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NEWSPAPER

# Billboard

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THE INTERNATIONAL AUTHORITY ON MUSIC, VIDEO AND DIGITAL ENTERTAINMENT • 110TH YEAR • NOVEMBER 27, 2004

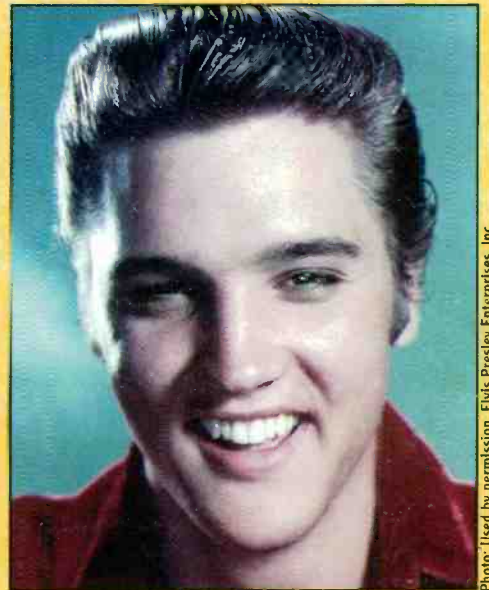
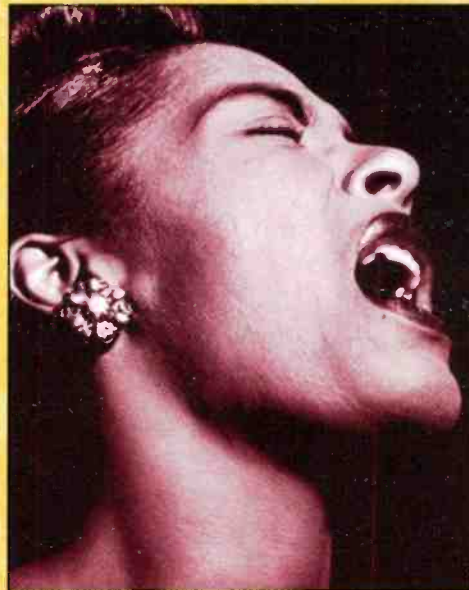
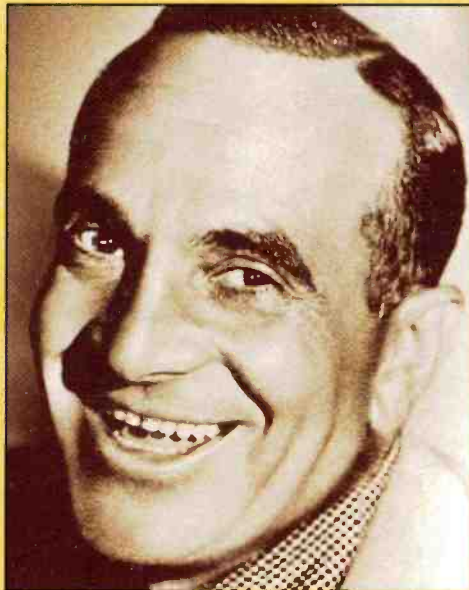
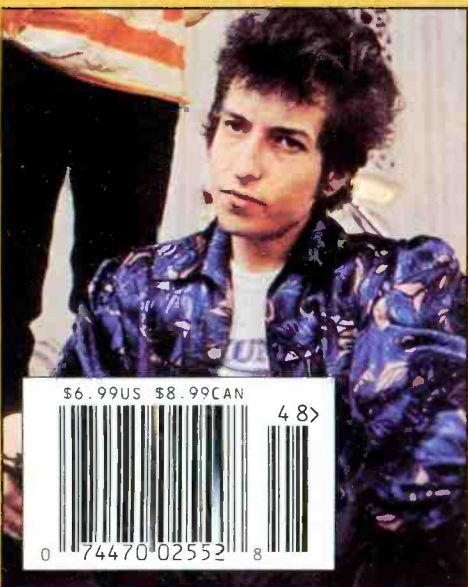
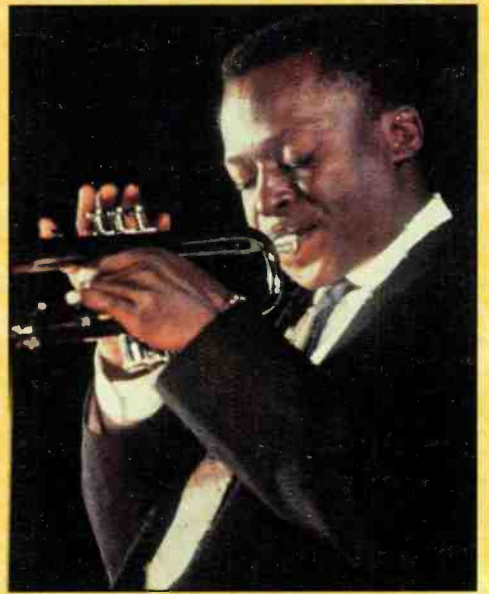


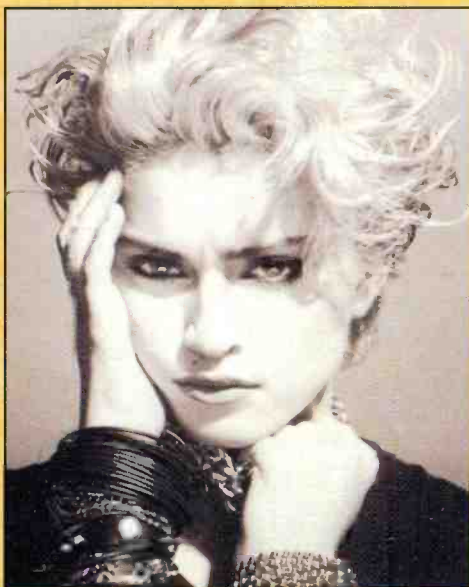
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## 110 YEARS 110 Musical Milestones



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CLOCKWISE FROM TOP LEFT: FRANK SINATRA, AL JOLSON, BILLIE HOLIDAY, ELVIS PRESLEY, MILES DAVIS, RUN-D.M.C., JOHNNY CASH, MADONNA, BOB DYLAN, THE BEATLES

# 2 years going on 2 million

After **2 YEARS** of hard work, support and development, **SWITCHFOOT** have emerged as a **TRUE SUCCESS STORY**. By year's end, they'll hit the **2 MILLION** mark for sales of "The Beautiful Letdown."

They've had two multi-format smashes: the **TOP 5 HIT "MEANT TO LIVE,"** and the **TOP 10 HIT "DARE YOU TO MOVE,"** on everywhere and climbing to the top.

With a year of **SOLD-OUT SHOWS** under their belts, they've just completed a **SOLD-OUT HEADLINE TOUR**. And after appearances on **LETTERMAN, TRL, JAY LENO, CONAN O'BRIEN, CARSON DALY** and the **AMERICAN MUSIC AWARDS**, there's more coming.

The **BOSTON GLOBE** called them "**BONA FIDE STARS**" who'll be "playing arenas before long." And **ROLLING STONE** said what we've known all along: "They're starting to get what they always desired - **ROCK STARDOM.**"



THE BEAUTIFUL LETDOWN

Special thanks to RED Distribution  
Produced by John Fields and Switchfoot  
Management: Jon Leshay @ Storefront Entertainment

switchfoot.com columbiarecords.com

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**Mel Karmazin To  
Sirius As CEO**  
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# Billboard

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## HOT SPOTS



### 7 'Kings' Reign

Kumbia Kings, led by A.B. Quintanilla, continue their rule in the top 10 of the *Billboard* Top Latin Albums chart.



### 19 'Cold' Turns To Heat

Crossfade, armed with a new name and new mixes, earns its sixth week atop the *Billboard* Top Heatseekers chart.



### 52 Radio Renegades

Metal bands like Lamb of God rock retail without radio airplay, and stations are starting to notice.

For breaking news,  
analysis, jobs and  
newsletters visit:  
[www.billboard.biz](http://www.billboard.biz)

## Bombs Away!

### U2 Sets Sights On Top Of Charts

BY MELINDA NEWMAN

U2 has sold more than 120 million albums worldwide and won 14 Grammy Awards during the course of its 26-year career, so you would think that there would be a level of ease that comes with a new release.

Not so, says the Irish band's long-time manager Paul McGuinness.

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## 3G Leap For Euro Cell Biz

BY JULIANA KORANTENG

LONDON—The time has come for Europe to experience third-generation mobile phone technology, from improved audio and video quality to full-song downloads.

Vodafone Group, the global wireless phone operator, hopes to do for the mobile-music sector what Apple Computer's iPod and iTunes Music Store have done for portable digital music players.

On Nov. 10, the London-based cell-phone carrier unveiled its plan

(Continued on page 65)



LUCAS: STEPPING BACK OUT ON HIS OWN

## Big Plans For Lucas

BY RAY WADDELL

Ending weeks of industry speculation, Dave Lucas, formerly president/co-CEO of Clear Channel Entertainment's music division, has divulged plans for his future in the live entertainment business.

Lucas will roll out a new broad-based, multifaceted live entertainment firm in January.

In an exclusive interview with *Billboard*, Lucas says the new company is finalizing deals with investors and is currently oper-

(Continued on page 63)



## Destiny's Return

### Work As Trio Still Fulfilling For Superstar Act

BY GAIL MITCHELL

LOS ANGELES—After a three-year hiatus, Destiny's Child is picking up where it left off: at the top. "Lose My Breath," the first single from the group's hotly anticipated album "Destiny Fulfilled," quickly marched its way to No. 3 on The *Billboard* Hot 100.

Now industry observers are handicapping how the group's sales destiny will be fulfilled following the release

of its first album since 2001's "Survivor."

The album debuts this week at No. 19, based on only three days of sales.

Sony Urban Music/Columbia originally planned to release "Destiny Fulfilled" Nov. 16—a "super" Tuesday whose rollout included releases from Eminem, Lil Jon & the East Side Boyz and Chingy. Then several street dates were shuffled amid concerns about Internet piracy and a

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GOSPEL	
ISRAEL AND NEW BREED	Live From Another Level
POP CATALOG	
RAY CHARLES	The Very Best Of Ray Charles
REGGAE	
SKINDRED	Babylon
RINGTONES	
SNOOP DOGG FEATURING PHARRELL	Drop It Like It's Hot
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**7** In light of their pending merger, Kmart and Sears evaluate their music retail options.

**8** Sirius Satellite Radio names former Viacom head Mel Karmazin CEO.

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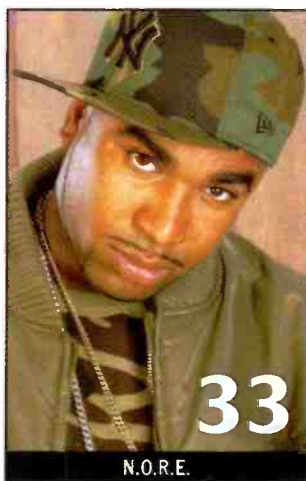
**19** **The Beat:** The upcoming Nirvana boxed set "With the Lights Out" has fans and retailers excited.

**20** **Higher Ground:** Indie label Gotee Records continues to grow after marking 10 years in the music business.

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Celebrating Billboard's 110th Year  
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cial Edition console and Westlake Audio BSM-15 main monitors.

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QUOTE OF THE WEEK

“I'm sitting here looking at you three guys, and you're nice guys. And you're looking to cut my nuts off. When we get out of this room ... nobody is going to [talk] about how they can help me.”

JERRY MICKELSON  
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Lane Music Publishing to form a new music publishing company, Next Level Music.

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TIM MCGRAW

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- Billboard Music Awards**  
Dec. 8 at the MGM Grand Arena, Las Vegas.  
Information: 646-654-4600
  - The Next Big Idea: The Future of Branded Entertainment—West**  
Jan. 20, 2005, at the Regent Beverly Wilshire, Beverly Hills, Calif.  
Information: 646-654-5169
  - Billboard Music & Money Symposium**  
March 3, 2005, at the St. Regis Hotel, New York.  
Information: 646-654-4660
  - Billboard Latin Music Conference & Awards**  
April 25-28, 2005, at the InterContinental Hotel, Miami.  
Information: 646-654-4660
- billboardevents.com

**Dear Ketel One Drinker**  
**Enjoy your holiday spirit.**

# Independent artists: Showcase, make industry contacts, and win \$35,000 in prizes.



## Be judged the best in the West by the best in the business.

Currently in its 9th year, Disc Makers' Independent Music World Series uncovers the best unsigned talent in the country. First, TAXI, the nation's leading independent A&R company, judges all entries and selects 100 semi-finalists from the West. Next, the editors of Billboard magazine choose six finalists to perform an industry showcase at 12 Galaxies in San Francisco. At the event, participants get to network with the industry VIPs and A&R reps who will judge their performances for the \$35,000 grand prize.

## Win your showcase – walk away with \$35,000 in gear and prizes.

Networking with industry honchos alone could prove invaluable, but grand-prize winners also receive one of the most valuable packages ever assembled for independent musicians. Gear from top manufacturers includes studio equipment, microphones, guitar and bass amps, a drum kit with heads and cymbals, and more. You also win a deluxe Disc Makers CD package – complete with professional graphic design, post production, posters and a one-year membership to TAXI.

## Register online for a chance at a Fender Strat, and get free stuff just for entering.

Only a select few get a chance to perform, but anyone who registers online gets a chance to win a Fender Stratocaster. All entrants will receive a free copy of *Billboard's Guide to Touring and Promotion* and an issue of *Electronic Musician* magazine – a \$23 value.

The IMWS is open to any and all musical styles.  
Enter by December 3, 2004.

Register now at [www.discmakers.com/w05bb](http://www.discmakers.com/w05bb).

Can't get online? Call 1-888-800-5795 to register.



“The night of our Disc Makers IMWS win was unforgettable and has launched our career tenfold. The exposure, connections, and opportunities available to us now as a result of our win are just as amazing as the awesome prizes are.”

Amber de Laurentis & Sarah Blue,  
Grand Prize Winner, 2002 Northeast IMWS



“The IMWS created a ton of hits on our website and got us a lot of press, a mention in *Guitar World* and *Billboard*, and a lot of emails and telephone calls.”

Patrook (Dirty Power),  
Grand Prize Winner, 2003 West IMWS



“The IMWS was not a typical battle of the bands contest. We were treated like professionals, met industry professionals who respected us, and had the assistance of a staff who were willing to help us out.”

Rich Painter (Rich Creamy Paint),  
Grand Prize Winner, 2004 Southeast IMWS

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Alfredo Alonso  
touts Clear  
Channel's  
new 'urban'  
Hispanic  
format



# Upfront



Wu-Tang Clan  
co-founder  
ODB  
remembered

TOP OF THE NEWS

## Kumbia Kings Continue Their Reign

BY LEILA COBO

To judge the degree of influence wielded by Kumbia Kings, one need only look at the numbers.

Earlier this year, the Texas-based band had simultaneously two albums on the *Billboard* Top Latin Albums chart. At the same time, the act was competing against a host of spinoff groups, including K1, DJ Kane and Frankie J, all of which count among their ranks former Kumbia Kings members, and boast a sound similar to that of their former group.

One has to wonder: Could the changes within Kumbia Kings and the competition hurt the original band?

Obviously not.

"Fuego," the latest Kumbia Kings album for long-time label EMI Latin, debuted last month at No. 2 on the *Billboard* Top Latin Albums chart. As the project enters its sixth week in the chart's top 10, the group's popularity shows no sign of abating.

"They have an incredible sound," says Chyanne Ortuño, PD for KLNO (94.1 FM) Dallas. "The [other groups] sound a little alike, but it's like comparing the original hamburger with the one they sell on the corner."

The Kumbia Kings' sound is crafted by bass player A.B. Quintanilla III and keyboardist Cruz Martinez, who launched the band in 2000. The group—which includes guitarist Chris Perez—plays a unique style of contemporary cumbia, reminiscent of the material that Quintanilla wrote and produced for his sister, the late Selena. But mixed in are elements of

(Continued on page 20)



A.B. Quintanilla III looks to expand his band's brand with a clothing line and a film about his life after the death of his sister, Selena.

## Usher Shines At The Shrine

Wins Big At American Music Awards

BY MELINDA NEWMAN  
and GAIL MITCHELL

LOS ANGELES—Not only did Usher take home the most trophies Nov. 14 at the American Music Awards, held at the Shrine Auditorium here, but he also is expected to be the big winner at the cash register.

"Usher's performance was great. The show will do awesome for him in terms of sales," says Jim Stella, urban music buyer for Trans World Entertainment. The singer was named favorite male pop/rock artist and male soul/R&B artist. His album, "Confessions," snared favorite pop/rock album and soul/R&B album. The LaFace/Zomba set has sold 6.7 million copies, according to Nielsen SoundScan.

Usher swept his nominated categories, except the fan-voted T-Mobile Text-In award, which went to Kenny Chesney. With Alicia Keys, Usher performed "My Boo," which is one of four new tracks on a new edition of "Confessions" released in October.

OutKast took home three trophies, including favorite pop/rock and rap/hip-hop band, duo or group. The pair's album "Speakerboxxx/The Love Below" (Arista) grabbed favorite rap/hip-hop album.

Other multiple winners included Toby Keith for country favorite male artist and album (DreamWorks' "Shock'n Y'All") and Sheryl Crow for pop/rock favorite female and adult con-



USHER: CARRIED HOME FOUR AWARDS

temporary favorite artist.

The 32nd annual AMAs, produced by Dick Clark Productions, featured

(Continued on page 51)

## Sears, Kmart To Merge

Music's Role In New Chain Unclear

BY ED CHRISTMAN

NEW YORK—Although the proposed Kmart merger with Sears, Roebuck will create a company with 2,350 big-box stores and 1,100 specialty outlets generating about \$55 billion in annual revenue, it is unclear how the deal will affect music suppliers.

That's because both companies are re-evaluating music as a product, and those tests have yet to be completed.

Sears hasn't carried music in years but currently has a five-store test being run by Alliance Entertainment Corp. Some believe that Sears is testing music because its executives see Target and Wal-Mart effectively using the category

(Continued on page 65)



The "View From the Top" panel Nov. 16 discussed the state of the soundtrack business. Pictured, from left, are composer Stewart Copeland; Manatt, Phelps & Phillips partner/attorney Laurie Soriano; *Billboard* co-executive editor/panel moderator Tamara Conniff; Sony Pictures Entertainment president of worldwide music Lia Vollack; and music supervisor/KCRW radio host Chris Douridas.

## Budget Talk Rules Film & TV Confab

BY JILL KIPNIS

LOS ANGELES—Though licensing songs for film and TV soundtracks has become increasingly costly in a climate of shrinking music budgets, industry executives say there are several trends to celebrate in today's soundtrack business.

Participants at the Hollywood

Reporter/Billboard Film & TV Music conference, held Nov. 16-17 at the Renaissance Hollywood Hotel here, hailed the reduction in soundtrack albums after a glut in the late 1990s. They also noted that artists are no longer commanding million-dollar advances for soundtrack songs.

In the '90s, soundtrack producers

(Continued on page 64)

# Karmazin Sirius CEO

BY PAUL HEINE

NEW YORK—Mel Karmazin and Howard Stern are about to be reunited.

The board of directors of Sirius Satellite Radio has named the former Viacom president/CEO—and Stern's old boss—as CEO. Karmazin succeeds Joe Clayton, who will remain at the satellite broadcaster as chairman of the board.

Sirius recently signed Stern to a five-year, \$500 million contract.

Since Karmazin left Viacom in May, he has indicated that he wished to hold the top executive position in a high-growth company.

Although Sirius has recently made content deals with Stern and the National Football League, Karmazin will have his work cut out for him. With 700,000 subscribers, Sirius lags by a wide margin the 2.5 million subscribers of XM Satellite Radio.

"The hiring of Mel Karmazin is the final piece in the turnaround of Sirius that began when I joined the company three years ago," Clayton, whose contract ends Dec. 31, said in a statement.



KARMAZIN: 'PERFECT OPPORTUNITY'

"I advised the board of directors that I was willing to stay on for a transitional period. When Mel left Viacom, we all felt we had a unique opportunity.

## LATE NEWS

"I am very confident that Mel will accelerate the very positive momentum that we have established at Sirius," Clayton continued. "Our recent announcement of the signing of Howard Stern, our exclusive relationship with the National Football League

and the partnerships with automakers such as DaimlerChrysler, Ford and BMW are all indications that satellite radio has a central role in the future of broadcast media. We fully expect to achieve the subscriber projections we have given to Wall Street for this year."

Karmazin said, "This is a perfect opportunity for me because I want to lead a growth company that can reshape the landscape of the radio business. I took Infinity Broadcasting and Westwood One to leadership positions in the industry and am confident that Sirius will become a market leader in short order. I will inherit a first-class management group led by co-presidents Scott Greenstein and James Meyer. I look forward to working closely with Joe Clayton and the strong team that he has assembled."

