotta Be) More to Life," "All I Need," "Dare You to Move," "It Is You," "King," "Open Skies" and "Presence."

**4HIM** was presented with a special award in recognition of its 15th anniversary and vast collection of hits. During their tenure together, group members **Mark Harris, Marty Magehee, Kirk Sullivan** and **Andy Chrisman** have churned out such classics as "Basics of Life," "Center of the Mark" and "For Future Generations."

In an industry where personnel changes are a common occurrence, 4HIM's Dove Award-winning lineup has remained consistent. ASCAP assistant VP **Dan Keen** praises the group for supporting the Christian songwriting community by recording outside material in addition to supplying its own hit tunes.

During the evening's festivities, West and **Nichole Nordeman** introduced songs from their new projects. Nordeman's "Brave" bows May 24. West is still in the studio working on the follow-up to his **Universal South** debut, "Happy."

Earlier that day, the **Gospel Music Assn.** presented its annual GMA Special Awards at the Monday Morning Live membership meeting. **Compassion International** and **World Vision** shared the Impact Award.

Compassion is a child development organization that began partnering with Christian artists in 1970 to provide information during concerts that has spurred people to sponsor children in 23 countries. World Vision originated in the 1950s to help children orphaned in the Korean War. In addition to child sponsorship programs, it aids communities with water programs, health care education and agricultural and economic development.

The Lifetime Achievement Award was presented to the Stellar Awards. Founded by **Don Jackson**, CEO for 32 years of **Central City Productions**, the annual TV special honors the top artists in gospel music. The Grady Nutt Humor Award was presented to **lark.news.com**. Launched by **Joel Kilpatrick** in 2003, the site is considered to be the leading source of Christian satire.

The Outstanding Mainstream Contribution to Gospel Music Award honored **Mel Gibson** and "The Passion of the Christ." The epic film that depicts the last 12 hours of Jesus' life was released Feb. 25, 2004, and has grossed more than \$611 million.

**Tim Hughes** received the International Award. Hughes is a worship leader with the organization **Soul Survivor**, and has penned such popular worship songs as "Here I Am to Worship," "Beautiful One" and "Jesus You Alone." The Scott Campbell Radio Award was presented to **John Hull**, VP of operations at **KSBH**

Houston, a three-time recipient of the GMA's large-market radio station of the year accolade. The Rob Gregory Award was presented to **Jim Hoge**, president/GM of **WPOZ** Orlando, Fla.

**CATCHING UP WITH SMOKIE:** In two short years, **Smokie Norful** has become one of the top artists in gospel music and one of the most visible artists in any genre.

The Grammy Award winner co-hosted the **Gospel Music Assn.'s** GMA Music Awards April 13, was recently featured on **BET's** "Celebration of Gospel" and performed at the Trumpet Awards and NAACP Image Awards—not to mention that he has been all over gospel radio with his current hit "I Understand." His new DVD, "Nothing Without You," streets June 21.

How does Norful feel about all this? "I literally wasn't surprised, because I've learned to expect great things from God," says Norful, a preacher's kid who grew up playing music in church.

"Of course, on the first go-round, it blew my mind. It was absolutely overwhelming the favor that he has shown on my ministry. [The success of] that first CD and the second one was equally as overwhelming and exciting. By the time we got to this third release, I just said, 'God, keep



NORFUL: HIS DVD IS 'A MINISTRY EXPERIENCE'

doing what you do.'"

Norful's 2003 debut, "I Need You Now," has sold more than 445,000 units, according to **Nielsen SoundScan**. The follow-up EP, "Limited Edition," has scanned 191,000. Current effort "Nothing Without You" has sold 169,000 since its October release.

In The  
Spirit™

By **Deborah Evans Price**  
dprice@billboard.com



Retailers are expecting brisk sales from Norful's DVD, and he is excited about its release. "People that weren't there that night [of the recording] will see Smokie Norful live, up close and personal," he says of the DVD. "It wasn't a concert—it was a ministry experience, and that's what they are going to see."

Norful praises **EMI Gospel** for the cutting-edge quality of the DVD and says it elevates the message he tried to convey on the audio release. "People get the CD and it moves people and ministers to people . . . and shares the word of God through my songs," he says. "But what really, really excites me is for them to be able to visually experience God without encumbrance."

Unlike music recorded for CD in which there is much more structure, Norful says a live DVD offers more freedom. "Time limitations and restraints, those were lifted; it literally was, 'Let's worship and enjoy God! I'm excited about sharing this with the world.'"

Norful recently launched a production venture, **Triune**, based in Chicago. The first release by **Darrel Petties** is due in July and will come through **EMI Gospel**. Norful produced the project. He says of Petties, "He has a phenomenally anointed choir out of Memphis, and he's a minister as well as a vocalist."

Another project Norful is excited about is the church he is starting in Chicago. "We'll actually start in June having Bible fellowship on Tuesday nights, and the name of the church will be Victory Cathedral," says Norful, who plans to hold the church's official grand opening next January.

"I was a preacher long before I was an artist," says Norful, who plans to continue his music career. "That was one of the things I wrestled with. I don't want to give up the music, it's a passion. I love this. I can't breathe without this, and then I don't want to give up the word, because that is the reason for the music."

# Composer Stucky Wins Pulitzer Plaudit

The winner of the 2005 Pulitzer Prize for music, announced earlier this month, is 55-year-old Kansas native **Steve Stucky**, whose Second Concerto for Orchestra was premiered in March 2004 by the **Los Angeles Philharmonic** and music director **Esa-Pekka Salonen**.

The winning work, commissioned by the LAP, is in three movements. "The first movement is titled 'Overture (With Friends),' " Stucky says fondly. "The names of **Frank Gehry**, Esa-Pekka and other friends, as well as those of composer colleagues dead and alive, are embedded in the movement in code. It really represents an artistic family tree for me," he observes.

"I have a feeling of connecting with tradi-

tion that's become more and more satisfying to me as I grow older.

"In that way," Stucky continues, "This work means more to me than other things I've written. It's very nice, then, to have this piece in particular be recognized by the Pulitzer jury."

Stucky has had a close relationship with the LAP for 16 years; he currently serves as the orchestra's consulting composer for new music. "The work with Esa-Pekka and the LAP is so satisfying," Stucky says. "I've been listening to them evolve as an ensemble, and hearing Esa-Pekka's style on the podium progress, for many years. Although I certainly enjoy working with other orchestras, the Los Angeles players are the model that I carry in my head. They're part of my artistic personality."

While continuing his work in Los Angeles and frequently conducting the LAP **New Music Group** as well as his own **Ensemble X**, Stucky has taught at Cornell University in Ithaca, N.Y., since 1980.

Stucky notes, "As of now, there aren't plans to record the Second Concerto for Orchestra," adding that despite the financial challenges of recording an orchestral piece in the United States in this era, he hopes that the Pulitzer win provides impetus for such a project. Recent recordings of Stucky's work include a collection of his chamber music

played by the **Cassatt String Quartet** and **Ensemble X**, released by **Albany Records** in 2004. The vocal ensemble **Chanticleer** included his Cradle Songs on its Grammy Award-winning album "Colors of Love," released by **Teldec** in 2000.

**Classical Score**

By **Anastasia Tsioulcas**  
atsioulcas@billboard.com



herwick, it is called **Sony BMG Masterworks**.

The label's name holds great resonance for classical music aficionados: It recalls **CBS'** beloved classical music label that was folded into **Sony** in 1969.

This historical resonance is intentional; Hetherwick notes that the new division will have a renewed commitment to core classical music. "We want to reach as broad a market as possible," he says, "but we are going to focus on real, traditional, classical music."

He adds, however, that his company will continue to produce some crossover recordings "that make sense," citing cellist **Yo-Yo Ma's** "Obrigado Brazil" albums as a successful model. Sony BMG Masterworks will also be responsible for Broadway reissues, as well as new recordings of cast albums and orchestral film scores.

Hetherwick describes the company's current artist-roster objectives as selective. "We're aggressively looking for new artists," he observes, "but we're not aggressively signing."

Where Hetherwick plans to be more expansive is on the reissues side of the business.

He also envisions making at least part of Sony BMG Masterworks' archives available for download. "That's the future of the catalog," he says. "The current situation, in which there are so many wonderful recordings in the vaults that are unavailable to music lovers, is a real shame."



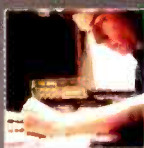
STUCKY: HOPES HIS OVERTURE WILL BE RECORDED

Photo: Cornell University Photography

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## The Beat

Continued from page 11

Channel and PBS.

In addition to the Irish community, Celtic Woman appeals to an older music fan. "This appeals to the same audience as Sarah Brightman," EMI Classics & Jazz president/CEO Bruce Lundvall says. "It's the sophisticated adult audience. The project is very musical, but it's not corny."

Manhattan Records senior VP/co-GM Ian Ralfini believes the DVD will ultimately be the top money-maker from the varying revenue streams since it allows fans to relive the concert experience. He adds that should "Celtic Woman" become the phenomenon that "Riverdance" became (the two share a musical director), Manhattan and its partners will explore such merchandising options as perfume or clothing lines.

PBS will air the special again in June and August. Manhattan is supporting the CD and DVD through TV commercials and circular ads, and is in discussions with fellow EMI label Narada about distributing the CD/DVD to lifestyle outlets.

The album will come out in the rest of the world in early 2006.

**GOOD U2 MORNING:** "Good Morning America" will kick off its summer concert series with U2, which will make its first morning TV appearance.

The Irish lads won't actually be in New York's Bryant Park, where the performances usually take place. Instead, the "GMA" team will travel to a stop on the band's Vertigo tour. They will interview the band and select three songs to air May 20 and two more to air May 21 on the weekend edition of "GMA."

"U2 is the biggest act in the

world; it's completely viable that we'd do something different," producer Mark Bracco says of the decision to air live concert footage rather than have the act perform in person. "For [a band] like U2, they can break some of the rules."

Other artists confirmed for the series include Shakira, Santana, Missy Elliott, Clay Aiken, Keith Urban and Avril Lavigne.

**A LOTTA SOUL:** Leo Burnett USA has launched an artist-in-residence pro-

gram. On a quarterly basis, the Chicago-based ad agency will bring in musicians, songwriters and producers to brainstorm. It has enlisted the help of Los Angeles-based music publishing company North Star Media to enlist talent.

The first act selected for the program was Collective Soul, which spent three days at the agency, meeting with 10 creative teams for such clients as Kellogg's and Disney. The idea is that the meetings will generate use of existing catalog from the

act or spur new material for upcoming spots. Collective Soul is in continuing discussions with the agency on projects.

"Leo Burnett is giving us the marching orders in terms of the music we bring in, such as something cutting edge or something Latin," North Star founder Ron Sobel says. "They'd really like to find high-profile acts, but the idea is to streamline the process, and part of our mandate is to bring the new and emerging artists as well."

## Nalick

Continued from page 11

release last October. Columbia Records Group chairman Will Botwin says the label decided to delay the record and build awareness through Nalick's performances.

"We really started our campaign last summer," he says. "We've showcased her in concert situations, conference rooms, clubs and to music supervisors. Wherever she plays, she gets people on her side."

Nalick had written eight of the 11 tracks on the album before signing to Columbia. She partnered with produc-

tion duo Christopher Thorn and Brad Smith—founding members of Blind Melon—and Tori Amos producer Eric Rosse to take the tracks from conception to reality.

When she listens to the record now, Nalick says, "it might as well be in my head still, because it sounds exactly like what I imagined."

The singer has already built a film and TV presence: First single "Breathe (2 A.M.)" was featured in a recent episode of CBS' "Joan of Arcadia." The track can also be heard in the Touchstone Pictures film "A Lot Like Love," which opens April 22.

"We felt [TV and movie audiences] would be her most likely first fan base," Botwin says. "You can't rely on just traditional radio anymore."

But radio is taking notice of Nalick's building story. "Breathe" is proving popular among adult top 40 audiences, as it steps 11-10 on the *Billboard* Adult Top 40 chart this issue.

Columbia executive VP of creative marketing and promotion Charlie Walk says the label considers Nalick a multiformat artist. Columbia looked to her strongest airplay markets to format a regional cup-sleeve campaign at high-traffic coffee chains featuring a photo of Nalick and information about the album.

"It was very organic," Walk says. "We have been building up word-of-mouth strategically since last September. We really wanted a buzz on her going into the release date."

The effort paid off. According to

Columbia, there have been more than 3,000 preorders going into the release of "Wreck of the Day."

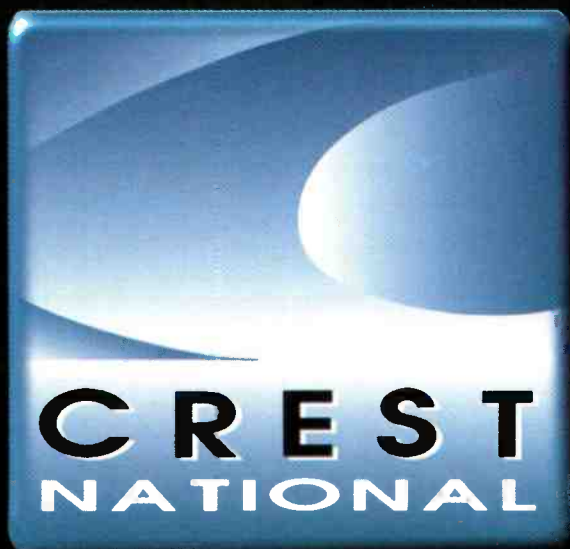
"We're going to have a very aggressive retail presence with this album," Botwin says. "There's going to be a very healthy ship out and price-and-positioning in major retail accounts."

A series of in-stores at Borders Books & Music locations will kick off April 21. Nalick will appear on "Live With Regis and Kelly" (April 20) and "The Tonight Show With Jay Leno" (April 25).

Nalick has drawn comparisons to artists ranging from Fiona Apple to Paul Simon, and that's fine with her. "I've never been compared to anyone I don't like," she says. "I'm a new artist, and people need a way to explain my music to other people."

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# Johnson Plans Biggest Road Trip Yet

BY JILL KIPNIS

LOS ANGELES—Jack Johnson's career could easily be summed up with the shipfaring mantra "steady as she goes."

First building a fan base by touring small venues, the former champion surfer went on to open for Ben Harper at theaters and amphitheaters in 2003.

A short headlining tour featuring G. Love and Donavon Frankenreiter last year has paved the way for a large-scale, 33-date headlining trek that will start Aug. 1 at the Verizon Wireless Theater in Houston. The tour also features ALO and Matt Costa.

"He had sold over 100,000 albums before he got played on the radio," says Tom Chauncey, Johnson's booking agent at Partisan Arts. "He's a guy who writes songs and plays acoustic guitar, and has ultimately developed his own category. Now, this is the largest U.S. tour Jack has done to date, both in terms of venue sizes and number of markets played in a consecutive time period."

Chauncey expects that a show without bells and whistles will have widespread appeal in the packed summer touring season. To avoid the glut of summer show on-sales, he says tickets for most of the tour stops were available as early as March 20.

What will also set the tour apart is its link to environmental alliance 1% for the Planet. The trek will be organ-

ized so that it will have a minimal impact on the environment. All of the tour vehicles will run on bio-diesel fuel, and numerous recycling efforts will be made along the route. Other elements are still coming together.

## IT'S ABOUT THE MUSIC

Tour organizers say Johnson has maintained a steadily growing fan base because his tours have focused on his music.

"What Jack does is he speaks to people about subjects that they want to know about," Chauncey says. "His audience has become broader than you would think."

Johnson's 2003 tour with Harper grossed \$10.2 million and drew attendance of more than 300,000, according to Billboard Boxscore. His dates last year grossed \$2.8 million and attracted 85,000 people.

Concurrent with his growing tour base, Johnson has seen increased album sales.

His latest album, "In Between Dreams" (Jack Johnson/Brushfire/Universal), is his fastest-selling yet with sales of 606,000 units, according to Nielsen SoundScan. The set bowed in March on The Billboard 200 at No. 3 and sold 229,000 copies, his best sales week ever.

The album's first single, "Sitting, Waiting, Wishing," has spent three weeks at No. 1 on Billboard Radio Monitor's Triple-A chart.

Johnson's last album, "On and

On," has sold 1.2 million units, according to Nielsen SoundScan. It peaked at No. 3 on The Billboard 200.

Chauncey says that choosing the right venues for Johnson's new tour, however, did not necessarily equate

34 age demographic here that just wants to sit outside on a Friday night, have a drink and listen to Jack."

Hochwart notes that the \$35 tickets have been selling steadily since the show's March on-sale, and that

summer dates.

In addition to performing April 13 and 16 at the Kokua Festival, a benefit for the Kokua Hawaii Foundation, which works to preserve Hawaii's natural environment, he will appear April 28 at the New Orleans Jazz Festival and April 29 at the Beale Street Music Festival in Memphis.

Johnson will also tour Europe and Japan in May. He'll return to the States for a June 11 appearance at the Bonnaroo festival in Manchester, Tenn.

Tour promotion has focused on print and radio advertising, according to Don Strasburg, senior talent buyer for Chuck Morris/Bill Graham Presents, and Emmanuel Patterson, senior talent buyer for House of Blues Concerts Canada. Strasburg's Aug. 24 date at Red Rocks Amphitheatre in Denver sold out in three hours. Patterson's Sept. 17 show at the Molson Amphitheatre in Toronto, the tour finale, is more than 85% clean.

"There wasn't a lot of competition with other summer shows when it went up, but I don't think that had anything to do with these ticket sales," Patterson says. "People just dig a vibey, folky show."

Venues and promoters say that Johnson's partnership with 1% for the Planet is a boon, rather than a challenge.

"That will be appealing," Idaho Center's Hochwart says. "How can it not be? We all want our planet to be in the same form that it is now."



JOHNSON: HIS NEW TOUR IS ALIGNED WITH ENVIRONMENTAL GROUP 1% FOR THE PLANET

with reaching the most people.

"Mainly we targeted outdoor facilities with a priority to keep the experience as intimate and special as possible," he explains. "In certain markets, we purposely chose smaller venues where the vibe is exceptional over larger options."

Jodie Hochwart, marketing manager for the 6,500-seat Idaho Center Amphitheatre in Nampa—host of Johnson's Aug. 12 stop—says that her venue is perfect for the performer's "laid-back feel. We have a thriving 25-

the date will likely sell out.

Similarly, Bill Hartnett, VP of events and entertainment for the 8,000-seat Starlight Theatre in Kansas City, Mo., says his venue's Aug. 26 date is "on pace to probably sell out. He's an artist who had good management and toured the right way. He's become successful by building his audience slowly."

Apart from generating interest through early on-sales, Johnson's engagements prior to the tour will bring added attention to his

# Widespread Panic's Small-Venue Trek A Big Deal

BY RAY WADDELL

If there ever was a time for Widespread Panic, it could be the summer of 2005.

The band has just returned to the road after an 18-month, self-imposed hiatus, and for the legions of Spreadheads (as its fans are known), it has been a welcome return.

"We're just glad to be back, glad people haven't forgotten us," Panic bassist Dave Schools says.

As they say in the South, "Forget, hell!" Panic's return kicked off with three sellouts March 24-26 at the Fox Theatre in Atlanta. The Clear Channel Entertainment-produced Georgia homecoming for Panic grossed \$518,814 and drew more than 14,000 people.

The Fox gigs were the first in a series of multiples by the band at small venues this spring. Panic will then play the Bonnaroo festival June 11-12 in Manchester, Tenn., followed by more summer dates, beginning with three nights June 24-26 at Red Rocks Amphitheatre in Morrison, Colo.

The intensity surrounding the small-venue shows has been high.

"I would say it's like getting back up on a bucking bronco," says Schools, whose most ardent fans place themselves squarely in front of him in the "Schools zone." "There is no amount of preparation you can do to get back up onstage after this amount of time and play in front of Widespread Panic fans. That first night at the Fox, I've never experienced anything like it."

Buck Williams, the band's longtime co-manager and agent, has been equally impressed.

"These shows have been over the top," Williams says. "The enthusiasm and excitement of the fans and the band are both at an all-time high."

That is saying something for a band known for its fanatical following. Panic has a working onstage arsenal of more than 350 songs and will not repeat a tune within a three-concert span. The band says it has never repeated a set list.

"It feels better now, with this new generation of the band," Schools observes. "I think the break did us all a world of good." George McConnell,



WIDESPREAD PANIC: BACK AFTER AN 18-MONTH HIATUS

a longtime friend of the band, replaced founding guitarist Michael Houser, who died in 2002.

Such onstage flexibility inspires fans to attend multiple shows. "It's not unusual for a fan to go to 20-25 shows a year," Williams says. And, after more than a year off the road, many fans found the small capacity of the initial return shows off-putting.

"We had some backlash in Atlanta because we had about 90,000 requests for the first day that we could not accommodate," Williams says.

"A lot of people have asked why we're playing these small venues, and

the reason is twofold," Williams adds. "We did it for the fans, so they could get closer to the band. And we did it for the band, so they could get their chops back and feed off the audience."

Many of the early shows have been recorded and digitized and are available for download at nugs.net for \$10.95. After the Atlanta shows, 17,000 downloads were given away in one week as a special band promotion.

Panic has released 15 CDs and five DVDs. The "Live at Oak Mountain" DVD on Sanctuary has been certified gold. During the band's hiatus, four live CDs were released, all on Sanctuary.

## PROMOTE US OR ELSE

The fervor surrounding Panic's return to the road will propel it to the top-grossing year in the band's 18-year history, Williams says. "Every single date we're getting into the percentages," he says, adding that the band works with a variety of promoters.

"We work with everyone," Williams says. "But there are a few promoters we work with [for whom] this is their

last chance to prove they 'get it' with this band."

Asked to explain, Williams says there are unique qualities to promoting a Panic show, mostly about "knowing how, when and where to put it on sale. Promoters also need to understand Panic's fans and the correlation between the tickets, the fans and the venue. It's not just about putting a show on sale."

Williams has little patience for cookie-cutter promotions, particularly when it comes to radio. "Some people need to look at how they use tickets and dollars to generate momentum," he says, adding that he puts "zero value" in Web promotions and ticket giveaways that "have nothing to do with our show."

Much of the widespread nature of Panic's following is the result of a savvy and sophisticated approach to marketing, and Williams and his staff pore over every aspect of a given promotion.

"If a station doesn't play Widespread Panic, I'm not interested in a [ticket giveaway] promotion," Williams says. "The promoter can buy a 60-second spot we have preproduced."

## GIGANTOUR

# Megadeth Has Big Plans For Tour

Megadeth founder **Dave Mustaine** will launch a six-week festival tour in late July boasting two stages of music. Joining Megadeth on the main stage for Gigantour will be **Dream Theater, Fear Factory, Dillinger Escape Plan** and **Nevermore**, with more bands to be announced.

The Gigantour is produced by Mustaine, along with **Benchmark Entertainment** and the **William Morris Agency**. **Keith Sarkesian** is the responsible agent.

"This tour is Dave's brainchild," says **Kevin Gasser**, a partner in Benchmark. "The timing is right, and we were able to find some great artists to come

out on the road with us. We wanted it to be a diverse show musically, rather than one subgenre."

The tour ups the metal quotient on the road this year, as Gigantour joins such hard music treks as **Clear Channel Entertainment**-produced **Ozzfest**, and the **Sounds of the Underground** tour, promoted by **House of Blues**. There are also several mega-metal fests, including **Locobazooka** in Fitchburg, Mass., and **Louder Harder Faster** in Allentown, Pa.

Such a busy metal slate speaks to the vitality of the genre, Gasser says, "but that certainly isn't reflected by radio. Kids find a way to discover this music on their own, and they're very loyal."

Final routing for the tour has not yet been confirmed, although it is expected to hit amphitheaters and arenas in major North American markets. Tickets will be about \$35.

Megadeth will be touring behind its latest **Sanctuary** album, "The System Has Failed," which debuted last September at No. 18 on *The Billboard* 200. Dream Theater will utilize Gigantour to support its new album, "Octavarium," due June 7 on **Atlantic**.

Various promoters will work with the tour. "We want to work with people that are experts in their markets," Gasser says. "If we can draw 12,000 people in a certain city, then we don't want to play a 20,000-seat venue. If that means playing indoors, we go indoors."

Gasser, a former agent at **Creative Artists Agency**, and former **Hollywood Records A&R** guy **John Dee**

formed **Benchmark** three years ago in Los Angeles. Management clients include **Maxwell, Eels, . . . And You Will Know Us by the Trail of Dead, Mark Lanegan, Chris Stills** and **Caleb Kane**.

**DOUBLE WHAMMY:** There are some great double bills on tour in 2005,

On The Road™  
By Ray Waddell  
rwaddell@billboard.com



including **Don Henley/Stevie Nicks, Judas Priest/Queensrÿche** and **Tom Petty/Black Crowes**. Add another to the list as **Los Lonely Boys** will be joined on the Brotherhood tour by **Ozomatli**, beginning in early May. The tour includes **Calexico** on its first half, making for as strong a contemporary Latin package as will be on the road in early summer.

The outing starts May 3 at the Dodge Arena in Hidalgo, Texas, and will include a homecoming show for **Los Lonely Boys** May 5 in San Angelo, Texas, at the RiverStage. Dates are on the books until Aug. 20 at the Ravinia Festival in Highland, Ill.

**TRIPLE DOUBLE:** **Brooks & Dunn** will join forces with **Big & Rich** and the **Warren Brothers** on the **Deuces Wild** tour this summer.

The 32-date shed tour launches Aug. 6 in Dallas at the Smirnoff Music Center and wraps Oct. 30 in West Palm Beach, Fla., at the Sound Advice Amphitheatre.

The trek will be produced by **Brian O'Connell**, Nashville-based VP of **Clear Channel Entertainment**.

**Brooks & Dunn** are managed by **Clarence Spalding** and booked by the **William Morris Agency**. Spalding says the idea of a Brooks & Dunn-headlined duo tour is something they have considered for some time.

"This year seemed the right year to do it," Spalding says. "Big & Rich have sold a couple million records, and I think they will bring a totally new audience into our fan base."

Tickets will go on sale in May.

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ARTIST(S)	VENUE/ DATE	GROSS/ TICKET PRICE(S)	ATTENDANCE/ CAPACITY	PROMOTER
ELTON JOHN	The Colosseum at Caesars Palace, Las Vegas March 29-30, April 1-3, 5-6, 8-10	\$7,324,725 \$250/\$175/\$100	40,353 ten sellouts	Caesars Palace, Concerts West/AEG Live
KENNY CHESNEY, GRETCHEN WILSON, UNCLE KRACKER	Van Andel Arena, Grand Rapids, Mich. March 30-31	\$1,361,081 \$61.50	23,746 two sellouts	Mischell Productions, Frank Productions, The Messina Group/AEG Live
EAGLES	RBC Center, Raleigh March 11	\$1,229,475 \$115/\$25	17,094 sellout	AEG Live, C&C Concerts
EAGLES	Bi-Lo Center, Greenville, S.C. March 8	\$1,172,129 \$115/\$25	13,909 sellout	AEG Live, C&C Concerts
KENNY CHESNEY, GRETCHEN WILSON, UNCLE KRACKER	Rupp Arena, Lexington, Ky. April 9	\$1,146,601 \$61.50/\$51.50	19,835 sellout	The Messina Group/AEG Live
ELTON JOHN	American Airlines Center, Dallas March 24	\$1,112,330 \$95/\$35	17,595 sellout	Clear Channel Entertainment
EAGLES	1st Mariner Arena, Baltimore April 5	\$1,103,475 \$125/\$25	12,293 sellout	AEG Live
ELTON JOHN	Toyota Center, Houston March 26	\$1,060,150 \$95/\$35	15,926 sellout	Clear Channel Entertainment
EAGLES	Hampton Coliseum, Hampton, Va. March 15	\$1,046,815 \$115/\$40	9,790 sellout	AEG Live, C&C Concerts
EAGLES	North Charleston Coliseum, North Charleston, S.C. March 5	\$1,025,778 \$115/\$49.50	12,335 sellout	AEG Live, C&C Concerts
EAGLES	Charleston Civic Center, Charleston, W.Va. March 13	\$991,145 \$115/\$25	11,827 sellout	AEG Live, C&C Concerts
THE BLACK CROWES & OTHERS	Hammerstein Ballroom, New York March 22-23, 25-27, 29-30	\$970,362 \$45/\$42	24,399 seven sellouts	Clear Channel Entertainment
BOB DYLAN, MERLE HAGGARD, AMOS LEE	Auditorium Theatre, Chicago April 1-3, 5-6	\$867,090 \$67.50/\$47.50/\$37.50/\$27.50	15,824 five sellouts	Jam Productions
ELTON JOHN	Ford Center, Oklahoma City March 23	\$856,040 \$75/\$35	14,027 19,420	Clear Channel Entertainment
R.E.M., BRIGHT EYES, LITTLE BIRDY	Entertainment Centre, Sydney March 31-April 1	\$732,340 (\$950,856 Australian) \$88.57/\$59.30	11,096 12,958 two shows	Michael Chugg Entertainment, Jack Utsick Presents
KENNY CHESNEY, GRETCHEN WILSON, UNCLE KRACKER	Mizzou Arena, Columbia, Mo. April 2	\$703,002 \$62/\$52	12,169 sellout	Police Productions, The Messina Group/AEG Live
KENNY CHESNEY, GRETCHEN WILSON, UNCLE KRACKER	Kohl Center, Madison, Wis. April 7	\$683,139 \$61.50/\$51.50	11,949 sellout	Mischell Productions, Frank Productions, The Messina Group/AEG Live
KENNY CHESNEY, GRETCHEN WILSON, UNCLE KRACKER	UI Assembly Hall, Champaign, Ill. April 8	\$660,834 \$59.50/\$49.50	11,756 sellout	Mischell Productions, The Messina Group/AEG Live
KENNY CHESNEY, GRETCHEN WILSON, UNCLE KRACKER	The Mark of the Quad Cities, Moline, Ill. April 1	\$648,313 \$63.25	10,791 sellout	Moore Entertainment Group, The Messina Group/AEG Live
ALICIA KEYS, JOHN LEGEND	Fox Theatre, Atlanta April 6-7	\$589,773 \$87/\$47	8,899 9,356 two shows	Atlanta Worldwide Touring
R.E.M., BRIGHT EYES, LITTLE BIRDY	Rod Laver Arena, Melbourne, Australia April 3	\$568,717 (\$737,348 Australian) \$88.70/\$59.39	9,003 10,695	Michael Chugg Entertainment, Jack Utsick Presents
JOHN MELLENCAMP, DONOVAN	Xcel Energy Center, St. Paul April 6	\$507,668 \$43.25/\$33.25	11,990 sellout	Jam Productions
R.E.M., BRIGHT EYES, THE CHECKS	TSB Bowl of Brooklands, New Plymouth, New Zealand March 26	\$434,548 (\$608,380 New Zealand) \$78.57/\$50.71	7,923 11,628	Michael Chugg Entertainment, Jack Utsick Presents
R.E.M., BRIGHT EYES, LITTLE BIRDY	Entertainment Centre, Brisbane, Australia March 29	\$425,349 (\$552,911 Australian) \$88.47/\$59.24	5,663 6,649	Michael Chugg Entertainment, Jack Utsick Presents
STRING CHEESE INCIDENT & OTHERS	The Fillmore, Denver March 24-26	\$365,890 \$35	10,684 10,800 three shows two sellouts	Clear Channel Entertainment
BOB DYLAN, MERLE HAGGARD, AMOS LEE	The Fillmore, Denver March 28-29	\$347,464 \$52.75	6,661 7,200 two shows one sellout	Clear Channel Entertainment
WIDESPREAD PANIC	Chicago Theatre, Chicago April 7-9	\$346,326 \$33	10,492 three sellouts	Jam Productions
VELVET REVOLVER, THREE DAYS GRACE	Pacific Coliseum, Vancouver March 31	\$341,267 (\$415,187 Canadian) \$53.84/\$39.04/\$32.47	7,418 11,534	House of Blues Canada
DURAN DURAN, IMA ROBOT	Pengrowth Saddledome, Calgary March 7	\$337,563 (\$415,202 Canadian) \$64.23/\$39.84	5,836 6,619	Clear Channel Entertainment
MARK KNOPFLER	Westpac Centre, Christchurch, New Zealand March 21	\$332,602 (\$446,805 New Zealand) \$107.19	4,625 6,490	Michael Chugg Entertainment, Jack Utsick Presents, Artist Traders Ltd.
DURAN DURAN, IMA ROBOT	Everett Events Center, Everett, Wash. March 9	\$330,642 \$77/\$57/\$37	5,338 6,333	Clear Channel Entertainment
R.E.M., BRIGHT EYES, LITTLE BIRDY	Burswood Dome, Perth, Australia April 8	\$323,716 (\$422,165 Australian) \$88.18/\$59.04	5,200 6,256	Michael Chugg Entertainment, Jack Utsick Presents
DURAN DURAN, IMA ROBOT	ipayOne Center at the Sports Arena, San Diego Feb. 25	\$316,095 \$75/\$35	5,435 6,074	Viejas Entertainment, Clear Channel Entertainment
JOSH GROBAN, CHRIS BOTTI	Tyson Events Center, Sioux City, Iowa March 24	\$309,815 \$75/\$37.50	5,632 7,751	Clear Channel Entertainment
A TASTE OF CHAOS TOUR: THE USED & OTHERS	Long Beach Arena, Long Beach, Calif. March 31	\$308,132 \$25/\$19.50/\$15	14,076 sellout	Goldenvoice/AEG Live

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## UMVD Rules R&B, Rap

BY GAIL MITCHELL

Further stretching its lead, Universal Music & Video Distribution continues to significantly outpace its competitors in the R&B and rap albums arena.