Greenstein, who heads up entertainment and sports at Sirius, added: "Mel Karmazin is a legend in the entertainment industry and can help us build the new medium of satellite radio."

Additional reporting by Katy Bachman.

## A LOOK AHEAD

### Early Birds Top The Chart

BY GEOFF MAYFIELD

LOS ANGELES—Three albums that reached stores early will lead next issue's Billboard 200 and raise the profile of hip-hop and R&B.

Chart watchers expect Eminem's "Encore" to encore at No. 1 with another 700,000-plus week, having started there this issue with an accelerated release.

The Shady/Aftermath title, which opens on top with 711,000 sold despite a short sales week, appears headed for at least 750,000 in its second frame.

Start-of-the-week numbers cited by chains suggest that two albums forced to early Billboard 200 debuts by street-date violations will follow Eminem in the next two slots. The Columbia release from Destiny's Child, "Destiny Fulfilled," looks like it will hit

the range of 425,000-450,000 in its first full week after a change in its street date prompted a premature bow at No. 19 (see Over the Counter, page 53).

On that trio's heels will be Lil Jon & the East Side Boyz, whose "Crunk Juice" also sees an early start (No. 31). Projections place the BME/TVT title in the neighborhood of 350,000-400,000.

Chingy's "Powerballin'," another hip-hop set forced into an early chart bow (No. 172), is on track for 115,000 in that Capitol album's first full week, but that will not be enough to surpass "American Idol" finalist Clay Aiken.

Aiken's holiday set, "Merry Christmas With Love" (RCA), could exceed 200,000, which makes it a cinch for the big chart's top 10 and the No. 1 slot on Top Seasonal Albums.

## CC Bows 'Hurban' Format

BY LEILA COBO

Latin radio's limited appetite for new music is showing signs of growth. The latest evidence is Clear Channel Radio's Nov. 12 launch of a new format aimed at second- and third-generation Latinos.

Houston's KLOL, formerly a rock station, flipped to accommodate what owner CCR is calling a "hurban" format. The new Mega 101 plays a bilingual mix of hip-hop, reggaeton and pop/dance music.



ALONSO: FORMAT TARGETS SECOND-, THIRD-GENERATION LATINOS

"It's exciting to put [up] a format that's not the same 'ol same 'ol," Alfredo Alonso, senior VP of Hispanic Radio for CCR, tells *Billboard*. "It's good for the record companies, and it's good to expose up-and-coming artists. Maybe musically we weren't really prepared a couple of years ago to do something this creative, but now that reggaeton is so (Continued on page 52)

## New Firm Offers Label Services

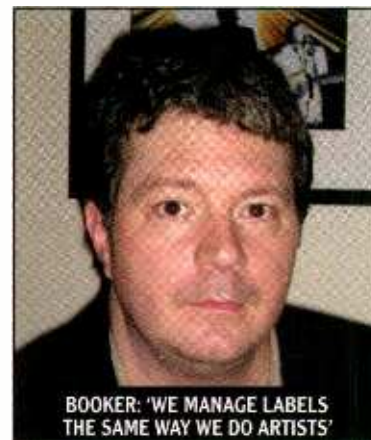
Marketing/Promo One-Stop Also Plans To Manage Artists

BY MICHAEL PAOLETTA

British labels Wichita Recordings and Chrysalis Group imprint Echo have signed up with World's Fair, a new fully integrated label-services operation.

With offices in New York and Edmond, Okla., World's Fair aims to be a one-stop for labels and artists in need of administration (promotion, marketing, staffing), artist management, retail marketing and financial services.

The company was founded by Scott Booker, manager of the Flaming Lips; Amaechi Uzoigwe, co-owner and COO of hip-hop label Definitive Jux; and Kevin Wortis, managing director of Play It Again



BOOKER: 'WE MANAGE LABELS THE SAME WAY WE DO ARTISTS'

Sam America.

"We formed World's Fair because we felt things were falling through

the cracks at record labels," Booker says. "Collectively, we bring a lot to the table."

In addition to Wichita (My Morning Jacket, Yeah Yeah Yeahs) and Echo (Morcheeba, I Am Kloot), label clients of World's Fair include Definitive Jux (E1-P, RJD2) and PIAS (Sigur Rós, Amp Fiddler).

"We manage record labels the same way you manage artists: territory by territory," Booker says.

On the management front, World's Fair is working with the Flaming Lips, Devendra Banhart, E1-P, Tortoise and others. The company's blanket approach to doing business is what appealed to Tortoise.

"By incorporating all these facets (Continued on page 52)

## Stewart, Agency Held Liable For Tour Deposits

BY RAY WADDELL

Rod Stewart's loss in a Los Angeles courtroom was a victory for the concert industry, according to one of the plaintiffs in the case.

A Los Angeles Superior Court jury determined Nov. 12 that Stewart and his booking agency must repay \$780,000 in deposits he received for a planned Latin American tour that never came to pass.

"David slew Goliath," says Howard

Pollack, plaintiff in the case and partner in the Oklahoma City-based P.M. Group with Cesar Morales.

The jury also found that Stewart's attorney, law firm, agent and booking agency International Creative Management must pay \$1.6 million in damages for their interference with the contract.

The booking had called for Stewart to be paid \$2.1 million for nine concerts in Central and South America beginning in February 2002. The pro-

motors were to be Pollack and Latin promoters Aquiles Sojo in Argentina and Ricardo Velarde in Peru, along with other South American promoters.

According to Pollack, good faith deposits were paid as negotiations moved forward, but Stewart's handlers ultimately opted out of the tour without repaying the deposits. The promoters filed the lawsuit in July 2002.

"They thought we wouldn't pursue them, but they were wrong," Pollack

says. "We did pursue them, and we did prevail."

Louis "Skip" Miller, the attorney representing Stewart and his co-defendants, says he will file an appeal soon, adding that the jury decided there was no contract but still awarded damages.

"I am almost certain this verdict will be overturned," Miller tells *Billboard*. "You can't sue a lawyer or an agent for doing their jobs."

He also believes the refund of the deposit will be reversed "because the

plaintiffs didn't pay it. Howard Pollack never paid a dime. The real parties who paid the deposit never sued."

Pollack's camp says he entered a partnership with the South American parties and, through that partnership, paid ICM.

Pollack adds that while promoters are generally reluctant to take legal action against artists and managers for fear of repercussions down the road, "a precedent had to be set in the business."



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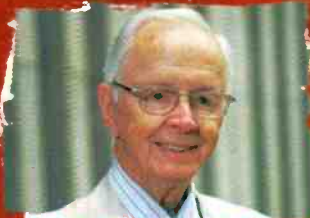
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## N.Y. Coroner Probing ODB Cause Of Death

BY TODD MARTENS

An autopsy report concerning the death of Ol' Dirty Bastard is expected before Thanksgiving, according to a representative for the New York medical examiner's office.

The cause of death was not immediately clear, but a statement from the rapper's label, Roc-a-Fella, said he complained of chest pains before collapsing Nov. 13 in a New York recording studio.

The artist, whose real name was Russell Jones, would have turned 36 Nov. 16.

Known for his graphic, off-the-wall and often off-key raps, ODB was a founding member of acclaimed hip-hop act the Wu-Tang Clan. The artist launched a successful solo career in 1995 with his Elektra release "Return to the 36 Chambers," which debuted at No. 7 on The Billboard 200.

Yet he was in the news more for his troubles with the law and his unre-



OL' DIRTY BASTARD

dictable behavior than for his recorded work. ODB infamously crashed the Grammy Awards in 1998, stealing the microphone from Shawn Colvin. In 2000, he escaped from a court-mandated California rehab center and surfaced onstage with his Wu-Tang

brethren at a New York concert.

The following year, ODB was sentenced to two to four years in prison for drug possession, plus two concurrent years for escaping from the rehab clinic. He was released in 2003.

Shortly after, he signed with Roc-a-Fella and adopted another moniker, Dirt McGirt.

At the time of his death, ODB had been long at work on his first official album since 1999's "Nigga Please" (Elektra). A new track is featured on the New Line soundtrack to "Blade Trinity," to be released Nov. 23.

Additionally, the long-awaited Wu-Tang Clan book, "The Wu-Tang Manual," will be published Jan. 4 by Riverhead Books. The 200-plus page effort was spearheaded by group member RZA and will be issued as an oversized paperback. The book will contain an autobiographical entry on each member and a lyrical encyclopedia with annotations.

## Shortlist Ceremony Slims Down

BY TODD MARTENS

LOS ANGELES—As producers made efforts to scale down the ceremony for the Shortlist Music Prize, this year saw greater promotional efforts at radio and retail. A Shortlist compilation CD was created for the first time, and XM Satellite Radio carried the awards live.

New York-based rock act TV on the Radio received the fourth annual Shortlist prize Nov. 15 here (*Billboard*, Nov. 6). "The success of this band continues to surprise and amaze me," TV on the Radio drummer Jaleel Bunton says. "I never thought we would even make it this far, and it has all been (Continued on page 51)



TV ON THE RADIO: WON THE FOURTH ANNUAL SHORTLIST PRIZE

## Stars Set For Billboard Show

Usher, Nelly, Green Day On Bill For Vegas Extravaganza

R&B/hip-hop superstars Usher and Nelly, along with punk rock trio Green Day, are the first performers confirmed for the 2004 Billboard Music Awards.

The Dec. 8 event will be telecast live on Fox at 8 p.m. ET (it will be tape-delayed for the Pacific Time zone) from the MGM Grand Garden Arena in Las Vegas.

The awards recognize the year's leading artists and songs as determined by the *Billboard* year-end charts. As previously announced, Stevie Wonder will be honored at the show with this year's Century Award, *Billboard's* highest accolade for artistic achievement.

Nick Lachey, Alicia Keys, Fantasia, Ashlee Simpson, Duran Duran and Chingy are among those scheduled to make special appearances during the two-hour celebration.



The host, additional performers and presenters and the award finalists will be announced in the coming weeks.

Bob Bain returns for his ninth year as executive producer; Greg Sills is the supervising producer. Paul Flattery and Michael Levitt are producers, Bruce Gowers is the director and Wylleen May is the executive in charge of production.

## NEWSLINE

THE WEEK IN BRIEF



MASSEY

David Massey has been named executive VP of A&R for Sony Music Label Group U.S. and president of the Daylight Records imprint. He is based in New York and reports to president/CEO Don Jenner.

Massey had been executive VP of A&R for Sony Music U.S. and International, a role he held since 2003. In his new post, he will work closely with Columbia Records Group president Will Botwin and Epic Records president Steve Barnett to expand Sony's A&R activities in the United States and around the world.

Daylight Records will continue to serve as an A&R resource for the Sony Music Label Group. **BRIAN GARRITY**

**The ongoing federal investigations** into allegations that record label The Inc. laundered money for drug kingpin Kenneth McGriff have led to a series of indictments in U.S. District Court in Brooklyn, N.Y., in the last week.

On Nov. 17 Ron Robinson, personal manager for Ja Rule, was arraigned on charges of money laundering and money-laundering conspiracy involving more than \$1 million, according to an indictment.

A week earlier, Cynthia Brent was indicted on money-laundering conspiracy. She has been employed as a bookkeeper for The Inc. label.

The Nov. 18 indictment of two other individuals is said to be in connection with The Inc./McGriff investigation. Dennis Crosby and Nicole Brown were indicted as members of an "enterprise" that allegedly engaged in criminal activities of murder, conspiracy to murder, narcotics sales and money laundering, according to court documents.

The indictment, containing four counts, charged the two with being involved with others in the murder of and the conspiracy to murder Eric Smith, a Queens, N.Y., rapper, aka "E. Money Bags," on July 16, 2001.

Robinson was released on \$500,000 bond. His attorney could not be reached for comment. A spokesman for The Inc. declined comment, as did the Brooklyn district attorney's office.

**ED CHRISTMAN, SUSAN BUTLER and BRIAN GARRITY**

**Infinity Broadcasting GMs and PDs** in all formats were told in a series of regional conference calls that they are to cease communicating with independent promoters. Infinity's move comes a year and a half after Clear Channel severed its ties with independent promoters. **PHYLLIS STARK**

**Universal Music Group** posted a seven-fold increase in third quarter operating income thanks to improved sales margins and a series of cost-cutting initiatives. UMG operating income totaled 29 million euros (\$37.8 million) during the three months ended Sept. 30—up from 4 million euros (\$5.2 million) a year ago. Revenue for the quarter is up 4% at 1.2 billion euros (\$1.6 billion). **BRIAN GARRITY**

**Sony BMG Music Entertainment Sales**—the new distribution arm of Sony BMG—is laying off 150 staffers as part of the integration of Sony's and BMG's distribution operations.

The new distribution entity will have eight field offices—Atlanta, Detroit, Dallas, Seattle, Los Angeles, Chicago, New York and Minneapolis, distribution sources say.

Former BMG Distribution offices in Boston and Washington, D.C., are being shuttered. Some staffers in those cities are being relocated to different offices. Sony and BMG still have separate offices in New York, Los Angeles, Atlanta and Chicago. A Sony BMG representative declined comment on specific consolidation moves. **BRIAN GARRITY and ED CHRISTMAN**

**Major motion picture studios** have filed their "initial wave of lawsuits" against individuals who allegedly shared movies illegally on peer-to-peer networks.

The Motion Picture Assn. of America announced Nov. 16 that the copyright infringement suits against unidentified "John Doe" defendants were filed in courts across the country. The MPAA declined to specify the number of suits or the targeted areas.

MPAA general counsel Simon Barsky tells *Billboard* that anyone trafficking illegal copies could be targeted since a single copy poses a threat of widespread redistribution. **SUSAN BUTLER**

**Veteran Christian record executive Jim Van Hook** is taking the top spot at Nashville-based Word Entertainment.

Van Hook, founder and previously chairman of Provident Music Group, left the BMG-owned company in early 2003. Months later he resurfaced as dean of the Mike Curb College of Entertainment and Music Business. Sources say he will remain involved in the college. **DEBORAH EVANS PRICE**

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**ISSUE DATE: DECEMBER 25 • AD CLOSE: NOVEMBER 30**

# Billboard

**On newstands for 2 weeks!**

## Another Year Older

Few entities—and only a handful of publications—endure for 110 years. Thus, it is with great pride that *Billboard* celebrates its 110th birthday this month.

What, you might ask, is the secret of our longevity?

First, there is the vision of our founding editor, William H. Donaldson, who steered a monthly magazine for the billposter industry toward entertainment coverage—and set a standard for excellence that

inspires us still.

Second, there is that pivotal moment when some long-forgotten editor jumped up in a staff meeting and declared: “Charts! We need charts!”

Third, there is the power of the *Billboard* brand, synonymous with music the world over.

And perhaps most important, there is *Billboard's* ability to adjust to changing times—and to help lead the industry through those changes.

Peering ahead, the changes will continue. *Billboard* is about to embark on an exciting period of reinvention. Readers can look forward to discovering the next-generation *Billboard* in spring 2005.

Meanwhile, come with us in this issue on an excursion through the “musical milestones” that have graced our pages and kept us entertained for 110 years.

OK everyone, take a deep breath. There are a lot of candles on this cake!

—Ken Schlager

### Business Needs Simplified Method For Licensing Content

## Committing To Mobile

The mobile music space has created enormous opportunities for the music industry—for artists, record labels and music publishers. But it's the pubberies that seem to have gotten a bad rap in the rush to transform the cell phone into a virtual ATM for the music industry, wireless operators and content aggregators.

Passions run high because many people agree with my view that mobile music—whether through cell phones, PDAs, iPods, laptops or devices not yet invented—will lead the recovery of the music business.

With all that is at stake, it's not surprising that music publishers have been accused of impeding progress, slowing down access to content and in general being risk-averse, resistant-to-change cave dwellers who excel at clinging to outdated business models.

I'll be the first to admit that there's probably truth to some of these accusations, and the first to say that others are just plain unfair.

If you accept the received wisdom that says there will be 2 billion or so wireless subscribers by the end of this decade, nearly all of whom will have phones that can use music and multimedia content and nearly 60% of whom will have access to high-speed wireless networks, that will make for a broadband entertainment market twice as large as the PC computer broadband market.

Then you factor in the new ringback tone services, which have been launched widely in Europe and Asia and which, according to some analysts, will generate another \$1 billion globally by 2008. Add in that the wireless market is a more secure environment than the Internet and less prone to piracy. Then you can imagine the not-too-distant day when every cell phone is a music retail outlet, because that's where we're headed.

It's easy then to understand why Warner/Chappell—and all music publishers—has every interest in giving cellular customers the music they want, when they want it.

That's not to say there aren't hurdles to overcome. One song, for example, often involves multiple rights. If there are several

songwriters on one track, each may have a different publisher. And that's one of the issues that can sometimes block bringing ringtones from a hit song quickly to market. It is lost revenue for everyone, because those promotional windows can close quickly.

The consumer can get confused, too, because of the array of places that sell mobile music content, most of which require that the consumer determine which handset is compatible with which offering. Factor in the differing royalty rates and collection societies, depending on where you live in the world, and the fact that there are gray-

instantly provide thousands of songs for mobile operators and third parties to make available to consumers.

This hold step is a giant one toward resolving the issues between recorded music and publishing. And it puts the challenge squarely in front of the three other music companies. It's my hope that they will come to a similar speedy resolution of this issue. Then we can begin to present the mobile industry with a simplified method for licensing our content.

We must also enable technology companies to find ways to engage consumers. I would argue there is a simple way to do this that will overcome our innate fear of “setting precedents.” The answer is short-term agreements that give technology companies the latitude they need to test drive a variety of economic models and consumer offerings. Such agreements also enable us to protect our artists from contracts that could negatively impact them in the long term.

This plan gives publishers and labels the time they need to establish legitimate valuations on music content and artist brands and strategically position ourselves to take advantage of the wireless distribution channel in the future.

Warner/Chappell and WMG are committed to finding resolution to the mobile music issues that dog all of us. It should be abundantly clear the entire industry has an interest in doing so, and I firmly believe you'll see that we mean what we say in the weeks and months ahead.

We envision a future built around a seamless mobile music infrastructure in which our customers have easy access to all the music they want, when they want it. With this first step toward resolving the key issues, we can build just such a future.

*Les Bider is chairman/CEO of Warner/Chappell Music. He delivered the keynote address at Consect's MobileMusicCon Nov. 18 in Miami Beach.*



market operators selling ringtones and other content without the appropriate licenses, and you can begin to understand some of the issues we all face. And I haven't even mentioned that publishers and record labels are still at odds over what is an equitable revenue split for ringtones, master ringtones and ringbacks.

To demonstrate that we are serious about resolving some of these issues, Warner Music Group is announcing that it will become the first music company to put in place an agreement for master ringtones and ringbacks between its recorded music division and its publishing division. This means that the hundreds of artists who record for WMG's labels and whose publishing is with Warner/Chappell will be able to tap instantly into the rapidly growing revenue stream for master ringtones and ringbacks. This agreement will

## Billboard

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# 110 Years

A BILLBOARD ANNIVERSARY SALUTE

**1894:** *Billboard* is launched as a monthly publication in Cincinnati. Well, it wasn't exactly "Billboard."

The magazine that was first published on Nov. 1, 1894, was called *Billboard Advertising*. Launched by two young partners—William H. Donaldson and James H. Hennegan—whose families were in the printing business, *Billboard Advertising* was dedicated to serving the needs of outdoor advertisers, poster printers and billposters.

But many of those outdoor advertisements were for traveling entertainment attractions and amusements. Donaldson, the editor, soon became enamored of the entertainment side of the business and initiated coverage of the theatrical groups, carnivals and fairs that were being promoted by the billposters. Soon, he took over control of the magazine and renamed it *The Billboard*.

By 1900, *The Billboard* had become a weekly and was emerging as a respected entertainment publication. Through the years, coverage in *The Billboard* would anticipate and mirror the changes in the entertainment world. The staff captured the emergence of the film business, the revolution that was radio, the advent of "talking" pictures and the coming of TV. Throughout, music was a common denominator.

By the time of *The Billboard's* launch, Thomas Edison had already invented the phonograph (1877) and Emile Berliner had countered with the gramophone and the first recorded discs (1887). In 1888, the Columbia Phonograph Co. issued the first commercial recordings on wax-covered cylinders. Columbia would offer 7-inch and 10-inch flat discs by 1891.

As the music business evolved, so did *The Billboard*. By the 1960s, it settled on music as its focus and *Billboard* as its name. Today, *Billboard* is synonymous with music. The magazine's charts are the ultimate scorecard of success in the business and the *Billboard* Web sites are the most important sources of news for the industry and fans alike.

More at [billboard.com/110](http://billboard.com/110)



LOUIS 'SATCHMO' ARMSTRONG

## 110 Musical Milestones

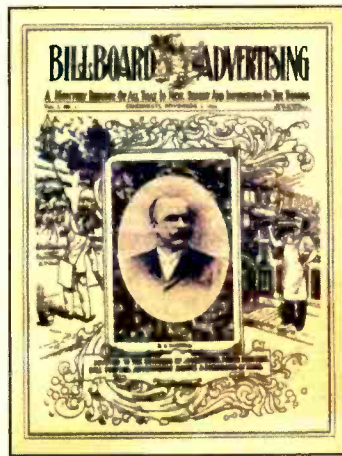
Welcome to *Billboard's* 110th anniversary celebration!

For more than a century, *Billboard* has documented the evolution of modern music, from the earliest sound recordings to today's world of little silver discs and big digital options.

In this special section, we take you on a voyage through the *Billboard* era, exploring 110 milestones of the last 110 years, from the introduction of the magazine in November 1894 to the advent of Apple Computer's iPod in 2003.

It's all here. The important technical advances, key business moves and landmark musical achievements. From the rags of Scott Joplin to the jazz inventions of Armstrong and Ellington to Sinatra, Presley, the Beatles, Motown, Springsteen and Run-D.M.C.—*Billboard* has covered

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it all. (In some cases, we cover these milestones in longer form at [billboard.com](http://billboard.com). A link appears at the end of such entries.)

One note: Our list of 110 memorable musical milestones steers clear of the many tragedies that have beset the music world during the past century. So, no untimely deaths, plane wrecks or concert disasters are reported here. Instead, we celebrate the people and the events that left an important mark on music history.

Still, we know many of our readers (and there are hundreds of thousands) will have their own ideas about what milestones we should have included.

We want to hear from you. Please send comments, criticism and your own favorite milestones to [anniversaryfeedback@billboard.com](mailto:anniversaryfeedback@billboard.com).

Go ahead, we're 110 years old. We can take it!

**1895:** Ragtime icon Scott Joplin, the son of a former slave, sells his first two songs, "Please Say You Will" and "A Picture of Her Face." In 1899, he sells his best-known piece, "Maple Leaf Rag," to John Stark & Son, a Sedalia, Mo., music publisher. He went on to become the leading composer of ragtime, writing more than 500 pieces of music.

**1901:** Guglielmo Marconi, a year after taking out a patent for his "tuned or syntonic telegraphy," transmits wireless signals 2,100 miles across the Atlantic. He is awarded the Nobel Prize for Physics eight years later, and music is heard in a new way by thousands and thousands of geographically separated people at one time.

**1902:** Rising star tenor Enrico Caruso, age 30, records 10 arias for Gramophone's Red Label imprint. He goes on to be an international phenomenon, earning \$2 million from gramophone recordings alone before his death in 1921.

**1909:** Cornet player William Christopher (W.C.) Handy borrows a tune from an itinerant guitarist and pens the political campaign song "Boss Crump," which later becomes "The Memphis Blues," published in 1912. It

would ignite a craze for the blues and later become a jazz standard. Handy followed with another destined-to-be jazz classic, "The St. Louis Blues." In 1921, Handy and Harry Pace would open the first black-owned record company, Black Swan Records (originally Pace Phonograph), in New York.

**1913:** Igor Stravinsky's maverick ballet "The Rite of Spring" (written for Sergei Diaghilev's Ballets Russes, choreographed by Vaslav Nijinsky and conducted by Pierre Monteux) premieres in Paris. The work's modern sound and provocative subject matter cause a near-riot at the theater.

**1914:** The American Society of Composers, Authors and Publishers (ASCAP) is formed by music creators to license and collect royalties for the public performance of



NIPPER

compositions. Membership in America's first performing rights organization eventually grows to more than 190,000, representing about 7.5 million songs.

**1921:** His Master's Voice opens the first HMV shop in London. HMV was later acquired by EMI, which continued to own the name "His Master's Voice" and the trademark image of a dog sitting next to a gramophone in the United Kingdom. The iconic portrait came from an 1898 painting by British artist Francis Barraud who titled it "Dog looking at and listening to a Phonograph," featuring his dog Nipper.

**1923:** Louis "Satchmo" Armstrong makes his recording debut, blowing a pioneering cornet solo on the tune "Chimes Blues" in Joe "King" Oliver's Chicago-based Creole Jazz Band.

After a stint with Fletcher Henderson's big band in New York and with Sidney Bechet in Clarence Williams' Blues Five, Armstrong would move back to Chicago and in 1925 launch his own group that led to the groundbreaking Hot Five and Hot Seven recordings from '25 through '28. He was at once a trailblazer and popularizer—delighting audiences with a bold, upbeat leap away

from New Orleans-styled Dixieland to a new way of playing.

In a long and illustrious career, Armstrong became more the grand showman than an innovator. Always a crowd pleaser, Armstrong remarkably soared back to the height of fame with his quick-take number "Hello, Dolly!" Released in 1964, the tune momentarily dethroned the Beatles, in the midst of their AM radio reign, from the top of the *Billboard* pop chart.

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**1924:** George Gershwin's "Rhapsody in Blue," commissioned by bandleader Paul Whiteman, is first performed during "An Experiment in Modern Music" at Aeolian Hall in New York. In 1935, another seminal Gershwin work, the folk opera "Porgy and Bess," debuts in New York.

**1925:** WSM radio goes on the air in Nashville and the "WSM Barn Dance" show debuts. Three years later, the show would be rechristened "The Grand Ole Opry." In 1932, WSM is upgraded to a 50,000-watt clear channel signal, which now spanned the nation. NBC Radio carried the show for the first time in 1939.

**1927:** Jazz royalty is tipped on its head when a duke supplants a king: Edward Kennedy "Duke" Ellington and his Jungle Band replace Joe "King" Oliver and his band the Dixie Syncopators at the Cotton Club in New York. Oliver's decision to pass on the regular gig there because of a salary dispute would prove to be the beginning of the undoing of his musical career, while Ellington's star would rise as a result of the exposure afforded him because of the club's national live radio broadcasts. Considered by many to be the greatest American composer, Ellington would go on to become a major force in jazz whose influence is still potent.

**1927:** Field-recording engineer and A&R man Ralph Peer arrived in Bristol, Tenn., to



'DUKE' ELLINGTON

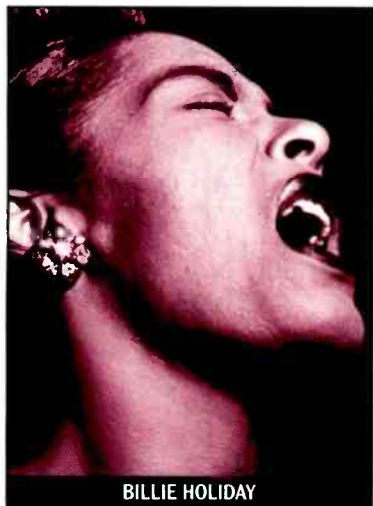
# 110 Musical Milestones

scout talent for the RCA-owned Victor label. During the next two weeks, he recorded the first sessions by Jimmie Rodgers and the Carter Family, among others, in what became known as the Bristol Sessions. The sessions are credited with giving birth to modern country music.

**1927:** Al Jolson stars in the first popular "talkie," the movie musical "The Jazz Singer." Jolson began recording in 1911 and scored a 1918 hit with "I'll Say She Does" for Columbia. "The Jazz Singer," about a Jewish cantor's son who prefers nightclubs to the pulpit, made him pop music's first rebel.

**1927:** Automatic Music introduces the electric coin-operated phonograph, or jukebox.

**1929:** Crooner Rudy Vallee makes his first film, "Vagabond Lover." That same year, he begins hosting "The Fleischmann's Yeast Musical Variety Hour" radio show. In 1936, he insists that Louis Armstrong fill in for him while he vacations, marking the first time a black artist hosts a national radio show.



BILLIE HOLIDAY

**1929:** RCA-Victor is created when RCA purchases Camden, N.J.-based Victor Talking Machine. Victor was itself created by the merger of Emile Berliner's Berliner Gramophone and Eldridge R. Johnson's Consolidated Talking Machine.

**1931:** Electric and Musical Industries (EMI) is formed from a merger of UK Columbia Graphophone and Gramophone/HMV. It was to be the world's biggest record company for the next 50 years.

In November the company opens EMI Studios at Abbey Road in London, under the supervision of then-EMI chairman Sir Louis Sterling. At the time it is the largest recording studio in the world and later the site of nearly all of the Beatles' recordings.

In 1955, EMI acquired Los Angeles-based Capitol Records, establishing a footprint in America. Since 1992, it has been the parent company of Virgin Records.

**1933:** A year after John Hammond discovered her playing in Harlem clubs, Billie Holiday makes her first recording, singing "Your Mother's Son-in-Law" with clarinetist/bandleader Benny Goodman. A year later on Nov. 23, "Lady Day" would make her auspicious debut at Harlem's Apollo Theater and go on to become the most famous—and arguably the most tragic—of all jazz singers. Holiday would record such classic tunes as Abel Meeropol's anti-lynching song "Strange

Fruit" (1939), her signature number "God Bless the Child" (1941) and her biggest hit "Lover Man" (1944).

**1935:** The race barrier in popular music is broken when Benny Goodman invites African-American pianist Teddy Wilson to join his trio, which also includes drummer Gene Krupa. The first integrated band would expand to a quartet the following year when black vibraphonist Lionel Hampton signs on with the "King of Swing." The quartet as well as Goodman's big band would make history in 1938 in their triumphant appearance at Carnegie Hall—legitimizing jazz in a formal setting outside of a club or ballroom.

**1936-1937:** Blues singer Robert Johnson allegedly sells his soul to the devil at the crossroads, and records the 41 tracks that make him immortal. Dead in 1938 and forgotten for decades, he would be lionized 30 years later as the "King of the Delta Blues" and his songs, such as "Love in Vain" and "Cross Roads Blues," inspire Eric Clapton and most of the United Kingdom's guitar-playing population.

**1938:** The Monroe Brothers, Bill and Charlie, split to create two separate bands. Bill Monroe forms the first edition of the Blue Grass Boys, and would become a member of "The Grand Ole Opry" in 1939. A year later, the group begins recording for RCA Victor. Bill Monroe, inducted into the Country Music Hall of Fame in 1970, would become known as the "Father of Bluegrass Music."

**1939:** Frank Sinatra makes his recording debut as singer with bandleader Harry James. The sides, released as Brunswick 8443, were "From the Bottom of My Heart" and "Melancholy Mood."

The following year, Sinatra left James and signed on with Tommy Dorsey's orchestra. Pop music was never the same.

Sinatra, who had been craving stardom ever since he saw Bing Crosby perform a concert in 1933 in Jersey City, N.J., recorded 84 tunes with Dorsey for RCA Victor. At first, they were credited to the band, the singer identified on the label with such words as "instrumental with vocal accompaniment" or "with vocal refrain."

Sinatra pushed for, and eventually got, his name printed on the label. By 1942, Sinatra made his first solo appearance at the Paramount in New York. When headliner Benny Goodman announced Sinatra's name, the teenage bobbysoxers in the balcony shrieked, screamed and fainted, a scene not likely



FRANK SINATRA



BING CROSBY

repeated with such intensity until the rise of Elvis Presley.

It was just the beginning of a long career that saw Sinatra triumph in film and TV while maintaining pre-eminence as a recording artist and performer for some six decades.

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**1939:** John Cage composes his influential, electro-acoustic "Imaginary Landscape No. 1," using test-tones from recordings played on variable-speed turntables. This influential piece is one of the precursors to electronic music.

**1940:** Seeking an alternative to ASCAP, a group of radio industry leaders forms Broadcast Music Inc. (BMI) as the second U.S. performing rights organization. BMI now represents more than 300,000 songwriters and publishers, with about 4.5 million compositions.

**1941:** Guitarist Les Paul designs and builds one of the first solid-body electric guitars. (Adolph Rickenbacker had marketed a solid-body guitar in the 1930s; Leo Fender was also a pioneer in solid-body electric guitar design.) The Gibson Les Paul guitar, introduced in 1952, becomes one of the most popular models.

Ever the innovator, in 1947 Paul records "Lover" featuring eight multitracked electric guitars, all played by him.

**1941:** Woody Guthrie joins the Almanac Singers, a folk group with a decidedly leftist political passion formed the previous year by Pete Seeger, Lee Hays and Millard Lampell. Over the next year or so the group performed with the likes of Leadbelly, Josh White, Burl Ives, Sis Cunningham and Bes Hawes.

After just two albums, the members of the Almanacs were blacklisted for their political associations and activities. They disbanded in 1942, but had already paved the way for generations of folk singers to come. Seeger and Hays later formed the Weavers; the prolific Guthrie wrote hundreds of songs that are entrenched in the fabric of America, including "This Land Is Your Land."

**1942:** Songwriter Johnny Mercer founds Capitol Records, with movie producer B.G. "Buddy" DeSylva and Glenn Wallichs, owner of Los Angeles record store Music City.

**1942:** Crooner Bing Crosby, already a major star, performs the Irving Berlin song "White Christmas" for the movie musical "Holiday Inn," in which he also co-stars. The song wins an Academy Award, and goes on to become one of the best-selling records of all time.

**1944:** Aaron Copland debuts his American folk music-inspired "Appalachian Spring," written for Martha Graham's dance company. The work wins a Pulitzer Prize and emerges as a popular concert performance piece on its own, eventually becoming one of the most widely known 20th-century classical compositions.

**1944:** Jazz promoter Norman Granz borrows \$300 to put on a jazz concert at the Philharmonic Auditorium in Los Angeles. The concert and its many sequels give prominence to concert jam sessions and put live jazz recordings on the map. Illinois Jacquet, Les Paul, J.J. Johnson, Nat "King" Cole and Red Callendar are among the players.

Subsequent national tours and recordings through 1957 (many still available on Verve) will be seminal in the development of bebop, and give wide exposure to such giants as Charlie Parker, Dizzy Gillespie, Lester Young, Benny Carter, Ben Webster and Oscar Peterson, among many others.

**1947:** With a \$10,000 investment from his dentist (Dr. Vahdi Sabit), Ahmet Ertegun founds Atlantic Records with Herb Abramson of National Records.

**1947:** The 12-inch 33 $\frac{1}{3}$  RPM long-playing record is invented, introduced to the public the following year by Columbia.

**1949:** RCA-Victor develops and releases the first 45 RPM record to the public.



ELVIS PRESLEY

**1949:** After stints with bebop pioneer Charlie Parker, Miles Davis joins with arranger Gil Evans to create the legendary album "Birth of the Cool" (Blue Note), the trumpeter's first major recording and the precursor to the cool-jazz movement.

Throughout his career, the insatiably curious Davis would plunge into new territory, including hard bop, modal jazz (epitomized by his 1959 Columbia album "Kind of Blue"), jazz-rock electric fusion (beginning with 1969's "In a Silent Way" and climaxing with "Bitches Brew," recorded the same year) and jazz-funk fusion (the 1972 album "On the Corner"). Not only a stunning horn blower, Davis would become a profound bandleader whose members—from John Coltrane to Wayne Shorter—would go on to their own acclaim as a result of his tutelage.

**1949:** Hank Williams debuts on "The Grand Ole Opry" performing "Lovesick Blues" and is called back to the stage for an unprecedented six encores. "Lovesick Blues" stays at No. 1 on the *Billboard* country singles chart for 16 weeks. Williams remained with the show until 1952 when he was fired from the cast. A year later, he died at age 29.

**1951:** WJW Cleveland DJ Alan Freed allegedly coins the term "rock'n'roll" during a broadcast of his "Moondog Rock and Roll Party." A hugely popular figure during the genre's early years, Freed organized concerts and tirelessly promoted this "new" music.

Freed's contributions would be overshadowed by scandal in 1960 when the United States Congress, the Federal Communications Commission and the Federal Trade Commission launched a payola investigation that uncovered chart rigging, kickbacks and other corruption in the music business. In 1962, Freed, then with WINS New York, pleads guilty to two charges of commercial bribery, for which he receives a fine and a suspended sentence. It spells the end of his legendary career.

**1954:** Elvis Presley records Arthur "Big Boy" Crudup's "That's All Right" with guitarist Scotty Moore and bassist Bill Black at the Memphis Recording Service, later known as Sam Phillips' Sun Records. Often credited as the birth of rock'n'roll, the July 5 recording is captured during a break in a session while Presley is fooling around with the tune. The resulting single (b/w "Blue Moon of Kentucky") starts the ball rolling on a career that redefines celebrity and stardom.

By late 1955, Presley would be a hot commodity and too much for a regional label like Sun to handle. Colonel Tom Parker, Presley's manager, fueled a bidding war for his client's recording contract. Presley would sign with RCA for a then-unprecedented \$35,000, plus a \$5,000 bonus for song royalties.

Presley's first single for RCA, "Heartbreak Hotel," recorded with producer Steve Sholes, was released Jan. 27, 1956, and reached No. 1 on the *Billboard* Hot 100 April 21. The ensuing years would find him scoring hit after hit up until, during and after a stint in the U.S. Army.

Presley's star faded during the British Invasion of the '60s, but his career was re-energized in 1968 with a televised "comeback special."

By the time of his death in 1977, Presley had amassed 146 entries on the Hot 100, including 17 No. 1 hits—second only to the Beatles

# A Billboard Anniversary Salute



RAY CHARLES

(20). His 80 weeks at No. 1 beats the Fab Four's 59. [More at billboard.com/110](#)

**1955:** The film "Blackboard Jungle" is released, boasting a soundtrack that features Bill Haley & His Comets' "Rock Around the Clock." In July, the song reaches No. 1 on the *Billboard* Best Sellers in Stores chart, the precursor to the Top 100. It marks the start of the "rock era."

**1955:** Journeyman blues guitarist Chuck Berry plays his demo of "Ida Mae," a hillbilly tune from the Bob Wills repertory, for label pioneer Leonard Chess. The title is changed to "Maybelline," the topic, cars and girls. Berry invents and perfects the template for teenage rock'n'roll in subsequent hits "Sweet Little Sixteen," "Roll Over Beethoven," "Johnny B. Goode" and a dozen others, without which the early Beatles, Beach Boys and Rolling Stones would lack both material and a sense of how to play it.

**1955:** Ray Charles fathers rhythm and blues—or R&B—with "I Got a Woman," his pioneering—and some said sacrilegious—marriage of blues and gospel. Subsequent ventures in music (country and western) and business (owning his master recordings) provided further testament of Brother Ray's genius. Charles died June 10, 2004, of liver disease; four months later his final album, "Genius Loves Company," became his first platinum recording.

**1955:** Perez Prado's irresistible mambo "Cherry Pink and Apple Blossom White" (RCA Victor) becomes the first Latin track to hit No. 1 on the *Billboard* pop singles chart, which measures U.S. sales. Its success illustrates the broad possibilities of Latin music.

**1956:** Johnny Cash releases his third Sun Records single, "Folsom Prison Blues." The song initially peaks at No. 4 on the *Billboard* country singles chart. A live version recorded at California's Folsom Prison would claim the No. 1 spot on the same chart 12 years later.

By that time, Cash had exited Sun and signed with Columbia, embarking on an impressive streak that would total 137 charted singles. A multitasking performer, Cash hosted his own weekly ABC-TV show for two years and appeared in numerous TV and film projects.

Though drugs threatened to derail his career and end his life, the "Man in Black" overcame his demons with the help of his second wife, June Carter, whom he wed in 1968. After several sporadic decades, his

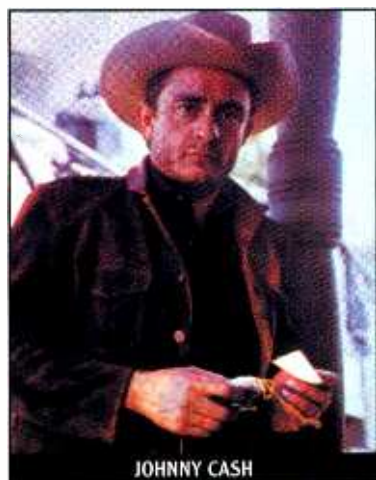
career was rejuvenated in 1994 by the Rick Rubin-produced "American Recordings." Subsequent critically acclaimed collaborations with Rubin introduced Cash to a entirely new generation of listeners and brought him to a new peak of popularity in the years leading up to his death in 2003.

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**1957:** Buddy Holly and his band, the Crickets, chart their first single and only No. 1 record, "That'll Be the Day," for Decca subsidiary Coral Records. Besides Chuck Berry, Holly would be rock's most prolific singer/songwriter ("Peggy Sue," "Not Fade Away") if only for a year. He perished Feb. 3, 1959, in a plane crash, along with Ritchie Valens and the Big Bopper. The date would be memorialized as "the day the music died."