UMVD commanded a 43% market share in R&B for first-quarter 2005. That is a gain of nearly eight percentage points over the 35.3% share UMVD accumulated during the same period in 2004.

The company's rise is even more impressive on the rap front. UMVD jumped 12 percentage points to 59.4% from 43.1% in 2004. (Rap album sales are included in the R&B total.)

UMVD's performance was no doubt spurred by two No. 1 releases from its Interscope division: rap newcomer the Game's debut ("The Documentary")

and 50 Cent's sophomore set ("The Massacre"). Also under the UMVD banner is Baby Bash, whose "Super Saucy" debuted at No. 7 on Top R&B/Hip-Hop Albums. Fourth-quarter 2004 releases that are still going strong include Ludacris' "The Red Light District," Eminem's "Encore," Destiny's Child's "Destiny Fulfilled" and Akon's "Trouble."

Sony BMG earned a 27% market share in R&B, thanks to albums by Mario, Omarion and Jennifer Lopez—not to mention notable 2004 debuts by John Legend, Ciara and Fantasia and Usher's 56-weeks-and-counting chart ride. On the rap side, however, Sony BMG is fourth with a 7.5% share.

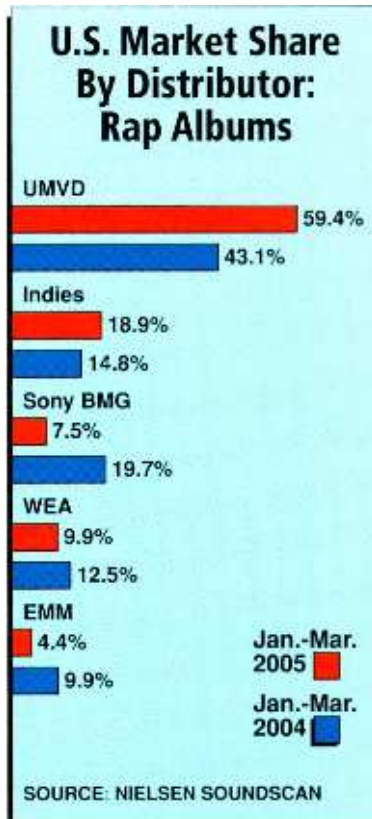
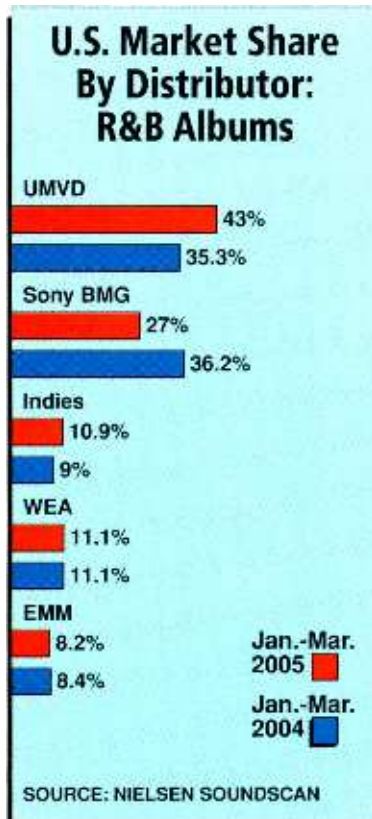
Independent labels locked down second place in rap with an 18.9% share, versus last year's 14.8%. Bolstering the first-quarter 2005 tally were T.V.T. with Lil Jon & the East Side Boyz's 2004 sophomore studio album, and Koch, with the Diplomats, Layzie Bone and Bizzy Bone. The indie sector moved from 9% to 10.9% in R&B to claim fourth place.

Holding down third place in R&B (11.1%) and rap (9.9%) is WEA. The company remained steady in R&B;

among the artists who released product in the first quarter was Missy Elliott's protégée Tweet. Her second album, issued March 22, debuted at No. 2 on Top R&B/Hip-Hop Albums.

In rap, WEA lost three percentage points. However, its Asylum division notched a top-five hit on Top R&B/Hip-Hop Albums with the Geto Boys. Among WEA's earlier-issued strong sellers were T.I., Trick Daddy and Lil Scrappy/Trillville. WEA's upcoming spring/summer slate includes newcomers Leela James and Cruna as well as Elliott, Juvenile, Yolanda Adams, Sean Paul and Fat Joe.

EMI Music Marketing was in fifth place in R&B (8.2%) and rap (4.4%). The company stayed even in R&B, with newcomer Brooke Valentine debuting at No. 3 with her March 15 album, and the Rev. Al Green coming in at No. 19. However, EMM lost ground in rap, sliding from a 9.9% market share in 2004. Industry observers will no doubt be keeping an eye on Virgin during the second quarter as Jermaine Dupri—newly appointed president of the label's urban division—ramps up his release slate.



## BET Gets Real With Fatty Koo

**Fatty Koo.** That colorful moniker belongs to the latest group of young talents seeking a music career.

The Columbus, Ohio, quintet's travails in the music business are the subject of a new BET reality program, "Blowin' Up!: Fatty Koo." It is the first original series from the network's program-development division, headed by VP **Robyn Lattaker-Johnson**.

The unscripted, 30-minute drama will unfold in 13 weeks, beginning April 21 at 9:30 p.m. EDT/PDT. It is billed as a chronicle of

real people concentrating on their music without the "trappings of show business—no mega studio, no penthouse, no bling bling."

Fatty Koo's sound blends R&B, hip-hop, jazz, Latin and pop. The group has a leg up on most fledgling acts, having signed a contract with **Sony Urban/DAS/Columbia Records**.

Its debut album, "House of Fatty Koo," is due July 12, right after the series finishes. First single "Boogaloo Beat"—written by group members **Eddie B** (20 years old), **Gabrielle** (17), **Valure** (20), **Marya** (18) and **Ron** (17)—is the theme for the 2005 NBA playoffs.

Executive producers of "Blowin' Up!" include DAS owner and Academy Award winner **David Sonnenberg** ("When We Were Kings"), **S.A. Baron** of **Orson Entertainment** and **Gary Fisher**, senior VP of video promotion and TV programming for Columbia Records.

"BET seemed like a natural fit for the group and the music they were creating," Fisher says.

As for why this particular reality-based music show will stand out from the crowd, Fisher offers one reason: It is not manufactured.

"This isn't a series created in the halls of Columbia Records with bling and major producers," he says. "First and foremost, the

music stands out. Second, these are real, likable people; it's easy to get sucked into who they are and what they are about."

"Blowin' Up!" is one of five original series BET introduced this month at the **NCTA** national cable convention in San Francisco and at the network's Upfront '05 presentation to potential advertisers at the Kodak Theatre in Hollywood. Among the others is "BET Late Night," a half-hour show featuring interviews, sketches and musical performances.

**Rhythm & Blues**  
By Gail Mitchell  
gmitchell@billboard.com



**MUSICAL NOTES:** Congrats to **Faith Evans** and **Capitol Records** on the success of her set "The First Lady." It notched her best first-week sales and best chart outings: No. 1 on Top R&B/Hip-Hop Albums and No. 2 on The Billboard 200 (see Over the Counter, page 49). After releasing her

first studio album in four years, the Los Angeles-based Evans says she has other projects on her plate. These include a fitness DVD, an accessories line and a sitcom based loosely on her life.

**Vaneese Thomas** signs with **Worldwide Management** in New York. Her album "A Woman's Love" is available on **Segue Records**. Thomas has wrapped production on "Just Because I'm Leavin'," an album of unreleased tracks by her late father, **Rufus Thomas**. She and siblings **Carla** and **Marvell** are coordinating a touring tribute to their dad, set for a May kickoff.

A four-CD retrospective of legendary label **Cameo Parkway** will hit shelves May 17 via **ABKCO Records**. "Cameo Parkway 1957-1967" celebrates the diverse indie that issued records by **Chubby Checker**, **Bobby Rydell**, **Bob Seger**, **Patti LaBelle & Her Blue Belles**, **Dee Dee Sharp**, the **Five Stairsteps** and **Bunny Sigler**.



THIS WEEK		LAST WEEK		TITLE IMPRINT/PROMOTION LABEL		Artist
1	2	HATE IT OR LOVE IT	NUMBER 1	1 Week At Number 1	AFTERMATH/G-UNIT/INTERSCOPE	The Game Featuring 50 Cent
2	1	CANDY SHOP			SHADY/AFTERMATH/INTERSCOPE	50 Cent Featuring Olivia
3	3	SOME CUT			BME/WARNER BROS	Trillville Featuring Cutty
4	4	WAIT (THE WHISPER SONG)			COLLIPARK/TVT	Ying Yang Twins
5	5	U DON'T KNOW ME			GRAND HUSTLE/ATLANTIC	T.I.
6	9	NUMBER ONE SPOT			OTF/DEF JAM SOUTH/IOJMG	Ludacris
7	6	DISCO INFERNO			SHADY/AFTERMATH/INTERSCOPE	50 Cent
8	7	HOW WE DO			AFTERMATH/G-UNIT/INTERSCOPE	The Game Featuring 50 Cent
9	8	LOVERS AND FRIENDS			Lil Jon & The East Side Boyz Featuring Usher & Ludacris	BME/TVT
10	13	JUST A LIL BIT			SHADY/AFTERMATH/INTERSCOPE	50 Cent
11	12	BABY I'M BACK			LATIUM/UNIVERSAL/UMRG	Baby Bash Featuring Akon
12	14	I'M A HUSTLA			FULL SURFACE/JRMG	Cassidy
13	10	DROP IT LIKE IT'S HOT			DOGGYSTYLE/DEF JEFFEN/INTERSCOPE	Snoop Dogg Featuring Pharrell
14	11	BRING EM OUT			GRAND HUSTLE/ATLANTIC	T.I.
15	15	STILL TIPPIN'			SWISHAHOUSE/ASYLUM/WARNER BROS	Mike Jones Featuring Slim Thug & Paul Wall
16	18	GRIND WITH ME			ATLANTIC	Pretty Rickie
17	17	SUGAR (GIMME SOME)			SLIP-N-SLIDE/ATLANTIC	Trick Daddy Featuring Ludacris, Lil' Kim & Cee-Lo
18	22	GIVE ME THAT			TRILL/ASYLUM	Webbie Featuring Bun B
19	20	GASOLINA			EL CARTEL/LVI	Daddy Yankee
20	24	SO MUCH MORE			TERROR SQUAD/ATLANTIC	Fat Joe
21		CAN'T SATISFY HER			VP	I Wayne
22	16	MOCKINGBIRD			SHADY/AFTERMATH/INTERSCOPE	Eminem
23	23	DOWN AND OUT			RDC-A-FELLA/DEF JAM/IOJMG	Cam'ron Featuring Kanye West & Syleena Johnson
24	21	KARMA			G-UNIT/INTERSCOPE	Lloyd Banks Featuring Avant
25	25	TOMA			DIAZ BROTHERS/TVT	Pitbull Featuring Lil Jon

Records with the greatest increase in audience impressions. The rap tracks audience is compiled from 87 R&B/Hip-Hop and 65 rhythmic top 40 stations which are electronically monitored 24 hours a day, 7 days a week. Songs ranked by number of audience, computed by cross-referencing exact times of airplay with Arbitron listener data. Videoclip availability. © 2005, VNU Business Media, Inc. All rights reserved.



# UMVD Claims Half Of Latin Marketplace

BY LEILA COBO

Universal Music & Video Distribution went from being the third-largest distributor of Latin music in 2002 to the top distributor in 2003. It now accounts for more than half of all Latin music sold in the United States.

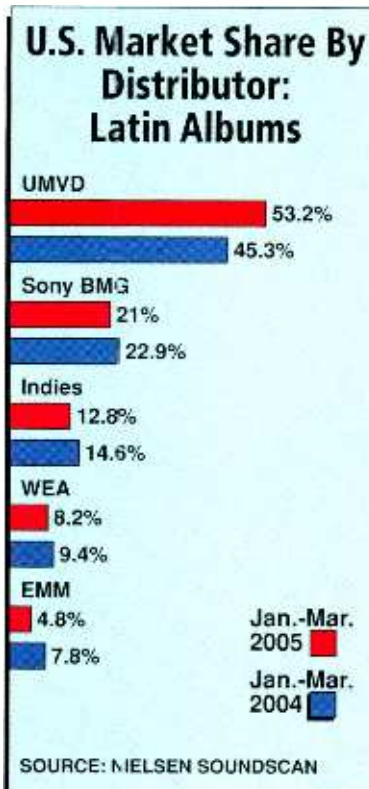
According to first-quarter figures released by Nielsen SoundScan, UMVD had a 53.2% market share of all Latin albums distributed in the United States. That is up from 45.3% for the same time period in 2004, and more than double the market share of its closest competitor, Sony BMG, which had 21%.

Independent labels are third with 12.8%. EMI Music Marketing follows with 8.2%, and fifth-place WEA had 4.8%.

UMVD's numbers are the continuation of its market-share growth that began in 2002, thanks to a distribution deal with Univision Music Group. When distribution of Univision's Fonovisa Records fell under UMVD in 2003, the distributor shot to the top of the Latin market.

UMVD's first-quarter performance accompanies new leadership of its Latin operation.

Earlier this year, UMVD VP of Latin sales and marketing Gustavo López left the company to helm Machete



Music, an urban music label launched by Universal Music Group.

His duties at UMVD were split between Nydia Laner, senior director of Latin sales, and Jesús Naranjo, director of Latin sales. Laner is supervising all wholesale and retail accounts, while Naranjo oversees one-stop accounts, which are mostly Latin.

The split works, Laner says, "because it gives more concentration in each class of trade, and, when there is somebody focusing just on those accounts, it helps maximize the opportunities."

The split is particularly noteworthy in the Latin market, she adds, because one-stop accounts make up a substantial portion of the business.

Naranjo says UMVD's Latin growth "has been parallel, both in the mainstream and one-stop accounts. Our structure is set up for both."

Fueling that growth is Univision's domination of the Latin marketplace and the *reggaetón* and *duranguense* movements, which continue to see a rise in sales that first started last year. UMVD has largely handled distribution of both genres. The top-selling *reggaetón*

album so far this year is Daddy Yankee's "Barrio Fino" (El Cartel/VI Music), which UMVD distributes.

"The year before, *reggaetón* was on the map, but it wasn't embraced by a lot of the domestic accounts," Laner says. "And little by little, one by one they've been opening up to it. Whereas before it was just on the East Coast, now it's all over the West Coast, and big accounts have come forth. I think this year will

mark the big explosion of *reggaetón* at retail, and also continue with" *duranguense*.

Laner also predicts a strong year for *música de tierra caliente*, another regional Mexican subgenre, and for Latin music DVDs.

UMVD's big releases for the second quarter include new albums by Banda El Recodo (Fonovisa) and Akwid (Univision) and a greatest-hits set by Marco Antonio Solís (Fonovisa).

## Tañón A 'New Woman'

BY LEILA COBO

After recording for Warner Music Latina for more than 10 years, merengue/pop star Olga Tañón is placing her bets on a new label.

The artist's new album, "Una Nueva Mujer," is her first under Sony BMG. It will be released April 19. Tañón says the title—which means "A New Woman" in English—represents more than just her new label deal.

"I'm also the first artist signed by Sony BMG's Latin arm," Tañón says during a phone interview from Puerto Rico. "I'm a new woman because I've been writing, and I took on the task of learning new things as a mother."

Tañón, who hails from Puerto Rico, has also opened a recording studio in Miami, Nostra Musa. It is a partnership with producer José Luis Morín, who co-wrote two tracks on "Una Nueva Mujer" with Tañón and produced seven of the album's 12 songs.

All of these elements have raised expectations for the album. It is Tañón's first studio recording since 2002's "Sobrevivir," which has sold 64,000 copies, according to Nielsen SoundScan. That was followed by 2003's "Puro Fuego," which mostly featured new versions of older material. It has sold 30,000 units.

But those sales figures weren't nearly as robust as those of previous albums by the four-time Grammy Award winner, who is widely considered to be the queen of merengue—with more than 4 million albums sold worldwide, according to her label—and the first merengue star to delve successfully into pop.

This time around, hopes are high for Tañón to reclaim her status as a top-selling artist.

"When they are solid artists with an important track record, [they] always have good prospects," says Angel Carasco, Sony BMG senior VP of A&R for the Latin American region.

Because Tañón has been out of the spotlight for some time, she is more heavily involved with promoting the project than in the past.

"I'll be in everything," Tañón says. Most recently, the artist took part in the Univision network's concert homage to Selena April 7, which delivered the highest ratings ever for a Spanish-language TV special.

Meanwhile, Tañón's first single, "Bandalero," enters the *Billboard* Hot Latin Tracks chart this issue at No. 48. The track is uptempo pop/fusion, and the album includes a merengue version.



TAÑÓN: HAS A NEW DEAL WITH SONY BMG

## Selena's Appeal Still Strong

Propelled by the huge success of the Univision TV network special "Selena Vive!," EMI Music U.S. Latin has put an increased push behind the CD and DVD releases of the show.

According to Nielsen, "Selena Vive!," which aired live April 7, garnered a 35.9 Hispanic Television index rating, which translates into 3.9 million viewing households. It is the highest rating ever for a Spanish-language TV special.

The three-hour show included an introduction by Jennifer Lopez, who played the lead role in the film "Selena," and performances by Thalía, Banda El Recodo and Paulina Rubio.

"The demand from customers and buyers has been great," says Jorge Pino, president/chairman of EMI Music U.S. Latin.

The CD will be released May 10, the DVD in June. A TV campaign kicks off May 2.

The album has 12 tracks, including two previously released Selena songs. Mexican singer Ana Gabriel performs the first single, "Tú Sólo Tú." The album will be available as a solo CD and as part of a CD/DVD combo.

Latin  
**Notas**  
By Leila Cobo  
lcobo@billboard.com



In addition, five Selena tracks are among EMI's top 10 downloads for the week ending April 9.

According to Pino, two songs, "Dreaming of You" and "I Could Fall in Love," are the label's top-selling downloads for first-quarter 2005 as well as year-to-date (which covers the period between April 1, 2004, and March 31, 2005). For the week ending April 9, those two songs continue to head the list.

"The Selena legacy continues unabated," Pino says. "And what we were able to see in the concert is that her fan base is made up of older and younger people."

**RUBIO ON THE ROAD:** Pop artist Paulina Rubio will launch the U.S. leg of her Pau-Latina tour with an April 29 concert at the Nokia Theater in Dallas. So far on the trek, Rubio has played more than 30 cities in Mexico and Central and South America. In the United States, 25 concert dates are planned for the six-week arena and theater run. East Coast dates are expected to be announced in the coming weeks. **United Talent Agency** is booking the tour.

"Pau-Latina" (Universal Music Latino) was released more than a year ago, but it continues to produce singles, the most recent being "Mía."

(Continued on page 26)

It will be the last in a series of recordings released this year to commemorate the 10th anniversary of Selena's death. This issue, there are five Selena titles on the *Billboard* Top Latin Albums chart, including "Unforgettable," a four-disc CD/DVD boxed set that debuted at No. 18.



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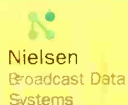
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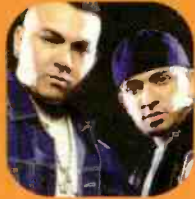
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**Ivy Queen**  
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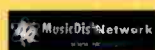


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Billboard HOT LATIN TRACKS

Table with columns: THIS WEEK, LAST WEEK, 2 WKS. AGO, WEEKS ON CHART, TITLE, PRODUCER (SONGWRITER), Artist, IMPRINT/PROMOTION LABEL, PEAK POSITION. Includes tracks like 'LA CAMISA NEGRA', 'AIRE', 'HOY COMO AYER', 'LA SORPRESA', 'OBSESION (NO ES AMOR)', 'COMO PUDISTE', 'VOLVERE', 'ALGO ESTA CAMBIANDO', 'ADIOS AMOR TE VAS', 'PORQUE ES TAN CRUEL EL AMOR', 'VOLVERTE A VER', 'SI LA QUIERES', 'CONTRA VIENTOS Y MAREAS', 'AMOR DEL BUENO', 'TE BUSCARIA', 'QUE LASTIMA', 'ESTA LLORANDO MI CORAZON', 'OTRA VEZ', 'LLEVAME', 'TOCANDO FONDO', 'VIVEME', 'ESTA AUSENCIA', 'NO ME QUEDA MAS', 'EL AUTOBUS', 'EN EL MISMO TREN', 'SI YO ME VUELVO A ENAMORAR', 'EN SOLEDAD', 'LO MEJOR FUE PERDERTE', 'MI MAYOR SACRIFICIO', 'YO ME QUEDE SIN NADIE', 'VOY A OLVIDARME DE MI', 'EL VIRUS DEL AMOR', 'TU PONTE EN MI LUGAR', 'PRECISAMENTE AHORA', 'BESO A BESO', 'ALGO MAS', 'LO QUE PASO, PASO', 'ERES DIVINA', 'Y TE VI CON EL', 'SIN MIEDO A NADA', 'EL SOL NO REGRESA', 'MAYOR QUE YO', 'UNA LIMOSNA', 'ALMA EN LIBERTAD', 'ENSENAME A VIVIR SIN TI', 'MANANA QUE YA NO ESTES', 'LA ULTIMA CANCION', 'BANDOLERO', 'VEN TU', 'DAME ESTA NOCHE'.

Compiled from a national sample of airplay supplied by Nielsen Broadcast Data Systems' Radio Track service. A panel of 98 stations (39 Latin Pop, 15 Tropical, 52 Regional Mexican) are electronically monitored 24 hrs. a day, 7 days a week. Songs ranked by Audience Impressions. Records showing an increase in audience over the previous week, regardless of chart movement. A record which has been on the chart for more than 20 weeks will generally not receive a bullet, even if it registers an increase in audience. Greatest Gainer indicates song with largest audience growth. If two records are tied in audience size, the record being played on more stations is placed first. Records below the top 20 are removed from the chart after 26 weeks. Videoclip availability. ©2005, VNU Business Media, Inc. All rights reserved.

LATIN POP AIRPLAY

Table with columns: THIS WEEK, LAST WEEK, TITLE, IMPRINT/PROMOTION LABEL, ARTIST, THIS WEEK, LAST WEEK, TITLE, IMPRINT/PROMOTION LABEL, ARTIST. Includes tracks like 'LA CAMISA NEGRA', 'COMO PUDISTE', 'OBSESION (NO ES AMOR)', 'ALGO ESTA CAMBIANDO', 'VOLVERTE A VER', 'PORQUE ES TAN CRUEL EL AMOR', 'AMOR DEL BUENO', 'CONTRA VIENTOS Y MAREAS', 'TE BUSCARIA', 'QUE LASTIMA', 'TOCANDO FONDO', 'OTRA VEZ', 'LLEVAME', 'VIVEME', 'ESTA AUSENCIA', 'EL AUTOBUS', 'AIRE', 'MI MAYOR SACRIFICIO', 'EN SOLEDAD', 'VOY A OLVIDARME DE MI', 'ALGO MAS', 'HOY COMO AYER', 'SI YO ME VUELVO A ENAMORAR', 'PRECISAMENTE AHORA', 'SIN MIEDO A NADA', 'EN EL MISMO TREN', 'EL SOL NO REGRESA', 'PERDIDOS', 'VALIO LA PENA', 'ALMA EN LIBERTAD', 'DAME ESTA NOCHE', 'LA MUJER QUE NO SONE', 'AMOR DEL BUENO', 'ES MI SOLEDAD', 'LA FUERZA DEL DESTINO', 'TE AMARE', 'UNA CANCION PARA TI', 'LENTO', 'VEN TU', 'HASTA EL FIN DEL MUNDO'.

TROPICAL AIRPLAY

Table with columns: THIS WEEK, LAST WEEK, TITLE, IMPRINT/PROMOTION LABEL, ARTIST, THIS WEEK, LAST WEEK, TITLE, IMPRINT/PROMOTION LABEL, ARTIST. Includes tracks like 'LO QUE PASO, PASO', 'LA CAMISA NEGRA', 'MAYOR QUE YO', 'VALIO LA PENA', 'PERDONAME LA VIDA', 'ESTA NOCHE TRAVESURA', 'LA BODA', 'QUIERO', 'VEN TU', 'OBSESION (NO ES AMOR)', 'DONCELLA', 'SOMBRA LOCA', 'SE FUE Y ME DEJO', 'OYE MI CANTO', 'HASTA EL FIN', 'TODO ES MENTIRA', 'AMOR PERFECTO', 'REGGAETON LATINO', 'NO DOY ME TRUFO', 'RESISTIRE', 'SE ESFUJMA TU AMOR', 'VEN DEVORAME DTRA VEZ', 'LA VIDA ES UN CARNAVAL', 'SOLO FUE UNA NOCHE', 'TRAIGO FUEGDO', 'PARA TI', 'ENSENAME A VIVIR SIN TI', 'SE ESCAMAN', 'LAMENTO BOLIVIANO', 'MACHETE', 'BANDOLERO', 'TU QUIERES DURO', 'COMO LE HABLAS A UN ANGEL', 'LA POPOLA', 'HAY QUE BUENO', 'ELLA SE LLEVO MI VIDA', 'QUE IRONIA', 'TU PLUM PLUM', 'HOY', 'NIELO'.

REGIONAL MEXICAN AIRPLAY

Table with columns: THIS WEEK, LAST WEEK, TITLE, IMPRINT/PROMOTION LABEL, ARTIST, THIS WEEK, LAST WEEK, TITLE, IMPRINT/PROMOTION LABEL, ARTIST. Includes tracks like 'HOY COMO AYER', 'AIRE', 'LA SORPRESA', 'VOLVERE', 'ADIOS AMOR TE VAS', 'SI LA QUIERES', 'ESTA LLORANDO MI CORAZON', 'NO ME QUEDA MAS', 'LO MEJOR FUE PERDERTE', 'YO ME QUEDE SIN NADIE', 'TU PONTE EN MI LUGAR', 'BESO A BESO', 'EL VIRUS DEL AMOR', 'ERES DIVINA', 'Y TE VI CON EL', 'UNA LIMOSNA', 'MANANA QUE YA NO ESTES', 'LA ULTIMA CANCION', 'A USTED', 'SEÑOR MESERO', 'PERDONA MIS ERRORES', 'Y LAS MARIPOAS', 'MI PRIMER AMOR', 'NO PODRE SOBREVIVIR', 'ELLA ES UNA Diosa', 'EN TU BASURA', 'QUIERO SABER DE TI', 'SI POR MI FUERA', 'BIENVENIDO AL AMOR', 'YA SOY FELIZ', 'TE APUESTO LO QUE QUIERAS', 'TENGO A MI LUPE', 'FANTASIA', 'SI ME VAS A DEJAR', 'COMO OLVIDAR', 'ROSAS', 'MUSIMEX', 'ABEJA REINA', 'SI TE DIGO', 'QUIERO QUE SEPAS', 'NACHO BERNAL'.



Notas

Continued from page 21

In other Rubio news, inspired by the success of the feather-adorned skirt she wore for her duet with Pit-

bull at the MTV Latin America Awards last October, Rubio and her personal designer have designed a "tutu Pau" skirt. The artist has already worn different versions of the plumed tutu on three national TV performances. The clothing is scheduled to go on sale this summer and initially will be sold via

Rubio's Web site, paupower.com.

**OPEN FOR BUSINESS:** Former Universal Music Latino national TV manager **Monica Escobar** has launched her own PR and production company. Miami-based **Palenke Entertainment** is a partnership among Escobar, publicist **Eliana Nieto** and sound engineer/producer **Carlos "Xokko" Sánchez**. Palenke will focus on developing and implementing marketing campaigns and branding alliances.

**Elite Management Group**, a new management, booking and PR firm, has opened offices in Miami. Elite is headed by Mexican entrepreneur **Jorge Reynoso** and run in Miami by **Josué Rivas** and **Roberto Somoza**. Rivas is a Puerto Rican journalist with PR experience and has worked with numerous artists and promoters, including **Ednita Nazario** and **Henry Cárdenas**. Somoza, formerly with **Estefan Enterprises** and the **Crossover Agency**, has worked with **Thalía**, **Julio Iglesias**, **Paulina Rubio** and **Shalim**.



Photo: MTV

PITBULL, LEFT, AND RUBIO: HER TOUR COMES TO THE STATES APRIL 29

Gardel Awards Shine A Little Brighter

BY MARCELO FERNANDEZ BITAS

BUENOS AIRES—The Gardel Awards, Argentina's annual celebration of its regional music, entered its seventh year with revamped rules and newfound credibility and respect throughout the music community.

Organized by the Chamber of Record Producers (CAPIF), the April 13 awards, which took place at the Gran Rex Theater, honored artists in 30 categories, including two new fields: music DVD and recording engineer.

The evening's big winner was Vicentico, with four awards, including song of the year for "Los Caminos de la Vida." Pop artist Diego Torres and rock group Bersuit Vergarabat each won two awards, the latter taking home album of the year and the Golden Gardel Award for "La Argentinidad al Palo."

Torres was also presented with the personality of the year award, a special honor given for the first time last year and voted upon by a special committee.

Apart from the winners, the Gardels' sustained success underline their importance as a marketing and sales tool, and as a reflection of a healthier music community. Plus, the awards' voting process has given them a newfound credibility.

"For the past two years, the voting committee has been truly independent from the record companies, whose staffs can no longer vote," CAPIF executive director Gabriel Salcedo says. "There are now 1,500 voters that include artists, producers and journalists of every musical genre. The result was clearly reflected last year, where many winners were signed to small independent labels and more than 80% of the nominees attended the ceremony—an unheard-of proportion in [the awards'] history."

In their early years, the Gardels were perceived merely as pat-on-the-back prizes from the industry to its favorite, best-selling artists.

Today, the consensus of artists and audiences is that the Gardels are the most important prize in the country's music business.

Prior to the Gardels, a group of journalists tried to organize a music awards show with the ACE Awards, but the experience lasted only a couple of years. Later, national newspaper Clarín organized its own awards honoring the entertainment business, but nothing was dedicated expressly to music.

Although the awards previously aired live on Canal 13, Argentina's second-largest TV network, this year they aired live on Telefe, the country's most-watched network.

According to José Luis Lombardo, marketing director of Warner Music Argentina, artists' support for the

awards has grown each year.

"Leaving the record companies outside of the voting process has given true transparency and left no suspicions of hidden agendas," Lombardo says. "They still have to understand that it is necessary to attend without knowing if they win or not."

Lombardo adds that he received dozens of calls from artists interested in performing live or knowing the results beforehand. But finding out the winners is impossible, because voting takes place through a secure page on CAPIF's Web site. The last day to cast votes was April 7, but votes are tallied up until the day before the awards.

IMPACT ON RECORD SALES

Argentina's economic woes make it difficult to measure the awards' affect on sales, but Salcedo and Lombardo agree that it is more clearly evidenced in the rising popularity of new artists, such as pop act Airbag and electronic tango group Bajo Fondo Tango Club.

"Acts such as Bersuit Vergarabat have already reached multiplatinum status," Salcedo says. "But sales of many tango recordings on independent labels, like EPSA, have soared."

Both the nominations and the awards are used as marketing and promotion tools. Two years ago, many albums were emblazoned with a sticker noting they were award winners, but the country's recent recessions make it impossible to detect any reflection on sales. This year, many radio stations organized contests and gave increased airplay to nominated songs.

"The constant [striving] for perfection in these awards has only one final goal," Salcedo says. "And that is to show that these are the true awards of the music community in Argentina, and not the record industry."



TORRES: PERSONALITY OF THE YEAR

Venus Hum Sings Some New 'Songs'

Venus Hum is still humming along loudly, thank you very much.