**1957:** "American Bandstand" is first broadcast nationally Aug. 5 on ABC, hosted by Dick Clark, who took over that role on the Philadelphia-based program a year earlier. Practically a teen-viewing requirement, the pop music and dance show aired daily until 1964 (when it moved to Los Angeles), then weekly through 1987.

**1957:** The "Nashville Sound" is born as producers Owen Bradley and Chet Atkins introduce a more string-oriented approach and smoother sound to help keep Nashville's country music business contemporary in the wake of the rock'n'roll explosion. Patsy Cline's "Walkin' After Midnight" springs from that era as do Jim Reeves' "Four Walls" and Ferlin Husky's "Gone." All three songs are hits in 1957.



JOHNNY CASH

**1958:** The Recording Industry Assn. of America certifies its first gold single for Perry Como's "Catch a Falling Star" (RCA), based on 1 million copies sold to U.S. retailers, and its first gold album for the cast recording of "Oklahoma!" (Capitol) based on \$1 million in sales to U.S. retailers.

In 1975, the rules were revised with a gold album needing U.S. shipments of 500,000 copies and \$1 million in sales; the next year, platinum awards are added for shipments of 1 million albums and 2 million singles. Multiplatinum releases are recognized in 1984, and in 1999 the RIAA introduces the diamond award for releases that have shipped 10 million copies.

**1958:** Composer/conductor Leonard Bernstein becomes music director of the New York Philharmonic and launches the "Young People's Concerts" TV series, which runs for 14 seasons with Bernstein and introduces classical music to generations of listeners in

the United States and around the world.

**1958:** A year after an American standard is set by the Recording Industry Assn. of America, the world standard for stereo records is established and the first stereo LPs are sold.

**1958:** A landmark Latin music year as the Champs' "Tequila" (Challenge) hits No. 1 on



BUDDY HOLLY & THE CRICKETS

the *Billboard* charts, Perez Prado's "Patricia" reaches No. 2 and Del-Fi signs Ritchie Valens, who would become the first Chicano rock star.

**1959:** Berry Gordy launches Motown Records in Detroit with \$800. The "Motown Sound" represents a profound chapter in music history. The label lives up to its slogan as "the sound of young America," as its polished but danceable hits cross racial and age barriers. All aspects of recording were done in-house: There was production and songwriting, by William "Smokey" Robinson and the team of Lamont Dozier and Brian and Eddie Holland; backing by a crackerjack studio band that became known as the Funk Brothers; and an enviable roster of gifted singers and performers, including Robinson with the Miracles, the Supremes with Diana Ross, Stevie Wonder, Marvin Gaye, Martha & the Vandellas, the Four Tops, the Temptations and the Jackson 5. The label's first No. 1 pop hit is the Marvelettes' "Please Mr. Postman" (Dec. 11, 1961).

**1959:** The Dave Brubeck Quartet releases "Time Out" (Columbia), an essential album of original compositions, including alto saxophonist Paul Desmond's classic "Take Five," which features such odd time signatures as 7/4 and 9/8. The album solidified Brubeck's fame following his appearance on the cover of Time magazine in 1954 and subsequent college-circuit playing engagements—marking the first tapping of the commercial potential of performing at colleges and universities.

**1959:** Saxophonist Ornette Coleman startles the jazz world with his aptly titled landmark recording, "The Shape of Jazz to Come." His third album, and Atlantic Records debut, features his firebrand quartet comprising trumpeter Don Cherry, bassist Charlie Haden and drummer Billy Higgins. Dubbed "free jazz" and "avant-garde jazz" because of its innovative dispensing of chordal improvisation and harmony, Coleman's melody-rich music would swing open the doors to a myriad of experimental jazz excursions.

**1960:** Former member of Miles Davis' classic quintet of the '50s and the leader on the seminal 1959 album "Giant Steps," John Coltrane forms his own quartet with pianist McCoy Tyner and drummer Elvin Jones (bassist Jimmy Garrison joins the next year). The band would stay together through the early '60s as the saxophonist, with his gutsy

"sheets of sound" and deeply moving ballads, would rise to the rank of jazz superstar.

The quartet's masterwork, "A Love Supreme," would be written and recorded in 1964 and released in 1965 by Impulse to critical praise.

**1960:** Chubby Checker's Cameo/Parkway novelty dance single, "The Twist" (written and first recorded by R&B great Hank Ballard), ignites a global dance craze, reaching No. 1 on the *Billboard* Hot 100. Little more than six months later, it returns to the chart, and is again No. 1: The only such twin peaks in chart history.

**1962:** The Crystals' "He's a Rebel" (Philles) becomes the first single employing Phil Spector's groundbreaking "wall of sound" production technique to reach No. 1 on the *Billboard* Hot 100. Darlene Love provided the song's vocals.

**1962:** James Brown had scored R&B hits for King Records beginning in the late 1950s, but it was his furiously paced, ritualistic stage shows that had mostly black audiences fawning over "the hardest working man in show business." Brown recorded his Oct. 24, 1962, performance at Harlem's Apollo Theater on his own dime. Released reluctantly by King in 1963, "Live at the Apollo" is pop music's seminal concert recording and was Brown's first crossover hit, peaking at No. 2 on the *Billboard* Top Albums chart in 1963 during a 66-week run.

**1963:** Philips introduces the audio cassette.

**1964:** Robert Moog invents a music synthesizer, opening the door on an electronic music age. The device allows musicians to tap into a world of sounds that could be manipulated unlike anything created by traditional instrumentation.

**1964:** During their inaugural U.S. tour in February 1964, the Beatles make their first appearance on "The Ed Sullivan Show," launching the country into full-blown Beatlemania and marking the beginning of the British Invasion.

The Liverpool, England-based group enjoys three successive No. 1s on the *Billboard* Hot 100 that year with "I Want to Hold Your Hand," "She Loves You" and "Can't Buy Me Love." In a remarkable achievement in April, they hold all of the chart's top five positions and at one point place 14 songs on the tally. Later in 1964, the Beatles' film debut in "A Hard Day's Night" is greeted with adoring screams around the world and a No. 1 soundtrack.

John Lennon, Paul McCartney, George Harrison and Ringo Starr would go on to



THE BEATLES

send 16 additional songs to No. 1; the string ended in May 1970 with "The Long and Winding Road." Even more impressive was their output of hit albums, with 17 reaching No. 1 in the United States, including two "Anthology" collections that hit stores a quarter of a century after the release of the last official Beatles studio album.

In April 1970, the Beatles were officially dissolved. They remain the most important band of the rock era and arguably the most influential musical group of all time.

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**1964:** "Where Did Our Love Go" reaches No. 1 on the *Billboard* Hot 100 and marks the beginning of a staggering string of hits for the Supremes. Previously a backing group for other Motown acts, Diana Ross, Florence Ballard and Mary Wilson released seven unsuccessful singles before reaching the chart summit, but they would revisit the post with their next four singles.

Through 1969, the group (which became known as Diana Ross & the Supremes in mid-1967, the year Cindy Birdsong replaced Ballard) scored a dozen No. 1 songs, 10 during 1964-67.

**1965:** The Rolling Stones' "(I Can't Get No) Satisfaction" becomes the U.K. rock act's first No. 1 on the *Billboard* Hot 100. It is also a breakthrough both for radio, which rallies enthusiastically around the nearly four-



THE ROLLING STONES

minute single, and for songwriters Mick Jagger and Keith Richards, who come out of the gate already at the top of their game. Their group would go on to be one of the most enduring, successful, outrageous and influential rock acts of all time.

**1965:** Bob Dylan goes electric at the Newport (R.I.) Folk Festival. His third appearance at the legendary event follows the release of "Bringing It All Back Home" (Columbia), which boasts one electric and one acoustic side of ragged, blues-oriented arrangements. In hindsight, playing electric at Newport with the Paul Butterfield Blues Band seems hardly surprising, but the truncated performance, greeted with a mix of boos and cheers, is a defining moment in Dylan's career and in popular music.

Also in 1965, Dylan's "Like a Rolling Stone" broke the unspoken time barrier for hit singles (usually around the three-minute mark), surpassing six minutes in length and setting a new standard for rock'n'roll lyricism. The song reached No. 2 on the *Billboard* Hot 100, a peak Dylan has never passed but would equal the next year with the whimsical "Rainy Day Women #12 & 35."

He had successfully bridged folk and rock, but Dylan was too complex a figure to simply evolve into safe superstardom. It seemed almost scripted when in June 1966

he was injured in a motorcycle crash, forcing his retreat from the public eye amid his greatest success. And when he resurfaced, it would be as an entirely new figure. "John Wesley Harding," which arrived late in 1967, was a subdued work that marked a return to the realism and story songs of an earlier Dylan, while "Nashville Skyline" dipped a toe into country.

His '70s output was a mixed bag: "Blood on the Tracks" is one of his finest albums and "The Basement Tapes" (recorded with the Band in 1967) is similarly revered. But by the end of the decade, Dylan converted to Christianity and recorded three albums reflecting his new beliefs.

In the '80s, he moved past this period by touring constantly and enjoying his status as an icon via all-star collaborations on the road and in the studio. Still a force in the '90s, Dylan roared back in 1997 with "Time Out of Mind," which won the album of the year Grammy Award.

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**1966:** Masterminded by Brian Wilson, the Beach Boys create "Pet Sounds" (Capitol), widely regarded as one of the best pop albums of all time. Layers of harmony and adventurous arrangements are woven through such classics as "Wouldn't It Be Nice," "Sloop John B" and "God Only Knows."

**1967:** Aretha Franklin releases "I Never Loved a Man the Way I Love You." Her Atlantic Records debut features the Otis Redding-penned "Respect," which would become her signature tune. The Jerry Wexler-produced set reaches No. 2 on the *Billboard* Top LPs chart and establishes Franklin as the "Queen of Soul." (Wexler recalls this release and more in *The Last Word*. See page 66.)

**1967:** The Jimi Hendrix Experience debuts on Reprise with "Are You Experienced?," a stunning document of the psychedelic rock era that features such classics as "Foxy Lady," "Purple Haze," "Hey Joe," "The Wind Cries Mary" and "Fire."

**1967:** The Federal Communications Commission forces FM stations to stop simulcasting AM sister stations. FMs in major markets hand over programming to young, musically adventurous DJs like Tom Donahue at KMPX San Francisco. Their hip, laid-back, conversational tone is a break from the frenetic teenybopper jabber of top 40 jocks; the willingness and ability to play lengthy album cuts and free-form programming fans the flames of the rock revolution.

**1967:** Simon & Garfunkel's "Mrs. Robinson" appears in the Mike Nichols-directed film "The Graduate," starring Dustin Hoffman along with Anne Bancroft as the song's titular subject. Simon & Garfunkel provide the bulk of the soundtrack, which with the movie stands as a coming-of-age milestone for a generation. The Columbia set was the duo's first to reach No. 1 on the *Billboard* albums chart.

**1967:** The Monterey International Pop Festival is staged June 16-18 at California's Monterey County Fairgrounds by producer Lou Adler, John Phillips of the Mamas & the Papas, producer Alan Pariser (heir to the Sweetheart paper fortune) and Beatles publicist Derek Taylor. All of the acts performed for free and revenue from the event was



ARETHA FRANKLIN

donated to charity.

Captured by filmmaker D.A. Pennebaker in the documentary "Monterey Pop," the festival marked the first major performances by the Jimi Hendrix Experience and the Who on U.S. shores. It also featured a landmark appearance for Janis Joplin, who was "discovered" there by Clive Davis. The following year, Columbia released "Cheap Thrills," her breakthrough album with Big Brother & the Holding Company.

**1967:** Russ Solomon opens the first Tower Records store in Sacramento, Calif. After expanding throughout California, an aggressive growth strategy would take the retail chain across the United States and into 14 countries. The company's landmark three-story New York store, established in 1983, became a destination for music fans and sparked the re-gentrification of its East Greenwich Village neighborhood, now home to the New York office of *Billboard*.

**1968:** Otis Redding's "(Sittin' On) The Dock of the Bay" reaches No. 1. The song was recorded three days before his death in a December 1967 plane crash that also claimed four members of the Bar-Kays. Regarded as possibly the greatest male soul singer, Redding was inducted into the Rock and Roll Hall of Fame in 1989.



BOB DYLAN

**1969:** The Woodstock Music & Art Festival is staged on Max Yasgur's farm in Bethel, N.Y. The event drew more than 400,000 and

marked the zenith of the 1960s counterculture movement. The bill for the "three days of peace and music," as the Academy Award-winning documentary film about the concert was subtitled, included everyone from Richie Havens, Joan Baez and the Grateful Dead to Jimi Hendrix, Crosby, Stills, Nash & Young, the Who and Sha-Na-Na.

**1971:** After years as a romantic balladeer, Marvin Gaye releases his pivotal album, "What's Going On." The Motown soul set finds the singer/songwriter waxing eloquently about political and environmental issues, as well as the Vietnam War and drug addiction, in such songs as "Mercy Mercy Me," "Inner City Blues (Make Me Wanna Holler)" and the title track.

**1971:** Led Zeppelin releases its self-titled (and ultimately best-selling) fourth album. The Atlantic set is marked by the epic power ballad "Stairway to Heaven," arguably the most popular track in the history of rock radio, even though it was never released as a commercial single.

**1972:** Stevie Wonder's "Music of My Mind" is his first album issued under a new—and then unprecedented—contract with Motown. The introspective set is a unified document on which Wonder plays nearly every instrument. The album presages a highly creative period that delivers "Talking Book" the same year, followed by "Innervisions" (1973), "Fulfillingness' First Finale" (1974) and "Songs in the Key of Life" (1976).

**1972:** Bob Marley releases "Catch a Fire," his first album for Chris Blackwell's Island Records. Despite subsequent landmarks as 1973's "Burnin'" and 1974's "Natty Dread," the reggae icon does not explode in the United States until 1976, when "Rastaman Vibration" reaches No. 8 on the *Billboard* Top LPs chart.

**1973:** Pink Floyd releases "The Dark Side of the Moon" (Harvest/Capitol). The U.K. progressive rock act's breakthrough reaches No. 1 on the *Billboard* albums chart and goes on to set a record by remaining on the list for 741 weeks.

The feat is virtually unattainable under the chart's rules as they stand in 2004, where albums that fall below No. 100 and are more than 2 years old are removed from The *Billboard* 200 and placed on the Top Pop Catalog chart.

As of this issue of *Billboard*, "The Dark Side of the Moon" has accumulated 1,424 chart weeks, combining its time on the main chart and Top Pop Catalog.

**1975:** The Who's film "Tommy" is released, starring lead singer Roger Daltrey as the title character. Directed by Ken Russell, the landmark rock opera also features the rest of the band as well as musicians Elton John, Eric Clapton, Tina Turner and Arthur Brown and actors Ann Margret and Jack Nicholson, among others. It marks the band's debut in film, a medium it would revisit twice in 1979 with the release of the documentary "The Kids Are Alright" and another rock opera, "Quadrophenia."

**1975:** Two months after the release of his breakthrough album "Born to Run" (Columbia), Bruce Springsteen simultaneously appears on the covers of *Time* and

*Newsweek*. The set reaches No. 3 on the *Billboard* Top LPs chart. His third album is his first produced by Jon Landau, a music critic who became his manager not long after writing in a review in Boston's *The Real Paper*, "I saw rock and roll future and its name is Bruce Springsteen."

Like much of his music, "Born to Run" is rife with tales fresh from the streets of Springsteen's blue collar New Jersey upbringing. Featuring such enduring anthems as "Jungleland," "Thunder Road" and the title track, the album is filled with identifiable real life struggles, the survival of love against the odds and faith in the divinity of rock'n'roll.

Known as "The Boss" to his fans, he would go on to explore many of the same themes across subsequent albums, with and without the backing of the famed E Street Band. He also developed a reputation as one of the era's great live performers and by the mid-'80s was packing stadiums worldwide. In 2003, he set an attendance record during a sold-out stand of 15 shows at Giants Stadium in his home state.

As his career progressed, Springsteen became increasingly political. In 2002, he addressed the post-Sept. 11, 2001, sorrow of a nation throughout "The Rising"; three years later he took an active role in the presidential campaign of Sen. John Kerry.

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BOB MARLEY

**1975:** Donna Summer scores her first hit with "Love to Love You Baby" (Oasis), which peaks at No. 2 on the *Billboard* Hot 100. Dubbed the "Queen of Disco," the multi-Grammy Award-winning artist would go on to net 13 additional top 10 singles, four of which reached the pole position. Additionally, three of her albums, including "Bad Girls," peaked at No. 1 on the *Billboard* albums chart.

**1975:** The Eagles release their fourth album, "One of These Nights" (Asylum), which becomes the band's first *Billboard* No. 1. The set features the singles "Lyin' Eyes" and the title track, which reach No. 2 and No. 1, respectively, on the *Billboard* Hot 100.

"One of These Nights" is the first of five No. 1 albums from the quintessential 1970s California-based rock band. The year 1976 brought two—"Hotel California" and "Their Greatest Hits 1971-1975"—and in 1979 "The Long Run" reached the summit.

The band's "Greatest Hits 1971-1975" (Asylum) is considered the best-selling album of all time, certified by the Recording Industry Assn. of America for U.S. shipments of 28 million copies. (The album's status occasionally slips behind Michael Jackson's

"Thriller," which is certified for 26 million.)

**1975:** Columbia Pictures-owned Bell Records is rechristened Arista Records by Clive Davis, who names the label after the New York high school honor society. The label's early success with Barry Manilow, Melissa Manchester and the Bay City Rollers sets the stage for blockbusters from Dionne Warwick, Air Supply and Whitney Houston.

**1976:** The Copyright Act of 1976 becomes the exclusive source of legal protection for qualified creative works "fixed in a tangible medium," whether published or unpublished. For works created after its effective date of 1978, other than "works for hire," it extends protection for the life of the author plus 50 years (now 70 years).

**1976:** The Ramones' self-titled debut is released by Sire Records, garnering critical acclaim but almost no radio play and peaks at just No. 111 on the *Billboard* Top Albums chart. Yet it serves as a blueprint for punk—simple, anthemic songs played fast—and inspires a generation of rock musicians. The Ramones had 15 charting albums, of which only four crashed the top 100 and none went higher than No. 44. Yet their spirit and influence was undeniable.

**1976:** "Wanted: The Outlaws" marks the breakthrough of country music's outlaw movement. The album featured Jessi Colter, Waylon Jennings, Willie Nelson and Tompall Glaser and remained at No. 1 for six weeks on the *Billboard* Top Country Albums chart. In November 1976, it became the first country album to be certified platinum by the Recording Industry Assn. of America.

**1977:** The "Saturday Night Fever" soundtrack (RSO) spends 24 weeks at No. 1 on the *Billboard* albums chart. The film (starring John Travolta) and soundtrack (with music composed by the Bee Gees) introduced disco to the mainstream. At the 21st annual Grammy Awards, the two-disc soundtrack is named album of the year.

**1977:** The year punk broke. Although the Sex Pistols' lone studio album, "Never Mind the Bollocks . . ." reached only No. 110 on the *Billboard* Top LPs chart, it sparked a musical revolution driven by the Clash, the Buzzcocks and the Ramones.

**1979:** Sony and Philips invent the compact disc, which would be introduced to the public in 1982. Also in 1979, Sony introduces the Soundabout, forerunner of the wildly popular portable cassette player the Walkman.

**1979:** The Sugarhill Gang scores rap's first mainstream hit on the *Billboard* Hot 100 with "Rapper's Delight," which reaches No. 36. The song's infectious appeal is owed in part to its rhythmic sampling of Chic's "Good Times."

**1981:** Cable channel MTV signs on with the clip of the Buggles' "Video Killed the Radio Star." A revolutionary experiment, the channel changes the way music is marketed and ushers in the video age.

**1982:** Michael Jackson releases "Thriller" (Epic). It spawns seven top 10 singles on the *Billboard* Hot 100: "The Girl Is Mine"



with Paul McCartney, "Billie Jean," "Beat It" featuring Eddie Van Halen on lead guitar, "Wanna Be Startin' Somethin'," "Human Nature," "P.Y.T. (Pretty Young Thing)" and "Thriller."

"Thriller" topped the *Billboard* pop albums chart and at deadline is the second best-selling album in U.S. history, certified by the Recording Industry Assn. of America for shipments of 26 million copies.

The success of "Thriller" not only jettisoned Jackson from the Jackson 5 orbit, but catapulted him into superstar status. Born Aug. 29, 1958, Jackson had fronted the sibling group since the age of five with an extraordinary cache of singing and dancing talent. He began dabbling in the solo realm for Motown in 1971 with "Got to Be There." Jackson later scored a No. 1 pop single in 1972 with his ode to a movie rodent, "Ben."