Following the release of its 2003 major-label debut, "Big Beautiful Sky," the Nashville electronic trio parted ways with MCA. These days, the group—**Annette Streat**, **Tony Miracle** and **Kip Kubin**—is touring in support of its self-released EP, "Songs for Superheroes" (**Mono-Fi Music**).

**YOU CAN DANCE:** In October, **Reprise/Warner Bros.** artist **Esthero** topped the *Billboard* Hot Dance Club Play chart with "O.G. Bitch," which went top 10 on the Hot Dance Singles Sales tally.

Now, the label is readying remixes of the Canadian artist's "Fastlane" (featuring **Jemini** and **Jeleestone**), which in its original version inter-



VENUS HUM: MAKING ELECTRONIC SOUNDS WITH ACOUSTIC SOURCES

Available at the band's Web site (venushum.com) and **Apple Computer's** iTunes Music Store, "Superheroes" includes "Fighting for Love," a song the threesome wrote with **JJ Abrams**, the creator of hit TV shows "Lost" and "Alias."

"Fighting for Love" first appeared on the 2004 DVD "Alias—The Complete Third Season."

According to Streat, "Superheroes" is the perfect bridge "between our first album and our next one. It takes off where 'Big Beautiful Sky' left off."

twines drum'n'bass and hip-hop.

Sure, we would love to hear the original version in clubs—where it would offer some much-needed respite from house and trance music—but that is not likely to happen any day soon.

So, the label has tapped **Richard Morel**, **Cottonbely** and **Chris Brann** to reconstruct the track for dancefloors.

"Fastlane" offers a first peek into Esthero's much anticipated sophomore album, "Wicked Lil' Grrrls," due early next month (*Billboard*, March 26).

**Beat Box**  
By Michael Paoletta  
mpaoletta@billboard.com



In other Warner Bros. news, remixes of "Express Yourself" by **Charles Wright & the Watts 103rd Street Rhythm Band**—culled from the "What Is Hip?" remix compilation—will soon be delivered to club DJs. Remixers include **Supreme Beings of Leisure**, **Dave Hernandez** and **Philip Steir**.

The band has completed a handful of tracks for the new album, which Miracle calls an electronic-acoustic album.

Miracle tells *Billboard* that he and his bandmates are striving for an electronic-sounding record using all acoustic sources. "No oscillators or strict synthesizer patches in the studio," he says. "Just guitars and human sounds, like a hand hitting a table."

Streat adds, "It's like that old-school cooking concept: Use what's in your cupboard."

Venus Hum will self-release the album later this year—that is, if a larger label doesn't come along and snatch it up.

And in case you haven't heard, **Victor Calderone** has done a new remix of **Madonna's** "Bedtime Story," while **Tracy Young** has done the same to "Easy Ride," the closing track on the singer's last studio album, "American Life."

While a commercial release of Calderone's remix has yet to be confirmed, Young's "Easy Ride" will appear on the Miami DJ's mix-CD, "Dance Culture."

Young's label, **Ferosh Records**, will release the collection in early summer. Also included on the set is Young's remix of **Chaka Khan's** "I Believe," which is from the artist's latest album, "ClassiKhan."



APRIL 23 2005				Billboard® HOT DANCE SINGLES SALES™	
THIS WEEK	LAST WEEK	2 WKS. AGO	WKS. ON	TITLE	Artist
1	1	1	9	<b>NUMBER 1</b> WE WILL BECOME SILHOUETTES	The Postal Service
2	NEW	1	1	DON'T SAY YOU LOVE ME	Erasure
3	2	2	5	GET RIGHT (L. VEGA REMIX)	Jennifer Lopez
4	3	3	19	TEMPTED TO TOUCH (REMIXES)	Rupee
5	4	4	92	THE DISTRICT SLEEPS ALONE TONIGHT	The Postal Service
6	5	5	3	EVERYTHING	Kaskade
7	6	6	18	THE WONDER OF IT ALL	Kristine W
8	7	7	14	SOLDIER IN JOSHUA REMIX/LOSE MY BREATH (J. BALHOFFER/M. JOSHUA MIXES)	Destiny's Child Feat. T.I. & Lil' Wayne
9	NEW	1	1	SOUND OF THE DRUM	Suzanne Palmer
10	8	8	12	GALVANIZE	The Chemical Brothers Featuring Q-Tip
11	10	6	5	IT'S ALL GOOD (SCUMFROG & N. SKATEN MIXES)	Fantasia
12	12	7	4	YOU ARE EVERYTHING	Vanessa Williams
13	15	2	2	NU NU (YEAH YEAH)	Fannypack
14	13	12	11	BREATHE	Erasure
15	11	14	20	ENJOY THE SILENCE...04	Depeche Mode
16	9	15	28	TURN ME ON (REMIXES)	Kevin Lyttle
17	10	10	8	WE MIGHT AS WELL BE STRANGERS	Keane Vs. DJ Shadow
18	15	21	7	HIDEYAFACE	Prefuse 73 Featuring Ghostface & EL-P
19	14	2	2	DON'T STOP	Brazilian Girls
20	21	17	17	JUST BE	Tiesto Featuring Kirsty Hawkshaw
21	NEW	1	1	THE WORLD AROUND ME	DJ Micro
22	17	11	10	NASTY GIRL	Inaya Day
23	17	23	50	LEFT OUTSIDE ALONE (J. NEVINS REMIX)	Anastacia
24	NEW ENTRY	68	68	SYMPATHY FOR THE DEVIL (REMIXES)	The Rolling Stones
25	13	24	3	FEVER (A. FREELAND REMIXES)	Sarah Vaughan

APRIL 23 2005				Billboard® HOT DANCE RADIO AIRPLAY™	
THIS WEEK	LAST WEEK	WKS. ON	TITLE	Artist	
1	1	9	<b>NUMBER 1</b> SINCE U BEEN GONE	Kelly Clarkson	
2	3	18	ALL THIS TIME	Jonathan Peters Presents Sylver Logan Sharp	
3	4	10	LET ME LOVE YOU	Mario	
4	2	13	1, 2 STEP	Ciara Featuring Missy Elliott	
5	8	9	CALL ME	Anna Vissi	
6	6	10	IF YOU DON'T KNOW ME BY NOW	Aubrey	
7	13	3	ONE WORD	Kelly Osbourne	
8	5	16	I BELIEVE IN YOU	Kylie Minogue	
9	7	9	LISTEN TO YOUR HEART	D.H.T.	
10	10	3	IT'S LIKE THAT	Mariah Carey	
11	15	2	COME RAIN COME SHINE	Jenn Cunetta	
12	11	13	PUT 'EM HIGH	Stonebridge Featuring Therese	
13	9	11	RICH GIRL	Gwen Stefani Featuring Eve	
14	12	25	HOW WOULD U FEEL	David Morales With Lea-Lorien	
15	18	8	SO MANY TIMES	Gadjo	
16	21	4	INSPIRATION	Ian Van Dahl	
17	20	5	WHEN THE DAWN BREAKS	Narcotic Thrust	
18	17	2	OBSESSION (NO ES AMOR)	Frankie J Featuring Baby Bash	
19	23	22	YOU NEVER KNOW	Marly	
20	24	5	I'M DONE	King Brain Presents N.I.C.	
21	25	9	TIME	Therese	
22	19	15	FREE ME	Emma	
23	NEW	5	CAUGHT UP	Usher	
24	22	5	FILTHY GORGEOUS	Scissor Sisters	
25	NEW	5	TRUE	Ryan Cabrera	

APRIL 23 2005				Billboard® TOP ELECTRONIC ALBUMS™	
THIS WEEK	LAST WEEK	WKS. ON	ARTIST	Title	
1	1	3	<b>NUMBER 1</b> MOBY	Hotel	
2	NEW	1	FISCHERSPOONER	Odyssey	
3	NEW	1	VARIOUS ARTISTS	Verve//Remixed3	
4	4	9	VARIOUS ARTISTS	Fired Up! 2	
5	3	3	M.I.A.	Arular	
6	5	7	THIEVERY CORPORATION	Cosmic Game	
7	7	37	SCISSOR SISTERS	Scissor Sisters	
8	NEW	1	THE CRYSTAL METHOD	Community Service 2	
9	6	4	DAFT PUNK	Human After All	
10	NEW	1	LOUIE DEVITO	Trance Sessions II	
11	9	11	THE CHEMICAL BROTHERS	Push The Button	
12	11	2	RAVIN & DAVID VISAN	Buddha-Bar VII	
13	8	10	BRAZILIAN GIRLS	Brazilian Girls	
14	10	11	THE RIDDLER & VIC LATINO	Ultra.Dance 06	
15	NEW	1	ARMIN VAN BUUREN	State Of Trance 2005	
16	13	3	MARK FARINA	Mushroom Jazz 5	
17	12	8	LCD SOUNDSYSTEM	LCD Soundsystem	
18	15	3	PREFUSE 73	Surrounded By Silence	
19	16	67	VARIOUS ARTISTS	Fired Up!	
20	14	2	DANNY HOWELLS	Global Underground: Miami	
21	17	4	EVERYTHING BUT THE GIRL	Adapt Or Die: Ten Years Of Remixes	
22	18	3	DAVID WAXMAN	Ultra Chilled 05	
23	NEW	1	FRIPP & ENO	The Equatorial Stars	
24	19	7	VARIOUS ARTISTS	Best Of Trance Volume 5	
25	NEW	1	BEN WATT	Buzzin' Fly Vol. 2	

● Dance Airplay titles showing an increase in detections over the previous week, regardless of chart movement. Compiled from a national sample of airplay supplied by Nielsen Broadcast Data Systems' radio track service. 9 dance stations are electronically monitored 24 hours a day, 7 days a week. Songs ranked by number of detections. A title which has been on the chart for more than 20 weeks will generally not receive a bullet, even if it registers an increase in detections. Titles below the top 15 are removed from the chart after 26 weeks. ©2005, VNU Business Media, Inc. and Nielsen SoundScan, Inc. All rights reserved. ● Electronic Albums with the greatest sales gains this week. ● Recording Industry Assn. Of America (RIAA) certification for net shipment of 500,000 album units (Gold). ▲ RIAA certification for net shipment of 1 million units (Platinum). ◆ RIAA certification for net shipment of 10 million units (Diamond). Numerical following Platinum or Diamond symbol indicates album's multi-platinum level. For boxed sets, and double albums with running time of 100 minutes or more, the RIAA multiplies shipments by the number of discs and/or tapes. \*Asterisk indicates LP is available. Most tape prices, and CD prices for BMG and WEA labels, are suggested lists. Tape prices marked E1, and all other CD prices, are equivalent prices, which are projected from wholesale prices. [H] indicates past or present Heatseeker title. ©2005, VNU Business Media, Inc. and Nielsen SoundScan, Inc. All rights reserved.

# Billboard® HOT DANCE CLUB PLAY™

THIS WEEK	LAST WEEK	2 WKS. AGO	WKS. ON	TITLE	Artist
1	2	2	9	<b>NUMBER 1</b> CALL ME	Anna Vissi
2	3	5	9	FILTHY GORGEOUS	Scissor Sisters
3	4	4	9	WHATEVER (MR. MIG MIX)	Jill Scott
4	5	6	9	SET IT FREE	Jason Walker
5	6	9	8	NASTY GIRL	Inaya Day
6	1	3	7	GET RIGHT (L. VEGA REMIX)	Jennifer Lopez
7	11	18	6	EVERYTHING	Kaskade
8	9	13	7	WANT MY BODY	Pier Pressure
9	10	17	6	I NEED YOU	Friburn & Urik
10	12	19	6	MR. BRIGHTSIDE (J. LU CONT/LINDBERGH PALACE MIXES)	The Killers
11	7	1	11	LOVE IS A DRUG (CREAMER & K REMIXES)	Rosko
12	15	20	8	HE GIVES MORE (R. MCGOWAN/W. RIGG/M. CRUZ/TWISTED DEE/J. SANTIAGO)	Raw Deal Feat. Toni Ann Bardell
13	20	30	4	I'LL BE YOUR FREAK	Norty Cotto Presents Sinsation!
14	8	7	13	AVALON	Juliet
15	13	8	13	HOW CAN I BE FALLING (D. AUDE/D. TSETTOS/M. RIZZO/PRESTA/RANPAGE)	Jennifer Green
16	25	35	3	HERE I AM	David Morales With Tamra Keenan
17	14	11	11	STRESS	Danny "Buddah" Morales
18	24	31	5	SORROW	Bobby O
19	15	10	11	HOME	Suzanne Palmer
20	35	2	2	IT'S LIKE THAT (D. MORALES REMIXES)	Mariah Carey
21	23	26	6	IT'S ALL GOOD (SCUMFROG & N. SKATEN MIXES)	Fantasia
22	19	12	12	WAITING FOR ALEGRIA	Tony Moran & Ric Sena Present Zhana Saunders
23	22	25	7	SINCE U BEEN GONE (J. NEVINS REMIXES)	Kelly Clarkson
24	25	28	5	LESSONS IN LOVE	Angel
25	30	36	10	MOST PRECIOUS LOVE	Blaze Presents U.D.A.U.F.L. Featuring Barbara Tucker

THIS WEEK	LAST WEEK	2 WKS. AGO	WKS. ON	TITLE	Artist
26	27	32	6	EMBALLA (LOUIE VEGA REMIXES)	Emballa
27	35	43	3	<b>POWER PICK</b> WORKOUT (J. VASQUEZ/E. KUPPER/BLUEROOM/J. CARRANO MIXES)	RuPaul
28	17	14	12	I'M DONE	King Brain Presents N.I.C.
29	18	16	10	SUPERFLY (LOUIE VEGA REMIX)	Curtis Mayfield
30	33	37	5	ROBOT ROCK	Daft Punk
31	34	41	4	TIRED OF BEING SORRY (DUMMIES/PHOTEK REMIXES)	Ringside
32	37	—	2	LIFT IT UP	Inaya Day
33	32	39	4	LEAD GUITAR	Axwell
34	38	47	3	YOU ARE EVERYTHING (J. VASQUEZ/FORD/MR. MIG MIXES)	Vanessa Williams
35	39	—	2	NU NU (YEAH YEAH)	Fannypack
36	21	22	13	FAIRYTALE	The Replacement Featuring Maria Neskovski
37	31	27	10	I WILL (ORANGE FACTORY MIXES)	Oryon
38	45	—	2	FEVER (A. FREELAND REMIXES)	Sarah Vaughan
39	46	—	2	RAINSONG	Don Philip
40	28	15	13	BREATHE	Erasure
41	29	21	14	JUST LET GO	Fischerspooner
42	NEW	1	1	<b>HOT SHOT DEBUT</b> I FEEL YOU	Schiller Featuring Heppner
43	44	45	6	METAL	Afrika Bambaataa Featuring Gary Numan
44	47	49	4	STAND UP	Loleatta Holloway
45	NEW	1	1	ONE WORD (CHRIS COX REMIXES)	Kelly Osbourne
46	43	40	8	RICH GIRL	Gwen Stefani Featuring Eve
47	NEW	1	1	DON'T STOP	Brazilian Girls
48	42	24	13	SHOW IT	Friburn & Urik
49	48	33	14	GALVANIZE	The Chemical Brothers Featuring Q-Tip
50	40	29	16	I AM (THE RISING) [J. ROCKS/FRISCIA & LAMBOY/GUISEPPE D/J. BARRINGER MIXES]	Taborah

● Titles with the greatest sales or club play increases this week. Power Pick on Club Play is awarded for the largest point increase among singles below the top 20. The Club Play chart is compiled from a national sample of reports from club DJs. ● Videoclip availability. Catalog number is for vinyl maxi-single, or CD maxi-single, or CD single respectively, based upon availability. On Dance Singles Sales chart: ● CD Single available. ● Vinyl Maxi-Single available. ● CD Maxi-Single available. ©2005, VNU Business Media, Inc. and Nielsen SoundScan, Inc. All rights reserved.

# Bucking For The Buckle

## Gretchen Wilson Wins Two CMT Video Awards

BY PHYLLIS STARK

NASHVILLE—Gretchen Wilson was a top vote-getter at the 2005 CMT Music Awards, held April 11 at the Gaylord Entertainment Center here. Wilson took home two of the evening's nine fan-voted awards: breakthrough video of the year for her debut clip, "Redneck Woman," and female video for "When I

Think About Cheatin'." Just one video, "Whiskey Lullaby," won two awards. That clip earned its performers, Brad Paisley and Alison Krauss, one of CMT's distinctive belt-buckle style trophies for collaborative video of the year. Rick Schroder, who directed and starred in the clip, won the belt buckle for video director. Keith Urban won the evening's

top prize, video of the year, for "Days Go By." Kenny Chesney won male video for "I Go Back." Rascal Flatts and Tim McGraw each won awards, but weren't on hand to accept them. Rascal Flatts won the duo/group video prize for "Feels Like Today." McGraw's "Live Like You Were Dying" was named most inspiring video of the year. Toby Keith's "Whiskey Girl" won in the category of hottest video.

As previously announced, Loretta Lynn was honored with the Johnny Cash Visionary Award on the show, which was telecast live on CMT and hosted by Jeff Foxworthy. Lynn was lauded live by Reba McEntire, Martina McBride and Wilson, and on tape by Wynonna, Faith Hill and others.

The evening's performers included Chesney, McEntire, Dierks Bentley, Alan Jackson, Urban, Keith, Paisley and Big & Rich.

One musical highlight: a gathering of three Wilsons as Gretchen Wilson performed "Crazy on You" with its originators, Ann and Nancy Wilson of the rock group Heart. And following a long absence from the music scene, Trisha Yearwood made a surprise appearance performing her new single, "Georgia Rain."



Loretta Lynn, left, accepts the Johnny Cash Visionary Award from Reba McEntire during the CMT Music Awards.

# Sony BMG Tops Country

BY PHYLLIS STARK

NASHVILLE—The newly combined might of Sony BMG kept the company in the top market share spot among distributors of country albums in the first quarter of this year.

In figures provided by Nielsen SoundScan, Sony BMG lands a 34.8% share, down from what would have been a 39.7% share had the two entities been combined first-quarter 2004.

The company was buoyed by sales of Kenny Chesney's "Be As You Are: Songs From an Old Blue Chair" and Miranda Lambert's "Kerosene," as well as continuing sales of Gretchen Wilson's "Here for the Party."

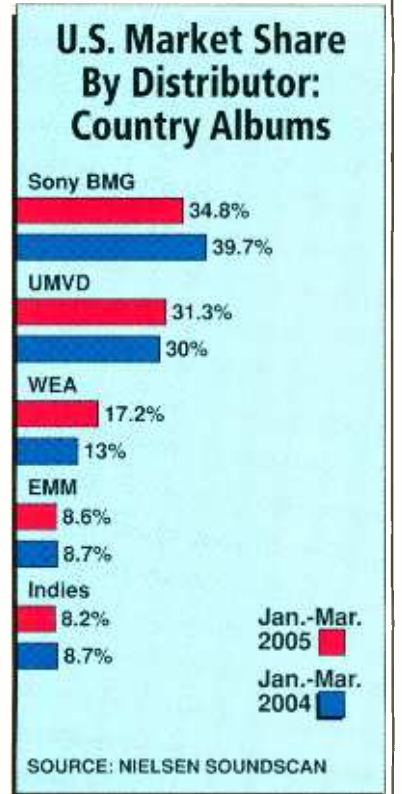
Universal Music & Video Distribution remains close in second place with a 31.3% share for the quarter, up slightly from 30% in the same period last year.

WEA stays in third place but makes healthy gains from a 13% market share in first-quarter 2004 to 17.2% this year. This was achieved partly on the strength of Big & Rich's double-platinum "Horse of a Different Color."

EMI Music Marketing remains stable, with a small dip to 8.6% from 8.7%. It will be boosted in

the next quarter by sales of Trace Adkins' strong-selling new CD "Songs About Me."

The combined share for the independent country distributors also dips from last year's 8.7% to 8.2%.



# Life Is A 'Little' Bit Better For Billy Dean

Before it became the year's surprise success story, **Billy Dean** thought his new album might be his last.

A consistent hitmaker through much of the '90s, Dean had fallen from view after his deal with **Capitol** ended in 1998. As

his career was tanking, Dean also was grappling with personal demons.

Dean had earned four gold albums, won awards, acted on TV shows like "Wings" and "One Life to Live," and—after

a divorce—dated actress **Crystal Bernard**. When that life dried up, Dean suffered what his bio refers to as "humbling personal and career breakdowns," as well as financial setbacks and a close call with a nervous breakdown.

"If nobody wants to book you and nobody wants to sign you, what do you do? Go on 'The Surreal Life?'" he wondered.

During this time, things got tight financially. Dean, who had grown up

poor, dreaded ending up there again. "I had a lot of property that I kept selling and selling. It brought back fears of living how I had to live as a kid . . . I was staring at that life again thinking, 'God, how could I have

"I literally bet the farm on this album," he says. "It was really scary, but I didn't know any other way to put an exclamation point on my career."

Dean knew this album would either reintroduce him to the country format or be his swan song. But he wanted to show the world "that I still had some good music left in me."

Then a funny thing happened. As Dean and his manager, **Doc Gonzales**, hit the road in an SUV promoting the album to radio by themselves, a group of stations began playing tracks from the album. Dean's cover of **John Denver's** "Thank God I'm a Country Boy" began climbing the *Billboard* Hot Country Singles & Tracks chart, peaking at No. 27.

That got the attention of **Curb Records**, which signed him to a new deal and helped him land a top 10 hit with "Let Them Be Little." The song turboed Dean's March 29 release of the same name to a No. 8 debut on Top Country Albums last issue with first-week sales of more than 18,000 copies, according to **Nielsen SoundScan**.

Meanwhile, Dean has also rebuilt his life, focusing on being a devoted father and finding new love with a schoolteacher, whom he will marry May 7. He has moved from a house

he refers to as "the Ponderosa" to a modest Nashville home.

He credits radio for his comeback. Like many people, Dean was under the impression that radio had gotten to the point where all playlist



DEAN: IN THE MIDST OF A COMEBACK

decisions were dictated at the corporate level. "Then I got out there and found [programmers] still have the power and freedom to play what they want for their market," he says.

The Curb deal, which is for more than one album, surprised him. "I really didn't expect it to get picked up by a record label," he says of the album, for which he had more mod-

est expectations. "I had hoped I might be able to get into some of those dot-com business things that were popping up in Nashville and take a more grass-roots approach."

Still, he had been waiting for his chance to get back into the business. "The whole time I've been on the sideline, raising kids and watching the industry like this merry-go-round, wondering, 'Where and when do I jump in?'"

Dean has updated his sound, which he describes as "rock'n'roll bluegrass."

"I hired a rock drummer, a rock bass player and an electric guitar player, and then I went and got the virtuosos of bluegrass on the wood and wire instruments," he says. Among the cuts are new versions of some previous hits, including "Billy the Kid."

"It's been about a seven- or eight-year effort to try to get my own house in order and myself in order," he says. "But doing that has changed the quality of my work. A good quality of life results in a good quality of work."

Despite the painful times, Dean says the upshot of his recent experiences is that he has grown close with his kids and learned "not to let my career define whether I'm a successful human being."

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By Phyllis Stark  
pstark@billboard.com



done so well, and now I'm getting ready to possibly lose it all?" I didn't want to feel like a failure. It was very nerve-wracking."

It had been seven years since his last album and nine since his last radio hit. Faced with uncertainty about whether his career was over, but wanting to take another shot, Dean decided to record and produce the album "Let Them Be Little" on his own, emptying his bank account in the effort.





# ALBUMS

Edited by Michael Paoletta

## NEW & NOTEWORTHY

### MARTHA WAINWRIGHT

**Martha Wainwright**  
PRODUCERS: Martha Wainwright, Brad Alberta

Zoë/Rounder 1063  
RELEASE DATE: April 12

On her self-titled, full-length debut, Martha Wainwright succeeds where so many baby-voiced female singers have failed. Though accenting the vulnerability her vocals naturally possess, she manages world-weary honesty and summoned strength rather than contrived sentimentality. Across these 13 songs, she proves she is a vibrant and creative member of a formidable musical family that includes brother Rufus (who duets with her on "The Maker"), mother Kate McGarrigle and father Loudon III. While Loudon's drubbing on "B.M.F.A." (short for "bloody motherfucking asshole"—ouch!) will likely draw the most initial reaction for its explosive spiritual release, the rest of Martha's Jon Brion-inflected melodic folk is equally ripe with wry emotion that simmers ("These Flowers," "Who Was I Kidding?") and occasionally boils over ("Ball and Chain," "Factory").—**BAJ**

## POP/ROCK

### MUDVAYNE

**Lost and Found**  
PRODUCERS: Dave Fortman, Mudvayne  
Epic EK 90784

RELEASE DATE: April 12

Mudvayne has proved to be one of the more successful metal bands of the new millennium, racking up gold records for its previous two releases. The band was initially lumped in with Slipknot because of both groups' propensities for wearing costumes and makeup. However, for this go-round, Mudvayne has dropped the makeup and nicknames to prove it can stand on its own without the gimmicks. Guess what? Mudvayne remains standing. In fact, lead single "Happy?" is its highest-charting rock track to date. Unfortunately, while donning a fresh image, the band has made its most generic album yet. Mudvayne is undeniably talented and has a distinguishable sound—thanks to Chad Gray's vocals and the band's complex rhythms—but there's little to distinguish "Lost and Found" from past efforts. Lead track "Determined" sounds like a retread of its first hit, "Dig," and short of "Forget to Remember" and the melodic "Fall Into Sleep," the album is, while not terrible, not very memorable, either.—**BT**

### LISA MARIE PRESLEY

**Now What**  
PRODUCER: Eric Rosse  
Capitol 60927

RELEASE DATE: April 5

It's telling that the first single from Lisa Marie Presley's sophomore set is a

## ESSENTIAL REVIEWS



### YO-YO MA & THE SILK ROAD ENSEMBLE

**Silk Road Journeys: Beyond the Horizon**  
PRODUCER: Steven Epstein  
Sony Classical SK 93962  
RELEASE DATE: April 5

Five years ago, superstar cellist Yo-Yo Ma began bringing together master musicians from across Asia to create the Silk Road Ensemble, a group that explores and celebrates the interconnected and yet unique musical traditions of the countries along the ancient trade route known as the Silk Road. In their third recording collaboration, these virtuosos present a beguiling array of new works and arrangements of traditional music. Each piece is so vividly realized in bright colors and finely textured details that they are nearly cinematic in themselves. Particularly wonderful are the piquant improvisation "Oasis," led by Chinese musicians Wu Tong and Wu Man; the epic, romantic sweep of Persian *kemencheh* player Kayhan Kalhor's "Mountains Are Far Away"; and the yearning, haunting sound of Azerbaijani vocalist Alim Qasimov in "Kor Arab."—**AT**

### ROB THOMAS

**Something to Be**  
PRODUCER: Matt Serletic  
Melisma/Atlantic 83723  
RELEASE DATE: April 19

Much has been made of Rob Thomas' solo debut—particularly that it showcases different musical sides of the Grammy Award-winning Matchbox Twenty frontman. Already, lead single "Lonely No More" is a certified pop hit. In this issue, the ultra catchy, Justin Timberlake-shaded track, which peaked at No. 2 on the Adult Top 40 chart, hits the top 10 of The Billboard Hot 100. It is one of many



highlights on "Something to Be," which gets off to a rollicking start with "This Is How a Heart Breaks." "I Am an Illusion" (featuring a Bessie Jones sample and Robert Randolph on lap steel) sounds tailor-made for Sting; it should be considered for a single. Equally feisty is the title track. Conversely, "When the Heartache Ends" is warm and tender. The anthemic "Streetcorner Symphony" has what it takes to become a highlight of Thomas' live show.—**MP**



### HOT HOT HEAT

**Elevator**  
PRODUCER: D. Sardy  
Sire 48988  
RELEASE DATE: April 5

Following its promising 2002 Sub Pop debut, "Make Up the Breakdown," Hot Hot Heat has graduated to the majors with its integrity intact. It isn't like the band had a ton of indie cred before—just a knack for crafting catchy retro songs like top 20 modern rock hit "Bandages." "Elevator" continues that trend, mixing the band's '80s influences with clever lyrics that lift it above the "garage band" tag it was initially saddled with. Mostly fun and upbeat, "Elevator" features 15 tracks in slightly more than 37 minutes, with many songs (including lead single "Goodnight Goodnight") clocking in at roughly two minutes. Song titles like "You Owe Me an IOU" and lyrics like "Maybe I'm a little slow or just consistently inconsistent" show off Hot Hot Heat's wit, while "Middle of Nowhere," "Jingle Jangle" and the title track showcase the band's melody. Fans of retro rock and power pop should take "Elevator" for a ride.—**BT**

cover: "Dirty Laundry" was a hit for Don Henley in 1983. As a hidden bonus track, she also remakes the Ramones' "Here Today, Gone Tomorrow." Somehow, she manages to produce lackluster versions of both. Despite hitmaker Linda Perry co-writing half of the album's original tracks, something is missing. "Now What" is well-produced and often catchy ("I'll Figure It Out"), but there's nothing distinctive about it. If Elvis' daughter is pondering her next career move, perhaps she should consider a new direction.—**KK**

## R&B/HIP-HOP

### SOUNDTRACK

**Diary of a Mad Black Woman**  
PRODUCERS: various  
Rowdy Entertainment/Motown B0004615  
RELEASE DATE: April 19

Tyler Perry's "Diary of a Mad Black Woman" scored No. 1 box-office kudos. Judging by the mesmerizing performances here, the movie's soundtrack deserves to do equally as well. It's filled to the brim with diva-licious stylings that will have you frequently punching the repeat-play button. India.Arie, Monica, Natalie Cole and other mar-

quee names from the worlds of R&B, pop and gospel cut loose on a cogent collection that unleashes a maelstrom of emotions. Arie's soulful "Purify Me" opens the proceedings. Her moving delivery is echoed at various turns by fellow contemporaries Angie Stone ("Different Directions"), Tamia ("Things I Collected") and Heather Headley ("Ain't It Funny"). Meanwhile, R&B/pop vets Cole ("I Wanna Love Again") and Patti LaBelle ("I Wanna Be Free") nearly steal the show. Not to be counted out is former R&B hitmaker Cheryl Pepsii Riley on the illuminating "What If God Was One of Us."—**GM**

## DANCE/ELECTRONIC

### BEN WATT

**Buzzin' Fly Volume 2: Replenishing Music for the Modern Soul**  
PRODUCERS: various  
Astralwerks ASW 60303  
RELEASE DATE: April 5

Two years ago, Everything but the Girl's Ben Watt established Buzzin' Fly Records so he could release house music he deemed noteworthy. Judging by the label's success in underground clubs, DJs and enthusiasts appreciate

what Watt is discovering—the latest of which is his sublime collaboration with British MC Estelle, "Pop a Cap in Yo' Ass," included here. For his second Buzzin' Fly DJ-mix, Watt blends the old and the new. Highlights include offerings from Justin Martin ("Le Boom"), Manoo & Françoisa ("Five Seasons") and Unity ("I Love You"). This CD's subtitle indeed sums up the set best.—**MP**

## WORLD

### NIYAZ

**Niyaz**  
PRODUCERS: Azam Ali, Loga Ramin  
Torkian, Carmen Rizzo  
Six Degrees 657036 1110  
RELEASE DATE: April 19

Niyaz is the meeting of three major artists—Azam Ali, the sublime vocalist of Vas; multi-instrumentalist Loga Ramin Torkian of Axiom of Choice; and producer/remix savant Carmen Rizzo. The 10 songs on their self-titled project are based on Sufi mystical poetry. Ali sings in Farsi and Urdu, and the Farsi poems were taken from the work of the fabled Jalaluddin Rumi. Sufi poetry—and the contemporary

music that draws on it—is known for its ecstatic quality, but the arrangements here have a greater sonic density than, say, the recordings of legendary Sufi vocalist Nusrat Fateh Ali Khan, and the emphasis is on groove rather than prolonged jams. The Niyaz vibe is an alluring combination of medieval Persian and Indian exoticism and beats that are state of the art. Ali's vocals are wholly evocative of another world and another time, which creates a wonderful tension with Torkian and Rizzo's inspired instrumental textures.—**PVV**

## JAZZ

### DIANE SCHUUR

**Schuur Fire**  
PRODUCER: Oscar Castro-Neves  
Concord Picante 2264  
RELEASE DATE: April 5

Grammy Award-winning vocalist Diane Schuur steers into a new direction on her latest album, "Schuur Fire." The cool-meets-combustive collection of Latin-tinged tunes with the Caribbean Jazz Project features leader Dave Samuels on vibes/marimbas and Diego Urcola on trumpet/flugelhorn. Brazilian guitarist Oscar Castro-Neves produces and performs. While the concept of the Latinization of Schuur initially seems suspect, overall the experiment succeeds. Rather than do straight covers of new standards like James Taylor's "Don't Let Me Be Lonely Tonight" and Stevie Wonder's "As," Castro-Neves kindles the session with percussive arrangements that complement Schuur and CJP's strengths. The most unusual song selection is Schuur's buoyant rendition of Duran Duran's "Ordinary World," while the sunniest track is her samba-flavored take on Sergio Mendes' "Look Around." Less effective are the deliveries of Ivan Lins' "Confessions" and Cole Porter's "So in Love." While Schuur's in strong voice throughout, it's a stretch to dub her the first lady of jazz, as her label bio boasts.—**DO**

### CHARLES LLOYD QUARTET

**Jumping the Creek**  
PRODUCERS: Charles Lloyd, Dorothy Darr  
ECM B0004121  
RELEASE DATE: April 5

Reeds man Charles Lloyd's spirituality-infused music has a meditative, quiet side and a roiling, ecstatic manner of expression. On his latest excursion, playfully titled "Jumping the Creek," Lloyd and his top-drawer quartet of pianist Geri Allen and bass/drum team Robert Hurst and Eric Harland commune in a reflective zone as well as launch into jaunty journeys of improvisation. The three extended numbers are full-length, passion-driven performances highlighted by the pockets of Lloyd's bold, lyrical blowing. Of note are the tenor sax's joyful/solemn cover of Jacques Brel's "Ne Me Quitte Pas" and the free-for-all "Georgia Bright Suite." The seven smaller pieces are more like short films that capture a moment, whether it's the frolic of the title tune, the lighthearted bounce of "Ken Katta Ma Om (Bright Sun Upon

(Continued on page 32)

**CONTRIBUTORS:** Jim Bessman, Keith Caulfield, Gordon Ely, Deborah Evans Price, Barry A. Jeckell, Katy Kroll, Gail Mitchell, Dan Ouellette, Michael Paoletta, Bram Teitelman, Christa L. Titus, Anastasia Tsioulcas, Philip van Vleck, Ray Waddell. ESSENTIALS: Releases deemed by the review editors to deserve special attention on the basis of musical merit and/or Billboard chart potential. VITAL REISSUES: Rereleased albums of special artistic, archival and commercial interest and outstanding collections of

works by one or more artists. PICKS (►): New releases predicted to hit the top half of the chart in the corresponding format. CRITICS' CHOICES (★): New releases, regardless of chart potential, highly recommended because of their musical merit. All albums commercially available in the United States are eligible. Send album review copies and singles review copies to Michael Paoletta (Billboard, 770 Broadway, 6th floor, New York, N.Y. 10003) or to the writers in the appropriate bureaus.

(Continued from page 31)

You)" or the exoticism of "The Sufi's Tears." Allen stars throughout with her elliptical and whimsical runs that spur on Lloyd's muses and gusts.—**DO**

## GOSPEL

### ► THE MIGHTY CLOUDS OF JOY In the House of the Lord . . . Live in Houston

**PRODUCER:** Sanchez Harley  
**EMI Gospel 74873**  
**RELEASE DATE:** April 12  
After 44 years and 35 albums, the Mighty Clouds of Joy—undeniably one of gospel's greatest foursomes—resurface with a new label, a hit producer, strong material and the steady rolling, often rocking quartet groove that they have had a definitive hand in shaping. Founding member and lead singer Joe Ligon's vocals and presence are as commanding as ever. "Been Good to Me" and the title song rock with authority, and a remake of the group's No. 1 disco smash, "Mighty High" (now titled "Ride the Mighty High"), kicks with the same exuberance it did 30 years ago. Add yet another gold star to one of the longest winning streaks in modern music.—**GE**

## VITAL REISSUES

### BILLIE HOLIDAY

**The Ultimate Collection**  
**PRODUCERS:** various  
**Hip-O/Verve/Decca/UME 75021**  
**RELEASE DATE:** April 5  
Bob Marley, Jimi Hendrix and B.B. King have been profiled by Universal Music Enterprises' "Deluxe Sound+Vision" series. Joining that illustrious lineup is jazz legend Billie Holiday, who would have turned 90 this year. This double-CD retrospective and DVD provides an intriguing and comprehensive look at the woman nicknamed "Lady Day" by saxophonist Lester Young. CD-wise, the package includes aural highlights of the singer/songwriter's career that have already been featured in earlier collections: "Strange Fruit," "God Bless the Child," "Don't Explain" and "My Man (Mon Homme)." Still stellar in their own right, these songs become even more compelling thanks to the accompanying DVD spotlighting Holiday's unique and influential stylings in film and TV clips. Long before the superstar pairing of Usher and Alicia Keys, there was Holiday with the legendary Duke Ellington in the 1935 video short "Symphony in Black: A Rhapsody of Negro Life" and with the inimitable Louis Armstrong on "I Cover the Waterfront." In one audio excerpt, Holiday notes that the blues "is sort of a mixed-up thing. You just have to feel it." And thanks to Holiday, we do.—**GM**

### THE ROLLING STONES

**Sucking in the Seventies**  
**PRODUCERS:** the Glimmer Twins  
**Virgin 72438-73455**  
**RELEASE DATE:** April 5  
We all know that the Rolling Stones didn't really suck in the '70s. And as the more interesting of a brace of new Stones compilation reissues (including 1975 disc "Made in the Shade"), "Sucking in the Seventies" proves that the band was just hitting its creative stride in its second decade of being the World's Greatest.

Beyond the inclusion of such fearless and brilliant cuts as "Shattered" and "Fool to Cry," "Sucking" boasts B-sides like "Everything Is Turning to Gold," a frenetic live version of "When the Whip Comes Down" from 1978 and funky promo cut "If I Was a Dancer (Dance Pt. 2)." Other highlights include the live "Mannish Boy" from "Love You Live," the greasy "Crazy Mama" and the soul-drenched "Beast of Burden." All bands should suck like this.—**WR**

### HERB ALPERT'S TIJUANA BRASS

**Whipped Cream & Other Delights**  
**PRODUCERS:** Herb Alpert, Jerry Moss  
**Shout Factory DK 32868**  
**RELEASE DATE:** April 19  
Originally released in 1965, "Whipped Cream & Other Delights," Herb Alpert's faux Tijuana jazz-pop fare, proved to be the right music for the time, strangely rubbing shoulders on the charts with the Beatles, Frank Sinatra and the Supremes. Alpert's lyrical trumpet lines and full-brass bob quickly became camp, but 40 years later they sound both retro-schmaltz and mindlessly fun, like a party soundtrack at a wedding reception or high school reunion. The band's mammoth hit, "A Taste of Honey," still savors sweet, though viewers of '60s and '70s TV may want to skip the title track that became the saccharin theme for "The Dating Game." The treats include a striptease take on Jerry Leiber/Mike Stoller's "Love Potion #9," a lovely drift through Toots Thielemann's "Ladyfingers," a Dixieland-like swing through "Butterball" and an oompah polka step to "Peanuts." Plus, two previously unissued melodic Alpert compositions from the original sessions should have, in retrospect, been keepers.—**DO**

## DVD

### ELVIS COSTELLO & THE IMPOSTERS

**Club Date—Live in Memphis**  
**Eagle Vision EV30112**  
**RELEASE DATE:** April 19  
Eagle Rock Entertainment's debut release in its "Club Date" DVD series is a doozy. It stars Elvis Costello & the Imposters, with special guest Emmylou Harris, and was recorded live before 250 fans at the Hi Tone Cafe in Memphis. The knockout live set contains tunes from Costello's latest album, "The Delivery Man," and concert staples like "Radio Radio" and "Alison," the latter paired with "Suspicious Minds" in a tacit nod to Memphis' other Elvis. Harris, who appears on the new album, shines on several duets, most notably a tender version of Johnny Cash's "I Still Miss Someone." Bonus material includes more Harris duets and a fascinating road trip documentary featuring Costello and longtime drummer Pete Thomas in the back of a 1954 Cadillac rolling through Tennessee, Arkansas and Mississippi.—**JB**

## Billboard.com

- Various artists, "Bonnaroo 2004" (Sanctuary)
- Fog, "10th Avenue Freakout" (LEX)
- Isis, "Oceanic: Remixes/Reinterpretations" (Hydra Head)

# SINGLES

Edited by Michael Paoletta

## POP

**NIKKA COSTA Til I Get To You (2:52)**  
**PRODUCERS:** Justin Stanley, Nikka Costa  
**WRITERS:** J. Stanley, N. Costa, C. Ross  
**PUBLISHERS:** Littlescreama Music (ASCAP); Mushroom Music; Spacesoup Music (ASCAP); Wiggid Music (BMI)  
**Virgin 19283 (CD promo)**

It has been quite some time since we last heard from the ultra funky Nikka Costa. Her last album, the critically admired "Everybody Got Their Something," has shifted a modest 250,000 units in the United States since its 2001 release, according to Nielsen SoundScan. Sales were mostly attributed to Costa's fiery live act and strong word-of-mouth. (The artist received scant radio and TV exposure.) "Til I Get to You" is the first proper single from the pint-sized powerhouse's forthcoming album, "can'tneverdid-nothin'," out May 24. The track is a stomping funk number with a fun singalong chorus and clever alphabet-inspired verses ("My lover A was absolutely alright/But my lover B would bump my tunes in his ride"). Though Costa has never been an easy fit at format-specific radio, "Til I Get to You" just might work at adult top 40 and modern AC, as well as at rock and top 40 stations.—**KC**

## R&B/HIP-HOP

**TEAIRRA MARÍ Make a Girl Feel (3:49)**

**PRODUCERS:** Sean Garrett & the Co-Stars  
**WRITERS:** various  
**PUBLISHERS:** various  
**Roc-a-Fella/Def Jam DEFR 16272 (CD promo)**  
R&B newcomer Teairra Marí is already being touted as "the young princess of the Roc." The 17-year-old Detroit native is also one of the first signings under the Shawn "Jay-Z" Carter-helmed Def Jam. Over a pulsating, engaging beat—a Jay-Z hallmark—Marí confidently lays out just what a woman wants emotionally while simultaneously challenging potential suitors to step up to the plate. Her vocal delivery will likely draw comparisons to Ashanti and Ciara. Still, this young princess makes a lasting first impression and piques curiosity for the rollout of her debut Roc-a-Fella album, scheduled for June.—**GM**

## MODERN ROCK

**MUSE Stockholm Syndrome (4:03)**

**PRODUCERS:** Muse, Rick Costey, Safta Jaffery, Dennis Smith  
**WRITERS:** M. Bellamy, C. Wolstenholme, D. Howard  
**PUBLISHER:** Taste Music  
**Warner Bros. 101512 (CD promo)**  
Warner Bros. is giving English trio Muse another push with "Stockholm Syndrome," a cut from 2003 album "Absolution," which contained such favorites as "Hysteria (I Want It Now)" and "Time Is Running Out." ("Absolution" wasn't released until March 2004 in the United States.) "Stockholm Syndrome" will likely capture some

# ESSENTIAL REVIEWS



**THE BLACK EYED PEAS Don't Phunk With My Heart (4:03)**

**PRODUCER:** Will.i.Am  
**WRITERS:** various  
**PUBLISHERS:** various  
**A&M AMRR-11406-2IN02 (CD promo)**  
During the past two years, the Grammy Award-winning Black Eyed Peas have rode a wave of success with such hits as "Where Is the Love?" and "Hey Mama." Now, here comes "Don't Phunk With My Heart," the first single from the group's new album, "Monkey Business," due June 7. The erratic sonic mood swings of "Phunk" combine groovy hip-hop beats, kinetic rhythms, Indian melodies and a nod to the 20-year-old hit "I Wonder If I Take You Home" by Lisa Lisa & Cult Jam With Full Force. Surprisingly, such disparate elements work well. Once again, the Peas have created a track that is poised to heat up radio airwaves and dancefloors. With the added boost of Fergie's sexy vocals, this song should scale the charts in no time. All bodes well for "Monkey Business," which features a cool cast of guests, including James Brown, Justin Timberlake and Jack Johnson.—**KK**



**DAVE MATTHEWS BAND American Baby (3:42)**

**PRODUCER:** Mark Batson  
**WRITERS:** D. Matthews, B. Tinsley, M. Batson  
**PUBLISHERS:** Colden Grey (ASCAP); Tinco Publishing (ASCAP); Bat Future Music  
**RCA 82876 69100 (CD promo)**  
"American Baby" made its debut last month via AOL Music's First Listen initiative. Since then, it has become a hit at adult top 40 radio. Now it's time for the catchy jam to cross over to other formats. While it doesn't necessarily break new musical ground, "American Baby" does showcase a group that is very aware of the here and now. "Nobody's laughing now/God's grace lost/And the devil is proud," Matthews sings in the second verse. Of course, such potent lyrics will mean different things to different people. Some will hear a love song, while others will hear a politically charged pop-rock tune. The choice is yours. Either way, "American Baby" is paving the way for a strong debut for the band's new album, "Stand Up," which arrives May 10.—**MP**

more fans for the group. Its driving guitar borders on speed metal, dominating the track, and the song's terrific finale is a headbanger's delight. But at the chorus Muse throws in a time change and softens things a bit with a couple of piano notes and a bubbly organ. Matt Bellamy's blurred vocals make the lyrics difficult to discern. Chalk it up to the depressing words he sings: "Look to the stars/Let hope burn in your eyes/And we'll love/And we'll hate/And we'll die/All to no avail."—**CLT**

## COUNTRY

► **SUGARLAND Something More (3:35)**

**PRODUCER:** Garth Fundis  
**WRITERS:** K. Hall, J. Nettles, K. Bush  
**PUBLISHERS:** Greater Good Songs; Jennifer Nettles Publishing (ASCAP); Dirkit Music (BMI)  
**Mercury MRN-02593 (CD promo)**  
This talented trio burst on the scene with its debut hit, "Baby Girl," and this stunning follow-up proves that success was no fluke. Propelled by the powerhouse vocals of Jennifer Nettles, "Something More" percolates with an infectious energy that's impossible to ignore. Penned by Nettles and bandmates Kristian Bush and Kristen Hall, the lyric conveys the yearning for a better life and the feisty attitude that's necessary to achieve it. It's the kind of tune that

really lets Nettles shine. She has a big, passionate voice that is full of sass and soul. She knows how to belt, but also how to demonstrate enough restraint that she never goes over the top. These fine musicians are a breath of fresh air in the country format and are well-poised for a solid future.—**DEP**

## DANCE

**PLUMMET 50 Ways to Leave Your Lover (2:55)**

**PRODUCERS:** Shawn "Shaka" Schulte, Eric B. Muniz  
**WRITER:** P. Simon  
**PUBLISHER:** Paul Simon Music (BMI)  
**REMIXERS:** Johnny Budz, MacQ, DJ Russ Harris  
**Big 3 Records 36774 (CD promo)**  
Paul Simon scored a No. 1 pop smash 30 years ago with "50 Ways to Leave Your Lover." While it is unlikely that Plummet's techno-charged cover will repeat the process, dance radio and mainstream club DJs who can't get enough of such contemporary retreads just might embrace it. That said, those that championed the act's previous club hits ("Damaged" and a cover of Sade's "Cherish the Day") may scoff at this track's truly pop sensibility, which intertwines elements of breaks, trance and electro. As for Cheramy Burgess' vocal delivery, well, she could not sound more detached or emotionless if she tried. Next.—**MP**



# UMVD Still On Top

But Industry Sees Q1 Sales Decline

BY ED CHRISTMAN

NEW YORK—Powered by a strong release slate and its controversial JumpStart program, Universal Music & Video Distribution held a commanding lead in U.S. market share at the end of the first quarter.

For the three months ending April 3, UMVD garnered a 31.8% share of total album sales, up more than five percentage points from its share in the corresponding period last year, according to Nielsen SoundScan.

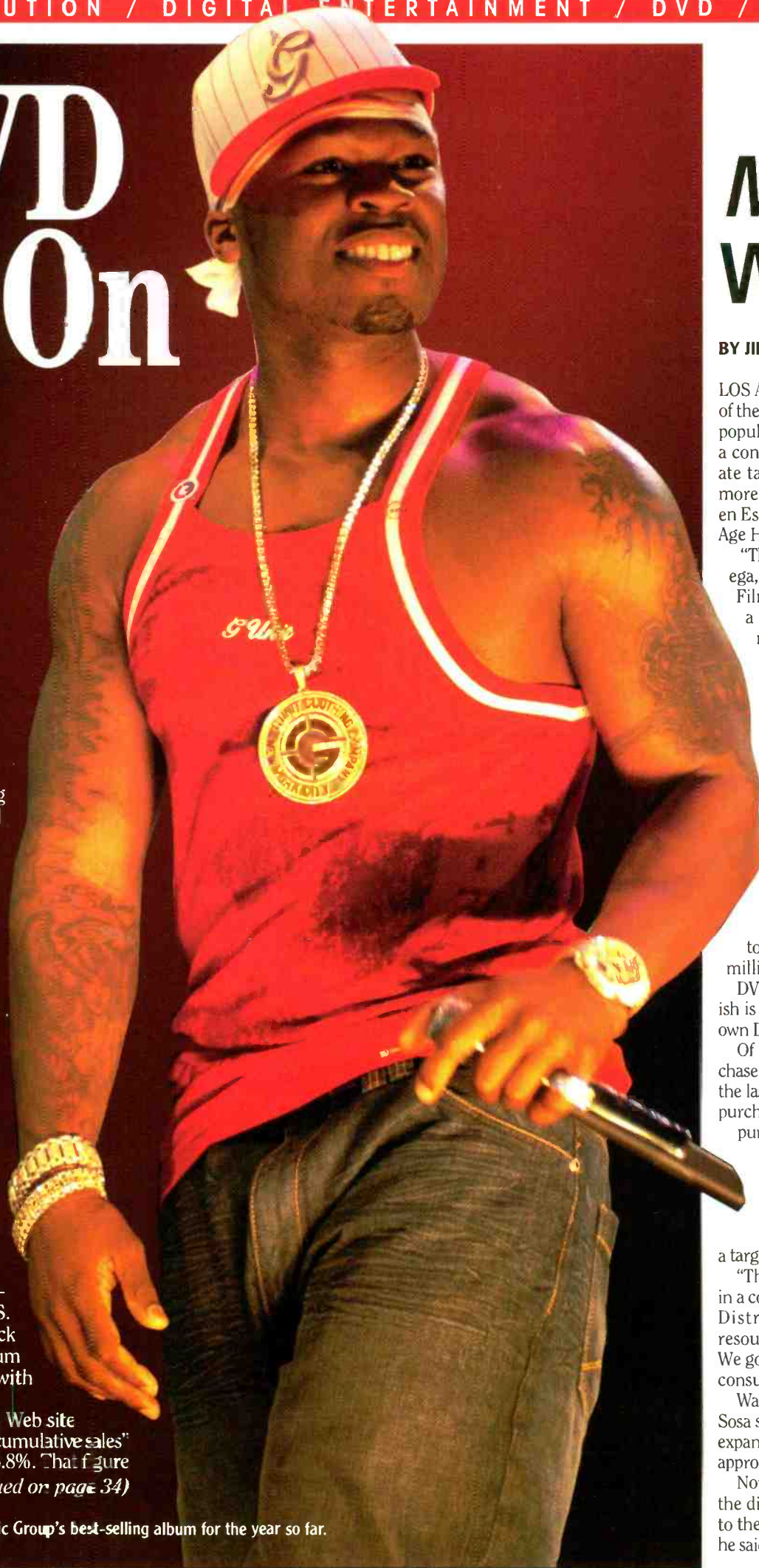
In the current-albums market, its lead is an even more impressive 35.7%, overshadowing Sony BMG Music Entertainment Sales by more than nine percentage points. UMVD also captured the lead in the R&B, rap and Latin albums categories, while Sony BMG snared the largest share of country albums (see stories, pages 17, 21 and 28).

If the first-quarter Nielsen SoundScan data are any indication, the U.S. music industry this year will give back all of its gains from 2004; U.S. album sales were down 8.1% compared with first-quarter 2004.

However, the Nielsen SoundScan Web site presents a "comparative weekly and cumulative sales" table that shows album sales down 6.8%. That figure

(Continued on page 34)

50 Cent's 'The Massacre' is Universal Music Group's best-selling album for the year so far.



# DVDs Get Más Popular With Latinos

BY JILL KIPNIS

LOS ANGELES—No one is denying the sizzling potential of the Latino market for DVDs. To reach this fast-growing population, however, home video companies must make a concerted effort to release more quality product, create targeted marketing campaigns and communicate more closely with retailers, participants said at the DVD en Español conference, held April 5 at the Wyndham Bel Age Hotel here.

"The category is still at an early stage," said Julio Noriega, film division manager for Venevision International Films. "We need efforts to grow the category. There's a lack of knowledge about what is available, and we may have lost some of our consumer base due to titles of poor quality."

Participants said other challenges include knowing when it is appropriate to subtitle or dub DVDs and how to market mainstream titles to the Latino audience. After much trial and error, a base of knowledge is starting to emerge among studios and retailers.

## AMAZING NUMBERS

According to Adriana Olivarez, director of media research for Univision Television Group, the Hispanic population in the United States grew 58% between 1990 and 2000. This year, it will reach 30.3 million, and it is projected to grow to 33.2 million in 2010, 37.6 million in 2015 and 41.7 million in 2020.

DVD-player penetration among Latinos who speak Spanish is 84%; about 8 million Spanish-speaking households own DVD players.

Of particular note is the number of DVDs Latinos purchase and rent compared to the rest of the population. In the last three months, Olivarez said, on average Hispanics purchased 6.3 DVDs and rented 10, while non-Hispanics purchased 5.5 DVDs and rented 8.1.

Representatives from major studios, including Buena Vista Home Entertainment and Warner Home Video, said Latinos comprise 10%-15% of DVD purchasers.

To reach this entertainment-hungry population, a targeted marketing campaign is key.

"The Latino market is not a niche, but a country within a country," said Concepcion Lara, senior VP of Ventura Distribution's Studio Latino. "We've committed resources to help retailers move the category forward. We go to conferences, do TV and radio promos and offer consulting expertise."

Warner Home Video VP of multicultural sales Antonio Sosa said retailers need to have more Spanish signage and expand their selection of Latino-oriented product in the appropriate markets.

Noriega added that studios and retailers need to consider the differences in the Latino population from one region to the next. "You can't just put the content on any shelf," he said. "Some titles that aren't as strong are being brought

(Continued on page 35)

## Redeye Lights Up Deal With Fire Records

**Fire Records** is one of the latest signings in a busy 2005 for **Redeye Distribution**. The U.K. label launched in 1986 but had fallen under the radar by the mid-'90s. Its catalog includes releases from such acts as **Pulp**, **Blue Aeroplanes** and **Television Personalities**.

"I thought it would be a good idea to get 36 bands to turn each part of the poem into a song," he recalls. "Label compilations are so weak that we thought we'd do something interesting, and as we don't have 36 bands on the roster, we just started asking all of our

**Meanie**, Philadelphia rock imprint **Steel Cage**, Chicago dance label **Pulseback** and Seattle's spirituality/world music-oriented **Anja Records**.

Eenie Meanie, which has released albums from **Apples in Stereo** side projects **Ulysses** and **the High Water Marks**, is planning a tribute to electronic act **Dimension 5** dubbed "Dimension Mix." **Beck**, **Stereolab** and **eels** are among those slated to participate.

In addition, Redeye reached an agreement with producer **Daniel Lanois** to distribute his debut album, "Acadie," and the previously Internet-only "Rockets" collection of outtakes and live cuts.

**NEW AT NAVARRE:** New Hope, Minn.-based **Navarre** recently signed a handful of labels, led by New York-based **Tomato Music**, which has the rights to a number of early **Townes Van Zandt** releases. The label is planning to issue the soundtrack to the documentary "Be Here to Love Me: A Film About Townes Van Zandt."

Additionally, Navarre picked up hip-hop labels **8 Ways Entertainment**, owned by veteran Memphis rapper **8 Ball**, and San Francisco-based **Get Low Entertainment**, run by **JT the Bigga Figga**. Navarre also signed San Francisco urban

direct-sales force, and we've introduced full marketing services to all of our labels. That's helping us with the labels we're talking to. People need more than just a distributor these days. It's very clear that we're growing, and we want more labels."



Fire is in the midst of a massive, multi-artist project that could be one of the more fascinating compilations of the year—or a colossal, pretentious failure. The label asked 36 acts to create a song using a portion of **James Joyce's** poem "Chamber Music." Among the participants are **Mercury Rev**, **R.E.M.'s Peter Buck**, **Mike Watt**, members of **Sonic Youth**, **Willy Mason**, **Jessica Bailiff**, **Alan Licht** and **Mary Lorson**.

Label manager **James Nichols** says the idea for the compilation came to him as he was reading the poem.

favorite bands. We tried to get as many people onboard influenced by Joyce as we could."

Nichols says Fire is working with the Joyce estate. The project does not yet have a release date.

Fire's roster includes psychedelic folk duo **Puerto Muerto**, ambient rock act **Bark Psychosis** and pop oddity **War Against Sleep**. For the United Kingdom only, the label will reissue **Neutral Milk Hotel's** "On Avery Island" album.

In addition to picking up Fire, Redeye recently obtained exclusive U.S. distribution for Los Angeles-based pop label **Eenie**



label **the Mint**, home to popular Bay Area duo **Christion**.

Others in the distributor's latest crop include **Sunrise**, Fla.-based groove label **Neurodisc**, rock label **Papoose** and Sacramento, Calif.-based **Digital Musicworks International**, previously an online-only operation.

Navarre Entertainment Media VP/GM **Bob Freese** says his company is not done making deals. "We've geared up and staffed up here, from college reps to a

**ETC.:** Los Angeles-based **Granite Records** has reached a distribution agreement with **Universal Music & Video Distribution's** indie arm, **Fontana**. The label, formed by veteran A&R exec **Dave Austin** and drummer **Phil Ehart** of **Kansas**, will issue its first album in June from Portland, Ore.-based singer/songwriter **Geoff Byrd**. A release from Caribbean-influenced trio **Trinidad** will follow.

Never lacking in promotions to entice indie music fans, retailer **insound.com** launched a 7-inch series this month. The first 7-inch features unreleased tracks from **Vice/Atlantic** recording act **Panthers** and **Domino Records** band **Sons & Daughters**.

**Insound** founder **Matt Wishnow** says his New York-based company pressed 1,000 7-inches and sent half of them to the 500 customers who spent the most during the past six months.

## UMVD

Continued from page 33

reflects an adjustment for the 53 weeks in 2004. The extra week skews comparisons between 2004 and 2005, as the first quarter of 2004 ended March 28, and this year's first quarter ended April 3.

But good news is on the horizon in the form of digital tracks, which scanned 76.2 million units in the first quarter, up 204% from the 25 million scanned in the same period last year. Moreover, the category is showing accelerated growth, as almost every week the track total increases.

Catalog sales, down only 4.3% for the first quarter, are performing better than current-album sales, which were down 10.3%. Within retail categories, mass merchants continue to grow despite the decline of album sales. That store sector enjoyed a 3.6% gain in sales compared with first-quarter 2004. Meanwhile, sales at chain stores, which include traditional music retail as well as consumer-electronics and book chains, are down 17.1%.

The chains have not suffered a large batch of store closings since 2003, so executives speculate that their sales declines stem from a loss of market share in the wake of aggressive pricing by mass merchants and a reduced music SKU count as chains bring in

other product lines.

White Plains, N.Y.-based Nielsen SoundScan determines market-share rankings based on point-of-sale information. It collects the data for all formats and configurations from retailers, rack accounts and other merchants, including mail-order companies and online stores.

The accounts surveyed generate 85% of U.S. music sales. Based on this data, Nielsen SoundScan estimates totals for the full market.

Nielsen SoundScan calculates current-album market share by counting sales occurring in the first 18 months of an album's release (12 months for classical and jazz titles), except for those that remain in the top half of The Billboard 200.

### BACK TO THE NUMBERS

UMVD scanned 46.2 million units in the United States in the first quarter, up from 42 million units in the corresponding period last year.

Some observers credit the strong release schedule of Universal Music Group, which has the best-selling album year-to-date, 50 Cent's "The Massacre," with 2.8 million scanned. Its other best sellers include the Game's "The Documentary," which has moved 1.8 million to rank No. 2, and Eminem's "Encore," which ranks fourth.

Others say UMVD's growth stems from its JumpStart program—which reduced wholesale prices on front-line

albums from \$12.05 to \$9.49 or \$10.35—gaining favor with merchants.

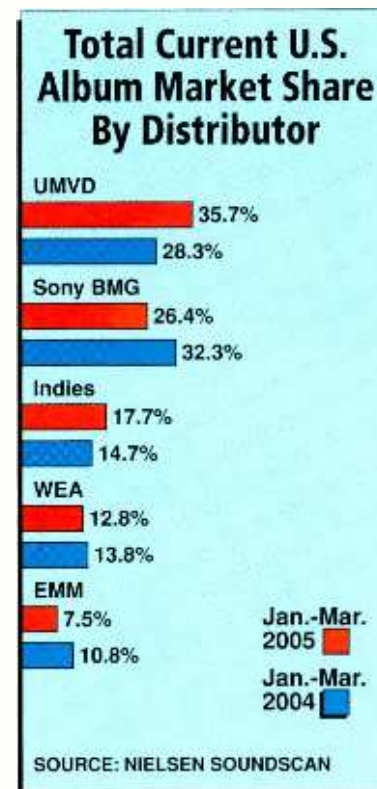
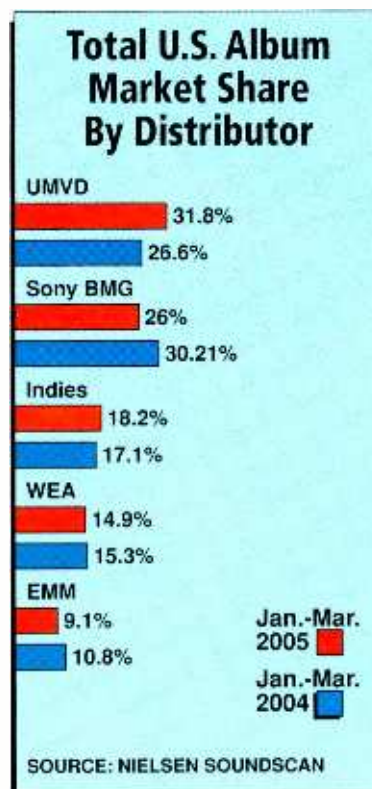
"I definitely think that JumpStart is helping them," Trans World Entertainment chairman/CEO Bob Higgins says. "But in general UMVD has done a much better job with new releases than some of the other labels have done over the last few months."

Hastings Entertainment chairman/

president/CEO John Marmaduke has a similar explanation for UMVD's success. "It's an equal weighting of their roster and their [JumpStart] program," he says.

While UMVD's competitors concede privately that JumpStart is driving gains in market share, they continue to question its profitability.

The recently merged Sony BMG



placed second with a 26% share, down significantly from the two companies' combined first-quarter 2004 share of 30.2%. Sony BMG has five of the top 10 sellers so far this year, including John Legend's "Get Lifted," which has scanned 900,000 units, and Kelly Clarkson's "Breakaway" (870,000).

The indie sector picked up market share, finishing the first quarter with 18.2%, compared with 17.1% for the same period last year. WEA—which had the quarter's No. 3 album, Green Day's "American Idiot"—saw its share decline slightly, while EMI Music Marketing dropped from 10.8% to 9.1%.

In the current-albums market, UMVD made a big move, finishing the quarter with 35.7%, versus 28.3% in first-quarter 2004. Sony BMG's 26.4% share is down from the combined 32.3% the companies had last year.

In corporate market share for total album sales, UMG's 31.8% will soon be affected by Fontana, the independent distribution company it launched in March. Sony BMG Music Sales Enterprise finishes second with 27.7% when scans from RED, its independent distribution arm, are added. Likewise, Warner Music Group's share grows considerably—to 17.3%—when Alternative Distribution Alliance is added. EMM's share grows to 10.1% when Caroline's scans are included. Without RED, ADA and Caroline, the indie sector's share falls to 13.2%.



# New Record Club Site Is Retailers' Friend/Foe

**BMG Music Service**, the record-club component of Bertelsmann's BeMusic division, recently launched **yourmusic.com**, which sells CDs for \$5.99. Music retailers don't know whether to be furious or ecstatic.