It was his fortuitous pairing with acclaimed producer Quincy Jones in 1979 (after working together on "The Wiz") that set the stage for "Thriller," his second album after leaving Motown. "Thriller" claimed a then-record eight Grammy Awards and led to a huge endorsement deal for Jackson with Pepsi and other high-profile projects like the 1985 charity song "We Are the World," co-written by Jackson and Lionel Richie. Also in 1985, Jackson purchased ATV Publishing, which held the copyrights of the Lennon-McCartney catalog.

Jackson's success rolled on into the '90s. But by mid-decade, his album sales softened and rumors about his private life were on the rise. In recent years, his legacy has been clouded by his much publicized legal woes.

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**1982:** A landmark year for rap, 1982 sees the release of Grandmaster Flash & the Furious Five's "The Message" and Afrika Bambaataa & the Soul Sonic Force's "Planet Rock." The latter sells more than 500,000 copies.

**1983:** Madonna begins her march to superstardom with the release by Sire Records of her self-titled debut.

The girl from Bay City, Mich., set the stage for her emergence one year earlier with the single "Everybody," which peaked at No. 3 on the *Billboard* Hot Dance Club Play chart. It was not until fall 1984 that her debut peaked at No. 8 on the *Billboard* Top Pop Albums chart.

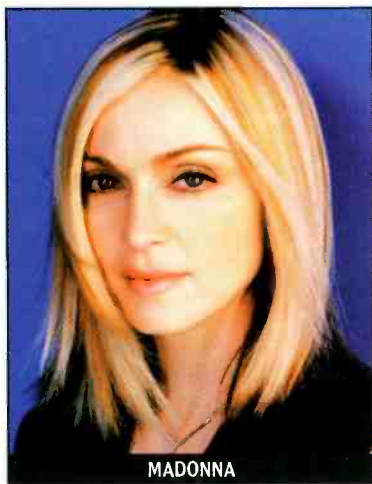
The artist's sophomore album, "Like a Virgin," soared to the No. 1 spot on the albums chart in the Feb. 9, 1985, issue. Madonna had previewed the title track at the inaugural MTV Video Music Awards in 1984, performing in a white wedding dress while rolling around on the stage.

Since those early days, Madonna has had more top 10 *Billboard* Hot 100 singles than any other female artist, with 35 to her credit, second overall only to Elvis Presley's 38. Between 1984 and 1989, Madonna racked up an incredible 17 consecutive top 10 hits. Through her career, she has had 12 Hot 100 No. 1s and has sold an estimated 60 million albums in the United States and 158 million albums worldwide.

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**1984:** The U.S. Supreme Court votes 5-4 to find Sony, as manufacturer of the Sony Betamax videotape recorder, not liable for contributing to any copyright infringement by individuals who taped TV programs at home for private use—a permissible time-

shifting. Papers later released reveal the decision was originally decided the other way, but was changed after reargument. In October 2004, entertainment companies petitioned the court to reconsider this holding as it applies to peer-to-peer software providers.



MADONNA

**1985:** Whitney Houston releases her self-titled debut Arista album, the first of three to reach No. 1 on the *Billboard* pop albums chart. The set, which features the hit singles "Greatest Love of All" and "How Will I Know," spends 14 weeks on top and 162 weeks on the chart.

**1985:** Ethiopian famine relief takes center stage via the Live Aid concerts in London and Philadelphia, plus the No. 1 hit "We Are the World," which features 46 U.S. superstars such as Michael Jackson, Bruce Springsteen and Bob Dylan.

**1985:** "Find a Way," the first single from contemporary Christian artist Amy Grant's "Unguarded" album, crosses over to mainstream radio and establishes Grant's presence in pop music. The song peaks at No. 7 on the *Billboard* AC chart. Grant followed with additional singles then teamed with Peter Cetera in 1986 for the No. 1 duet "The Next Time I Fall." In 1991, Grant hit the top of the AC chart as a solo artist with "Baby, Baby," which paved the way for other Christian acts such as Michael W. Smith, Kathy Troccoli, Jars of Clay and Sixpence None the Richer to break into mainstream pop.

**1986:** Following the inroads paved by the Sugarhill Gang, Afrika Bambaataa and Grandmaster Flash & the Furious Five, rap breaks from urban streets to suburban malls, led by Run-D.M.C. and the Beastie Boys.

The latter's debut rap album, "Licensed to Ill," becomes the first in the genre to top the *Billboard* albums chart. Mixing street beats, metal vibes and b-boy parodies, the album takes off thanks to songs like the party jam "(You Gotta) Fight for Your Right (To Party!)." The album is a shot in the arm to the then-struggling Def Jam label, founded a year earlier by New York University students Russell Simmons and Rick Rubin.

After a contentious lawsuit with Def Jam and Rubin, the group segued to Capitol, then launched its own label, Grand Royal, scoring a series of No. 1 albums, including the 2004 release, "To the 5 Boroughs," which saw the trio back on Capitol.

Run-D.M.C. further solidified rap's legitimacy when its third Profile Records project, "Raising Hell," climbed to No. 3 on the album chart in 1986. In addition to its mainstream breakthrough, "Raising Hell" became

the first rap album to hit No. 1 on the R&B chart and to achieve platinum status. It also netted Run-D.M.C. the distinction of being the first rap act to receive airplay on MTV.

"Raising Hell" included the Rubin-produced cover of Aerosmith's "Walk This Way," a crossover milestone, featuring the rock act's Joe Perry and Steven Tyler.

With its penchant for spare beats and heavy metal sampling, Run-D.M.C.'s pioneering, hardcore style built the foundation for a diverse range of rappers from N.W.A and Public Enemy to KRS-One and Boogie Down Productions. Run-D.M.C. also influenced rap's shift from a singles-based to an album-oriented genre. **More at [billboard.com/110](http://billboard.com/110)**

**1987:** U2 breaks worldwide with "The Joshua Tree" (Island), the Irish rock band's first album to reach No. 1 on the *Billboard* Top Pop Albums chart. "With or Without You" and "I Still Haven't Found What I'm Looking For" become the band's first No. 1 hits on the *Billboard* Hot 100.

**1989:** Country music's "Class of '89" emerges, as Garth Brooks, Alan Jackson, Clint Black and Travis Tritt all make their first appearances on the *Billboard* Hot Country Singles & Tracks chart. The emergence of these artists and many others marked the beginning of a boom for country music that continued through the mid-1990s.

Brooks would go on to be the most successful of the bunch, celebrating 100 million in sales in 2000 with a black tie party at the Nashville Arena. He has since retired from performing and recording.

**1991:** The Kurt Cobain-led Nirvana crystallizes the no-nonsense zeitgeist of "grunge rock" with "Nevermind" (Sub Pop/DGC), which spends nearly five years on The *Billboard* 200. The single "Smells Like Teen Spirit" becomes an immediate anthem as its video monopolizes MTV.



EMINEM

**1996:** "One Sweet Day," a duet between pop singer Mariah Carey and R&B vocal group Boyz II Men, sets the record for most consecutive weeks on top of the *Billboard* Hot 100 at 16. Carey inspired a generation of female singers, while Boyz II Men spurred a resurgence of vocal groups that exploded in the late 1990s.

**1996:** The Telecommunications Act deregulates radio, abolishing most limits on the number of stations that a single company may own. Consolidation results in local-market ownership concentrations

unknown since the inception of radio with broadcasters like Clear Channel and Infinity Broadcasting packaging multi-station advertising programs to attract more revenue.

**1997:** Elton John, who owned pop radio from 1971 to 1975, releases the double A-side single "Candle in the Wind '97"/"Something About the Way You Look Tonight." The former is a song from his 1974 album "Goodbye Yellow Brick Road" revamped in tribute to Princess Diana and performed at her funeral after her death in a car crash in France.

The single sells 8.8 million copies in the United States, according to Nielsen SoundScan, and nearly 5 million in the United Kingdom. Proceeds from the disc's worldwide sales benefit the Diana, Princess of Wales Memorial Fund.

**1998:** The Digital Millennium Copyright Act implements two treaties, banning interference with technology designed to protect copyrighted works, requiring Web site operators to block infringing material on sites after they receive proper notice and protecting Internet service providers from liability when they merely transmit communications.

**1999:** Ricky Martin performs "Livin' La Vida Loca" during the Grammy Awards telecast. With blaring trumpets and swiveling hips, the performance ignites a "Latin explosion" and helps make international stars of Enrique Iglesias, Jennifer Lopez, Marc Anthony and Shakira, among others.

**1999:** Napster, the granddaddy of peer-to-peer file-sharing Web sites, is launched by 18-year-old college dropout Shawn Fanning. The service is an overnight sensation that makes "MP3" a household word, puts the concept of digital distribution on the map and marks the start of the recording industry's Internet piracy woes.

Within a year of its introduction, millions of online users are downloading free music through the service, Fanning lands on the cover of *Time* and Napster is the subject of a massive lawsuit from the RIAA—one that would ultimately shut the service down, but set the stage for the emergence of future P2P technologies still popular today.

**2000:** 'N Sync's "No Strings Attached" sets a Nielsen SoundScan record with sales of 2.4 million in its debut week. The album opens at No. 1 on The *Billboard* 200, where it remains for eight consecutive weeks.

**2003:** Eminem's "Lose Yourself," from the loosely autobiographical film "8 Mile" in which he stars, becomes the first rap song to win an Academy Award for best original song from a motion picture. It also affirms the rapper's status as the first superstar of the new millennium.

**2003:** Apple Computer launches the iTunes Music Store as a companion for its year-old iPod digital music player. In a first, consumers can buy album tracks à la carte for 99 cents each. More than 25 million songs are sold by year's end, reversing consumer indifference toward paying for music downloads. A wave of new investment follows Apple founder and CEO Steve Jobs into the digital music business.

## Top 10 Billboard Chart Milestones

*Billboard* began publishing weekly charts in 1940, but some are more special than others. Here, chart expert Fred Bronson picks 10 chart milestones.

**Oct. 24, 1942:** Debut of the Harlem Hit Parade, antecedent of the R&B/hip-hop chart. First No. 1: "Take It and Git," Andy Kirk & His Clouds of Joy.

**Jan. 8, 1944:** First country singles chart, titled Most Played Juke Box Folk Records. First No. 1: "Pistol Packin' Mama," Bing Crosby & the Andrews Sisters.

**March 24, 1956:** First weekly album chart to include at least 10 positions. First No. 1: "Belafonte," Harry Belafonte.

**Aug. 4, 1958:** The *Billboard* Hot 100 debuts. First No. 1: "Poor Little Fool," Ricky Nelson.

A singles chart was published as early as July 1940, and there were separate charts for sales, airplay and jukebox play in the '50s. The Hot 100 combined sales and airplay data and quickly became the most authoritative measure of song popularity.

**Sept. 10, 1988:** Modern Rock Tracks chart debuts. First No. 1: "Peek-a-Boo," Siouxsie & the Banshees.

**Oct. 26, 1991:** Debut of the Heatseekers chart. First No. 1: "Mr. Scarface Is Back," Scarface.

**May 26, 1991:** Introduction of SoundScan data to the album chart. First No. 1: "Time, Love & Tenderness," Michael Bolton.

The addition of point-of-sale data would change the dynamics of the chart. One major difference: Albums by country artists charted much higher than before. By September 1991, Garth Brooks' "Ropin' the Wind" began an 18-week reign.

**Nov. 30, 1991:** Nielsen Broadcast Data Systems and SoundScan information first used in the Hot 100. First No. 1: "Set Adrift on Memory Bliss," P.M. Dawn.

**Dec. 5, 1998:** Introduction of airplay-only tracks to the Hot 100. First No. 1: "I'm Your Angel," R. Kelly and Celine Dion.

**July 12, 2003:** Introduction of Hot Digital Tracks. First No. 1: "Crazy in Love," Beyoncé Featuring Jay-Z.

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## Nirvana Set Makes Retail's Spirits Bright

With numerous releases flowing through stores in the next several weeks, retailers are excited about a number of projects. But many save their highest praise for the Nirvana boxed set, "With the Lights Out."

Bryan Everitt, director of music purchasing for Amarillo, Texas-based Hastings Entertainment, can barely contain his excitement. He says the band's collection, out Nov. 23 on Geffen/Universal Music Enterprises, "could be the biggest boxed set of all time. I don't think there is a more dedicated fan than the Nirvana fan."

Musicland senior music buyer Scott Faragher also smells a hit. "Nirvana's boxed set will be the most sought-after boxed set this year," he says. "It will appeal to the original Nirvana fan and also [to] the

The DVD includes nine songs from a 1988 rehearsal at Novoselic's mother's house, as well as 10 previously unreleased live performances.

The set retails for \$59.98.

**DEATH CAB TO ATLANTIC:** Seattle-based indie darling Death Cab for Cutie has signed a long-term worldwide deal with Atlantic Records. The pact takes effect with the group's next full-length album.

A live EP, set for release in spring 2005, as well as the band's catalog, will remain with Barsuk Records. Additionally, Barsuk will release future Death Cab for Cutie albums on vinyl in the United States.

The act, which began as a solo project for singer/guitarist Ben Gibbard in 1997, expanded into a full band by the time its 1998 debut, "Something About Airplanes," was released.

Its last album, "Transatlanticism," which came out in 2003, has sold 229,000 copies, according to Nielsen SoundScan. It peaked at No. 8 on the *Billboard* Top Independent Albums chart.

**STUFF:** Virgin artists Stacie Orrico and Ricky Fanté will perform at a Dec. 1 benefit for PENCIL, an organization that matches private-sector partners with New York public schools. Virgin Records chairman/CEO Matt Serletic is event co-chair.

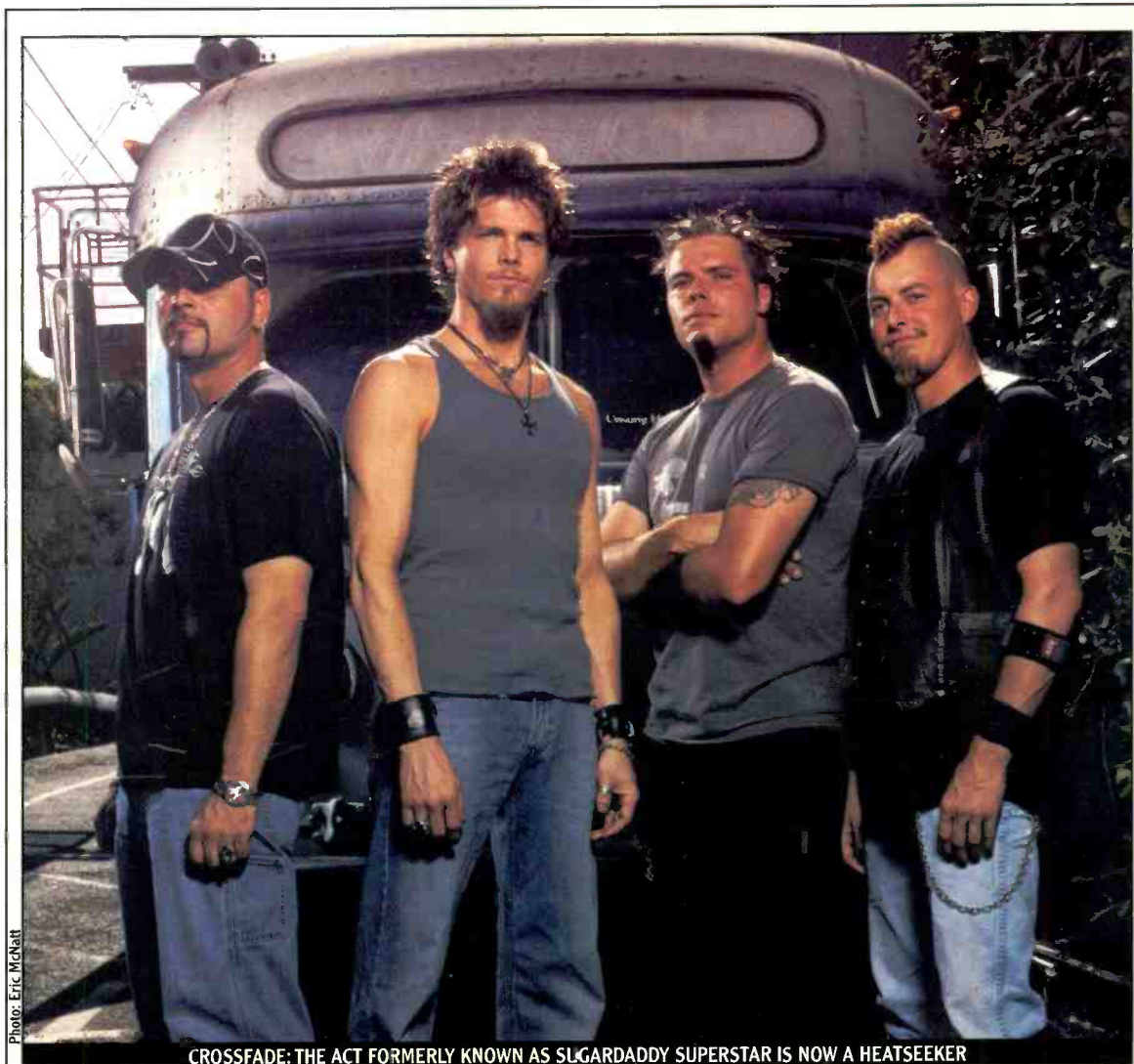
**Chinhua Hawk**, an R&B singer/songwriter from Pemberton, N.J., won the Independent Music World Series Northeast showcase, held Oct. 21 at the Lion's Den in New York.

One of six finalists chosen by a *Billboard* panel, Hawk won more than \$35,000 in prizes, including recording and DJ equipment, instruments and CD replicating services.

The IMWS, a national unsigned-artist competition, is presented by media replicator Disc Makers in association with "Billboard's Musicians Guide to Touring & Promotion" and other sponsors.

The West showcase will take place Feb. 3 at 12 Galaxies in San Francisco. The submission deadline is Dec. 3.

Additional reporting by Ed Christman and Christopher Walsh in New York.



CROSSFADE: THE ACT FORMERLY KNOWN AS SUGARDADDY SUPERSTAR IS NOW A HEATSEEKER

## 'Cold' Track Heats Up Act

### FG/Columbia Band Crossfade Scores With New Name, Single

BY MARGO WHITMIRE

Crossfade is finding its new name much luckier than its old moniker of Sugardaddy Superstar.

As Crossfade, the Columbia, S.C.-based quartet has seen its self-titled FG/Columbia debut earn its sixth week atop the *Billboard* Top Heatseekers chart.

The album's success is fueled primarily by the first single, "Cold," which reached No. 1 on *Billboard* Radio Monitor's Active Rock chart and is No. 5 on the *Billboard* Modern Rock Tracks chart this issue.

Just three years ago, Crossfade released the same single, along with seven other tracks, on its self-released set "Cold" as Sugardaddy Superstar.

That disc found its way to FG Records principals Doug Ford, Rick Bisceglia and Guy Zapoleon. The trio also runs PromoSquad, which supplies *Billboard* and *Billboard* Radio Monitor with its HitPredictor chart data.

Promosquad.com operates the Get Famous program, which accepts releases from unsigned artists. According to Ford, "the standouts are placed into the HitPredictor system for predictive testing. Artists whose songs show hit potential are A&R'd more thoroughly, and subsequently

considered for signing."

Crossfade was discovered through this process. FG then signed the band and brought it to Columbia parent Sony BMG. Columbia brought in veteran rock engineer Randy Staub to remix the group's previous set and record two new songs, "So Far Away" and "The Unknown."

Columbia Records Group executive VP of rock music Stu Bergen says the label focused its early marketing efforts on radio.

The subsequent airplay success of the "Cold" single led to supporting tour slots with Shinedown and Alter Bridge. The band—which comprises singer/guitarist Ed Sloan, bassist Mitch James, drummer Brian Geiger and turntablist Tony Byroads—will headline its own dates in December.

Bergen says the label will now concentrate on promoting the video for "Cold," which is getting airplay at VH1.

At the same time, second single "So Far Away" is starting to climb the *Mainstream Rock Tracks* chart. It moves to No. 25 this week.

"We always thought it would be like that," Sloan says. "Not quite an overnight success, but everything happening at a good pace where we just get to really look around and enjoy ourselves."

## The Beat



By Melinda Newman  
mnewman@billboard.com



legions of new alternative rock fans, since Nirvana. to most people, was the beginning of the genre."

"Stocking stuffer" is what Jerry Kamiler, music divisional director of purchasing for Trans World Entertainment, is thinking, although he suspects many people will buy it for themselves. "Everybody who ever bought a Nirvana album, who is a fan, will want this. Those people want this music. The key is its unreleased material, and the DVD is very interesting."

Indeed, the set features 18 previously unreleased songs, including three Leadbelly covers recorded by band leader Kurt Cobain and bassist Krist Novoselic with an outfit originally named Jury or Lithium. The songs also include Screaming Trees vocalist Mark Lanegan and drummer Mark Pickerel (*billboard.com*, Nov. 5).