TIMMONS: YOURMUSIC IS HIS MUSIC

**John Timmons**, owner of Louisville, Ky.'s **Ear X-Tacy**—a member of the **Coalition of Independent Music Stores**—says he has spent thousands of dollars on the site, routinely ordering 30 or even 60 copies of titles. Using the site as a supplier pleases Timmons greatly, because three of the majors charge merchants \$12.02-\$12.07 for front-line titles, and the fourth, **Universal Music & Video Distribution**, sells most of its top titles at \$10.35 under its JumpStart program. Prices are even higher for retailers that have to buy from one-stops.

Clearly, Timmons is getting a bargain when he buys from the site,

especially because it includes free shipping—and he is not the only merchant taking advantage of the fantastic offer. One executive at a large chain that buys direct from the majors tells Retail Track, “We might have to rethink our replenishment mechanisms.”

But most music retailers—Timmons included—are furious about the offer, saying it devalues the CD in the eyes of consumers.

Timmons went a step further and publicized the offer in an e-mail that has made its way around the industry. While some merchants wish he had kept his mouth shut, they are not as annoyed as BMG Music Service (which, by the way, was not part of the **Sony-BMG** merger). The labels now have their eyes on BMG's record club, which has moved to limit sales to three copies per title, sources say.

Meanwhile, Timmons finds himself persona non grata at yourmusic.com, which has closed his accounts—at least the ones it can trace back to him.

Record clubs license albums, which is why their pricing structure is much lower than that of traditional retail. *Billboard* estimates that each CD sold through yourmusic.com costs BMG Music Service \$3-\$3.75, including shipping, which is why the site can afford to sell it for \$5.99.

Executives at the majors question the legality of yourmusic.com, because record clubs are supposed to function as mail-order houses. Operating as a wholesaler or an online retailer is viewed as a licensing violation. Sources say the BMG club's \$5.99 offer is only available online

and has not been advertised in national magazines, the traditional record-club vehicle. They say this offer is worse than the onepriceCD.com offer of \$9.99 per CD that BMG tried a couple of years ago.

BMG Music Service declined to comment. But sources familiar with yourmusic.com point out that it is a subscription service like **Netflix** rather than a typical online store. Subscribers receive one CD a month from a ranked list they supply. They pay \$5.99 monthly, even if they have not supplied a list or have already purchased all the titles on their list.

These sources also defend yourmusic.com against the charge that it is operating as a wholesaler, pointing to an onsite notice that CDs purchased from it are “intended for personal use only and not for resale or any other commercial purpose.”

In addition, one source says, the company has a weekly meeting where it pulls possible fraudulent orders to investigate. “They are trying to stop people from reselling albums,” the

source insists.

But retailers and major-label execs question the effectiveness of such efforts. A senior distribution executive at one of the majors says he recently ordered 10 copies of an album from

**Retail Track™**  
By Ed Christman  
echristman@billboard.com



one of the BeMusic record clubs, and it fulfilled his order.

One merchant says he prefers the regular offer for BMG Music Service members anyway: When they buy one album at full price, they can get other titles for \$1.99 each. On the general club site, **bmgmusic.com**, the offer does not appear to have a quantity limit. Given the shipping charge of \$2.79 a unit, if a member buys 60 albums, the unit cost comes to \$5.05, the merchant reports.

“I have heard that the majors are looking into the legality” of the operation, the merchant says. But a source familiar with BMG Music Service says the company notified the major labels before rolling out its subscription site. That source says yourmusic.com had a soft launch about five months ago, and then the company started spreading the word online two months ago.

While executives at some of the majors say they are considering whether to pursue litigation to remedy the yourmusic.com situation, others believe record clubs are too small to be a threat. “I don't think the record clubs are the lightning rods they once were for retailers,” one label executive says.

But a senior distribution executive has a different take: “My candid thoughts are that the majors have to figure out how we can get off of the heroin of re-upping for the large record-club advances.”

And what about the retailer whose e-mail helped prod the controversy? “Ultimately,” Timmons says, “I think this yourmusic.com offer is a really bad thing for the industry, but as long as this is out there, I would be a fool not to be taking advantage of it.”

## DVDs

Continued from page 33

in larger quantities than they should be.”

### WHAT'S WORKING

The most sought-after DVD categories for the Latino market include children's, action/horror and classic Spanish-language films. Growing areas include TV on DVD (mainly telenovelas) and music.

To succeed in the market, Xenon Pictures president Leigh Savidge said, “you need to have a broad offering of feature film, TV, documentaries and more.”

Many studios try to sell these categories to retailers as potential stock for a designated Latin or foreign section. However, a number of retailers have yet to set aside such a space.

“A store-within-a-store concept would be great,” Ventura Entertainment executive VP/GM Chris Lynch said.

The decision to include subtitles or

dubbing depends on the genre, participants said.

Lori MacPherson, VP of brand marketing and product managing for Buena Vista Home Entertainment, said that for her company's mainly family-oriented projects, dubbing makes more sense.

But with feature films, according to Warner Home Video VP of multicultural marketing Eva Davis, “Hispanics want to hear the movie in the language it was produced in.” She added that Warner is devoting time this year to clarifying the subtitle options on its packages.

When it comes to promoting mainstream titles to the Latino audience, Davis and MacPherson agreed, campaigns on Spanish-language TV and radio are best.

Such efforts yielded surprisingly good sales among Hispanics for “Mystic River,” Davis said, and she expects a similar response when “Million Dollar Baby” reaches DVD.

The DVD en Español conference was hosted by Home Media Retailing in conjunction with the Digital Entertainment Group and The Hollywood Reporter.

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**No. 6:** Dave Matthews Band lands in the top 10 of the audio streams list with the AOL debut of its new single "American Baby."

## AOL Music: Total Monthly Streams

### TOP AUDIO

1	<b>NATALIE</b> Goin' Crazy UNIVERSAL	3,484,033
2	<b>AKON</b> Lonely UNIVERSAL	2,848,200
3	<b>50 CENT</b> Candy Shop *** INTERSCOPE	2,507,219
4	<b>EMINEM</b> Mockingbird INTERSCOPE	1,474,690
5	<b>THE GAME</b> Hate It Or Love It INTERSCOPE	1,167,371
6	<b>DAVE MATTHEWS BAND</b> American Baby * RCA	863,353
7	<b>50 CENT</b> Disco Inferno INTERSCOPE	802,354
8	<b>BRUCE SPRINGSTEEN</b> Devils & Dust * COLUMBIA	761,602
9	<b>MARIO</b> Let Me Love You *** J RECORDS	602,913
10	<b>R. KELLY</b> Trapped In The Closet (Chapter 1 of 5) * JIVE	557,116

### TOP VIDEO

1	<b>50 CENT</b> Candy Shop *** INTERSCOPE	1,846,622
2	<b>CIARA</b> Oh! ZOMBA	1,814,954
3	<b>FRANKIE J</b> Obsession No Es Amor COLUMBIA	1,632,988
4	<b>CIARA</b> 1, 2 Step ZOMBA	1,251,207
5	<b>BRITNEY SPEARS</b> Do Something JIVE	1,084,387
6	<b>JENNIFER LOPEZ</b> Get Right EPIC	994,093
7	<b>KELLY CLARKSON</b> Since U Been Gone *** RCA	970,067
8	<b>JESSE MCCARTNEY</b> Beautiful Soul *** HOLLYWOOD	953,253
9	<b>DESTINY'S CHILD</b> Girl COLUMBIA	846,720
10	<b>MARIO</b> Let Me Love You *** J RECORDS	787,800

\* First Listen/First View \*\* AOL Music Live  
\* Artist of the Month \*\* Breaker Artist \*\*\* Sessions@AOL  
Source: AOL Music for four weeks ended April 7



**No. 7:** With a live AOL performance, Kelly Clarkson's "Since U Been Gone" is No. 7 on the video streams list. The song also tops the Billboard Pop 100 chart for a fifth week in a row.

# IP Rights Are Focus Of 'Culture' Discussion

BY KATIE HASTY

NEW YORK—Jeff Tweedy believes that artists and their audiences share equal stock in a piece of music.

"Once you create something, it doesn't exist until it enters into somebody's consciousness," the Wilco frontman said. "If you listen to a piece of music, you're a part of it." Tweedy was speaking at "Who Owns Culture?," an April 7 event hosted by the New York Public Library and Wired magazine that discussed intellectual-property rights of digital music. Joining Tweedy was Stanford University law professor/author/activist Lawrence Lessig. Wired contributing editor Steven Johnson served as moderator.

Attendees as well as those who logged on to a live webcast of the event witnessed a discussion that affects musicians, labels, publishers and music fans.

The IP debate stretches from blogs to Congress to the U.S. Supreme Court, but Tweedy has made his peace with the Web. He has seen his music given to a few choice people, who then distributed it to thousands more. And he couldn't be happier.

Streaming media, digital distribution and old-fashioned word-of-mouth helped make Wilco's 2001 album "Yankee Hotel Foxtrot" into a success story. The band continues to liberally embrace such methodology.

Lessig has been outspoken in his desire for less restrictive copyright law and more Web innovations. He led the legal challenge to the 1998 Sonny Bono Copyright Term Extension Act; chairs Creative Commons, a digital non-profit playground for the arts; and has authored titles like "Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity."

In one of Lessig's recent columns for Wired, "Why Wilco Is the Future of America," he reiterated through Wilco's example how it is possible for bands to take control of their copyrights and release their art on the Web. Citing subscription services and open-source code as other methods of "freeing" culture, Lessig applauded the band's willingness to liberate its album, after abandoning Reprise Records and releasing the

shelved album themselves—for free, online.

"What struck me most was his clarity," Lessig said of Tweedy in his column. "He was a man called to a war that he couldn't believe had to be fought. Yet it isn't ideology that drives him. It's common sense."

"We went about our use of the Internet with a defeatist attitude," Tweedy said. "We can't win against it—it's there, and people are going to use it. But since we didn't have a label, we could do whatever we wanted."

The band gained notoriety, fans and, ultimately, the support of Nonesuch Records. The label allowed Wilco to maintain free online distribution in parallel with the CD's commercial release.

Despite little radio airplay and its online availability by the time of its release, the album enjoyed healthy sales at a time when peer-to-peer file sharing was attacked as a pirate's island. According to Nielsen SoundScan, "Yankee Hotel Foxtrot" sold 56,000 copies

in its first week, and has since moved 516,000.

Even with last year's Grammy Award-winning "A Ghost Is Born," Wilco continues to follow a Web-intensive model, offering prerelease streams and rarities online, allowing a wide berth for P2P fans. During the "Culture" chat, Tweedy had nothing but praise for his fans and vowed to continue his online marketing strategies for the band.

Tweedy and Lessig's greater concern throughout the discussion lay with the concept of ownership, both with the manufactured product of an album and the bits of a digital file.

"A CD is not the same as a pair of tennis shoes," Tweedy said. "A track is just a computer file. But music is an experience, something that transcends all that."

That is part of the essence of ownership, he said. The listener's mind makes the music what it is.

"Kids are raised violating the law with this technology," Lessig said. He suggested that the message of legislation like the Digital Millennium Copyright Act is that enjoying too much music is against the law. Lessig said young adults growing up with today's technology may conclude: "The law is an ass."



Discussing the ownership of digital music are, from left, Stanford University professor/author/activist Lawrence Lessig, Wired magazine contributing editor Steven Johnson and Wilco frontman Jeff Tweedy.

## NEWTECH

Yamaha has rescued the early 20th century paper-roll player piano from obsolescence and is turning it into a WiFi-enabled digital entertainment center—at 21st century prices. The Disklavier Mark IV grand player piano has an 80GB hard drive and comes with a full-color, touch-screen, PDA-like WiFi remote control. Both the remote and an optional 10-inch, full-color, touch-screen tablet controller can operate the piano via a home network.

Unlike player pianos of yesteryear, a digital system powers the instrument. But, like any other piano, it has workable keys and strings so users can play on their own or play along with their personal music collection stored on the hard drive. In addition to MIDI files and CDs, the hard drive can store

digital images as well as Yamaha's library of PianoSoft instructional software titles and karaoke software.



The remote features song-control functions and playlist management software, and can display digital images and song information. The larger tablet controller does the same but also displays karaoke-style song lyrics and customizable visual elements.

Music can be streamed to connected speakers and systems in multiple rooms. The system can also display lyrics, photos and videotaped piano performances on standard TV sets.

The basic model is \$35,495. More advanced models that include the tablet controller are \$56,695.

ANTONY BRUNO



## Four Fantastic Themes

An upcoming Activision videogame based on Marvel Comics' Fantastic Four will feature original songs written and recorded specifically for each character. Emo rock act Taking Back Sunday recorded the title track for Mr. Fantastic, hip-hop's Jurassic 5 did the theme for the Thing, punk newcomers the Explosion wrote the music for the Human Torch, and all-girl group Go Betty Go created the sound for the Invisible Woman. The songs will be featured online in music-video-like trailers and in unlockable features within the game itself. "The Fantastic Four" is scheduled to ship this summer on all major game platforms.



## Prince Jams Online

Prince has added several new tracks to his New Power Generation Music Club site, including an exclusive 12-minute live performance taped during the NAACP Image Awards. The "Vanguard Jam" features Prince, Sheila E., Morris Day and Jerome Benton performing the new Prince single "Satisfied," as well as "D.M.S.R." and "Housequake." Other site additions include the new track "GlassCutter." All songs are available exclusively via the Musicology download store, at [npgmusicclub.com](http://npgmusicclub.com), which hosts more than 200 Prince tracks as well as other merchandise.



## Dialing For Titles

Mobile phone manufacturer Motorola will embed a music recognition and identification service from U.K.-based Shazam Entertainment into select handsets. For a fee, the applications allow users to identify the title, artist and album of a song by pointing the device at the music source. The information may then be used to buy ringtones, CDs and, eventually, full-track downloads via the phone. Motorola is the first handset manufacturer to adopt Shazam's technology.



## Sugar Bar Sweet On Open-Mic Night

BY JIM BESSMAN

Their own stature long established, Nickolas Ashford and Valerie Simpson are encouraging a new generation of songwriter/artists at the Sugar Bar, their restaurant/nightclub on New York's Upper West Side.

The SRO Thursday-night open-mic events, while open to all worthy vocalists (even visiting superstars like Patti LaBelle and Chaka Khan), have served as a steppingstone for aspiring singer/songwriters, some of whom have earned their own solo showcases on other nights at the Sugar Bar.

But Thursday nights have also attracted major music-industry figures who see an opportunity to groom new talent in a unique setting.

"Where else in this city can emerging artists hone their skills before a discerning audience that truly appreciates songs and singers?" asks Cherry Lane Music Publishing president Aida Gurwicz, whose company administers Ashford & Simpson's securitized (via the Pullman Group) catalog.

"Nick and Val not only attract primo young and sometimes not-so-young artists with big-time aspirations, but also audiences not unlike themselves—musically sophisticated people who appreciate both quality and effort and who are not parsimonious with their appreciation for either or both," Gurwicz adds. "We have brought developing artists in to practice their craft."

Unless they are on the road, Ashford & Simpson are always present Thursday nights at the Sugar Bar, which is located in the same 72nd Street and West End Avenue building that houses their Hop-sack & Silk production and Nick-O-Val Music publishing companies.

Simpson, in fact, leads the backup singing for all vocalists, who are accompanied by a tight, professional house band ensconced in a tiny alcove at the far end of the narrow first floor. Ashford generally stays in an upstairs lounge, singing along with the rest of the



ASHFORD & SIMPSON: GIVING NEW TALENT A CHANCE

room to a projection of the proceedings on a wall TV.

"It's like 'the New York thing,'" Ashford says. "If you can make it at the Sugar Bar, you can make it anywhere, because it's a tough crowd of intelligent, mature listeners who have heard a lot."

Indeed, a recent open-mic night found Queen Latifah and veteran Warner Bros. Records publicist Liz Rosenberg in the house.

"If they can prove themselves on a Thursday, we approach them about doing a whole night of their own," says Simpson, who has herself performed new material at the Sugar Bar. She singles out Vicky Natale, a school teacher and open-mic regular who went on to win "Star Search" and then started writing her own songs.

"She was inspired to come back strong as a writer and had her

own show of her own material," Simpson continues. "Covering somebody else is great, but they've got to come up with their own hits."

Simpson also cites singer/songwriter Ryan Shaw. "He wowed us for over an hour-and-a-half with original material," she says. "We were in the aisles dancing."

Felicia Collins, guitarist in the CBS Orchestra (the house band on "Late Show With David Letterman," led by Paul Shaffer), also starred at a recent showcase, with original material "that was slamming and radio-ready—but radio isn't ready!" Simpson says. Ashford adds that singer/songwriter Andy Roda, formerly signed to Virgin and a "Next Big Star" runner-up, was contacted by Motown following a Sugar Bar outing.

Patrick Walker, a budding singer/songwriter who has showcased at the club, hails the "royal opportunity" its open-mic nights afford. "You can sing a cover song or bring charts of original work and see how the band talent factors in for a songwriter trying to hear how a song could sound, or you can sing an original and let the band create accompaniment for you. That's talent to learn from," he says.

The Ashford & Simpson track record as composers of Motown-era classics like "Ain't No Mountain High Enough" and such gems performed on their own as "Found a Cure" and "Solid" looms large in the appeal of the Sugar Bar.

"A critical element is that the proprietors are professional recording artists and songwriters," Walker says. "Feedback and advice from them is a blessing that they do extend, and because they have had successful recording careers, a host of industry representatives are always passing through who also will extend advice and sometimes even more."

Gurwicz concludes, "It's a hip throwback to a time when melody mattered and songwriters were to be nurtured and revered for their talent."

## Can Labels Control DPD Statutory Rates?

What is the deal with labels and DPDs?

That is the question an increasing number of publishers and lawyers who work with artist/songwriters are asking. They are grumbling about DPD royalties—the mechanical royalties due for digital phonorecord deliveries that online music services typically include as part of their all-in royalty payments to labels for sound-recording licenses.

While labels are required to pass on the DPD royalties to publishers if the services did not license the compositions directly from the publishers, the grumblers are saying that some labels are paying publishers less than the full DPD statutory rate of 8.5 cents per song per download. Instead, they are reducing the amount according to the terms of the labels' controlled composition clauses in the artist/songwriters' record deals.

Is this because of lack of information or differing interpretations of the law? Probably some of both.

Before many artists, publishers and labels began doing deals with online music services, the federal government passed a law creating DPD rights.

Congress made changes to the compulsory mechanical license pro-

visions of the Copyright Act in 1995, when it created a digital performance right in sound recordings. At the same time, it reaffirmed the mechanical rights of songwriters and publishers for digital distribution through new technology.

The amendment defined a digital phonorecord delivery to describe the

ices—without the service having to obtain another license.

What is different about this law is the fact that Congress considered the common industry practice of including a controlled composition clause in record deals, where the artist/songwriter agrees to a reduced royalty rate for songs he or she controls.

Specifically, contracts entered after June 22, 1995, between a label and a recording artist who is the author of the composition cannot include "a rate" for the making and distribution of the

musical work below that established for the compulsory license. Typically this rate is some reduced amount, such as 75% of the statutory rate.

The one main exception is that a recording artist who effectively acts as his or her own music publisher may accept a lower rate if the contract is entered after the recording was made in a form ready for commercial release—not a demo.

In that case, a label could negotiate

the DPD rate with an artist/songwriter who controls the publishing and licenses or sells completed masters to the label.

So why is it that some labels are supposedly not paying the full statutory rate to artists who do not fall under this exception?

Some lawyers and label execs say the law does not make it clear whether or not it applies to the "cap" provision of the clause, which limits a label's obligation to pay more than 10-12 times the statutory rate, when albums are downloaded.

Also, they say that the law should not affect a label's contractual right to withhold payment of any mechanical royalties—whether for DPDs or physical goods—when the mechanical royalties actually paid to the artist/songwriter and third-party publishers on physical goods exceed the cap, permitting the label to recoup amounts paid beyond the cap from all royalties due the artist.

Whether these positions circumvent the law or are permissible remains to be seen. Compulsory license provisions are among the topics that federal legislators are expected to discuss this year, so there may be an opportunity to clarify the government's attempt to address industry customs.

**DEEP BACKGROUND:** BMI and Muzak, including its 110 affiliates, have settled on new licensing fees for Muzak's background music services. The terms, which were not revealed, are subject to federal court approval as part of the rate court proceeding BMI initiated in 1997. BMI VP of general licensing Tom Annastas says the deal represents a higher rate for songwriters than Muzak paid in the past.

BMI says that after approval, it will offer the same terms to Music Choice, PlayNetwork and DMX Music, which also provide background music.

**SMELLS GOOD:** EMI Music Publishing has landed a worldwide co-publishing deal with Kelly Clarkson's Smelly Music (ASCAP). She co-wrote six songs on her current RCA album "Breakaway," which has sold more than 1.8 million units in the United States since its release last November, according to Nielsen SoundScan.

Clarkson co-wrote the latest single from the album, "Behind These Hazel Eyes," with Max Martin and Lukas "Dr. Luke" Gottwald. She has also collaborated with Kara DioGuardi, Chantal Kreviazuk, Raine Maida and others.

Notable  
News

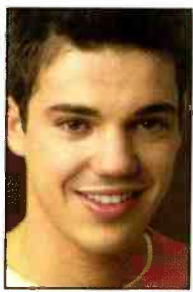
By Susan Butler  
sbutler@billboard.com



process through which a consumer receives phonorecords—copies of recorded music—by digital transmission. The delivery requires payment of a mechanical royalty to the publisher/songwriter.

The law also permits the party who licensed the right to make a DPD, typically a record label that owns or controls the master recording, to pass this right on to third parties—such as online music serv-

'Australian Idol' runner-up Anthony Callea takes his debut album to No. 1 Down Under



# Global



Canadian retailers react to Maverick's exclusive Starbucks deal with Alanis Morissette

UNITED KINGDOM / EUROPE / ASIA / JAPAN / AUSTRALIA / AFRICA / CANADA

## Germany's Echos Earn Mixed Reception

BY WOLFGANG SPAHR

BERLIN—The audience of 4,000 industry members at the 14th annual Echo Awards ceremony here April 2 bore witness to the revival of domestic repertoire in the German market. However, the show's viewing figures were down from 2004, and retailers report a low-key initial reaction to this year's broadcast from consumers.

In March, labels body BPW reported a substantial slowing of the decline in the German recorded-music market: The value of the market shrank by only 4% during 2004, following four consecutive years of double-digit downturns (*Billboard*, March 26).

BPW hailed the renewed strength of domestic repertoire as a major factor in that performance, and senior label executives have since publicly underlined their commitment to local talent.

The theme resonated throughout the evening during the Echos. It was reflected onstage by Xavier Naidoo, singer for Universal act Söhne Mannheims, which won the award for national rock/pop group. "Our country must seek to make German artists strong," Naidoo told the audience at the Estrel Convention Center and those watching at home.

The International Federation of the Phonographic Industry estimates that as recently as 1998, Germany was

the world's third-biggest market in terms of retail value (\$3.01 billion); in 2004, it was No. 5 (\$2.15 billion).

Against that background, Edel Records CEO Michael Haentjes describes this year's Echos gala as a showcase for the entire German industry. "I'm hoping to see a general gained impetus for sales," he says, "and also in terms of our industry's reputation."

Warner Music Germany GM Alexander Maurus insists that the annual show has a positive effect for featured acts. "Performances by successful, 'real' artists encourage a fundamental awareness on the part of consumers," he says. "That will automatically boost sales."

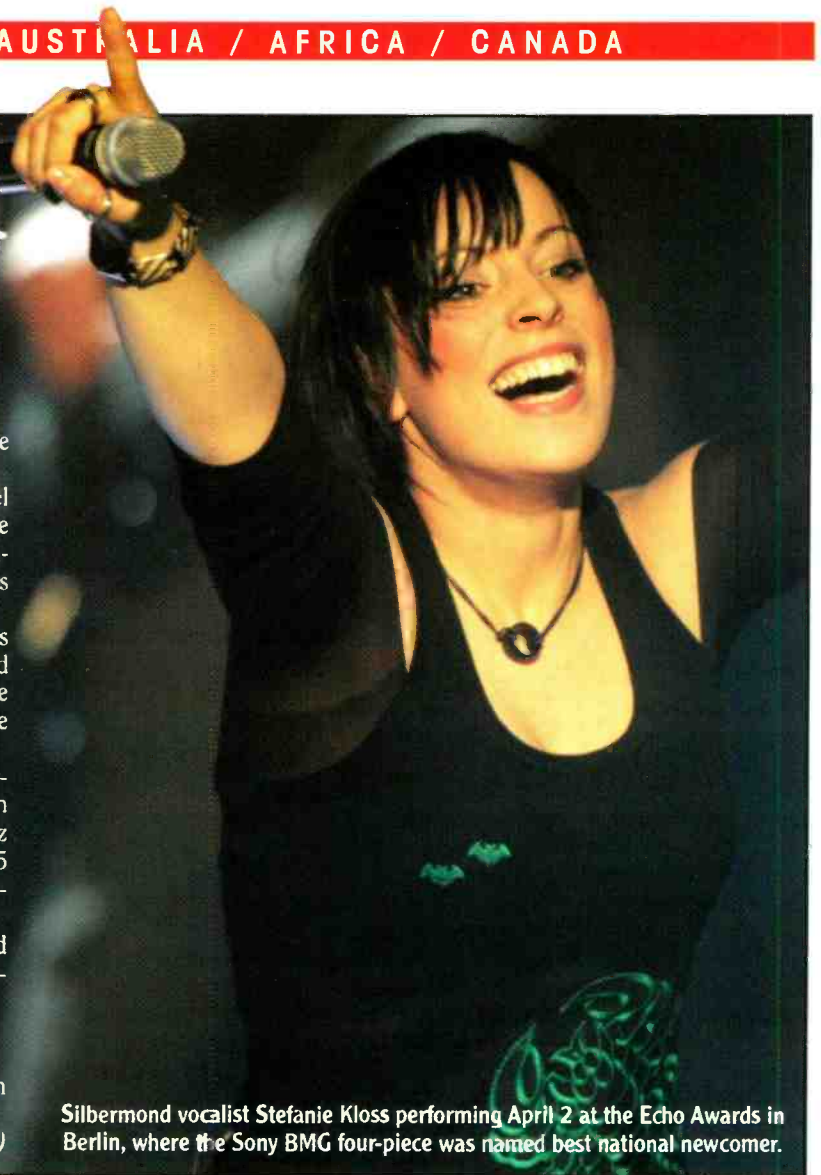
Sony BMG group Silbermond won best national newcomer, and vocalist Annett Louisan was named German artist of the year. Both performed during the show. Heinz Canibol, co-founder and CEO of Louisan's label, 105 Music/Sony BMG, admits to "cautiously optimistic expectations about sales after Echo."

Other German performers during the night included rock act Rammstein (Universal), pop vocalist Yvonne Catterfeld (Sony BMG) and Nena (Warner Music).

### PERCEIVED VALUE

Labels have long acknowledged the value of an appearance at the Echos gala by an international act.

(Continued on page 42)



Silbermond vocalist Stefanie Kloss performing April 2 at the Echo Awards in Berlin, where the Sony BMG four-piece was named best national newcomer.

## Malaysian Royalties Feud Escalates

BY CHRISTIE LEO

KUALA LUMPUR, Malaysia—A dispute between the nation's collecting societies and consumer-electronics retailers has taken on a political element.

Public Performance Malaysia and Music Authors Copyright Protection sent a warning letter in January to the Federation of Malaysian Electrical Appliances Dealers Assn. (Fomeda), saying the retailers are abusing a 2002 agreement that exempts them from paying public performance royalties.

PPM collects performance royalties on behalf of record labels in Malaysia; MACP collects on behalf of authors and publishers. They issue joint licenses to broadcasters and to businesses that play recorded music in public places.

Under the 2002 agreement, arranged through the Domestic Trade and Consumer Affairs Ministry, the collecting bodies agreed to waive public-performance fees when music

is used in-store by retailers to demonstrate hardware. The concession was intended to benefit small dealerships.

The societies say spot-checks reveal that many retailers are using records as background music in their stores and should be paying a full license fee.

"We made concessions in allowing hardware dealers to use songs exclusively for testing in the presence of customers, but not to play songs to attract them," PPM CEO Tan Ngiap Foo declares.

Fomeda secretary-general Tan Kheng Huat challenges the warning. "The songs are used to test the hardware and not for public broadcast," he insists; he also contends that rather than seeking payment, PPM and MACP should thank retailers for promoting recording artists.

Fomeda has raised the issue with one of the parties in the coalition government, the Malaysian Chinese Assn.

After it received the letter, Fomeda



TAN NGIAP FOO: 'THE LAW IS ON OUR SIDE'

delivered to the youth wing of the MCA a memorandum—signed by more than 1,000 of its members—proposing the abolition of licensing fees for the use of

background music in stores.

According to Fomeda, the MCA has promised to bring the matter to the attention of the Domestic Trade and Consumer Affairs Ministry.

Any policy change would require an amendment to the 1987 Copyright Act, PPM's Tan notes. "We have the law on our side," he insists. "There's legal precedence, too."

He cites the 1988 Swedish Supreme Court ruling in Wickstrand vs. FSTIM that "the performance of a short extract of a copyright work for the purposes of testing the equipment in a shop, albeit for the benefit of a single customer, but done in a way that any other customers may hear, is a breach of copyright."

The 1987 Copyright Act allows the societies to sue unlicensed retailers that play background music for damages of up to \$13,160.

PPM and MACP's joint annual licenses of \$158 per outlet helped the bodies raise \$9.2 million during 2004.

Since 1995, they have licensed 264 consumer-electronics dealers that voluntarily applied to play background music.

According to PPM, those dealers are mainly multiples with outlets throughout the country, accounting for some 70% of the domestic consumer-electronics market.

"It's an irony that Fomeda has turned to a political party for assistance," PPM's Tan says, "since a Copyright Tribunal was set up by the government [in 1999] to deal with precisely such matters."

Tribunal members include retired civil servants, academics, lawyers and other professionals. They are appointed by the minister of domestic trade and consumer affairs.

Tan says PPM and MACP will not budge on licensing matters, as the law is clearly defined. He expects the matter to be taken up by the tribunal "in the next few months."



Charts for JAPAN, UNITED KINGDOM, FRANCE, and GERMANY. Each chart includes columns for 'THIS WEEK' and 'LAST WEEK' rankings, and lists of singles and albums with their respective chart positions and titles.

Charts for CANADA, ITALY, SPAIN, and AUSTRALIA. Each chart includes columns for 'THIS WEEK' and 'LAST WEEK' rankings, and lists of singles and albums with their respective chart positions and titles.

Charts for THE NETHERLANDS, SWEDEN, NORWAY, and SWITZERLAND. Each chart includes columns for 'THIS WEEK' and 'LAST WEEK' rankings, and lists of singles and albums with their respective chart positions and titles.



# Canadian Retailers Add To Starbucks Criticism

BY LARRY LeBLANC

TORONTO—Canada's leading music retailers are joining those in the United States to speak out against Starbucks' exclusive North American deal for Alanis Morissette's acoustic version of "Jagged Little Pill."

Representatives of the Retail Music Assn. of Canada—whose members include HMV Canada, Sunrise Records and Handleman Entertainment Canada—met with Canadian Recording Industry Assn. president Graham Henderson and the local heads of the major labels April 12 to express their opposition to U.S.-derived exclusives.

Morissette's Maverick Records album will be sold exclusively at Starbucks' 4,400 U.S. stores and 400-plus Canadian outlets for a six-week period starting June 13. After the exclusive window closes, the album will be available to other merchants.

"Canada was an afterthought for Maverick," charges RMAC president Humphrey Kadaner, who is also president of the 102-store HMV Canada chain. "Canadian label affiliates have

to put pressure on their American brethren to explain that Canada is a different market. If they choose to do such deals, limit them to the U.S."

Bruce Mackenzie, senior buyer at Pindoff Record Sales, which operates the 92-store Music World chain, suggests that Canadian label executives have little leverage with their U.S. counterparts. "Their hands are tied," he says. "This is all coming through their U.S. divisions and from the artist management."

Canada's music retail sector has long opposed major-artist exclusives. HMV Canada, Sunrise Records and Pindoff pulled all Rolling Stones product from their stores in 2003 to protest an exclusive arrangement of the band made with Future Shop/Best Buy for its "Four Flicks" DVD. Last year, HMV and Pindoff pulled all Elton John product after the artist gave an exclusive deal for a four-DVD music set, "Dream Ticket," to the same company.

Retailers here emphasize that they will continue to oppose such U.S.-derived exclusives.



According to sources, Canada's major-label executives are equally furious about U.S.-based deal-making, saying it chills customer relations and, because the product is sold and manufactured in the States, does not contribute to their bottom lines.