The chronologically arranged three-CD/one-DVD set begins with a 1987 Led Zeppelin cover and concludes with solo Cobain performances recorded shortly before his death in 1994.

## Gotee Notches 10 Years As An Indie Label

Indie labels come and go in today's ever-changing music business, but **Gotee Records** has weathered its share of storms to reach a significant milestone—its 10th anniversary.

The label was launched in 1994 by **Joey Elwood**, **Todd Collins** and **dcTalk's Toby McKeehan** as a way to expose rap, hip-hop and other genres that were underserved in the Christian market.

Since then, the company has built an impressive roster and achieved major success with such acts as **Out of Eden**, **Grits** and **Relient K**, which scored the No. 1 title on the *Billboard* Top Contemporary Christian Albums chart last issue with "Mmhmm." The group recently signed a mainstream deal with **Capitol Records**, but will stay on Gotee in the Christian market.

The indie label's roster also includes **Sharlock Poems**, **Mars III** and the **Katinas**. "We really wanted to be a home for artists, like what we heard **A&M** and **Island Records** were in the '70s," Gotee president Elwood says.

He admits the label learned a lot during its first decade. "Looking back on it, I think we started correctly," he says. "If someone gave us a million dollars and said, 'Hey, go start a label,' we would have wasted a million dollars. There's nothing worse that could have happened for us than just a big wad of money."

"We just started with our sleeves rolled up," he continues. "The business had to pay for itself. There wasn't this big amount of cash sitting around to kind of cover our mistakes. We had to endure the pain of every mistake we made."

"I never thought about 10 years down the road because I was thinking about the next month," Elwood adds. "There got to be a time, about three or four years later, that I looked up and said, 'Man, we have a shot at surviving here.' It's pretty cool."

Over time, Gotee has seen its share of changes. In 2002 the partners sold 25% of the label to **EMI Christian**

**Music Group**, which, Elwood says, was "the smartest thing we've ever done. They helped make us a better record company."

Prior to the EMI deal, founding partner Collins exited to start **Beat-**

and a part of everything that has gone on there from the beginning," says **Teron Carter** (aka **Bonafide**) of hip-hop duo **Grits**.

This month, Gotee released **Grits'** new album, "Dichotomy B," the sequel to "Dichotomy A," issued in June.

"What made us sign with them was the relationship we had with Toby and how much they understood what we were trying to do," Carter says. "They were going to be supportive in every way they could."

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



**mart Recordings**. Though they remain friends, Elwood regrets the loss.

"I honestly did a poor job as a leader not including Todd in the mix as much as he should have been," Elwood confesses. "Ultimately he was crying out to be included more, and at the end of the day, he had to go out and do his own thing to satisfy his hunger. It's a very, very fatal error on my part."

It is inevitable that labels see frequent shifts in their artist rosters. One notable aspect of Gotee is that the two acts with which it started out—**Grits** and **Out of Eden**—remain on the roster. "We've been with them

They did a lot of things that probably other labels wouldn't have done for **Grits**. They printed us a [12-inch vinyl single], which was almost taboo in the record world for labels to do at that time, and we had a video. For a hip-hop group on a Christian label, a video on the first album was definitely [unusual]. They really went out on a limb in a lot of different areas."

Employing grassroots marketing tactics has always been Gotee's strong suit. Elwood recalls one summer when the label invested \$10,000 in "blow up" games (obstacle courses, wrestling, etc.) and took them on the road visiting 40-50 independent retailers and helping them create special promotions.

"We got to promote our label and we got to help them service their community," Elwood says. "We did not sleep a lot. It was a hard summer. At the end of the day though, I know we dug our roots in deep with the retail community by doing that."

Though it has had long-term successes, Gotee has also been dealt a few difficult blows, particularly when acts the label has developed either left the fold or exited the music industry. **SonicFlood** underwent personnel

changes and left the label, and **Jennifer Knapp**, the genre's most popular female rocker, decided to hang up her guitar.

"She ultimately less and less enjoyed that process for some reason," Elwood says. "It just became less of a love for her, and she was sincere enough to not take people's money."

Elwood says those situations taught him that "you can't base your business on just your successes, you have to base it on the entire picture. We weren't prepared for that and learned a lot."

While founding member **McKeehan** has a successful solo career on **ForeFront Records**, Elwood says the

artist remains deeply involved in Gotee. "He's constantly bringing vision into the company, and I think it's the heartbeat of our company," Elwood says.

Carter feels Gotee's longevity has a lot to do with attitude and "maintaining that hunger to really want to do things differently and to make a mark in the industry... They've always had a good ear for signing groups that are pretty much at the top of their game at whatever genre it is," he says. "They definitely try to keep more of [the] pulse to the culture of what's going on in music as a whole and not only view themselves as just a Christian label."

## Kumbia

Continued from page 7

R&B, rap and funk.

"A.B. puts something into his mixes that only he knows," Ortuño says. "He's like a cook with a secret ingredient."

Despite relatively limited airplay—the highest a **Kumbia Kings** song has reached on the *Billboard* Hot Latin Tracks chart is No. 5, with last year's "No Tengo Dinero"—the act has proved to be an extraordinarily strong seller.

Since 2001, three of their six releases have hit No. 1 on Top Latin Albums. Their success has been fueled by relentless touring and a large fan base that has expanded beyond the group's native Texas.

"There was a point in time when it was thought that if I lost my lead vocalist, we would break up," says **Quintanilla**, who chastises naysayers on "Fuego."

"But if you have the potential to put things out, or you have a way to market yourself, you keep going forward," he continues. "It's like [P. Diddy]. He keeps moving. I believe that's the key to success, and knowing the public and gaining their respect."

His label chief agrees. "A.B. **Quintanilla III** has the versatility to reinvent the **Kumbia Kings** with each release to attract an ever evolving fan base," says **Jorge A. Pino**, president/CEO of **EMI Music U.S. Latin**. "This is evident with 'Fuego' surpassing the Latin platinum mark within four weeks of its release."

But **Kumbia Kings** have managed to expand their image in ways that go beyond their own albums. Because the two anchors of the band, **Quintanilla** and **Martinez**, are instrumentalists, the group's sound, like that of **Carlos Santana**, is built not upon distinctive vocals, but grooves, beats and melodies.

For this reason, the spinoff acts tend to sound, to some degree, like **Kumbia Kings**. By the same token, outside material produced by the **Kings** also takes on vestiges of their sound. **Mar-**

**tinez**, for example, produced "Cuando el Amor se Cruza" (Universal) the new album by his wife, Mexican star **Alicia Villarreal**. The influence of **Martinez** and the **Kumbia Kings** is undeniable on tracks like "La Suegra."

**Quintanilla** and **Martinez** are also partners in **King of Bling**, a joint venture with **EMI Latin** whose acts, including **Big Circo**, are produced by **Quintanilla** and **Martinez**.

Their newest signing, **La Pura Neta**, will soon release a single with guest crooner **Ricardo Montaner**, which plays into the **Kumbia Kings'** strategy to incorporate different musical styles into their mix.

Bringing in acts from other genres is one way in which the group is specifically targeting Mexico. "Fuego," for example, features duets with two Mexican pop acts: Teen singer **Belinda** and **Noel Scharjis** of duo **Sin Bandera**.

"They're a group that have really covered a lot of ground," says **Lorena Sanchez**, head buyer for Mexican retail chain **Mixup**. "In Mexico, music is divided by regions. But I think they've crossed over, from the North to the South and Southeast. Their concept is working."

**Kumbia Kings** have also toured Mexico more extensively than ever before.

At the same time, **Quintanilla** seeks new brand extensions.

In the works, he says, is a film that covers his life after **Selena**, and is a mix of fiction and reality. The script is already written, and **Image Entertainment** will distribute the film.

Also on tap is a clothing line, called **Brown Boi Ropa**.

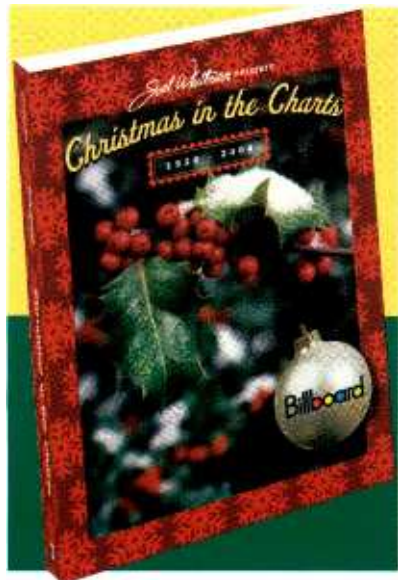
Ironically, the only area in which **Quintanilla** seems to have slowed down is English-language crossover.

There are only two English-language tracks on "Fuego," which is fewer than on previous albums.

"We had some crossover success with a couple of songs, but it's a little harder in that what is involved is free radio shows," says **Quintanilla**, referring to the demands of promoting the act in the English-language market. Transporting eight band members and a crew, he says, is just too expensive.



GRITS: LABEL 'WENT OUT ON A LIMB'



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# Suit Questions Legal Obligations Of Co-Songwriters

What obligations do co-songwriters owe to one another? Can one idea that is similar to another be used for a song without creating any legal obligations to the original idea-man?

These are some of the questions raised in a lawsuit filed Nov. 5 by **James Jess Brown** in the Chancery Court in Nashville. Brown, who claims 34 recorded songs to his credit, sued **Tony Lane** and his publisher, **Famous Music**, over "Letters From Home," the title track to **John Michael Montgomery's** album. The track is credited to co-writers Lane and **David Lee**.

Brown's suit does not allege that Lane infringed any copyright interest. Instead, he asserts that Lane used Brown's "idea or hook [that] involved specific letters written by Brown's now-deceased father to his mother during a time of war when Brown's father was stationed abroad."

The suit says that Brown followed his customary procedure of taking notes of his writing sessions. The notes reflect that this subject and lyrics were proposed to Lane for their collaboration. However, they moved on to another project and did not

complete the composition.

Brown bases his legal claims on the writers' pre-existing relationship over a six-year period during which they co-wrote 14 compositions, his attorney **J. Carson Stone** says. The

suit contends that their dealings established a fiduciary relationship, creating a responsibility on their parts to protect each other's financial well-being and to maintain ideas as confidential information—not to be shared with anyone, including a publisher.

Under state laws, a fiduciary must act with a greater degree of care, loyalty and confidentiality toward the other party than that which is legally required in most business relationships.

These laws clearly recognize certain types of fiduciary relationships—attorney-client, doctor-patient and financial adviser-client, where one

party relies on the other's superior, specialized knowledge of certain subjects. Partners in a formal business partnership also have fiduciary obligations toward one another.

When two or more people do not

vide more information than originally agreed upon or being held to a higher standard of care, resulting in unanticipated liability.

For example, under contract law, each party to a contract—whether oral or written—is required only to comply with the terms of the contract and to act in good faith. This means that each contracting party is not obligated to provide any information to the other party, maintain any confidentiality or adhere to any principles of loyalty other than as specifically agreed upon by the parties.

In a fiduciary relationship, however, the parties are in a relationship of trust. Therefore, they must disclose to one another all important information that may affect any one of them. They must also maintain a certain level of confidentiality about their dealings so that third parties are not privy to their activities.

There does not appear to be any case that specifically recognizes fiduciary obligations between co-songwriters. Brown's suit may shed light on the rights of songwriters or it may be resolved between the parties without answers. Either way, it

will add fuel to the ongoing discussion about possible fiduciary obligations in the industry.

Lane and Famous Music declined to comment at this time.

**SAMPLED CONFUSION:** While **Westbound Records** and **No Limit Films** wait to hear whether the Sixth Circuit Court of Appeals will reconsider a sound-recording sampling case (*Billboard*, Sept. 18)—in which **N.W.A's** two-second sample was found to infringe a sound-recording copyright—**James W. Newton** struck out Nov. 9 as the Ninth Circuit Court of Appeals refused to reconsider his copyright infringement claim against the **Beastie Boys** for their 1992 recording "Pass the Mic."

The lawsuit claimed that a six-second Beasties sample infringed Newton's composition.

The Court of Appeals held in 2003 that the sample was too small to be unlawful (*billboard.biz*, Nov. 11, 2003).

In this latest ruling, the court denied Newton's petition for a rehearing.

This leaves everyone with the same unanswered question: How much is too much?

## Legal Matters™

By Susan Butler  
sbutter@billboard.com



have a formal partnership, however, courts may still find a fiduciary relationship when the parties had a lengthy relationship and their activities involved a high level of trust or financial dealings.

Litigators defending parties who are sued as fiduciaries usually mount a strong challenge to this legal theory because it can lead to a defendant being obligated to pro-

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# Chesky Preserves Live Sound With High-End Recordings

"We're old-fashioned," says **David Chesky**, co-founder, producer and artistic director of New York-based **Chesky Records**. "We believe in quality."

Founded in 1986, the label features an impressive catalog of classical, world and jazz discs. It also focuses on high-end audio pressings and developing recording technologies such as DVD-Audio and Super Audio CD.

"Unlike most record companies that record an album and then mix and punch in corrections like airbrushing a photo, we record live with one microphone," Chesky says. "It's entertainment as well as historical documentation. We use the highest-resolution recording equipment available and capture a real musician creating in a real performance space. It's direct to two-track. You can't fake it. You put a great artist on the edge like that and you get a great performance."

**Jazz Notes**  
By Dan Ouellette  
douellette@billboard.com



Earlier this year the label delivered "The Body Acoustic," a jazz chamber music disc that features Chesky on piano, **Bob Mintzer** on bass clarinet, **Randy Brecker** on trumpet, **Andy Gonzalez** on bass and **Giovanni Hidalgo** on congas.

Recently the label introduced the talented Colombian singer/songwriter **Marta Gomez**, who mixes South American folk with a jazz sensibility on her debut, "Cantos de Agua Dulce." Chesky also delivered a funk-and-blues jazz gem, "Blues & Grass," by the **52nd Street Blues Project**, led by guitarist **James "Blood" Ulmer** and including vocalist **Queen Esther** and violinist **Charlie Burnham**.

Chesky is working on another chamber group outing, "Jazz Kamara-ta," that will be released Feb. 22, 2005. The album was conceived and produced by **Carlos Franzetti**. "It's a proj-

America presented another rousing and heart-warming event to raise money for its blues and jazz musicians' emergency fund.

Despite disappointing no-shows (including **Quincy Jones**, **Bill Cosby** and **Jamie Foxx**), the evening's proceedings were entertaining, though a bit rough around the edges. Surprise hosts included actor/filmmakers **Melvin Van Peebles** and **Mario Van Peebles** and original "Saturday Night Live" cast member **Garrett Morris**.

Highlights were bountiful. Trombonist **Steve Turre** appeared as a guest soloist with the **Chico O'Farrill Afro-Cuban Jazz Orchestra**, led by Chico's son **Arturo O'Farrill**; actor **Danny Aiello** made a hipster/cool-daddy vocal appearance; and grit-voiced, guitar-crunching **James "Blood" Ulmer** performed his own "Are You Glad to Be in America." During a **Ray Charles** tribute, guitarist **Chris Thomas King**, who plays the part of **Lowell Fulson** in the biopic "Ray," scorched his way through a blues-rocking take on "What'd I Say."

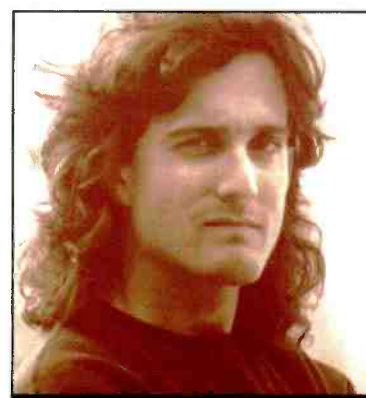
The evening ended on a blues note with two JFA beneficiaries: vivacious **Sweet Georgia Brown** (aka **the Last of the Red Hot Mamas**) and spark-plug **Johnnie Mae Dunson Smith**, who from her wheelchair delivered tunes she wrote, including the great **Jimmy Reed** side "I'm Going Upside Your Head."

During the show, executive director **Wendy Atlas Oxenhorn** pointed out that when JFA started four years ago it served 35 musicians in need of housing and health care, while this year it has ministered to 362.

JFA president (and **E\*Trade** president) **Jarrett Lilien**, who is spearheading the \$15 million project to build a residence for elderly musicians in Harlem, told the audience, "This isn't about charity. This is about giving back to people who have given so much to us with their music."

For the first time, the event was taped, by **BET Jazz** for a future TV special and by **National Public Radio** for broadcast New Year's Eve.

**THREE DOT LOUNGE:** The life of jazz journalist/historian **Clarence Atkins**, who died last month at 83, was celebrated Nov. 13 at the Bethel A.M.E. Church in Harlem... Italian pianist **Roberto Magris**, leader of the **European Orchestra**, has signed a three-album deal with **Black Saint/Soul Note**. First record "Check In" is scheduled to be released in February... In celebrating the release of her ninth CD, "Come Together," pianist **Lynne Arriale** is featured on the **PBS** program "Profile of a Performing Artist," which will run through the end of the year.



CHESKY: CAPTURING MUSIC AND HISTORY

ect with a string quartet, woodwinds, piano and bass," Chesky says. "But instead of playing music by **Chopin** and **Brahms**, we'll be playing music written by **Pat Metheny**, **Keith Jarrett**, **Wayne Shorter** and **Miles Davis**."

Chesky says that while aiming for the audiophile niche, the SACD releases are also geared for mass consumption. "That's the beauty of it," he says. "You can take the sound quality as far as you want to. A college student can play **Marta Gomez's** album on a boom box, but the CD also sounds brilliant on a fancy system."

**JFA FLIES HIGH:** With its fourth annual "A Great Night in Harlem" benefit concert Oct. 28 at the Apollo Theater, the **Jazz Foundation of**

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# Holiday Outings Bank On Wide Routing

BY JILL KIPNIS

LOS ANGELES—Deck the halls with concert tickets.

With more than a dozen Christmas tours launching this season, organizers say concertgoers are seeking out live holiday entertainment in impressive numbers.

Michael Belkin, president of Clear Channel Entertainment's Belkin Productions in Cleveland, says ticket counts for the sixth annual Trans-Siberian Orchestra (TSO) tour are "starting out stronger than last year, when we sold more than 400,000."

Though this year was a dismal one for the concert industry, holiday tours are a completely different animal in the eyes of concertgoers.

"Ticket sales haven't been the greatest for some artists this summer, but it's all about playing the right building at the right time," says Jim Gosnell, agent for the Agency for the Performing Arts, which is booking Dave Koz's eighth annual Smooth Jazz Christmas tour. "We were half sold out before Halloween. Really, the biggest challenge is routing. We have more offers than we have dates."

Organizers are confident that new and returning Christmas tours will sell well this year because of reasonable ticket prices, increased routing through secondary markets and niche marketing.

## SPECIAL MUSIC, LOW PRICES

With the appeal of Christmas music as the holidays approach and with tickets for most of this year's shows priced at \$50 or less, organizers say they are likely to attract lots of consumers.

Last year, a number of established holiday shows, as well as rookie tours, generated outstanding revenue.

According to Billboard Boxscore, TSO's holiday tour grossed \$14.1 million from 78 dates. Harry Connick Jr.'s first 28-date holiday outing grossed \$5.1 million, while Amy Grant and Vince Gill's second annual trek grossed \$4.8 million in 16 cities.

Organizers and artists say the key to making Christmas shows even more appealing is to put a unique spin on their presentation.

"Every year we think about how to make next year better," says Paul O'Neill, founder of TSO.

For this year's TSO tour, for which seats cost \$30-\$50, the act will perform one of its Christmas rock operas for the first half of the show. The 60-member group, which will split into two performing units to reach more than 80 cities, will also play material from its new album, "The Lost Christmas Eve."

For LeAnn Rimes' first Christmas outing, the artist is partnering with local symphonies to present music from her new holiday album, "What a Wonderful World," as well as hit material.

Tickets for Rimes' Symphonic Christmas tour range from \$35 to \$55.

The pricing for Rimes is higher than other holiday tours, manager Scott Welch says, because of the symphony connection.

"The ticket pricing difficulties have been on the pop/rock side," Welch says. "Symphony tickets have always been expensive. We got routing that made sense and allowed us to keep the ticket prices reasonable."

## CITY AND VENUE STRATEGY

Most of this year's Christmas tours are routed through secondary markets, and many are playing venues of various sizes.

Latin Christian artist Marcos Witt's tour, for example, will be held in churches, convention halls and arenas in large cities and even tertiary markets, ranging from Atlanta to McAllen, Texas.

"Marcos offers spiritual content, which works best in arenas that are not very large," says Mauricio Abaroa, Witt's manager at Houston-based Earth Town Entertainment.

Koz's tour is stopping mainly at theaters in major and secondary markets.

"Certain markets [we'll play] three or four years

in a row and then we change them up. You move it around a bit," Gosnell says. "We are also playing new [markets] like Toms River, N.J."

Most organizers say the National Hockey League strike, which left many arenas with holes in their winter schedules, has not led to more lucrative deals for holiday tour stops.

"Hockey didn't get blown out until our tour was routed or until it was on sale," Belkin says.

## MARKETING IN THE CLUTTER

Despite the large number of holiday tours, organizers say proper marketing will help treks rise above the clutter.

Larry Fontana, GM of the Nokia Theatre in Grand Prairie, Texas, expects his Koz date (Dec. 12) to sell well, though the theater is hosting other holiday concerts, such as a one-off Polyphonic Spree show Dec. 18.

"The Dave Koz show we are doing is being presented in conjunction with the smooth jazz station KOAI" Fontana says. "There will be a lot of activity at the facility supported by the radio station. The other show appeals to a different audience."

Radio is also playing a big role in marketing the TSO dates.

"We have radio partners that are committed to this act and have been from year one," Belkin says. "That's what enabled us in Cleveland to do 30,000 people this year in the major arena and another 7,000 in an adjacent city."

Another strategy is to create a holiday atmosphere in the building. Mannheim Steamroller creator Chip Davis says that its 20th-anniversary tour will include a "Christmas village" attraction that concertgoers can explore at the venue.

"From the minute you walk in the door, you are greeted by 50 costumed characters and are hearing Christmas music," Davis says. "We change the atmosphere to dilute the fact that we are playing in a cold cement building."

## Christmas Is Coming To Town

The following is a partial list of holiday tours ringing in the Christmas season:

- The Brian Setzer Orchestra: Dec. 16-Jan. 1
- Will Downing's A Soulful Christmas . . . And More featuring Vesta, Kirk Whalum and Phil Perry: Nov. 26-Dec. 10
- Amy Grant and Vince Gill's Simply Christmas: Dec. 1-19
- Jump5's All the Joy in the World featuring Everlife: Nov. 26-Dec. 17
- Dave Koz's Smooth Jazz Christmas featuring Norman Brown, Brian Culbertson and Patti Austin: Nov. 26-Dec. 22
- Mannheim Steamroller's Christmas Celebration: Nov. 19-Dec. 26

- David Phelps' Love Goes On featuring Erin O'Donnell and Daren Streblov: Dec. 14-20
- LeAnn Rimes' Symphonic Christmas: Nov. 28-Dec. 21
- John Reuben's 12 Days of Christmas: Dec. 3-11 (dates to be added)
- Kenny Rogers and Friends Celebrate the Season featuring Rebecca Lynn Howard and Billy Dean: Nov. 26-Dec. 23
- Trans-Siberian Orchestra's Lost Christmas Eve: Nov. 11-Dec. 30
- Kelly Willis and Bruce Robison: Nov. 27-Dec. 16
- Marcos Witt's Tiempo de Navidad: Dec. 6-18 (dates to be added)

# Confab Panel Asks, Why Can't We Be Friends?

BY RAY WADDELL

NEW YORK—Some of the most powerful names in the concert business talked cooperation, discretion and future growth potential during the "Why Can't We Be Friends?" panel at the Billboard Backstage Pass touring conference, held here Nov. 8-9.

Moderated by *Billboard* co-executive editor Tamara Conniff, the panel featured AEG Live president/CEO Randy Phillips, Clear Channel Entertainment global president Michael Rapino, House of Blues Entertainment CEO Greg Trojan and independent promoter Jam Productions co-president Jerry Mickelson.

The dismal performance of the concert business in 2004 made the discussion all the more relevant. "We'll look back at this summer and be thankful it happened," Trojan said. "It was a great wakeup call, and we're doing it to ourselves."

Rapino agreed. "We had an absolutely terrible year, and it was self-

inflicted," he said. "We got kicked in the ass, and it came out of the game that said 'we have to have the deal at any cost.' The model is broken on our end. We got too big, too worried about rebates instead of adding value to the fan."

Mickelson called Rapino's comments "refreshing to hear from a Clear Channel person—and not just any person, the top person."

Phillips said that while AEG Live had "plenty of stiffs" in 2004, "we had a banner year in a sea of shit, for many reasons because of what we didn't buy."

All panelists made it clear that artist guarantees are too high. "I got out of the management business way too soon; I had no idea what they would be paying artists to tour," Phillips said. "If this panel is going to mean anything, we have to collectively start the process of making the business more rational."

Trojan said HOB passed on a lot of dates. "We spent more time avoiding



PHILLIPS: ARTIST GUARANTEES TOO HIGH

shows than buying shows," he said. "We were not taking agents' calls because we knew there were shows that were not going to work."

## LOOKING FORWARD

While Conniff suggested industrywide cooperative solutions as

opposed to finger-pointing, Phillips said, "That will be easier going forward because all of us have taken our hits this year. We're not as bullish and ballsy as before."

Trojan sees much room for growth. "We need guarantees to be lower to [create incentive for] everyone to sell tickets," he said. "We as an industry do not sell 40% of tickets that go on sale. I take great solace in the fact that we sell as many tickets as we do, given how difficult we make it."

Rapino said CCE would spend "millions" on capital improvements for the company's amphitheaters. "We believe in the value proposition of 'if you build it right, they will come.' We're going to spend a lot of money on the fan experience."

Phillips said, "We don't have amphitheaters to spruce up, so we're putting our money into content delivery. If we sit here like little birds in the nest waiting to be fed, we're going to run out of headliners."

As for artist development, Rapino

jokingly said, "We donated close to \$50 million to artist development through the fund of unsold tickets. We're the only business that ever consolidated and costs went up."

Mickelson would like to see national tours cut in local promoters more often. "I'm sitting here looking at you three guys, and you're nice guys," he said. "And you're looking to cut my nuts off. When we get out of this room, I guarantee you nobody is going to be talking about how they can help me."

Rapino said CCE is seeking more long-term relationships with artists, beyond a simple concert.

"We spent a billion dollars on talent this year for a three-hour show," he said. "We're definitely in the artist investment business. We have the biggest advantage in the music business in that we're the only part that talks directly with the fan. If we can figure out how to harness that relationship, the future is really exciting for us."

Phillips added, "I hate it when you like your competitor."

# Billboard Backstage Pass 2004



Rolling Stones promoter **Michael Cohl**, right, is presented with the Legend of Live Award from TNA International president **Arthur Fogel**, left, and *Billboard* senior touring writer **Ray Waddell**.

More than 400 music industry professionals attended the inaugural *Billboard Backstage Pass* Touring Conference and Awards, held Nov. 8-9 at the Roosevelt Hotel in New York. Some of the top companies at the event included Clear Channel Entertainment, the William Morris Agency, Ticketmaster, Creative Artists Agency and House of Blues. (Photos: Haim Bargig)



**Josh Groban** accepts the award for top small venue tour. Pictured, from left, are *Billboard* co-executive editors **Ken Schlager** and **Tamara Conniff**, Groban and *Billboard* president/publisher **John Kilcullen**.



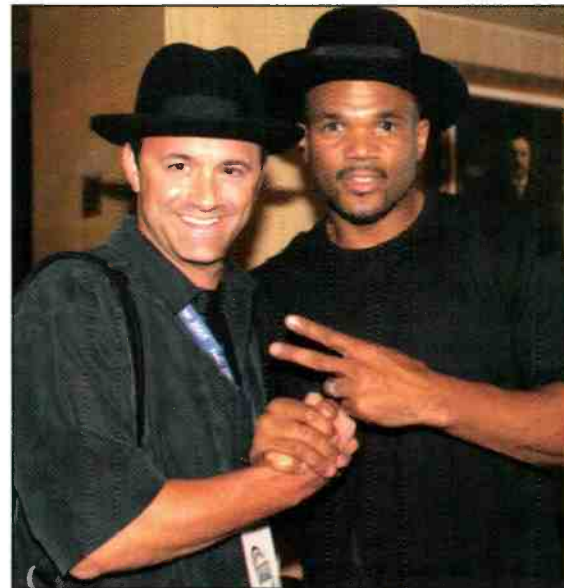
Concerts West co-presidents **John Meglen**, left, and **Paul Gongaware** won the top draw award for producing Prince's Musicology tour.



Epic Records senior VP of artist development **Harvey Leeds**, far right, and Creative Artists Agency agent **David Zedeck**, second from right, give I.M.P. president and panel moderator **Seth Hurwitz**, third from right, a chocolate foot to put in his mouth during the "Kids Are Alright" panel. Also pictured are the concert executives and concertgoers from the panel.



Representing the opening-night reception sponsors are Ticketmaster executive VP, industry relations **Donna Dowless**, left, and Blue Star Jets chief marketing officer **Howard Moses**.



Thomas & Mack Arena (Las Vegas) GM **Daren Libonati**, left, hangs out with **Darryl McDaniel**s of Run-D.M.C.



German singer/songwriter **Zascha Moktan** performs at the Jack Utsick Presents showcase.



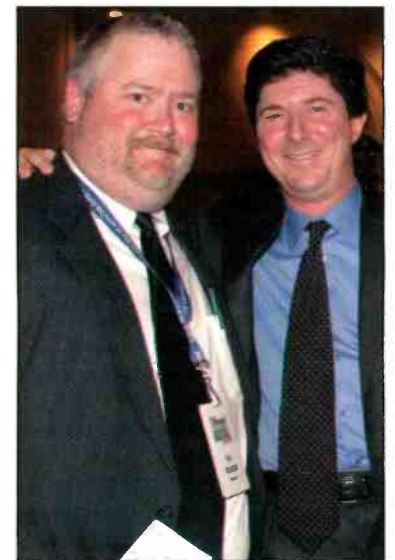
Australian promoter **Michael Chugg**, right, networks with promoter **Jack Utsick**, CEO of Jack Utsick Presents.



Copenhagen-based rockers **Warwick Avenue** took the stage during the opening-night showcase, presented by Jack Utsick Presents.



Enjoying the opening reception, from left, are Fox Theatre (Atlanta) GM **Ed Neiss**, Tallahassee (Fla.) Leon County Civic Center GM **Ron Spencer**, Ticketmaster executive VP, industry relations **Donna Dowless** and Orlando (Fla.) Centroplex GM **Allen Johnson**.



*Billboard* senior touring writer **Ray Waddell**, left, and Clear Channel Entertainment chairman/CEO **Brian Becker** relax after their keynote Q&A session.



# Billboard Backstage Pass 2004



Agents discussed their business on the "How Do You Like Me Now?" panel. Pictured, from left, are House of Blues Concerts executive VP **Alex Hodges**, Skyline Music president **Bruce Houghton**, Jam Productions co-president **Arny Granat**, William Morris Agency worldwide head of music **Peter Grosslight**, MVO owner **Marsha Vlastic**, the Agency Group senior VP **Steve Martin** and Creative Artists Agency agent **Don Muller**.



Niche music was the topic at the "Us & Them" panel. Pictured, from left, are Artists Group International agent **Michael Arfin**, Creative Artists Agency agent **Joe Brauner**, Superfly Presents president **Jonathan Mayers**, Dionysian Productions executive **Jason Colton**, Cookman International president **Tomas Cookman**, Global Comcast VP **Ike Richman** and Face the Music agent **Tim Borrer**.



The "Why Can't We Be Friends?" panel, sponsored by House of Blues, packed the room. Pictured, from left, are Clear Channel Entertainment global music president **Michael Rapino**, Jam Productions co-president **Jerry Mickelson**, *Billboard* co-executive editor and panel moderator **Tamara Conniff**, AEG Live president/CEO **Randy Phillips** and House of Blues Entertainment CEO **Greg Trojan**.



**Laurie Jacoby**, talent booker for New York's Madison Square Garden, accepts the award for top arena.



Superfly Presents president **Jonathan Mayers**, left, and A.C. Entertainment president **Ashley Capps** accept the top festival award for the Bonnaroo Music Festival.



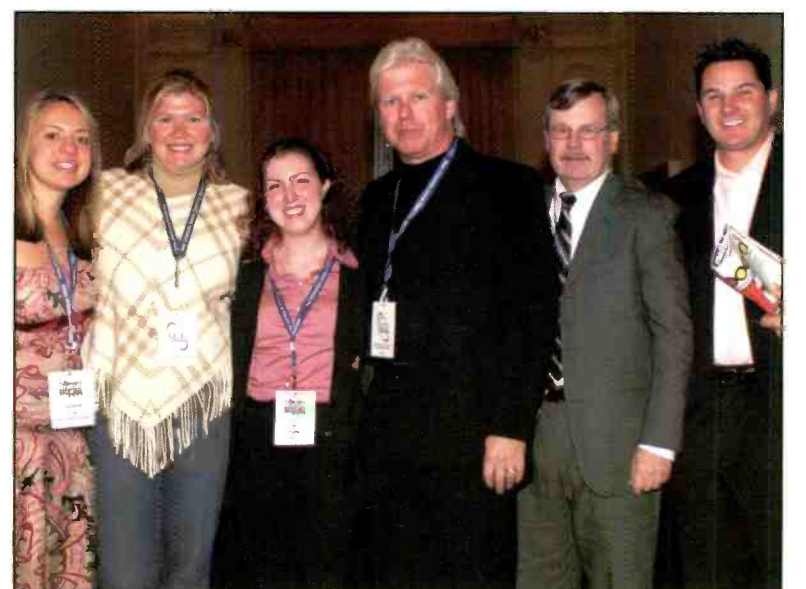
The "Ain't No Mountain High Enough" panel discussed the rising cost of admission to live entertainment. Talking tickets, from left, are SMG executive director of booking **Bob Belber**, tickets.com executive VP **Carl Thomas**, Ticketmaster executive VP **David Goldberg**, AOL Tickets executive director **Geno Yoham**, HOB Concerts executive VP **Alex Hodges** and String Cheese Incident agent/manager **Mike Luba**.



The international touring panel featured, from left, Clear Channel Entertainment Europe chairman **Thomas Johanssen**, the Agency Group CEO **Neil Warnock**, Traffic Control Group CEO **Robert Tulipan**, Rock-It Cargo VP of business development **Doug Masters** and Entertainment Travel president **Nick Gold**.



House of Blues (Chicago) GM **Jim Jablonski**, left, and talent buyer **Michael Yerke** accept the award for top club.



Sponsorship was the main topic of the panel "This Note's for You." Pictured, from left, are Clear Channel Entertainment VP of touring sales **Caroline Frye**, MAC Presents president **Marcie Allen Cardwell**, *Billboard* staff writer **Jill Kipnis**, Fearless Entertainment Marketing president/CEO **Brian Murphy**, Front Row Marketing president **Richard Sherwood** and Sidney Frank Import director of marketing and brand development **Rick Zeiler**.

## Industry Opens Up At Backstage Pass

It was really rewarding to be part of the inaugural Billboard Backstage Pass Touring Conference, held Nov. 8-9 in New York. We drew more than 400 people and their reaction has been overwhelmingly positive.

Attendees came from every sector of the concert business, including artists, promoters, agents, managers, venues, freight movers, ticketing companies, production companies, travel agents, accountants, attorneys, marketing and sponsorship firms, merchandisers and even fans.

Billboard's goal, and we feel we achieved it, was to gather people from all corners of the business, from the largest corporate promoters and agencies to the smallest boutique agencies and independent promoters.

It is one thing to entice people to come, but another for them to tell it like it is in an open forum. We feel this was one of the conference's great achievements, as the top professionals in the touring industry opened up to a degree this writer has seldom seen in nearly 20 years of covering music business confabs.

Pass conference.

During the "Why Can't We Be Friends?" panel (see story, page 23), AEG Live president/CEO Randy Phillips talked about finding the "sweet spot" of ticket pricing, in which profits can be maxi-

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



mized without scaring off consumers. Phillips said national on-sales, while providing a good marketing boost for a new record, do not provide the flexibility necessary to tweak pricing strategies.

"With the Usher tour, we went up in six markets first, and as big as Usher is, we found resistance in markets we felt would blow through on the on-sale [date]," Phillips said. "We lowered the ticket prices [by] \$10, and then the next markets blew out like firecrackers."

Phillips said the discounting at amphitheaters seen during the summer might have been a good short-term fix to bring in concertgoers. "But when you devalue your product, it's very hard to get the value back into it," he added.

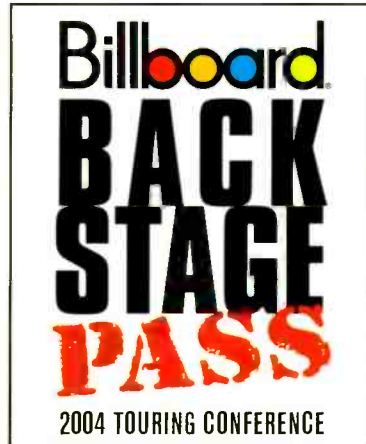
On that same panel, House of Blues Entertainment CEO Greg Trojan stressed that considering how much promoters are paying artists, they should have control of how dates are promoted.

"We're not going to get stuck in the position of taking all the risk and then asking permission about how we market it," Trojan said. "I think there's a way to keep it simple and fair. If a band is selling a lot of tickets, they get rewarded."

### HOW TO BECOME A LEGEND:

Rolling Stones promoter Michael Cohl was presented with the Legend of Live award, which acknowledges an individual who has significantly affected the touring industry in a lasting way.

After receiving the award from longtime associate Arthur Fogel, president of TNA International, Cohl could not help but notice the irony in being honored at a Billboard confab. "Years ago at the Billboard [Talent Forum], I was designated Public Enemy No. 1," Cohl recalled. "After that, I was Satan. Now I'm a legend."



If you didn't make it to the conference this year, too bad. But we're going to have mercy and run stories and quotes from the conference in this issue and in several issues to come. For those who did attend, your feedback is welcome. Our desire is to stay as relevant, as cutting-edge and as attendee-friendly as possible. Billboard thanks the concert industry for its support.