"It is our hope that the major record companies in Canada will be successful in educating their U.S. counterparts that the Canadian retail music landscape is appreciably different than that of the U.S.," Kadaner

says. "Hence, they should not apply their exclusive U.S. business model to Canada."

"Americans don't understand our marketplace," adds Tim Baker, buyer for Sunrise Records, which has 32 stores in Ontario.

Canadian executives at Warner Music Group would not comment on the Maverick deal, citing the quiet period for the company's pending initial public offering.

Executives at other majors are reticent about speaking on exclusives. However, Universal Music Canada president/CEO Randy Lennox says, "We believe in complete parity for our customers. Canada is a separate country, and we need to address it as such as an industry."

Starbucks' Morissette exclusive particularly rankles veteran Canadian retailers that have supported the Canadian singer since the early '90s, when she recorded for MCA Canada.

When she scored her international breakthrough with the original "Jagged Little Pill" in 1995, the set sold more than 2 million units in Canada, on its way to 30 million units worldwide.

"It was the traditional retailers who broke her in the first place," Handleman Canada VP of purchasing Ken Kozey points out. "We pushed her as a disco queen."

Most Canadian retailers have yet to decide how to handle Morissette's new album once it arrives in their stores. But Baker vows, "If we carry it, it will not get a front rack."

Meanwhile, Starbucks is in discussion with other artists and labels for future releases. "We are very open to featuring both established and emerging Canadian artists," a Starbucks representative says. "Each CD agreement is unique, including the arrangements of how and where the albums are to be distributed."

## Echos

Continued from page 39

This year, Mariah Carey was one of the non-German performers, ahead of the April 4 release in Germany of her Island/Def Jam album "The Emancipation of Mimi."

"It will be interesting to see whether [she] is able to derive any mileage from the show," says Tom Bohne, managing director of Universal Music Germany's domestic division.

"In the last two years, the Echo Awards have generated enormous sales for Shania Twain and Anastacia," he adds. "[But] I doubt whether that phenomenon will be repeated this year, as many acts [featured] already had albums out for quite some time and did not perform current tracks in the show."

Other international performers included Anastacia (the Epic singer won for best international female artist) and British singer/songwriter Katie Melua (Dramatico), who was named best international newcomer.

Melua's album "Call Off the Search" was the biggest post-Echo chart gainer, rising from 94 to 21 on the Media Control chart issued April 11. Louisana's "Bohème" rose from 20 to 9, and the current albums from Silbermond, Rammstein and Söhne Mannheims also registered small chart climbs.

International award winners included Robbie Williams (EMI), named best international rock/pop artist; Green Day (Warner), named best international rock/pop group; and Eminem

(Interscope/Universal), named best international hip-hop/R&B act.

Industry observers agree that a win



or performance at the Echo Awards rarely has the galvanizing effect on sales that is often seen in the United Kingdom with the Brit Awards or in the United States with the Grammy Awards.

Maarten Steinkamp, head of continental Europe for Sony BMG Music Entertainment, describes the Echos gala as simply "a nice way of getting together" for the industry. "I don't think it actually results in any increase in record sales," he says.

Retailers' muted reactions seem to bear out Steinkamp's comment. "We haven't really felt anything," admits Cologne-based Frank Schickel, chief buyer at Saturn, which claims about 30% of the German music market. "At most, we had a small [sales] rise. TV coverage no longer has the same impact as it did years ago."

Benjamin Spendrikowski, chief music buyer of Uelzen-based consumer electronics/music chain Mega Co., similarly reports "small" sales increases, "particularly with Green Day and [German rapper] Gentleman."

Jörg Jahnke, music buyer at the Hamburg outlet of national department-store chain Karstadt, reports "traces" of the Echo effect on sales. But "all good TV shows, whether it's the Echos, Grammys or the Oscars or [chat show] 'Wetten Dass...?' do that," he says.

Ratings for the live telecast by national broadcaster RTL peaked at 4.7 million viewers, says Gerd Gebhardt, chairman of Echos organizer the German Phonographic Academy. That is substantially less than the 5.8 million who watched in 2004.

However, Gebhardt points to unforeseen circumstances that disrupted the evening's viewing. During the show, news broke of the death of Pope John Paul II; RTL immediately interrupted the Echos broadcast for 30 minutes to give reports. When the network resumed the Echos coverage at midnight, the viewing figure had dropped to 2.7 million.

Prior to the interrupted coverage, Gebhardt says, "the ratings curve had been moving upward, as it did last year. Following the interruption, it was simply not possible for RTL to catch up again."

The Echo Awards are based on a mixture of sales performance and votes by an industry panel. This year, the academy donated 50,000 euros (\$65,000) of the proceeds from ticket sales, sponsorships and TV fees to the German arm of the Nordoff-Robbins Music Therapy charity.

## NEWSLINE

THE INTERNATIONAL WEEK IN BRIEF

**Viacom** is replacing its MTV2 Pop service in Germany with children's channel Nickelodeon, effective Sept. 12. The change comes as part of a restructuring of MTV Central Europe, which has been broadcasting since 1997.

Viacom's Viva music TV network will continue to operate in Germany, showcasing domestic artists and chart-oriented pop music. Also, Viva Plus will maintain its status as an interactive channel.

Viacom acquired Viva Media—MTV's longtime rival in Germany, Switzerland and Austria—in 2004. Viva has been on the air in those territories since 1993.

WOLFGANG SPAHR

**Universal artist Mihalís Hadjiyiannis** was the big winner at the fourth annual Arion Greek Music Awards, held April 5 at Athens Concert Hall.

The Cyprus-born singer/songwriter picked up five awards, including best pop singer, best pop album and album of the year.



Other multiple winners were Alkistis Protosalti (Heaven Music) and Paschalis Terzis (Minos-EMI), who scooped three Arions each. Deputy Culture Minister Fani Palli-Petralia presented composer Mimis Plessas with a lifetime achievement award during the ceremony.

The event was organized by the Greek affiliate of the International Federation of the Phonographic Industry in collaboration with commercial TV channel MEGA, which broadcast the four-hour gala live.

The majority of the 30 categories are voted on by music professionals, members of the media, radio producers and past winners.

MARIA PARAVANTES

**The Tokyo High Court** has upheld a January 2003 ruling by the Tokyo District Court that found file-sharing service MMO Japan guilty of violating the copyrights of members of authors body JASRAC and 19 record companies (*Billboard*, Feb. 15, 2003).

JASRAC and the Recording Industry Assn. of Japan, which represents the labels, sued Hachioji-based MMO Japan in February 2002. They claimed copyright violation as a result of MMO's distribution of file-sharing software. The District Court ruled in favor of the plaintiffs Jan. 29, 2004, issuing a preliminary injunction against MMO that caused it to suspend operations in April 2003. In December 2003, the Tokyo District Court ordered MMO Japan to pay 37 million yen (\$345,000) in compensation; the company appealed the ruling.

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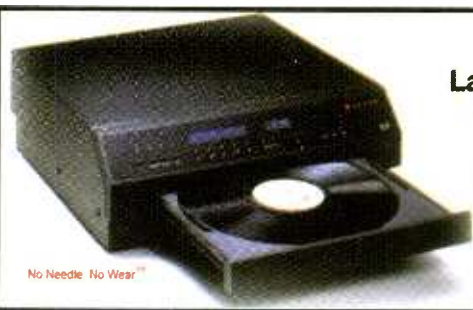
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**Mudvayne**

Continued from page 11

Epic is pleased that the song has made inroads at the latter format since Mudvayne had primarily been played at active rock. "We really feel like we've merged the two formats, active rock and modern rock, in that we have all these believers," says Jacqueline Saturn, Epic VP of alternative promotion. "Some of them played a lot of Mudvayne, some of them never played Mudvayne."

Ashley Wilson, music director at active rock KISW Seattle, thinks "Happy?" will bring Mudvayne further

into the mainstream.

"This song is going to really reach out to people that maybe weren't huge Mudvayne fans," Wilson predicts. "It's very palatable. You [can] play it in all dayparts. It's not scary. It's very [much] what rock needed. It was just a perfect song [since] there [are] a lot more [ballads] at the top of the charts."

"Happy?" continues the steady success the quartet (which also includes bassist Ryan Martinie and guitarist Greg Tribbett) has experienced since its 2000 debut on Epic. That album, "L.D. 50," contained the hits "Dig" and "Death Blooms." 2002 album "The End of All Things to Come" brought further acclaim with "World So Cold" and "Not Falling," the latter becoming a heavy recur-

rent on active rock stations.

"L.D. 50" has sold 712,000 copies, according to Nielsen SoundScan. "The End of All Things to Come" has sold 680,000.

Mudvayne's makeup and costumes, which have ranged from face painting to alien masks and uniforms, also got their share of attention. Though the band is not wearing makeup or costumes for now, recent media attention about its decision has grown tiresome, considering it first dropped the dress-up props in 2003 for the Summer Sanitarium tour.

"It's not like we're trying to make up for something or apologize for some big mistake that we've been making all these years," Gray says. "Like, 'Oh, you know, I don't know what we were thinking. We wore makeup for like four years . . . but here we are now, we're a real band.' That's not the case."

**ELEVATED AT OZZFEST**

After a series of sold-out club shows in January and February, Mudvayne returned to the road March 29 for a headlining run that ends May 15. The band (which is booked worldwide by Dave Kirby at the Agency Group) is playing 1,500- to 3,000-seat venues with support by Life of Agony, American Head Charge and blood-simple, which is signed to Gray's BullyGoat Records. This summer, the band will perform concerts in Europe, as well as join Ozzfest. After headlining the tour's second stage in 2001, it has been elevated to main-stage status.

A multipronged promotional campaign covers everything from TV appearances and print (including covers of Metal Edge and Outburn) to appearances and/or performances on satellite radio providers Sirius and XM and an online contest that will give away a set of the band's music equipment.

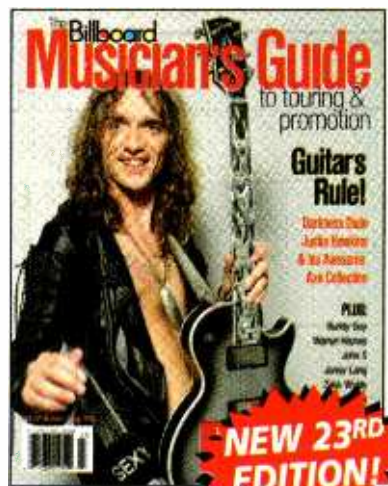
Setup for "Lost and Found" began last November, Epic VP of worldwide marketing Scott Greer says. The label's street and college reps have been working in conjunction with marketing company StreetWise Concepts & Culture, owned by David "Beno" Benveniste of Velvet Hammer Management. Benveniste and Jonathan Cohen of Zen Media Group are co-consultants for Mudvayne.

The street effort launched with the track "Determined." A video was included with the single's sampler, and Greer says the online audio for the song was streamed more than 500,000 times before Christmas.

Benveniste says, "We've really driven traffic to their site and driven word-of-mouth through StreetWise in a big way with the first song we put out, as well as for promotions for the band, the pre-sale and the tour . . . Everything that goes on with [promoting] Mudvayne, we're involved with."

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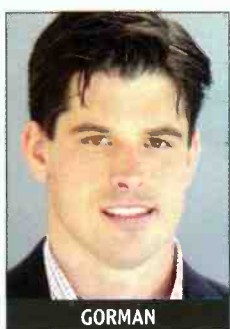
PEOPLE ON THE MOVE



KENNEDY



HADDAD



GORMAN

**RECORD COMPANIES:** Island Def Jam Music Group in New York promotes **Eric Wong** to VP of marketing. He was senior director of marketing.

**Universal South Records** in Nashville names **Matt Corbin** national director of mid-Atlantic and Northeast promotion. He was director of national promotion for the Midwest. Universal South Records also ups **Shane Allen** to national director of West Coast and Southwest promotion and **Nathan Cruise** to national director for the Southeast and Midwest region. Allen was national director for the West Coast, and Cruise was Southeast regional promotion manager.

**PUBLISHING:** BMI in Nashville names **Shelby Kennedy** director of writer/publisher relations. He was A&R director at **Lyric Street Records**.

**Kobalt Music Group** in Los Angeles taps **Dana Kasha-Cohen** for VP of creative for the United States. She was senior director of creative services at **Universal**

**Music Publishing Group.**

**HOME VIDEO:** Ventura Entertainment Enterprises in Los Angeles appoints **Bill Clark** executive VP/CFO. He was senior VP of EMI.

**RELATED FIELDS:** Gotuit Media in San Francisco promotes **Daniel O'Brien** to chairman/CEO. He was CEO at **Brief Original Broadcasts**.

Entertainment production and marketing firm **the Hatchery** in Los Angeles names **David Haddad** executive VP of business development and **Sean Gorman** VP of program development. Haddad was president/COO at **LivePlanet**, and Gorman was development executive at **Radar Pictures**.

Online subscription games publisher **Turbine** in Westwood, Mass., names **Mark Cullinane** VP of business development and **Tom Nichols** VP of marketing. Cullinane was managing director at **DICOMM Ventures**, and Nichols was director of brand marketing at **Atari**.



## Billboard Digs Roadside Graves

The Billboard Underground presented the **Roadside Graves** March 29 at the Knitting Factory in New York. The New Jersey-based act independently released its album "If Shacking Up Is All You Want to Do . . ." in 2004. Pictured, from left, are Roadside Graves vocalist **John Gleason**, drummer **Phil Kunkle**, *Billboard* co-executive editor **Tamara Conniff**, *billboard.com* managing editor **Barry A. Jeckell**, Roadside Graves bassist **Dave Jones**, pianist **Michael DeBlasio** and guitarists **Rich Zilg** and **Jeremy Benson**. (Photo: Jeff Bosie/Tobin Productions)



**Celebrities At Caesars** Celine Dion greets **Elton John** on Easter weekend during her performance of "A New Day . . ." at the **Colosseum at Caesars Palace** in Las Vegas. The two resident productions of Dion's "A New Day . . ." and John's "The Red Piano" account for upwards of 250 shows per year at the Colosseum.



**Back To School** Train drummer/composer **Scott Underwood** is pictured studying online at [berkleemusic.com](http://berkleemusic.com). Underwood incorporated his newfound skills into Train's collaborative composition style. In addition, Underwood has teamed with Train bass player **Charles Colin**, a Berklee grad, to form experimental two-man group **Foodpill**. The act's debut album, "Elixer," is available at [foodpill.net](http://foodpill.net). (Photo: David Goggin)



**Amber Tunes In** Capitol Records artist **Amber Dotson**, left, made her debut appearance on *Great American Country's* "CRL" program April 1. "CRL" host **Suzanne Alexander** interviewed Dotson; played her current video, "I'll Try Anything"; and had viewers phone in inquiring about the singer's recent tour with country superstar **George Strait**. Dotson is working in the studio with producer **Billy Joe Walker Jr.** on her Capitol debut, which is scheduled for a late-summer release.



**Rock For Charity** Multiplatinum rock act **Simple Plan** played a concert April 5 for **AOL Music Live** at the Troubadour in West Hollywood, Calif. The performance was in support of **Keep a Child Alive**, an organization dedicated to providing life-saving medicine to children and families with AIDS in Africa. Pictured, from left, are Simple Plan's **Sebastien Lefebvre**, **Jeff Stinco** and **Pierre Bouvier**; AOL Music executive director **Jack Isquith**; **Lava Records** GM **Lee Trink**; and Simple Plan's **Chuck Comeau** and **David Desrosiers**. (Photo: Getty Images for AOL)



## Napster To Go Goes To Nashville

The fourth and final Napster to Go Cafe tour was held April 4 at Jackson's in Nashville. The event promoted the fledgling legal download service with the first industry performance by **Raybow Records/Warner Bros. Records** country rapper **Cowboy Troy** and an acoustic performance by **Vanguard Records** singer/songwriter **Mindy Smith**. Giveaways of Napster to Go subscription music services, Napster-branded merchandise and MP3 players were also featured. Pictured, from left, are Troy, Smith, Napster CEO **Chris Gorog** and **Big & Rich's** **John Rich** and **Big Kenny**. (Photo: Kay Williams)



**The Art Of Giving** Latin artist and breast cancer survivor **Soroya** puts the finishing touches on a **Gibson** guitar she painted as part of the Designer Gibson Guitar Auction to benefit the **Expedition Inspiration Fund for Breast Cancer Research**. The May 3 event at the Hard Rock Cafe in Los Angeles will auction 50 Gibson Les Paul and SG Special guitars decorated by music superstars including **Rod Stewart**, **Melissa Etheridge** and **Sheryl Crow**. Online bidding for the specially designed Gibsons will open to the general public April 24, prior to the live auction, at [juliansauctions.com](http://juliansauctions.com).



**Behind The Words** **Lisa Loeb** shared her insights on songwriting March 21 as the featured guest at the **Songwriters Studio** at the Hollywood Roosevelt Hotel's Cinegrill lounge in Los Angeles. Previous guests have included songwriters **Jerry Fuller** and **Desmond Child**. Pictured, from left, are Songwriters Studio producer **Denise Bradley**, Music Connection magazine contributor **Dan Kimpel**, ASCAP senior director of repertory and show interviewer **Brendan Okrent**, Loeb and guest artist **Jeffrey Steele**. (Photo: Curt Biesterfeld)

## Now, Hear This ... ZOEgirl

### Artists to Watch

Hallelujah! For the young Christian mademoiselles who feel misrepresented and disrespected by today's mainstream music, **ZOEgirl's** fourth Sparrow release, "Room to Breathe," is a sweet treat. Band members **Chrissy Conway**, **Alisa Girard** and **Kristin Swinford** formed ZOEgirl in 1999 with the desire to support female Christian tweens and teens. The group continues to fulfill its goal with the March 15 release of "Room to Breathe," which hit No. 1 on the *Billboard* Heatseekers chart in its second week. The title has sold 29,000 to date, according to **Nielsen SoundScan**. **EMI CMG** artist development director **Michael Bianchi** credits the album's success to the close relationship the band has developed with its fans through its Web site and a dedicated street team of more than 270 people. The pop/rock sounds of "Dead Serious" and "Good Girl" convey the importance of self-confidence, while the promising lyrics of "Scream" touch upon overcoming self-destructive behavior. "The main inspiration behind this album has most definitely been the fans," Girard says. "They have inspired us with their letters, stories and their struggles." ZOEgirl's original songs are co-published by **Birdwing Music (ASCAP)**; each of the three members maintain separate co-publishing. An exclusive track, "Be Like You," is offered as a bundle to customers who purchase "Room to Breathe" on [walmart.com](http://walmart.com). A similar deal will be offered through **Apple Computer's** iTunes with exclusive track "Last Real Love." The group is handled by **Proper Management** and is on the road with **Jump5**, booked by **Jeff Roberts & Associates**.

SARAH HAN



**Saving Music** **Mariah Carey** is pictured during the April 9 broadcast taping of "VH1 Save the Music: A Concert to Benefit the VH1 Save the Music Foundation" at the Beacon Theatre in New York. Carey joined such performers as **Alicia Keys**, **Rod Stewart** and **John Legend**. The show airs at 9 p.m. EDT April 17 on **VH1**. (Photo: Kevin Mazur/WireImage.com)

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As Long As You Love Me/ **Backstreet Boys** /JIVE/ZOMBA  
Scar Tissue/ **Red Hot Chili Peppers** /WARNER BROS.

## 400,000 SPINS

Calling All Angels/ **Train** /COLUMBIA

## 300,000 SPINS

Let Me Love You/ **Mario** /J RECORDS  
Heaven/Cielo/ **Los Lonely Boys** /EPIC/OR  
1, 2 Step/ **Ciara Feat. Missy Elliot** /LAFACE/ZOMBA  
Boulevard Of Broken Dreams/ **Green Day** /REPRISE  
Somebody Like You/ **Keith Urban** /CAPITOL

## 200,000 SPINS

Lovers & Friends/ **Lil Jon & The East Side Boyz** /TVT  
Soldier/ **Destiny's Child** /COLUMBIA/SONY URBAN  
On The Way Down/ **Ryan Cabrera** /E.V.L.A./ATLANTIC  
My Place/ **Nelly Feat. Jaheim** /DERFTY/FO REAL/UNIVERSAL  
Send The Pain Below/ **Chevelle** /JIVE/ZOMBA  
Milkshake/ **Kelis** /JIVE/ZOMBA  
Hotel/ **Cassidy Feat. R. Kelly** /J RECORDS  
I Just Wanna Be Mad/ **Terri Clark** /MERCURY

## 100,000 SPINS

Since U Been Gone/ **Kelly Clarkson** /RCA  
Caught Up/ **Usher** /LAFACE/ZOMBA  
Candy Shop/ **50 Cent** /SHADY/AFTERMATH  
Mockingbird/ **Eminem** /SHADY/AFTERMATH/INTERSCOPE  
Obsession/ **Frankie J** /COLUMBIA  
Give A Little Bit/ **Goo Goo Dolls** /WARNER EROS.  
Mud On The Tires/ **Brad Paisley** /ARISTA  
Rich Girl/ **Gwen Stefani** /INTERSCOPE  
True/ **Ryan Cabrera** /E.V.L.A./ATLANTIC  
Lady/ **Lenny Kravitz** /VIRGIN  
Get Back/ **Ludacris** /DEF JAM/SOUTH  
Bless The Broken Road/ **Rascal Flatts** /LYRIC STREET  
Let Me Go/ **3 Doors Down** /REPUBLIC/UNIVERSAL  
The Woman With You/ **Kenny Chesney** /BNA  
Love's Divine/ **Seal** /WARNER BROS.  
Baby It's You/ **Jojo** /DA FAMILY/BLACKGROUND/UNIVERSAL  
You're My Better Half/ **Keith Urban** /CAPITOL  
Only U/ **Ashanti** /THE INC/DEF JAM/IDJMG  
Party For Two/ **Shania Twain W/ Billy Currington or Mark McGrath** /MERCURY  
Look What You've Done/ **Jet** /ELEKTRA/ATLANTIC  
Nothin' To Lose/ **Josh Gracin** /LYRIC STREET  
Bring 'Em Out/ **T.I.** /ATLANTIC  
Nothin' 'Bout Love Makes Sense/ **Leann Rimes** /CURB/ASYLUM  
American Idiot/ **Green Day** /REPRISE  
Float On/ **Modest Mouse** /EPIC  
Take Me Out/ **Franz Ferdinand** /DOMINO/EPIC  
I Want To Live/ **Josh Gracin** /LYRIC STREET  
Warning/ **Incubus** /EPIC  
Liberate/ **Disturbed** /REPRISE

## 50,000 SPINS

It's Like That/ **Mariah Carey** /ISLAND/IDJMG  
Truth Is/ **Fantasia** /J RECORDS  
That's What I Love About Sunday/ **Craig Morgan** /BROKEN BOW  
O/ **Omarion** /SONY URBAN/EPIC/TUG  
Goin' Crazy/ **Natalie** /LATIUM/UNIVERSAL  
It's Getting Better All The Time/ **Brooks & Dunn** /ARISTA  
Ordinary People/ **John Legend** /COLUMBIA/SONY URBAN  
Gone/ **Montgomery Gentry** /COLUMBIA  
Lonely No More/ **Rob Thomas** /MELISMA/ATLANTIC  
Okay/ **Nivea** /JIVE/ZOMBA  
If Heaven/ **Andy Griggs** /RCA  
Sugar (Gimme Some)/ **Trick Daddy Feat. Lil' Kim & Ludacris** /SLIP N SLIDE/ATLANTIC  
Shake That Monkey/ **Too Short Feat. Lil Jon & The Eastside Boyz** /JIVE/ZOMBA  
Magnificent Obsession/ **Steven Curtis Chapman** /SPARROW  
Anything But Mine/ **Kenny Chesney** /BNA  
Burning Bright/ **Shinedown** /ATLANTIC  
I Need You Now/ **Smokie Norful** /EMI GOSFEL  
Just For You/ **Lionel Richie** /ISLAND/DEF JAM  
Trying To Find Atlantis/ **Jamie O'Neal** /CAPITOL  
El Problema/ **Ricardo Arjona** /SONY DISCOS  
U Don't Know Me/ **T.I.** /ATLANTIC  
Tal Vez/ **Ricky Martin** /SONY DISCOS  
Fotografia/ **Juanes** /UNIVERSAL LATINO  
Still In Love/ **Teena Marie** /UNIVERSAL  
Gasolina/ **Daddy Yankee** /VI



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Donnie McClurkin lands third No. 1 on Top Gospel Albums



In Singles Minded: The Backstreet Boys are back on Hot 100



SALES / AIRPLAY / TRENDS / ANALYSIS

## The Earlier, The Better

A superstar act in your camp has almost completed a new album. Do you drop it in or near the fourth quarter with the huge traffic it enjoys during the holiday selling season or wait for the start of the New Year?

The answer depends on your goal. If your aim is to end up with one of the best-selling albums of the fourth quarter, then wait until September or later.

If, however, your artist's ego would be more satisfied with the accomplishment of owning the top-selling record of the year, a decade of Nielsen SoundScan results suggests you should consider a release date during the first six months.

From 1995 to 2004, each year's best-selling album was on the market at least four months before the fourth quarter began. Of the last 10 SoundScan champs, the one with the shortest shelf life was Eminem's "The Eminem Show," which was rushed to an off-cycle street date during the Memorial Day weekend of 2002.

**Over the Counter**  
By Geoff Mayfield  
gmayfield@billboard.com



It is possible that an album released in the fourth quarter of one year can triumph as the top-selling set of the following year, but that has only happened once in the last six years. Linkin Park's "Hybrid Theory," which hit the market in October 2000, staged a come-from-behind rally in fourth-quarter 2001 to overtake another 2000 release, Shaggy's "Hotshot."

Aside from Linkin Park's win, an album from the prior year earned the top slot from 1995 through 1998.

Two of those four—the soundtrack from "Titanic" (1998) and the Spice Girls' "Spice" (1997)—arrived in November of the previous year, but the other two had longer store lives. Alanis Morissette's "Jagged Little Pill," the 1996 champ, bowed in June 1995, and Hootie & the Blowfish's "Cracked Rear View," the king in 1995, was released in July 1994.

Tenure is not just a consideration to be a year's best-selling album, as a majority of the 10 best sellers in each of the last 10 years had reached stores before July.

The lightest yield was last year, when six of the 10 best sellers arrived before the end of June. The most seasoned top (Continued on page 52)

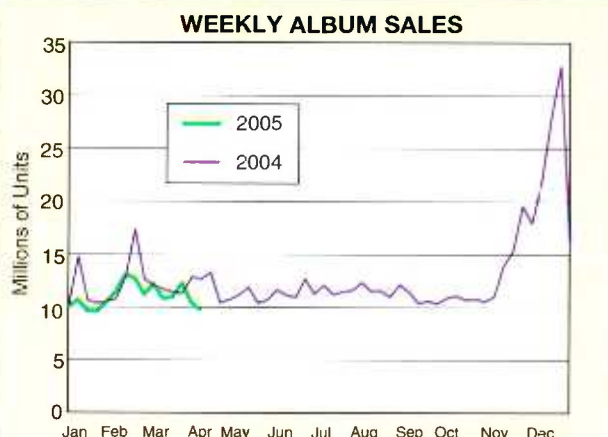
### BEST-SELLING ALBUMS OF THE LAST 10 YEARS

Year	Artist	Title	Units Sold That Year	Release Date
1995	Hootie & the Blowfish	"Cracked Rear View"	7.0 million	July 5, 1994
1996	Alanis Morissette	"Jagged Little Pill"	7.4 million	June 13, 1995
1997	Spice Girls	"Spice"	5.3 million	Nov. 25, 1996
1998	Soundtrack	"Titanic"	9.3 million	Nov. 18, 1997
1999	Backstreet Boys	"Millennium"	9.5 million	April 27, 1999
2000	'N Sync	"No Strings Attached"	9.9 million	Feb. 29, 2000
2001	Linkin Park	"Hybrid Theory"	4.8 million	Oct. 20, 2000
2002	Eminem	"The Eminem Show"	7.6 million	May 14, 2002
2003	50 Cent	"Get Rich or Die Tryin'"	6.5 million	Feb. 2, 2003
2004	Usher	"Confessions"	8.0 million	March 16, 2004

Source: Nielsen SoundScan

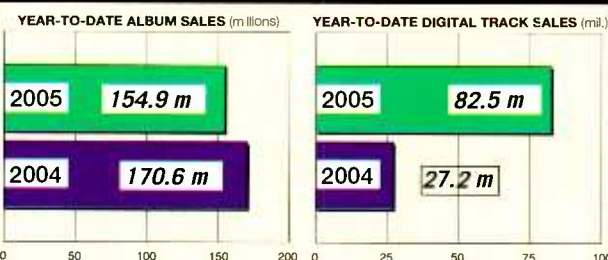
## Market Watch

A Weekly National Music Sales Report



WEEKLY UNIT SALES

	Albums	Store Singles	Digital Tracks
This Week	9,689,000	80,000	6,358,000
Last Week	10,378,000	83,000	7,111,000
Change	◊6.6%	◊3.6%	◊10.6%
This Week 2004	12,563,000	168,000	2,121,000
Change	◊22.9%	◊52.4%	◊199.8%

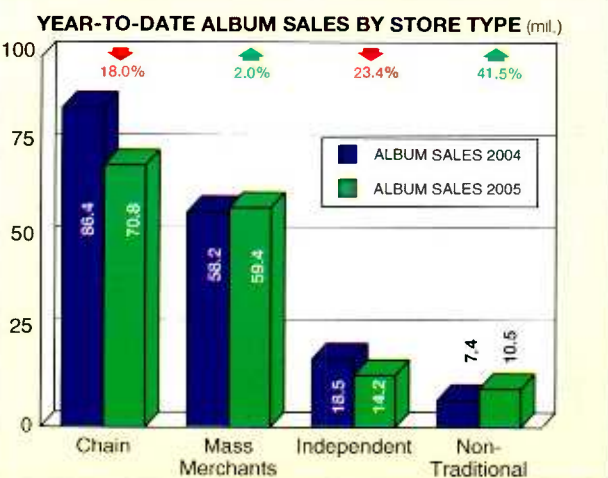


YEAR-TO-DATE OVERALL UNIT SALES

	2004	2005	Change
Total	199,995,000	238,590,000	◊19.3%
Albums	170,566,000	154,899,000	◊9.2%
Store Singles	2,271,000	1,176,000	◊48.2%
Digital Tracks	27,158,000	82,515,000	◊203.8%

YEAR-TO-DATE SALES BY ALBUM FORMAT

	2004	2005	Change
CD	166,427,000	153,614,000	◊7.7%
Cassette	3,606,000	948,000	◊73.7%
Other	533,000	337,000	◊36.8%



For week ending 4/1/05. Rounded figures.

Compiled from a national sample of retail store and rack sales reports collected and provided by

Nielsen SoundScan

## The Boys Are Back

After a false start in 1995 with "We've Got It Goin' On," the Backstreet Boys began a hit streak in 1997 with "Quit Playing Games (With My Heart)." The single peaked at No. 2, their highest-charted Billboard Hot 100 entry to date.

For five consecutive years, the quintet had at least one song debut on the chart every year. By the time the group took a break, it had racked up 13 chart entries, six of which reached the top 10.

The break became a long one, lasting exactly 3½ years. This issue, "Incomplete" (Jive) is the first Backstreet Boys track to debut on the Hot 100 since "Drowning" bowed the week of Oct. 20, 2001.

"Incomplete," the first single from the group's June album, earns Hot Shot Debut honors, opening at No. 55. It ranks as the sixth highest debut among the group's 14 chart entries. It is the highest-debuting song on the Jive imprint this year, and the highest since Britney Spears opened at No. 53 with "Toxic" the week of Jan. 31, 2004.

GOING UP: "Elevator" takes Canadian indie-rock outfit Hot Hot Heat to new heights on The Billboard 200. The album is a new entry at No. 34, besting the No. 146 peak of the band's first set, "Make Up the Breakdown," in August 2003.

"Breakdown" was issued on Sub Pop, while "Elevator" is on Sire. "Elevator" is the highest-debuting and highest-charting CD on Sire since November 1994, when Madonna's "Bedtime Stories" debuted and peaked at No. 3.

**Chart Beat**  
By Fred Bronson  
fbronson@billboard.com



THIS TIME IT'S PERSONAL: I've written about countless chart spans in this space, for artists as well as songwriters, producers and labels. Now it is time to write about a more personal span.

Chart Beat was initiated by Paul Grein in the March 28, 1981, issue of *Billboard*. As a reader, it was the first thing I turned to each week, never thinking that one day I would be writing the column.

Paul penned the column for 11 years and nine months. When he exited, I was asked if I'd be interested in taking over. Except for the week of my father's funeral, my column has appeared in every issue of *Billboard* for the last 12 years, three months and two weeks, giving Chart Beat a total span of 24 years and one month, a good run by any standard.

This is the final Chart Beat to appear in the print edition of *Billboard*. The column will continue online at billboard.com. For those who already check the Web site every Friday to read Chart Beat Bonus, you'll be able to read Chart Beat even earlier, as the column will normally be posted at midnight on Wednesday.

It has been a privilege to be a part of these pages for such a long time and I look forward to writing the cyber edition of Chart Beat for years to come.

Sales data compiled by Nielsen SoundScan

Main Billboard 200 chart table with columns for Rank, Artist, Title, Peak Position, Weeks on Chart, and Last Week. Includes special callouts like 'NUMBER 1', 'HOT SHOT DEBUT', 'GREATEST GAINER', and 'PACESSETTER'.



THIS WEEK	LAST WEEK	2 WKS. AGO	WEEKS ON CHART	ARTIST	Title	PEAK POSITION	THIS WEEK	LAST WEEK	2 WKS. AGO	WEEKS ON CHART	ARTIST	Title	PEAK POSITION
				IMPRINT & NUMBER/DISTRIBUTING LABEL							IMPRINT & NUMBER/DISTRIBUTING LABEL		
99	87	89	4	<b>THE REVEREND AL GREEN</b>	Everything's OK	50	150	168	158	94	<b>BEYONCÉ</b> ▲ <sup>4</sup>	Dangerously In Love	1
100	104	80	80	<b>MARTINA MCBRIDE</b> ▲	Martina	7	151	148	144	46	<b>SLIPKNOT</b> ▲	Vol. 3: (The Subliminal Verses)	2
101	96	91	59	<b>LOS LONELY BOYS</b> ▲ <sup>2</sup>	Los Lonely Boys	9	152	NEW	1		<b>ADEMA</b>	Planets	152
102	50	—	2	<b>BILLY DEAN</b>	Let Them Be Little	50	153	153	153	53	<b>SHINEDOWN</b> ●	Leave A Whisper	53
103	95	78	19	<b>JAY-Z/LINKIN PARK</b>	MTV Ultimate Mash-Ups Presents: Collision Course	1	154	152	140	25	<b>ROD STEWART</b> ▲	Stardust... The Great American Songbook Vol. III	1
104	94	105	4	<b>LUNYTUNES &amp; BABY RANKS</b>	Mas Flow 2	68	155	NEW	1		<b>REEL BIG FISH</b>	We're Not Happy 'Til You're Not Happy	155
105	92	30	8	<b>VARIOUS ARTISTS</b>	Disneymania 3: Music Stars Sing Disney ...Their Way!	30	156	145	116	23	<b>JOSH GRACIN</b>	Josh Gracin	11
106	132	96	3	<b>VARIOUS ARTISTS</b>	Nickelodeon Kids' Choice	96	157	175	188	23	<b>JUANES</b> ▲	Mi Sangre	33
107	101	83	4	<b>CROSBY, STILLS &amp; NASH</b>	Greatest Hits	24	158	NEW	1		<b>FANTOMAS</b>	Suspended Animation	158
108	NEW	1		<b>CORROSION OF CONFORMITY</b>	In The Arms Of God	108	159	111	36	3	<b>OZZY OSBOURNE</b>	Prince Of Darkness	36
109	123	117	41	<b>MONTGOMERY GENTRY</b> ●	You Do Your Thing	10	160	172	—	28	<b>PITBULL</b> ●	M.I.A.M.I. (Money Is A Major Issue)	14
110	98	101	44	<b>VELVET REVOLVER</b> ▲	Contraband	1	161	135	154	4	<b>KAISER CHIEFS</b>	Employment	86
111	100	63	10	<b>VARIOUS ARTISTS</b> ●	Grammy Nominees 2005	4	162	147	138	59	<b>KANYE WEST</b> ▲ <sup>2</sup>	The College Dropout	2
112	103	71	3	<b>JARS OF CLAY</b>	Redemption Songs	71	163	165	173	52	<b>JACK JOHNSON</b> ●	On And On	3
113	53	—	2	<b>THE GAME</b>	West Coast Resurrection	53	164	151	141	17	<b>ASHANTI</b> ▲	Concrete Rose	7
114	139	—	21	<b>DAMIEN RICE</b>		114	165	143	151	28	<b>QUEEN LATIFAH</b> ●	The Dana Owens Album	16
115	114	110	79	<b>JET</b> ▲	Get Born	26	166	182	—	5	<b>JEFF BATES</b>	Rainbow Man	117
116	58	—	2	<b>THEORY OF A DEADMAN</b>	Gasoline	58	167	154	—	2	<b>ANA BARBARA/JENNIFER PENA</b>	Confesiones	154
117	121	82	27	<b>VARIOUS ARTISTS</b>	WOW Hits 2005	39	168	150	162	20	<b>ALISON KRAUSS + UNION STATION</b> ●	Lonely Runs Both Ways	29
118	117	100	5	<b>CRAIG MORGAN</b>	My Kind Of Livin'	40	169	144	111	34	<b>RYAN CABRERA</b> ●	Take It All Away	8
119	115	103	5	<b>BLACK LABEL SOCIETY</b>	Mafia	15	170	133	130	4	<b>CELTIC WOMAN</b>	Celtic Woman	113
120	97	95	38	<b>ASHLEE SIMPSON</b> ▲ <sup>3</sup>	Autobiography	1	171	170	167	23	<b>A PERFECT CIRCLE</b> ●	eMOTiVe	2
121	102	94	7	<b>TORI AMOS</b>	The Beekeeper	5	172	NEW	1		<b>FISCHERSPOONER</b>	Odyssey	172
122	146	97	68	<b>CASTING CROWNS</b> ▲	Casting Crowns	59	173	137	131	27	<b>GOOD CHARLOTTE</b> ▲	The Chronicles Of Life And Death	3
123	RE-ENTRY	45		<b>JOSS STONE</b> ●	The Soul Sessions (EP)	39	174	171	177	19	<b>NAS</b> ●	Street's Disciple	5
124	109	119	9	<b>BRIAN MCKNIGHT</b>	Gemini	4	175	162	104	11	<b>LEANN RIMES</b>	This Woman	3
125	140	136	25	<b>BROOKS &amp; DUNN</b> ●	The Greatest Hits Collection II	7	176	179	163	37	<b>GAVIN DEGRAW</b> ▲	Chariot - Stripped	56
126	113	129	11	<b>VARIOUS ARTISTS</b> ●	WOW Gospel 2005	29	177	155	169	16	<b>HAWTHORNE HEIGHTS</b>	The Silence In Black And White	120
127	130	142	24	<b>BLAKE SHELTON</b>	Blake Shelton's Barn & Grill	20	178	NEW	1		<b>VARIOUS ARTISTS</b>	Verve//Remixed3	178
128	127	148	16	<b>BONE THUGS-N-HARMONY</b>	Greatest Hits	103	179	187	165	33	<b>THE ROLLING STONES</b> ●	The Best Of The Rolling Stones: Jump Back '71-'93	30
129	NEW	1		<b>A STATIC LULLABY</b>	Faso Latido	129	180	177	182	53	<b>MODEST MOUSE</b> ▲	Good News For People Who Love Bad News	18
130	105	66	3	<b>JIMMY BUFFETT</b>	Live In Hawaii	66	181	200	192	10	<b>GRUPO MONTEZ DE DURANGO</b> ●	Y Sigue La Mata Dando	34
131	51	—	2	<b>MAE</b>	The Everglow	51	182	186	—	2	<b>CHAYANNE</b>	Desde Siempre	182
132	116	93	11	<b>BRIGHT EYES</b>	I'm Wide Awake, It's Morning	10	183	176	191	6	<b>RISE AGAINST</b>	Siren Song Of The Counter Culture	136
133	125	133	7	<b>KINGS OF LEON</b>	Aha Shake Heartbreak	55	184	156	147	6	<b>SOUNDTRACK</b>	Napoleon Dynamite	147
134	129	178	29	<b>CHELLE</b> ●	This Type Of Thinking (Could Do Us In)	8	185	159	160	3	<b>LOUIS XIV</b>	The Best Little Secrets Are Kept	159
135	142	126	30	<b>BOWLING FOR SOUP</b>	A Hangover You Don't Deserve	37	186	163	127	6	<b>JUDAS PRIEST</b>	Angel Of Retribution	13
136	141	125	61	<b>NORAH JONES</b> ▲ <sup>4</sup>	Feels Like Home	1	187	173	99	28	<b>HILARY DUFF</b> ▲	Hilary Duff	2
137	124	135	17	<b>2PAC</b> ▲	Loyal To The Game	1	188	184	185	25	<b>JIMMY EAT WORLD</b> ●	Futures	6
138	138	109	3	<b>KURT CARR PROJECT</b>	One Church	109	189	RE-ENTRY	3		<b>THE BABY EINSTEIN MUSIC BOX ORCHESTRA</b>	Baby Einstein: Lullaby Classics	188
139	120	122	22	<b>BEE GEES</b> ●	Number Ones	23	190	197	193	8	<b>WILLIE NELSON</b>	Songs	64
140	134	114	3	<b>BLOC PARTY</b>	Silent Alarm	114	191	164	106	18	<b>LINDSAY LOHAN</b> ▲	Speak	4
141	131	—	2	<b>VICENTE FERNANDEZ</b>	Mis Corridos Consentidos	131	192	RE-ENTRY	62		<b>ROD STEWART</b> ▲ <sup>2</sup>	As Time Goes By... The Great American Songbook Vol. II	2
142	122	92	20	<b>SOUNDTRACK</b> ▲	The Phantom Of The Opera	16	193	180	179	79	<b>THREE DAYS GRACE</b> ▲	Three Days Grace	69
143	128	132	22	<b>BRITNEY SPEARS</b> ▲	Greatest Hits: My Prerogative	4	194	188	139	6	<b>KUTLESS</b>	Strong Tower	87
144	161	112	96	<b>THE BEACH BOYS</b> ▲	The Very Best Of The Beach Boys: Sounds Of Summer	16	195	RE-ENTRY	20		<b>ANDREA BOCELLI</b>	Andrea	16
145	160	157	11	<b>BLAINE LARSEN</b>	Off To Join The World	79	196	196	—	5	<b>LOS HOROSCOPOS DE DURANGO</b>	Y Seguimos Con Duranguense!!!	78
146	136	134	27	<b>KORN</b> ●	Greatest Hits Vol. I	4	197	169	—	54	<b>FRANZ FERDINAND</b> ▲	Franz Ferdinand	32
147	157	57	3	<b>VARIOUS ARTISTS</b>	Radio Disney Jams 7	57	198	174	168	6	<b>PIMP C</b>	The Sweet James Jones Stories	50
148	118	121	20	<b>CREED</b> ▲	Greatest Hits	15	199	RE-ENTRY	38		<b>JIMMY BUFFETT</b> ▲	License To Chill	1
149	107	46	3	<b>BILLY IDOL</b>	Devil's Playground	46	200	192	150	13	<b>CHRIS TOMLIN</b>	Arriving	39

● Albums with the greatest sales gains this week. ● Recording Industry Assn. of America (RIAA) certification for net shipment of 500,000 album units (Gold). ▲ RIAA certification for net shipment of 1 million units (Platinum). ◆ RIAA certification for net shipment of 10 million units (Diamond). Numerical following Platinum or Diamond symbol indicates album's multi-platinum level. For boxed sets, and double albums with a running time of 100 minutes or more, the RIAA multiplies shipments by the number of discs and/or tapes. RIAA Latin awards: ○ Certification for net shipment of 200,000 units (Platinum). △ Certification of 400,000 units (Multi-Platinum). \*Asterisk indicates LP is available. Most tape prices, and CD prices for BMG and WEA labels, are suggested lists. Tape prices marked EQ, and all other CD prices, are equivalent prices, which are projected from wholesale prices. Greatest Gainer shows chart's largest unit increase. Pacesetter indicates biggest percentage growth. Heatseeker Impact shows albums removed from Heatseekers this week. [M] indicates past or present Heatseeker title. © 2005, VNU Business Media, Inc., and Nielsen SoundScan, Inc. All rights reserved.

Table with 5 columns: THIS WEEK, LAST WEEK, ARTIST IMPRINT & NUMBER/DISTRIBUTING LABEL, Title, BILLBOARD 200 RANK. Top entry: BECK, Interscope 003481\*, Guero, 3.

Table with 5 columns: THIS WEEK, LAST WEEK, TITLE, IMPRINT & NUMBER/DISTRIBUTING LABEL. Top entry: RAY (RAY CHARLES) ▲, WMG Soundtracks/Atlantic 76540/Rhino, 1.

Top Internet Album Sales reflects physical albums ordered through Internet merchants, based on data collected by Nielsen SoundScan. Unlike most Billboard album charts, catalog titles are included on the Internet and Soundtrack charts.

THE BILLBOARD 200 A-Z (LISTED BY ARTISTS)

- List of artists and their Billboard 200 chart positions, including 2Pac 137, Brandy 27, Eminem 24, Ray Charles ▲ 54, Shania Twain ▲ 38, and Damién Rice 0.

Over The Counter

Continued from page 49

10 of 1995-2004 happened in 1996, when all 10 had reached stores before July, including five that were released in the prior year.

Other than that, there were three years when seven or more of the top 10 albums were pre-July releases (1997, 2002 and 2003), two when there were eight (2000 and 2001), and three when there were nine (1995, 1998 and 1999).

While seniority counts in the year-end best sellers, youth is served when you examine the 20 biggest albums during the fourth quarters of 1995-2004. In all but one of those 10 years, a majority of

the 20 best sellers of a closing quarter arrived between September and the end of the year.

The one exception was 1999, when half of the top 20 from that year's fourth quarter arrived before September, with two of those 10 from earlier years. Otherwise, albums released during the last four months of a year account for no less than 12 of a fourth quarter's top 20 in each of the last 10 years. In three of those years, 15 of the last quarter's top 20 arrived no earlier than September.

There were eight pre-September releases in the top 20 for two of the last 10 fourth quarters (1998 and 2000), six such exceptions in three of them (1996, 1997 and 2001), and five in two other years (1995 and 2001).

The wild card of SoundScan's 14-year history is Shania Twain's 1997 set "Come On Over," an example of patience which, more

than any other album, proves the old industry maxim, "It's not where you start that counts, but where you finish."

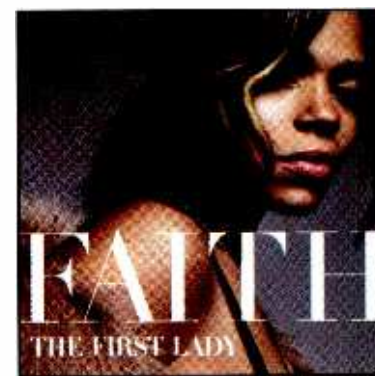
"Come On Over" had the rare distinction of notching top 10 weeks on The Billboard 200 during the holiday selling seasons of three different years—a claim that even Michael Jackson's 29-times platinum "Thriller" cannot make—yet Twain's album was never the top seller of any year or any fourth quarter.

The album, in fact, never even spent a single week at No. 1 on The Billboard 200, yet "Come On Over" has sold more than any other set in SoundScan history. Its 15.3 million copies to date exceeds sales of the runner-up, Morissette's "Pill," by almost 1 million copies.

FAITH ON HIGH: 50 Cent is on course to have the top-selling album of 2005, repeating a feat he accomplished two years ago. He

holds court on The Billboard 200 for a sixth week.

For now, he withstands the best sales week ever by R&B queen Faith Evans, but it looks like 50's streak will be interrupted next



week (see A Look Ahead, page 6).

With a start of 157,000 copies, Evans enters the big chart at No. 2 and Top R&B/Hip-Hop Albums at No. 1, career peaks on both lists. Her

prior best Nielsen SoundScan week happened in 2001 when "Faithfully" sold 101,000, topping out at No. 2 on the R&B/Hip-Hop chart. Her previous Billboard 200 peak was No. 6 for the 1998 title "Keep the Faith."

Also earning a career best on the big chart is a true keeper of faith: gospel star Donnie McClurkin, whose bow at No. 12 also represents his strongest SoundScan frame (52,000). His 2003 outing, "Donnie McClurkin . . . Again," owned his prior bests (No. 31, 37,000).

In between Evans and McClurkin is a new entry for the daughter of a man who was known to record gospel music, as Lisa Marie Presley debuts at No. 9 with 56,000 copies. Her media rollout included "The Oprah Winfrey Show" and "Late Show With David Letterman," yet this one starts with less than half the opener that her first album enjoyed in 2003 when it bowed at No. 5 on 142,000 sold.



APRIL 23 2005		Billboard TOP BLUES ALBUMS™	
THIS WEEK	LAST WEEK	Sales data compiled by Nielsen SoundScan	
		ARTIST	IMPRINT & NUMBER/DISTRIBUTING LABEL
1	1	<b>B.B. KING</b>	4 Weeks At Number 1 The Ultimate Collection
2	2	<b>GEORGE THOROGOOD &amp; THE DESTROYERS</b>	Greatest Hits: 30 Years Of Rock
3	3	<b>SONNY LANDRETH</b>	Grant Street
4	5	<b>AEROSMITH</b>	Honkin' On Bobo
5	11	<b>TOMMY CASTRO</b>	Soul Shaker
6	4	<b>ERIC CLAPTON</b>	Sessions For Robert J
7	12	<b>WILLIE CLAYTON</b>	Full Circle
8	6	<b>ERIC CLAPTON</b>	Me And Mr Johnson
9	10	<b>SUSAN TEDESCHI</b>	Live From Austin TX
10	8	<b>TAB BENOIT</b>	Fever For The Bayou
11	9	<b>RONNIE EARL/DUKE ROBILLARD</b>	The Duke Meets The Earl
12		<b>JACKIE NEAL</b>	Down In Da Club
13	14	<b>MARVIN SEASE</b>	Playa Haters
14	15	<b>VARIOUS ARTISTS</b>	Best Of Blues: 50 Hits
15		<b>HUBERT SUMLIN</b>	About Them Shoes

APRIL 23 2005		Billboard TOP REGGAE ALBUMS™	
THIS WEEK	LAST WEEK	Sales data compiled by Nielsen SoundScan	
		ARTIST	IMPRINT & NUMBER/DISTRIBUTING LABEL
1	1	<b>VARIOUS ARTISTS</b>	10 Weeks At Number 1 Chosen Few: El Documental
2	2	<b>LUNYTUNES &amp; BABY RANKS</b>	Mas Flow 2
3	4	<b>VARIOUS ARTISTS</b>	The Hitmakers Of Reggaeton
4	5	<b>DADDY YANKEE</b>	Ahora Le Toca Al Cangri! Live
5	6	<b>DON OMAR</b>	The Last Don
6	7	<b>VARIOUS ARTISTS</b>	Reggaeton Club Anthems
7	8	<b>DON OMAR</b>	The Last Don: Live, Vol. 1
8	9	<b>SOUNDTRACK</b>	50 First Dates
9	10	<b>SKINDRED</b>	Babylon
10	11	<b>ELIEL</b>	El Que Habla Con Las Manos
11	13	<b>LUNYTUNES</b>	La Trayectoria
12	14	<b>VARIOUS ARTISTS</b>	Reggaeton Super Hits
13	12	<b>BOB MARLEY AND THE WAILERS</b>	Gold
14	15	<b>LUNYTUNES</b>	Mas Flow: Platinum Edition
15		<b>VARIOUS ARTISTS</b>	Los Patrones Del Reggaeton

APRIL 23 2005		Billboard TOP WORLD ALBUMS™	
THIS WEEK	LAST WEEK	Sales data compiled by Nielsen SoundScan	
		ARTIST	IMPRINT & NUMBER/DISTRIBUTING LABEL
1	1	<b>CELTIC WOMAN</b>	5 Weeks At Number 1 Celtic Woman
2	2	<b>RONAN TYNAN</b>	Ronan
3	4	<b>VARIOUS ARTISTS</b>	Putumayo Presents: Acoustic Brazil
4	6	<b>SOUNDTRACK</b>	The Motorcycle Diaries
5	5	<b>DANIEL O'DONNELL</b>	Welcome To My World: 20 Classics From The Jim Reeves Song Book
6	3	<b>CARLA BRUNI</b>	Quelqu'un M'a Dit
7	14	<b>VARIOUS ARTISTS</b>	Putumayo Presents Afro-Latin Party
8		<b>LADYSMITH BLACK MAMBAZO AND THE STRINGS OF THE ENGLISH CHAMBER ORCHESTRA</b>	No Boundaries
9	8	<b>DANIEL O'DONNELL</b>	Songs Of Faith
10	9	<b>SOUNDTRACK</b>	The Chorus
11	7	<b>HAPA</b>	Maui
12	13	<b>DANIEL O'DONNELL</b>	Classic Doubles: Songs Of Inspiration / I Believe
13	10	<b>THE CHIEFTAINS</b>	Live From Dublin: A Tribute To Derek Bell
14	12	<b>VARIOUS ARTISTS</b>	Slack Key Guitar Volume 2
15		<b>PARIS COMBO</b>	Motifs

APRIL 23 2005		Billboard TOP CHRISTIAN ALBUMS™	
THIS WEEK	LAST WEEK	Sales data compiled by Nielsen SoundScan	
		ARTIST	IMPRINT & NUMBER/DISTRIBUTING LABEL
1	1	<b>VARIOUS ARTISTS</b>	1 Week At Number 1 WOW #1s
2	1	<b>JARS OF CLAY</b>	Redemption Songs
3	2	<b>VARIOUS ARTISTS</b>	WOW Hits 2005
4	3	<b>SWITCHFOOT</b>	The Beautiful Letdown
5	4	<b>CASTING CROWNS</b>	Castling Crowns
6	1	<b>MAE</b>	The Everglow
7	8	<b>KUTLESS</b>	Strong Tower
8	9	<b>CHRIS TOMLIN</b>	Arriving
9	24	<b>RONAN TYNAN</b>	\$ GREATEST GAINER \$ Ronan
10	17	<b>VARIOUS ARTISTS</b>	I Can Only Imagine
11	3	<b>VARIOUS ARTISTS</b>	More Than 50 Most Loved Hymns
12	9	<b>JEREMY CAMP</b>	Restored
13	15	<b>MERCYME</b>	Undone
14	13	<b>RELIENT K</b>	MMHMM
15	14	<b>ZOEGIRL</b>	Room To Breathe
16	6	<b>SUPERCHIC[K]</b>	Beauty From Pain
17	21	<b>NATALIE GRANT</b>	Awaken
18	19	<b>SMOKIE NORFUL</b>	Nothing Without You
19	22	<b>VARIOUS ARTISTS</b>	X 2005: 17 Christian Rock Hits
20	18	<b>TOBYMAC</b>	Welcome To Diverse City
21	16	<b>PHILLIPS, CRAIG AND DEAN</b>	Let The Worshipers Arise
22	20	<b>J MOSS</b>	The J Moss Project
23	22	<b>MICHAEL W. SMITH</b>	Healing Rain
24	32	<b>STEVEN CURTIS CHAPMAN</b>	All Things New
25	23	<b>UNDEROATH</b>	They're Only Chasing Safety
26	25	<b>ISRAEL AND NEW BREED</b>	Live From Another Level
27	29	<b>BEBE WINANS</b>	Dream
28	12	<b>BILL &amp; GLORIA GAITHER AND THEIR HOMECOMING FRIENDS</b>	Jerusalem
29	11	<b>BILL &amp; GLORIA GAITHER AND THEIR HOMECOMING FRIENDS</b>	Israel Homecoming
30	26	<b>NORMA JEAN</b>	O' God, The Aftermath
31		<b>KRISTEN CHENOWETH</b>	As I Am
32		<b>POINT OF GRACE</b>	I Choose You
33	28	<b>VARIOUS ARTISTS</b>	Integrity's iWorship Next: A Total Worship Experience
34	33	<b>ELVIS PRESLEY</b>	Elvis: Ultimate Gospel
35		<b>PAUL WILBUR</b>	The Watchman
36	38	<b>OUT OF EDEN</b>	Hymns
37	27	<b>MARTHA MUNIZZI</b>	The Best Is Yet To Come
38		<b>THE AFTERS</b>	I Wish We All Could Win
39	30	<b>NEWSBOYS</b>	Devotion
40	37	<b>SELAH</b>	Hiding Place

APRIL 23 2005		Billboard TOP GOSPEL ALBUMS™	
THIS WEEK	LAST WEEK	Sales data compiled by Nielsen SoundScan	
		ARTIST	IMPRINT & NUMBER/DISTRIBUTING LABEL
1	31	<b>DONNIE MCCLURKIN</b>	1 Week At Number 1 Psalms, Hymns & Spiritual Songs
2	1	<b>VARIOUS ARTISTS</b>	WOW Gospel 2005
3	2	<b>KURT CARR PROJECT</b>	One Church
4	5	<b>MISSISSIPPI MASS CHOIR</b>	Not By Might, Nor By Power
5	4	<b>SMOKIE NORFUL</b>	Nothing Without You
6	6	<b>J MOSS</b>	The J Moss Project
7	3	<b>MICAH STAMPLEY</b>	The Songbook Of Micah
8	7	<b>RUBEN STUDDARD</b>	I Need An Angel
9	13	<b>SHEKINAH GLORY MINISTRY</b>	Live
10	8	<b>ISRAEL AND NEW BREED</b>	Live From Another Level
11	12	<b>BEBE WINANS</b>	Dream
12		<b>ANointed</b>	Now Is The Time
13	11	<b>GLADYS KNIGHT AND THE SAINTS UNIFIED VOICES</b>	One Voice
14	9	<b>MARTHA MUNIZZI</b>	The Best Is Yet To Come
15	10	<b>THE BLIND BOYS OF ALABAMA</b>	Atom Bomb
16	14	<b>VARIOUS ARTISTS</b>	Gotta Have Gospel! Vol. 2
17	15	<b>LASHUN PACE</b>	It's My Time
18	16	<b>DONALD LAWRENCE &amp; CO.</b>	I Speak Life
19	17	<b>CECE WINANS</b>	Throne Room
20	17	<b>KIERRA KIKI SHEARD</b>	I Owe You
21	18	<b>FRED HAMMOND</b>	Somethin' Bout Love
22	20	<b>TYE TRIBBETT &amp; G.A.</b>	Life
23	25	<b>VICKIE WINANS</b>	Bringing It All Together
24	21	<b>THE WILLIAMS BROTHERS</b>	Still Here
25	22	<b>VARIOUS ARTISTS</b>	WOW Gospel 2004
26	21	<b>VASHAWN MITCHELL</b>	Believe In Your Dreams
27	23	<b>BEN HARPER AND THE BLIND BOYS OF ALABAMA</b>	There Will Be A Light
28	24	<b>DETRICK HADDON</b>	Crossroads
29	25	<b>BRIDGJETTE TAYLOR</b>	Bridgjetta Taylor
30	29	<b>TONEX &amp; THE PECULIAR PEOPLE</b>	Out The Box
31	39	<b>SOUNDTRACK</b>	The Fighting Temptations
32	27	<b>NICOLE C. MULLEN</b>	Everyday People
33	37	<b>THE GOSPEL MIRACLES</b>	Break Through
34	26	<b>BISHOP PAUL S. MORTON &amp; THE FGBCF MASS CHOIR</b>	Let It Rain
35	33	<b>THE RANCE ALLEN GROUP</b>	The Live Experience
36	32	<b>VARIOUS ARTISTS</b>	Bishop T.D. Jakes Presents: He-Motions
37		<b>LADYSMITH BLACK MAMBAZO AND THE STRINGS OF THE ENGLISH CHAMBER ORCHESTRA</b>	No Boundaries
38	30	<b>EXCELSIOR</b>	The Promise
39	30	<b>VARIOUS ARTISTS</b>	All Star Gospel Hits Volume 1: Praise & Worship
40	35	<b>VICKI YOHE</b>	I Just Want You

● Albums with the greatest sales gains this week. ● Recording Industry Assn. Of America (RIAA) certification for net shipment of 500,000 album units (Gold). ▲ RIAA certification for net shipment of 1 million units (Platinum). ◆ RIAA certification for net shipment of 10 million units (Diamond). Numerals following Platinum or Diamond symbol indicates album's multi-platinum level. For boxed sets, and double albums with a running time of 100 minutes or more, the RIAA multiplies shipments by the number of discs and/or tapes. RIAA Latin awards: ○ Certification for net shipment of 100,000 units (Oro). △ Certification of 200,000 units (Platino). △△ Certification of 400,000 units (Multi-Platino). \*Asterisk indicates LP is available. Greatest Gainer shows chart's largest unit increase. Heatseeker Impact shows albums removed from Heatseekers this week. [H] indicates past or present Heatseeker title. © 2005, VNU Business Media, Inc., and Nielsen SoundScan, Inc. All rights reserved.





# Jack

Continued from page 1

tramp or some other '70s staple came on, it got an overwhelming thumbs-up from the Molson-enhanced crowd. But there was a noticeable lack of enthusiasm when Jimi Hendrix, the Animals, the Doors or other '60s icons played.

While the crowd dug connecting with music from their high school years, Kroeger noticed the station wasn't playing a lot of other acts his generation grew up with, like the Pretenders, Elvis Costello, Soft Cell and Tears for Fears.

Returning home, he pulled one of Joel Whitburn's *Billboard* chart reference books off the shelf and began feverishly compiling a list of songs from 1974 to the present that had a rock/AC flavor but were not getting much radio love. He ended up with a deep and wide potpourri.

With the help of Mike Dorn from Audience Research International, Kroeger made a format montage from the song list and had it tested during a CHUM strategic study. "It came back that the hole was absolutely huge," Kroeger recalls.

Kroeger always liked the "Bob" moniker used by a Minneapolis country station in the early '90s, so he adopted the handle in Winnipeg. "We wanted to present a personality for the radio station without having to go through all these names that have been used a gazillion times before, like the Hawk and the Bear," he says.

And so, on March 4, 2002, North America's first Bob FM was born on CFWM Winnipeg. In launching the station, Kroeger jump-started the latest hot radio format, which goes under various regular-guy names: Bob, Jack, Ben, Simon, Hank and others.

It encompasses a wide swath of music from the mid- to late '70s up to the turn of the century.

Variety is the name of the game, seemingly mimicking the iPod Shuffle campaign in its quest for odd juxtapositions of style and genre. The one common denominator is that these songs were all hits.

Launching two weeks into Canada's Bureau of Broadcast Measurement ratings survey, the fresh format debuted in Winnipeg at No. 1 among adults ages 25-54 and has remained there ever since—for nine consecutive ratings periods.

Inspired by the success in Winnipeg, Rogers Broadcasting launched Jack FM in Vancouver in December 2002, under PD Pat Cardinal. Today, there is a Bob, Jack, Joe or Dave in every major Canadian market except Montreal. Each of the country's three radio titans—Rogers, Corus Radio and CHUM Broadcasting—program variations in multiple markets.

## FIDGETING PROGRAMMERS

Initially puzzled by a format that fractures some of radio's time-honored programming tenets, U.S. broadcasters have since embraced the concept. "The first time you sit down with somebody to schedule what everybody calls 'train wrecks,' you might see a little fidgeting going on," Joel Folger says amid bursts of devilish laughter. A for-

mer programmer, Folger works with Kroeger advising U.S. stations on the format. He prides himself on helping PDs "unlearn many of the principles that [they], as a programmer, have come to believe are set in stone. You can play songs from different [musical] formats on the same station."

In one form or another, Bob, Jack and their offshoots have hit the air in markets including Los Angeles; Chicago; Philadelphia; Dallas; Detroit; Washington, D.C.; Atlanta; Denver; Kansas City, Mo.; Salt Lake City; Austin; Sacramento, Calif.; Indianapolis; Des Moines, Iowa; Tucson, Ariz.; and Texarkana, Texas.

"One of the interesting things that came out of this is that wide can be a format once again," Kroeger says.

While the new approach is most evident as an adult top 40/classic hits hybrid, it is also being felt at formats as disparate as modern rock and country. It subscribes to the credo that train wrecks should be celebrated, not shunned. Don McLean's "American Pie" into the Pet Shop Boys' "West End Girls"? No problem. Harry Chapin's "Cat's in the Hat" into Lipps, Inc.'s "Funkytown"? You bet. U2's "Desire" into the Spinners' "Rubberband Man"? Bring it on.

Though it waves the "We play anything" flag with pride, the format focuses on music that appeals to 35- to 44-year-olds while tossing maxims about fit and compatibility out the window. Classic alternative from the '80s is abundant: Tears for Fears, Simple Minds, Talking Heads, Soft Cell, INXS. That meshes with the acts that first put MTV on the map, like Men at Work, Dexy's Midnight Runners and Duran Duran, and with that decade's pop-rock crossovers from Bryan Adams, Toto, Prince and the J. Geils Band.

But there is also room for dance and funk from the Commodores, Kool & the Gang and Wild Cherry. Seventies classic rock is another cornerstone, with Foreigner and the Steve Miller Band taking prominent seats at Bob and Jack's table. And don't forget adult top 40 from the '90s and today, encompassing Sugar Ray, Smash Mouth, Avril Lavigne and Matchbox Twenty.

In short, it is the only place on the dial where Grand Funk Railroad, Norah Jones and the Georgia Satellites peacefully co-exist. Libraries range from 700 to 1,100 songs, with most Canadian stations leaning toward the top of that range. And that has brought Loverboy, Honeymoon Suite and Corey Hart back in a big way.

## MAINTAINING FOCUS

Kroeger admits some programmers are tempted to toss any constraints out the window, "but the stations that will remain successful are the ones who focus their resources on finding out what the right songs to play are."

"At the outset, it's a nearly equal split between the classic rock '70s and the pop-rock '80s," Edison Media Research VP of music and programming Sean Ross says. "As it has evolved, there's a little more '90s and a little less '70s, but the pop-rock '80s is still the center."

Spanning the youngest edge of the baby boom and the older end of Generation X, the 35-44 demo is nostalgic

for the music it grew up on. In addition, Kroeger believes consumers tend to obsess on what was hot 20 years ago. In the '70s, the '50s-inspired "Happy Days" was a TV smash. In the '80s, people looked back to the Vietnam War era of the '60s through films like "Platoon" and "Full Metal Jacket." In the '90s, TV's "That '70s Show" became popular, and there were movies about Studio 54.

Now, it is the '80s' turn. "As you approach your middle to late 30s, those pangs of nostalgia get louder and louder," Kroeger says.

Meanwhile, the explosion of peer-to-peer file sharing and the popularity of mix tapes have conditioned consumers to expect—and demand—more variety, Kroeger reasons. "The last several years became a real awakening period for people's musical taste buds," he says. "I'd have Abba and the Clash on the same tape. That's what this whole thing is all about. Plus radio has been niche-formatted to death. Now variety has become a niche."

Some believe Jack and Bob's real drawing power stems not from the music but from the variety, novelty, surprise and "radio without rules" stationality. "To the extent you can still do a 2.5 share on a signal-challenged station in a crowded market, that's probably true," Ross says. "But it's even better if you've got a classic hits hole or an '80s hole, or even better, both."

Folger compares Bob and Jack to early-'70s top 40 outlets like WLS Chicago. "You wouldn't be limited by [genre]," he says. "They'd go from Al Green to Creedence Clearwater Revival. For a big part of the audience, it's something they never heard before."

## EXPLOSIVE RATINGS

Bonneville flipped AC KKLK Phoenix to the new format, under the name the Peak, last May. "I spent a lot of time paying attention to the Jacks and Bobs in Canada before we started thinking about this project," PD Joel Grey says. "I thought we could do it ourselves."

# Diamond

Continued from page 1

These will be Diamond's first U.S. concerts since the 2001-2002 Three Penny Opera world tour. That 117-show outing grossed \$88.6 million and drew more than 1.5 million people to 117 shows, 98 of them sellouts, according to *Billboard* Boxscore. AEG Live also promoted that tour.

"We have a great relationship with Neil, and Sal and Jeff," Phillips says. "Basically, we are the promoters of the event, market by market. And, in conjunction with Sal and Jeff, we do the building deals and the routing."

Diamond's 2005 road work began in March with a sold-out tour of Australia and New Zealand promoted by Paul Dainty. The Down Under trek has been nothing short of a box-office monster: Fifteen dates have drawn 212,710 people and grossed \$14.6 million.

The tour continues in the United Kingdom and Ireland before arriving in the States in July. Barry Clayman at Clear Channel Entertainment Europe

is handling the U.K. portion. Diamond will be joined by his long-time touring band, which includes a horn section and backup singers.

Phillips says the "cycle is right" for a hugely successful run in the States, as well. "We will be adding dates, and there could be multiples in some markets."

Tickets will go on sale in early May and will be priced "well under \$100," according to Phillips.

"Neil insists on keeping his ticket prices lower than other artists with a similar demographic, because he would rather play more shows for more people," Phillips says. "His philosophy on pricing is exactly the same as ours. That's how we were able to take Prince out for less than \$100 last year."

Still, Phillips insists, the deals are structured so AEG Live can realize a fair return, which is not a given in today's marketplace of high artist guarantees. "It's a tough deal, but we're not a not-for-profit company," Phillips says.

A workhorse on the road for years (he was the top solo touring artist of the 1990s, grossing \$182 million from 461 shows), Diamond's last tour was lengthy even by his standards.

"This [tour] was special, in the sense

that it really became more than a tour after the 9-11 tragedy," Diamond told *Billboard* at the time. "I got a sense that people were really in need of not so much entertainment, but to get on with their lives. It started as a tour and ended as a mission."

Diamond initially didn't intend to work so much on Three Penny Opera. "Once I realized what was going on out there, I called Sal Bonafede and Jeff Apregan and told them to fill up my dance card. I don't know if I could do it again, but I felt it was necessary."

At one point, industry speculation was rife that Diamond might tour in 2005 with his high-profile duet partner Barbra Streisand. One source told *Billboard* the proposed guarantee for a Streisand/Diamond date was in the range of \$3.5 million per show (*billboard.biz*, Oct. 13, 2004).

"A Neil Diamond/Barbra Streisand tour would have been absolutely huge," Phillips says. Talk persists that Streisand will tour in some fashion in 2005.

## RADIO PHYSICS

Among the format's challenges, Folger adds, are "resisting the temptation to drill playlists down too far and [devoting sufficient energy to] creative writing."

Kroeger says Bob today is not the same station he launched three years ago. "The biggest thing is managing those expectations," he says. "It's radio physics: What goes up must come down. The format runs a really big library and attention has to be paid to balancing rock with pop/AC, because it's really easy to sound like a classic rock station one hour and an AC station the next hour."

Grey contends that "as long as the 'Oh, wow' records only come up once in a while," the format will avoid the problems that the Arrow format and '70s oldies stations encountered. "I think it does have legs."

Ross believes there will always be a hole for a station that combines '70s and '80s oldies. "The previous generation didn't want to go to three different stations to hear the oldies it grew up with," he observes. "And there is no inherent reason that it has to whither after a couple of years. Oldies and classic rock stations didn't shrivel up after a few years. The fact that every gold-based format has problems says something about PDs, not necessarily about the audience."

"The format is going to grow beyond belief in the next few years," Folger predicts. "In three years, you'll have a station with a wide playlist of all different kinds of music in every market. It's an exciting time for radio."

Grey believes radio audiences are clamoring for more variety and less repetition. "Everybody's crying out for that," he says. "And to some extent, we haven't been listening."

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# IFPI

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Kennedy says that although online piracy is not as widespread in Japan as in most Western countries, it does present a threat to the development of the legitimate download business. "There's a problem if we want people to pay for a service that is available for free elsewhere," he says.

In the Netherlands, the first legal cases were brought against 50 individuals in a joint action by authors society Buma/Stemra, labels body NVPI Audio and anti-piracy organization Brein.

Under Dutch law, the industry needs the cooperation of ISPs to identify alleged infringers. Brein has sent cease-and-desist letters with damages claims to five local ISPs for delivery to their customers suspected of engaging in illegal file sharing.

## Copyright

Continued from page 6

Franklin, Tenn.-based Naxos of America, the U.S. distribution arm of Hong Kong-based Naxos Global Distribution, for common-law copyright infringement, unfair competition and other claims based on state law.

The recordings at the center of the dispute were made under contract with the performers by Gramophone Co., a predecessor of Capitol Records' current parent, EMI Records.

According to the court's opinion, an EMI subsidiary granted exclusive U.S. licensing rights to Capitol, which remastered and released CDs of the recordings.

The U.K. copyrights all expired by 1990. Naxos restored the performances from the original shellac recordings in the United Kingdom, releasing them in 1999 on CDs in the United States.

Capitol demanded that Naxos stop selling the CDs, but the company refused.

The federal Second Circuit Court of Appeals, which was considering motions by the parties, requested New York's highest court to clarify state law. Its 36-page opinion tracing the history of English and American copyright law favors Capitol.

### GREATER PROTECTION

The opinion is good news for labels with old recordings of jazz, classical and rock music that want to make an investment in restoring, remastering and releasing CDs for collectors.

"This unequivocal judgment will enable these and other artists and their estates to continue to benefit from historical recordings, at least in the U.S.," EMI Classics president Richard Lyttelton says. "Recording companies need this level of protection to sustain current recording programs, particularly in the classics genre."

Copyright attorney William Patry with Thelen Reid & Priest in New York

Brein director Tim Kuik says that of the five ISPs, only one, XS4ALL, has refused to cooperate.

Cees Vervoord, chairman of Buma/Stemra and chairman of the board of directors of the International Confederation of Societies of Authors and Composers, says XS4ALL "refuses to forward the Brein warning messages to the offenders. They say their rules forbid them to do so. But those same rules also forbid their members to violate author rights, but XS4ALL does nothing to stop this. I call on both manufacturers and ISPs to respect the interests of rights holders."

If the situation continues, Kuik says, Brein will go to court to force the ISP to supply the addresses of the alleged infringers.

Judith van Erve, XS4ALL head of public affairs, says the company does not intend to forward the claims, nor will it supply names and addresses of its customers to third parties. "We will only supply this

notes that throughout history, sound recordings have received less protection than other types of copyrighted works, such as musical compositions and literary works. This is still the case overseas, he says. The appellate decision, however, provides greater protection in the United States than has ever been granted.

While those reissue labels that have not searched for the rights holders before releasing older works may consider the opinion to be bad news, some lawyers point out that the decision only covers acts of infringement that occur in New York—not every recording that was originally made or is owned by a company in New York.

It is unclear whether other states will follow the decision and whether it will go unchallenged.

Legal experts say this is the first decision to definitively recognize common-law copyrights in pre-1972 recordings. While 49 states have some form of statute prohibiting unauthorized distribution of recordings, there are lawyers who argue that many of the laws only deal with criminal acts rather than civil copyright infringement.

It remains to be seen whether those states without civil legislation will embrace common-law copyright protection to supplement unfair-competition laws.

While small companies that typically release unlicensed reissues will probably continue to do so because it would be expensive for labels to go after all of them, lawyers say, legitimate distributors may be more cautious before offering older recordings after this decision.

Naxos attorney Maxim Waldbaum with Schiff Hardin in New York tells *Billboard* that his client has authorized him to petition the U.S. Supreme Court for review if he deems it appropriate. He believes the Naxos decision is legally flawed and worthy of review. The case is still pending on other issues in the federal court.

Philip Lacovara with Mayer, Brown, Rowe & Maw in New York argued the case for Capitol.

information after a court order," she says. "This [position] is based on our own rules and the privacy statement we have agreed on with our clients."

She adds, "We don't think they can ask ISPs to act as bailiffs and deliver claims in their name to our clients."

Brussels-based nonprofit organization European Digital Rights is also challenging the music industry's legal strategy. Founded in June 2002, EDRI comprises 17 privacy and civil-rights watchdogs from 11 European countries, with the aim of defending such rights in the information age. In a statement, EDRI says it "condemns actions against

European file sharers."

EDRI board member Sjoera Nas, who is also a member of Dutch lobbying group Bits of Freedom, claims, "In copyright infringement cases, ISPs cannot check and verify that the complaint is valid." She suggests that the only appropriate way to tackle the issue is to go through court procedures and have judges decide on how to proceed.

Kennedy admits that content owners, mainly the film and music industries, are eager for ISPs to implement a "code of conduct" and do some policing themselves.

At a March conference organized by Brussels-based lobbying group

the European Telecommunications Network Operators' Assn., Kennedy suggested a five-point code of conduct "by which ISPs would respect the music and the music makers."

"My point was to say that content does not appear miraculously," he says. "It is the social responsibility of the ISPs to help us, but there are also good business reasons to help."

An ETNO representative says Kennedy's proposals "have been noticed, and we are discussing what can be their follow-up. It is obvious that we all have an interest in working together and finding solutions that come from within the industry, and not through regulation."

## Lil Jon

Continued from page 5

Lil Jon will not perform on the ringtones, but rather produce the music created for them.

"This is really a partnership for Lil Jon's mobile rights," Blingtones VP of A&R Jonathan Dworkin says. "He and I are sitting down and developing a compelling product to really bring fans into his world."

Dworkin would not comment on the financial terms of the deal.

Blingtones was particularly interested in Lil Jon's signature shouts, which will be used for voicetones, voice ringbacks, voicemail greetings and what may be a first for the wireless industry: video voicetones. The video voicetone would feature a closeup of Lil Jon's face on the phone screen as he roars, "Answer your phone!" or a similar phrase.

### A FIGHT AHEAD

The mobile channel is shaping up to become a battleground, especially

when U.S. carriers begin offering full-song download services later this year.

Bundling a full song with a master ringtone, voicetone and wallpaper image, all from one artist, is a merchandising play labels have not focused on until recently. Though they are taking steps to consolidate the mobile rights of their artists, major and independent labels are facing increasing competition from smaller, upstart labels and aggregators that target the mobile space.

"The labels are looking at this and wondering if they missed the boat here," says Michael Gallelli, director of content and acquisitions for T-Mobile USA.

Lil Jon & the East Side Boyz are signed to TVT Records, which last November launched a direct-to-consumer online initiative, selling downloadable singles, polyphonic and master ringtones, and mobile-phone wallpaper images. While TVT will retain the rights to sell master ringtones from songs recorded by Lil Jon & the East Side Boyz, it has lost the ability to package those ringtones with other Lil Jon mobile con-

tent, unless it works with Blingtones.

Executives from TVT were unavailable for comment.

Lil Jon has been the label's best-selling artist for the past two years. He finished 2004 with two of the top five titles on the *Billboard* indie chart, and three of the five best-selling master ringtones on TVT's site belong to Lil Jon & the East Side Boyz. In addition, the TVT site sells a mobile-phone wallpaper graphic of the group, currently limited to the cover art from its CD "Crunk Juice." The Blingtones deal could force mobile consumers to choose between buying Lil Jon images from TVT or buying them from Blingtones.

Blingtones, a division of Lagardere Active North America, aims to become a full-service label, with distribution solely in the mobile space. According to Dworkin, the company has signed several artists for mobile-distribution rights beyond ringtones.

"I love ringtones, and they offer creative challenges, but we've got our eyes on full-track downloads," he says. "We're ready to be competitive when the time comes."

## Glastonbury

Continued from page 5

ing in increments each year to a cap of 49%. Eavis retains majority control of Glastonbury.

Mean Fiddler is currently the target of a takeover bid by a consortium led by Clear Channel Entertainment and Dublin-based promoter MCD Productions. "During the course of next year, subject to all things being equal, Glastonbury and Mean Fiddler will sit down and work out whether there is a way of moving forward together again," Benn says.

Glastonbury began as a festival in 1970. The inaugural event gathered a few thousand visitors to Eavis' dairy farm at the Worthy Farm in Pilton to watch such headliners as T-Rex. Included in the £1 (\$1.88) entry fee was a free jug of milk.

The milk may be gone, but 35 years later the festival draws the cream of the world's talent. The lineup of headliners for this year's event includes Coldplay, Kylie



MINOGUE: AMONG FESTIVAL HEADLINERS

Minogue and the White Stripes. Veteran artists Brian Wilson, Van Morrison and Elvis Costello are also on the bill, alongside such newcomers as Kaiser Chiefs, Bloc Party and Kasabian. The full lineup is available at [glastonburyfestivals.co.uk](http://glastonburyfestivals.co.uk).

As befits one of the most popular music events on the British summer calendar, the 2005 festival sold out in record time, more than a

week before the lineup was announced. The entire allotment of 112,000 tickets was gone in slightly more than three hours after their release April 2.

In stark contrast to last year, online sales through SeeTickets went smoothly, Benn says. "Last year we had a bit of a nightmare with tickets, and there were literally tens of thousands of complaints afterward. So this time I brought in my own team to manage sales."

The 90,000 tickets set aside for online sale were snapped up within two hours, he says. The remainder were sold over the telephone.

Tickets for the entire weekend cost £125 (\$236.50). In an effort to outmaneuver scalpers, photo ID will be required for entry.

Glastonbury's organizers have committed to donate at least £1 million (\$1.88 million) this year to the charities the festival supports, which include WaterAid, Oxfam and Greenpeace. "Even though Mean Fiddler is a commercial organization, it accepts the unique nature of what Glastonbury is," Benn notes. "So you apply a slightly different set of rules."



# HOB

Continued from page 1

could grow our clubs a hell of a lot faster as a result. We like being in both of these businesses."

The news comes after HOB announced late last year that it had retained global financial services

# RIAA

Continued from page 8

Some users have shared as many as 13,600 MP3 files and as many as 72,700 total files.

Partly as a result of the joint committee partnership with higher-education leaders begun more than two years ago, more than 40 colleges and universities now offer legitimate online music services, and others are experimenting with filtering technology to reduce the incidence of illegal activity.

"Without question, the joint committee's efforts to respond to the issue of illegal [peer-to-peer] file sharing on campus networks continue to yield significant dividends," Sherman said. "In order to maintain the gains we've made, we must move quickly to address this new threat emerging from i2hub and similar applications."

Sherman said there are no current plans to go after the network operators of i2hub: "We're waiting for a ruling in the [Supreme Court] Grokster case" for direction.

## Lawsuits 101

The RIAA filed its latest round of copyright-infringement lawsuits against students at the following institutions:

- Boston University
- Carnegie Mellon University
- Columbia University
- Drexel University
- Georgia Institute of Technology
- Harvard University
- Massachusetts Institute of Technology
- Michigan State University
- New York University
- Ohio State University
- Princeton University
- Rensselaer Polytechnic Institute
- Rochester Institute of Technology
- University of California, Berkeley
- University of California, San Diego
- University of Massachusetts, Amherst
- University of Pittsburgh
- University of Southern California

firm UBS to evaluate the potential sale of its concert division, which Trojan defines as "anything not part of the club business." HOB operates nine clubs.

While he would not comment on specifics, Trojan says, "We had offers, firm formal offers in this process, but nothing was compelling enough for us to move forward."

In the end, it looks as if the price was just not right for an HOB Concerts sale. The company acquired its concert division for \$190 million in 1999 from Seagram, which operated the unit as Universal Concerts. Sources close to the situation say no new offer came close to HOB's original purchase price.

"Certainly the most important driver is value," Trojan says.

Asked if a less-than-stellar concert market and a flat 2004 lessened the value of a concert promotion company, Trojan replies, "I do think there are people that are not as optimistic about the future of this business as we are, so the answer would be yes."

At one point, it seemed as though a deal to purchase HOB Concerts was imminent, with several high-profile bidders in the running.

According to sources, among those conducting due diligence and kicking the tires were Clear Channel Entertainment, AEG Live, Nederlander Organization, and arena management



TROJAN: 'NOTHING WAS COMPELLING'

firm SMG (billboard.biz, Feb. 7).

The source says three final bids came in, ranging from \$91 million on the high end to \$73 million on the low end. HOB had been hoping for an offer as high as \$110 million.

Now Trojan says HOB "happily remains in the concert business, and we intend to be in it for a long time. We did not come at this process from a gloomy perspective. We're not disappointed at all. But I'm not sure others share our optimism."

Most industry observers do not see the lack of an HOB Concerts deal as an indictment of the concert business. "I don't think this is as indicative of the state of the concert business as it is the mechanics of one deal not working out," observes

Randy Phillips, CEO of AEG Live.

Those who were pitched on HOB Concerts are subject to a non-disclosure agreement and cannot comment on specifics of the deal.

## BLUES REFRAIN

This is familiar territory for Trojan and HOB. In 2002, the company retained investment banking firm Allen & Co. to find a buyer for some HOB assets, which were pulled off the market in November of that year (*Billboard*, Nov. 9, 2002).

Now HOB Concerts is again off the market. "I'm glad this process is over," says Trojan, who maintains that HOB was initially approached by buyers rather than actively seeking them out.

"We did what needs to be done in having fiduciary responsibility to our shareholders. When people are expressing serious intent in [purchasing] your business, it's your duty to your shareholders to listen to them."

HOB owns, operates or exclusively books 20 arenas and amphitheatres in North America. Concert assets include the amphitheatres, the company's booking agreements and the outside promotion business in HOB markets in the United States and Canada.

Among the HOB sheds are Hi-Fi Buys Amphitheatre in Atlanta; Coors Amphitheater in Chula Vista, Calif.;

Coors Amphitheater in Englewood, Colo.; Blossom Music Center in Cuyahoga Falls, Ohio; Smirnoff Music Center in Dallas; the Gorge in George, Wash.; and Molson Amphitheatre in Toronto.

HOB also has a long-term lease to operate the newly renamed Gibson Amphitheatre at Universal Citywalk in Universal City, Calif.

## FLAT AND HAPPY

HOB reported concert grosses totaling \$250 million in 2004, according to *Billboard* Boxscore. "We had a better year than most in being flat from an earnings perspective," Trojan says.

HOB completed a \$110 million recapitalization plan in March with Ares Management investing \$30 million in the company and long-time HOB backer JP Morgan Partners coming in with additional investments.

The company has adopted an aggressive stance in the club market since the recap. HOB opened an eighth club in Cleveland last month, and a ninth club opened in San Diego this spring. A new club in partnership with Harrah's in Atlantic City, N.J., opens in July.

Additionally, three more clubs are expected to open this year or early next year. Trojan has said the plan is for HOB to open "five or six of these a year."

# Coldplay

Continued from page 5

"Our job is to get to as many Coldplay fans as possible, and we'd be foolish not to exploit the wireless channel as much as we can," Capitol Records VP of new

media Ted Mico says. "We believe Coldplay is the most exciting band on the planet, and they deserve a new and exciting campaign."

The Cingular Sounds program aims to convince labels to release master ringtones from upcoming singles before they are available in any other medium. In return for the exclusive rights to debut new songs, Cingular will give new

releases prominent placement on its Web site and top billing in its mobile ringtone store.

The carrier will also send e-mail and text messages to subscribers notifying them when new songs are available and will promote the band in its radio, TV and print advertising.

"In general, our exclusivity was predicated on the marketing

spend and commitment that Cingular stepped up with," Mico says. "We definitely see them as a co-marketing partner in this."

He says the response rate Cingular gets from its other customer alert initiatives was of particular interest to Capitol. For instance, 24% of Cingular subscribers who received alerts for the carrier's "Star Wars Episode III" exclusive offer opened the message.

"That's huge for any sort of marketing message," Mico says.

According to Cingular VP of marketing John Burbank, the Cingular Sounds program will feature a new artist exclusive every week. He says the company has deals in place with other labels and artists to deliver additional content in the coming weeks.

"We're going to give extra special treatment to bands that have the biggest fan base," Burbank says. "We're acting like a retailer and a new distribution channel for their product."

# Blackstone

Continued from page 8

as director of business affairs. He was later elevated to the dual role of running business and creative affairs, working with such acts as Justin Timberlake, Linkin Park, R. Kelly and Britney Spears.

"Training at Zomba is a unique background," says Neil Portnow, who left his post in 2002 as the Zomba Group's senior VP of West Coast operations to become the president of the Recording Academy.

When the two men worked together, Portnow says, the privately held Zomba was a highly entrepreneurial operation. It created a

business culture that excelled in executing a synergy between its label and publisher, he explains.

"To the extent that the labels were successful and innovative, Richard and the publishing company were right there, side by side, looking at opportunities," Portnow says.

Sources say Blackstone takes over a company that has to make up for a lot of lost ground.

When Warner/Chappell became the first publisher to enter a license agreement with its sister label for master ringtones in 2004, industry observers wondered whether the parent company had strong-armed the publisher to finalize terms that other publishers were hesitant to set with labels.

Although Blackstone lacks extensive international experience, sources

say he has a proven track record in building relationships.

Attorney Ira Selsky with Dreier LLP in New York notes that Blackstone made "a conscious and very successful effort" to expand the company's relationships in Nashville.

Selsky adds that Blackstone, with whom he has worked closely in the past, has a personality that lends itself to meeting the challenges.

"Hanging out with Richard is like hanging out with Leo Bloom," he explains, referring to the likable character played by Gene Wilder in "The Producers."

Like the Producers, sources say, Blackstone will need someone to make enough money available to catch up with the competition.

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# 'Hopefully, The Musicians Feel Like We're Honoring Their Music'

BY MARGO WHITMIRE

For millions, the opening strains of Phantom Planet's "California" mark the start of the week's most-anticipated guilty pleasure, Fox TV's "The O.C."

Creator and executive producer Josh Schwartz has turned the series into a music tastemaker, placing acts like Modest Mouse, the Killers and the Thrills alongside Phantom Planet in pop culture history. The show features a fictional all-ages venue, the Bait Shop, and audiophile characters like Seth Cohen (played by Adam Brody), who has a penchant for Death Cab for Cutie—though he misses the group's Bait Shop performance in the upcoming season-two finale.

At 26, Schwartz was the youngest person in network history to create and oversee the production of a series when he sold "The O.C." to Fox in 2002. He works closely with the show's music supervisor, Alexandra Patsavas, approaching the song selection for each episode as carefully as a casting decision.

Musical success stories abound. Geffen act Rooney performed on the show during its first season in January 2004, and the following week its self-titled debut saw a 185% sales spike. Indie newcomers the Walkmen enjoyed a 195% gain in sales for their album "Bows & Arrows" (Record Collection) after a season-two Bait Shop performance. Sales for the Killers, the Thrills and Rachael Yamagata also climbed significantly in the weeks following each act's Bait Shop gig.

Schwartz took a new approach with the March 10 episode, weaving a four-song preview of Beck's album "Guero" (Interscope) into the storyline. The episode also featured Beck's cover of "True Love Will Find You in the End," a song by cult singer/songwriter Daniel Johnston that does not appear on "Guero." The album track "Scarecrow" can be found on the series' latest compilation CD, "Music From 'The O.C.': Mix 4," which hit stores April 5. The Warner Sunset compilations have sold more than 500,000 copies.

"Josh is passionate about music, and he knows what he likes," Warner Bros. Records senior VP of TV marketing Lori Feldman says. "He's able to give a national voice to young, up-and-coming artists who probably would not have had that exposure otherwise. He is keenly aware of how to use that music to best serve the show, as well as the artists."

**Q:** Did you always plan on music being so integral to "The O.C."?

**A:** I didn't know that it would catch on like it did, but I think in the pilot script I had, like, five songs written in. It was always the idea for me that the music we would use would be less reflective of Orange County and more reflective of our characters' emotional state.

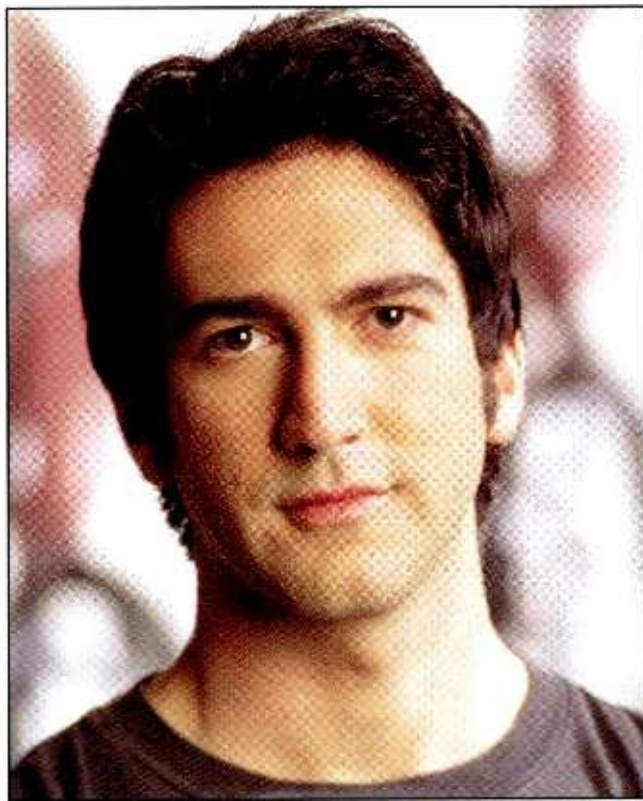
**Q:** Why do you think the music took on a life of its own?

**A:** Well, it was really surprising to me, because it was just kind of music that was on my iPod for the first six or seven episodes that I liked, and stuff that had been out there. It wasn't until we got Alex [Patsavas] around episode seven or eight that we started getting music that hadn't been heard before, but I think the template was in place from the beginning that it was going to be music that was really emotional and not necessarily on the radio.

I think the reason it caught on is because we were featuring really great artists who really didn't have any other avenues of having their music heard. Initially there were no opportunities for bands like Death Cab [for Cutie] to be heard in a mainstream way.

**Q:** Now that artists see the show as a valuable vehicle, do you get approached a lot?

**A:** Yeah, and we're getting really big artists. We love music



## The Last Word



### A Q&A With Josh Schwartz

#### Josh Schwartz: Career Highlights

- 1997: Sells his first screenplay to Sony during his junior year at the University of Southern California
- 2000: "Brookfield" pilot produced for ABC
- 2001: "Wall to Wall Records" pilot produced for the WB
- 2002: Becomes youngest series creator/producer in network history with "The O.C."
- 2004: Nominated for Writers Guild Award

on the show—myself, Alex, the producers and editors—and we're not snobs. We don't say, "It has to be new, it has to be British and it has to be depressing."

We just had this thing with Beck, who's obviously what I would call an established artist, and that was really exciting and a really big honor for us to be able to premiere his music. We're also talking to Coldplay's record label [Capitol] about doing something with them.

So now we have some bigger artists, and we're as excited to be working with those kinds of artists as we are to break the newer ones.

**Q:** Are fans responding well to the Bait Shop as a musical vehicle?

**A:** Yeah, if it's a band they like. I think in the beginning I was just so excited, like, "We have the Killers! Let them play!" And I think as the show has evolved, we really kind of got a handle on how to integrate Bait Shop performances into the story, so it became more organic to the storytelling. The response to that has been huge. People were just really excited to see bands like Modest Mouse perform, and Rachael Yamagata. And it gives those artists a real chance to be featured.

**Q:** Any plans for an "O.C." artist tour similar to the recent "One Tree Hill" outing?

**A:** "One Tree Hill" is its own thing, and God bless, but for us, it felt like at that point it becomes too much. It feels all of a sudden that it's packaged and you're trying to make money off of it, and some of the purity of it is gone. That's my feeling. The soundtracks and Bait Shop are as big as we want to take it. Anything after that starts to feel a little like you're forcing the corporate synergy down your fans' throats.

**Q:** When you're selecting the music for each episode, do you start with the scene or the song?

**A:** It's different for each one. Alex has amazing taste and is a guide to me, because Lord knows you get too busy doing the show to stay on top of everything. So she makes these "comp" CDs every week that she sends me with about 20 new songs on them, and they're like, you know, crack. I listen to them in the car and when I'm writing, so sometimes I'll write songs into the script and say, "OK, this is what we want to go after." And then there are times where we'll look at a scene and Alex will make pitches for what song should go on there.

Sometimes we'll try to clear a song, and then we'll change our mind and go a different way. Our editors are really music-centric as well, and a lot of times they'll put music in off the comp CDs that they love and inspire me, so we're always turning each other on to new things and trying to experiment.

**Q:** Do you ever run into licensing roadblocks? Either a song is too expensive or the band just isn't interested?

**A:** Yeah. I mean, it's getting rarer and rarer that we get turned down. I think Arcade Fire wasn't really into it, but for the most part, we're getting a little spoiled in that we're getting pretty much everything we try to get. I think the artists recognize that we're fans and we're going to treat their music with integrity and that it's coming from the inside out. We're not trying to just superimpose what we think our audiences will like onto the scene, we're trying to pick the song that we think best brings up the emotional resonance of that scene and I think, hopefully, the musicians feel like we're honoring their music—because that's what we really want to do.

**Q:** Who are some of your bands to watch out for this year?

**A:** Turin Brakes has a new album out that's laying on my desk right now that I'm very excited about. Just saw Bloc Party last week, and they're great, although they've kind of blown up now, so it's not really a new tip. Kaiser Chiefs, LCD Soundsystem, [the solo set by] Imogen Heap of Frou Frou. And Matt Pond PA is someone I still try to turn people on to. His cover of "Champagne Supernova" is on ["Music From 'The O.C.': Mix 4"]. He has this album, "Emblems," that anyone who loves the Shins will really love.

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