**FINDING THE SWEET SPOT:** To the surprise of no one, ticket prices were one of the foremost issues discussed at the Backstage

NOVEMBER 27 2004 <b>Billboard</b> <b>BOXSCORE</b> CONCERT GROSSES				
ARTIST(S)	VENUE/ DATE	GROSS/ TICKET PRICE(S)	ATTENDANCE/ CAPACITY	PROMOTER
CELINE DION	The Colosseum at Caesars Palace, Las Vegas Nov. 10-14	\$2,746,076 \$225/\$175/\$127.50/\$87.50	20,231 five sellouts	Concerts West/AEG Live
VICENTE FERNANDEZ, AZUCENA	Universal Amphitheatre, Universal City, Calif. Nov. 4-7	\$1,806,075 \$152.50/\$52.50	21,635 21,825 four shows	Hauser Entertainment, House of Blues Concerts
VOTE FOR CHANGE TOUR: BRUCE SPRINGSTEEN, JOHN FOGERTY, JACKSON BROWNE, PATTI SCIALFA	Continental Airlines Arena, East Rutherford, N.J. Oct. 13	\$1,687,850 \$100/\$75	19,800 sellout	America Coming Together (ACT)
VAN HALEN, ROSE HILL DRIVE	Pengrowth Saddledome, Calgary, Alberta Oct. 26	\$1,068,379 (\$1,304,381 Canadian) \$97.47/\$72.90/\$48.33	12,409 sellout	House of Blues Canada
MEGATON: TEGO CALDERON, JHOSY & BABY Q, MICKEY PERFECTO, MOSA & OTHERS	Madison Square Garden, New York Oct. 27	\$1,015,620 \$95/\$75/\$55	14,115 15,506	SBS Promotions
JAY-Z & FRIENDS WITH P. DIDDY, MARY J. BLIGE & OTHERS	Wachovia Center, Philadelphia Nov. 13	\$975,070 \$102/\$77/\$49.50/\$37	14,261 sellout	Atlanta Worldwide Touring
BETTE MIDLER	Qwest Center, Omaha, Neb. Nov. 10	\$879,354 \$135/\$37.50	11,193 12,816	Clear Channel Entertainment
VAN HALEN, ROSE HILL DRIVE	Rexall Place, Edmonton, Alberta Oct. 25	\$793,229 (\$978,365 Canadian) \$96.48/\$72.16/\$47.84	9,055 12,310	House of Blues Canada
R. KELLY & JAY-Z	Greensboro Coliseum, Greensboro, N.C. Oct. 9	\$787,353 \$75/\$35	15,558 17,179	Atlanta Worldwide Touring, Jack Utsick Presents
METALLICA, GODSMACK	Office Depot Center, Sunrise, Fla. Nov. 6	\$758,194 \$76.50/\$56.50	12,836 20,522	Fantasma Productions
METALLICA, GODSMACK	St. Pete Times Forum, Tampa, Fla. Nov. 5	\$745,346 \$75/\$55	13,792 sellout	Fantasma Productions
R.E.M., ANGELA McCLUSKEY	Madison Square Garden, New York Nov. 4	\$735,405 \$75/\$45	11,479 15,293	Clear Channel Entertainment
METALLICA, GODSMACK	The Arena at Gwinnett Center, Duluth, Ga. Nov. 13	\$710,237 \$75/\$55	12,347 sellout	Frank Productions, OCESA Presents, Peter Conlon Presents
ALAN JACKSON, MARTINA McBRIDE	Philips Arena, Atlanta Nov. 12	\$706,195 \$64.50/\$54.50	13,758 14,324	The Messina Group/AEG Live
JAY-Z & FRIENDS WITH P. DIDDY, MARY J. BLIGE & OTHERS	Philips Arena, Atlanta Nov. 11	\$694,074 \$102/\$37	12,108 13,532	Atlanta Worldwide Touring
BARRY MANILOW	St. Pete Times Forum, Tampa, Fla. Oct. 30	\$658,126 \$135.50/\$11.75	7,440 18,634	Clear Channel Entertainment, in-house
METALLICA, GODSMACK	New Orleans Arena, New Orleans Nov. 14	\$625,920 \$75/\$55	11,493 14,800	Beaver Productions
BETTE MIDLER	American Airlines Arena, Miami Oct. 30	\$604,169 \$152/\$15	7,217 11,401	Clear Channel Entertainment
ALAN JACKSON, MARTINA McBRIDE	Veterans Memorial Arena, Jacksonville, Fla. Nov. 13	\$600,426 \$63.50/\$51.50	9,965 10,536	The Messina Group/AEG Live
VICENTE FERNANDEZ, ANA GABRIEL	Dodge Arena, Hidalgo, Texas Nov. 13	\$545,620 \$125/\$100/\$80/\$50	6,870 7,139	Clear Channel Entertainment
GREEN DAY, NEW FOUND GLORY, SUGARCULT	Continental Airlines Arena, East Rutherford, N.J. Oct. 30	\$539,000 \$35/\$33	16,286 sellout	Clear Channel Entertainment
JAY-Z & FRIENDS WITH P. DIDDY, MARY J. BLIGE & OTHERS	FleetCenter, Boston Nov. 14	\$538,811 \$75/\$49.50/\$39.50	8,423 12,500	Atlanta Worldwide Touring
YANNI	Mandalay Bay Events Center, Las Vegas Nov. 6	\$521,320 \$100/\$65	5,784 6,803	Danny O'Donovan Presents, Concerts West/AEG Live
BETTE MIDLER	The Mark of the Quad Cities, Moline, Ill. Nov. 8	\$519,873 \$183/\$77.50/\$41.50	7,160 9,520	Clear Channel Entertainment
CHER	Dodge Arena, Hidalgo, Texas Nov. 5	\$518,807 \$150.25/\$65.25	5,426 sellout	Clear Channel Entertainment
ALAN JACKSON, MARTINA McBRIDE	Sound Advice Amphitheatre, West Palm Beach, Fla. Nov. 5	\$490,566 \$67/\$29.50	12,241 19,271	Clear Channel Entertainment
VAN HALEN, ROSE HILL DRIVE	Winnipeg Arena, Winnipeg, Manchester Oct. 30	\$477,454 (\$581,396 Canadian) \$97.73/\$81.71/\$65.29	5,921 12,515	House of Blues Canada
JUAN GABRIEL	Toyota Center, Houston Oct. 30	\$475,500 \$95/\$35	7,286 11,688	Clear Channel Entertainment
AVRIL LAVIGNE	Air Canada Centre, Toronto Nov. 4	\$475,470 (\$574,697 Canadian) \$35.16/\$28.96	14,632 sellout	House of Blues Canada
JAY-Z & FRIENDS WITH P. DIDDY, MARY J. BLIGE & OTHERS	American Airlines Arena, Miami Nov. 5	\$471,626 \$102/\$37	8,138 9,010	Atlanta Worldwide Touring, Jack Utsick Presents
METALLICA, GODSMACK	Pensacola Civic Center, Pensacola, Fla. Nov. 9	\$469,790 \$75/\$55	8,341 8,700	Beaver Productions
VAN HALEN, JONAS	Bell Centre, Montreal Nov. 9	\$451,809 (\$539,370 Canadian) \$83.35/\$62.41/\$45.65	5,850 6,500	Gillett Entertainment Group, House of Blues Canada
ALAN JACKSON, MARTINA McBRIDE	The Cajundome, Lafayette, La. Nov. 14	\$431,683 \$65/\$49.50	7,619 9,000	Beaver Productions
VAN HALEN, ROSE HILL DRIVE	Credit Union Centre, Saskatoon, Sask. Oct. 28	\$426,428 (\$522,756 Canadian) \$97.07/\$81.17/\$64.85	5,557 13,075	House of Blues Canada
BRYAN ADAMS	Cardiff International Arena, Cardiff, Wales Nov. 1	\$409,987 £222,940 \$55.17	7,410 sellout	Clear Channel Entertainment-U.K.

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# Rap Finding Its Way On The Road

BY CHRISTOPHER WALSH

NEW YORK—Hip-hop tours continue to face obstacles that keep them from matching the genre's retail and radio success, according to participants in the "I'm So Afraid" panel, held Nov. 9 at the Billboard Backstage Pass conference.

But, panelists added, the relatively new genre has come a long way in the concert world and will continue to mature.

Several factors contribute to the comparative instability of hip-hop tours, according to the five panelists and moderator Daren Libonati, director of the Thomas & Mack Center in Las Vegas. These include inexperienced managers and promoters, the reluctance of some sponsors and insurers to work with such tours and media-fueled negative perceptions. These factors, panelists agreed, are interrelated and self-reinforcing.

## PROFESSIONALISM IS VERY NECESSARY

A reputation for violence is a primary reason for insurers' and sponsors' unwillingness to sign on to hip-hop tours, but incompetent road managers are the underlying cause, agent Jeremiah "Ice" Younossi of Emmel Communications said.

"The manager needs to control his road manager, who needs to control his entourage, which all affects the circle around the artist," Younossi said. "There's a protocol that doesn't really get established in hip-hop. I had a situation recently where an entourage caused \$2,000 worth of damage to a dressing room. That situation could have been prevented with the road manager's supervision."

Just as insurers frequently label heavy metal concerts an unacceptable risk, so they are reluctant to handle rap concerts, said James Chippendale, president of CSI Entertainment Insurance. He estimated that insurance rates for a hip-hop show are double those for a country show. "These are the perceptions, true or not, that are out there in the media, that keep fueling the problems for hip-hop tours and challenges for getting sponsorship," he said.

But the biggest hurdle to widespread success, panelists agreed, is the lack of professionalism among inexperienced promoters. As a newer genre, hip-hop lacks the infrastructure to which rock and country acts are accustomed.

Instead of developing artists as a viable, lasting touring entity, street-level promoters can quickly end promising careers through incompetent and unprofessional actions. "It comes down to the inexperience of the small- and medium-size promoter," Chippendale said. "You wouldn't believe how busy we are on a Friday afternoon [trying] to get a hip-hop show insured on Saturday."

But street-level promoters are essential for developing new acts, said Mark Cheatham, VP at International Creative Management. "We need those guys, because the big promoters don't want to get involved too early," he explained.

Younossi agreed. "You need that street promoter at the bottom of the totem pole. That role is imperative for the artist's career," he said. "What's really important is the transition to the next step. When the artist gets through their mix-tape phase or nightclub phase, are they willing to cross over to House of Blues, take a pay cut, go into nice rooms with good sound and a good stage, sell tickets and perform an all-ages show? That A-to-B step [is] going to determine whether an artist succeeds in the long run."

Inexperience jeopardizes that transition, and its effects are multiplied by nonexclusive booking arrangements, according to Libonati. The biggest problem, he said, appears to be too many hands in the cookie jar. "How do you manage that?" he asked.

"Some acts have professional managers," Monterey Peninsula Artists agent Stephanie Mahler responded. "But there are a lot of rap acts who don't; their friends, brothers, mothers or fathers manage



At the Billboard Backstage Pass conference, from left, are "I'm So Afraid" panelists James Chippendale, Stephanie Mahler, Daren Libonati (moderator), Mark Cheatham, Kevin Morrow and Jeremiah "Ice" Younossi.

them. That's the problem: not that there are too many hands in the pot, but too many people who are inexperienced. Sometimes you do business with someone you shouldn't be doing business with."

But panelists agreed that rap's touring component has matured and that the genre will catch up to more established categories, as it is doing with sponsorships. Younossi cited Destiny's Child's upcoming *Destiny Fulfilled* and Lovin' It tour, sponsored by McDonald's, and 50 Cent's *G-Unit Collection* by Reebok as examples of rap's growing corporate clout. "Hip-hop is moving in the right direction," he said. "It's just about some of these details on the road."

"It's going to take everybody working together," Chippendale added, "so there is a comfort level between all parties that are working in this business... I think it's going to take time for that to evolve."

# Cole In BMG Songs Deal; Common Has A Cause

R&B newcomer **Keyshia Cole** has signed with **BMG Songs**. The singer/songwriter, who records for **A&M/Interscope**, hit No. 25 on the Hot R&B/Hip-Hop Singles & Tracks chart with the remix version of "I Changed My Mind" featuring **Shyne**.

Cole earlier appeared on the "Barbershop 2" soundtrack with "Never" featuring **Eve**. Her debut album, "The Way It Is," arrives in January 2005.

A COMMON CAUSE: Common and

fellow Chitown music maker **Kanye West** are still huddled in the studio: Common's sixth album, "BE," isn't due until spring 2005. In the meantime, though, you can catch Common in a new series of public service announcements promoting HIV testing. Encompassing TV, radio and billboards, the PSAs bowed Nov. 15.

This second phase in the "Knowing Is Beautiful" series, which launched in June, is part of the "KNOW HIV/AIDS" education initia-

tive sponsored by **Viacom** and the **Henry J. Kaiser Family Foundation**.

Taking a break from working on projects with **Nas**, **Faith Evans** and **Jaguar Wright**, producer **Chucky Thompson** recently hosted a coming-out party for his Washington, D.C.-based **Lifeprint Productions**.

The label/production company's roster includes R&B singer **Emily** (Rhythm & Blues, *Billboard*, Aug. 2, 2003), who is signed through a distribution deal with **J Records**.

Speaking of Nas, his upcoming double-CD—"Street's Disciple"—sports the track "No One Else in the Room," which features the otherwise missing-in-action **Maxwell**.

Miami Heat recruit **Shaquille O'Neal** returns to the music industry, but not as an artist. The basketball star is financing new hip-hop label **Deja34**, which has inked a worldwide marketing and distribution deal with **Koch Records**.

With offices in Atlanta and New York, **Deja34** is headed by CEO **Mark Stevens**, who consulted for projects on O'Neal's last venture, the **A&M**-distributed **TWism**. That label folded about three years ago.

Stevens says O'Neal will have some input in **Deja34** but will not be involved in day-to-day management or as an artist. "Right now his goal is not

to record, but to finance the label," which has a staff of 10.

The first act on the **Deja34** roster is former **Sony** artist and Harlem, N.Y.-based mix-tape master **DJ Kayslay**. A new album is due in April. DJ Kayslay also serves as head of A&R for **Deja34**.

**BAD VIBES:** Alicia Keys and Terror Squad were the top winners at the

second annual Vibe Awards, a ceremony senselessly marred by fighting during its taping. The melee occurred while **Snoop Dogg** and Vibe magazine founder and producer **Quincy Jones** were

onstage to present the Legend Award to hip-hop pioneer **Dr. Dre**. G-Unit member **Young Buck** was being sought by police for allegedly stabbing a man who punched Dr. Dre, which ignited the fight. A representative of Buck's label, **G-Unit/Interscope**, had no comment at press time.

In a statement, Vibe president **Kenard Gibbs** said, "We are deeply saddened by the incident that

occurred. It is unfortunate that an event so many people worked very hard to create has been tainted by the actions of a few individuals. It is a testament to the true vision of the Vibe Awards that the magnificent talent and staff continued on to create a fantastic show."

Keys and Terror Squad each won two awards at the ceremony, which



Keyshia Cole celebrates her debut album at a Los Angeles listening party. Sharing the fun, from left, are Cole's manager Imani Halley, Cole, BMG VP of urban A&R Derrick Thompson and BMG Songs North America president Scott Francis.

Rhythm & Blues™



By Gail Mitchell  
gmitchell@billboard.com



aired Nov. 16 on UPN. Keys received honors for artist of the year and best R&B song (for "If I Ain't Got You"). Terror Squad's "Lean Back" picked up statuettes for club banger of the year and hottest hook. Among the other winners were **G-Unit** (best group), **Jay-Z** (reelst video for "99 Problems"), **Twista** (best comeback), **T.I.** (street anthem for "Rubberband

(Continued on page 30)

Billboard TOP R&B/HIP-HOP ALBUMS

Table with columns: THIS WEEK, LAST WEEK, 2 WKS. AGO, WEEKS ON CHART, ARTIST, IMPRINT & NUMBER/DISTRIBUTING LABEL, Title, PEAK POSITION. Top entries include Eminem's 'Encore' and Fabolous's 'Real Talk'.

Table with columns: THIS WEEK, LAST WEEK, 2 WKS. AGO, WEEKS ON CHART, ARTIST, IMPRINT & NUMBER/DISTRIBUTING LABEL, Title, PEAK POSITION. Top entries include JoJo's 'JoJo' and I-20's 'Self Explanatory'.

Billboard TOP R&B/HIP-HOP CATALOG ALBUMS

Table with columns: THIS WEEK, LAST WEEK, ARTIST, IMPRINT & NUMBER/DISTRIBUTING LABEL, Title, TOTAL CHART WKS. Top entries include Ray Charles's 'The Very Best Of Ray Charles' and 2Pac's 'Greatest Hits'.

Table with columns: THIS WEEK, LAST WEEK, ARTIST, IMPRINT & NUMBER/DISTRIBUTING LABEL, Title, TOTAL CHART WKS. Top entries include Makaveli's 'The Don Killuminati: The 7 Day Theory' and Bone Thugs-N-Harmony's 'E. 1999 Eternal'.

Albums with the greatest sales gains this week. Catalog albums are 2-year old titles that have fallen below No. 100 on the Billboard 200 or reissues of older albums. Total Chart Weeks column reflects combined weeks title has appeared on the Top R&B/Hip-Hop Albums and Top R&B/Hip-Hop Catalog Albums.





# Venegas Victorious

Artist Claims Three Awards At Mexico's Premios Oye

BY TERESA AGUILERA

MEXICO CITY—Julietta Venegas continued her streak of music awards Nov. 13 by taking top honors at Mexico's third annual Premios Oye.

Venegas won album and rock album of the year for "Si" (Sony BMG), while her single "Andar Conmigo" won song of the year.

Pepe Aguilar and new act Climax each took home two Musas, the statuette designed for the Premios Oye ceremony.

Climax's "Za Za Za (Mesa que Más Aplauda)" was named popular and tropical song of the year. Although the song

has been covered by multiple groups, Climax won as the original songwriters and performers.

Aguilar won popular album of the year and best ranchero performance for "Con Orgullo y Por Herencia," the tribute album to his parents, Antonio Aguilar and Flor Silvestre.

Coincidentally, this year's edition of Premios Oye paid tribute to Antonio Aguilar. Several of his hits were performed by Banda El Recodo, along with sons Pepe and Toño.

Other performances included teen star Belinda, who shared the stage with rockers Moderatto and Benny and Erick Rubin for a version of Tim-

biriche's hit "Muriendo Lento." Also performing were La Quinta Estación, Reyli Barba, David Bisbal, Pesado and Aleks Syntek, whose video "Duele el Amor" won the People's Choice award.

Winners were selected from 879 albums released between July 15, 2003, and July 30, 2004, and voted on by the 1,300 members of Mexico's National Academy of Music.

The awards, which honor music released in Mexico, are organized by the academy, along with event promoter Ocesa and Mexico's Assn. of Music and Video Producers.

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

# N.O.R.E. Sings 'Hear My Song'—And Everybody Listens

The 12th most popular song in the United States this week is billed as the first reggaetón track recorded by a mainstream rap act.

But "Oye Mi Canto," by N.O.R.E. with guests Daddy Yankee, Nina Sky, Gem Star and Big Mato, is far more than that.

First, it is a bilingual track that contains more Spanish than English, and its artists are a mix of Latin and non-Latin heritage.

Second, it is sold only as a vinyl record. Third, and most important, its success may well signal that U.S. mainstream radio is finally wide open to Latin influences.

If you're one of the few who haven't heard "Oye" and you harbor doubts as to its potential, check out the chorus: "Boricua, morena, Dominicano, Colombiano, Boricua, morena, Cubano, Mejicano, oye mi

canto" (Puerto Rican, dark-skinned, Dominican, Colombian, Puerto Rican, dark-skinned, Cuban, Mexi-

Latin  
Notas™  
By Leila Cobo  
[lcobo@billboard.com](mailto:lcobo@billboard.com)



can, listen to my song).

If that isn't a rallying cry for Latinos, regardless of their origin, I don't know what is.

And yet, despite that, or perhaps because of it, "Oye Mi Canto" has been a resounding success nationwide.

The track debuted at No. 91 on The Billboard Hot 100 in mid-August and has been steadily climbing the chart; it is No. 12 this week. It is No. 18 on Hot Digital Tracks and No. 10 on Latin Tropical Airplay. It has yet to bow on Hot Latin Tracks, indicating that mainstream radio embraced it before it made a dent at Spanish-language stations.

So, what's the story behind this song?

N.O.R.E., who is signed to Roc-a-Fella/Def Jam through Thugged Out Militainment, recorded the track—originally titled "Tome Reggaetón"—between albums. Thugged Out included the song on a CD that it released for New York's Puerto Rican Day Parade this summer.

According to Thugged Out president

Martin Moore, who co-manages N.O.R.E., DJs immediately picked up the song, prompting N.O.R.E. to record a second, more commercial version, featuring Nina Sky and Tego Calderón.

That's the version that originally entered The Billboard Hot 100 and caught the attention of Def Jam, which decided to shoot a video. But Calderón was traveling and wanted to change his verse.

Enter Daddy Yankee, who was available and able to turn around a new verse in one night. This yielded the third, current version of "Oye Mi Canto."

"And it's incredible," says Moore, who admits that the song was not conceived as part of a bigger project.

"I honestly thought that because of the language barrier, it would only go so far," he adds. "I thought we would love it, and we would go and do our little shows, but I never thought it would be where it's at right now."

Where it's at right now is, well, everywhere.

While Thugged Out is handling its own radio promotion, Def Jam's crossover department is also pushing mightily. On the Spanish-language side, Daddy Yankee's promoter, Anthony Ramirez, is helping the track gain access to stations nationwide. And the "Oye" video is airing on MTV and BET, giving reggaetón unprecedented exposure.

The end result for N.O.R.E. is that when his primarily English-language album "I Fan a Day" is released early next year, it will include "Oye Mi Canto" and other reggaetón tracks.

Up next, Moore says, is a Spanish-language set featuring Daddy Yankee.

# Interpol Grows, Morel Mushrooms

For months now, dance-flavored rock music has been making its presence felt around the world. Acts like Scissor Sisters, the Killers and Franz Ferdinand have been championed by radio music directors and club DJs.

On a recent rainy Friday night in New York, we attended back-to-back shows by two bands that are part of this vibrant scene: Interpol at the Hammerstein Ballroom and Morel at Crash Mansion.

Interpol played to a sold-out crowd that was there for a rock concert.

Morel, conversely, was playing in a club within a disco, with most people stopping by to see a live band as a curiosity. And yet the acts' dance-rock similarities make it easy to imagine them sharing the same bill.

If we were the booking agent, Yohitoshi Recordings' Morel would have opened for Matador's Interpol at Hammerstein. It would have been

booking agent and the act itself must begin altering the perception of Morel—while not alienating the band's core dance base. Consider it a makeover for the marketplace and an investment in the act's future.

An alternative route is to ensure that like-minded bands know about each other. (Do VHS or Beta and Radio 4 know about Morel and vice versa?) Sometimes, such under-the-radar acts simply need the intervention of an established act to come to their rescue. A stamp of approval can be a mighty powerful thing.

Choice cuts include "I'm Gonna Let My Heart Do the Walking" (the Supremes), "Love Epidemic" (the Trammps), "A Little Bit of Love" (Brenda & the Tabulations) and "We're Getting Stronger (The Longer We Stay Together)" (Loleatta Holloway). And thanks to Siano, many will now discover jams like Genie Brown's "I Can't Stop Talking," Vernon Burch's "And You Call That Love," Bobby Womack's "I Can Understand It," Gloria Spencer's "I Got It" and Bonnie Bramlett's "Crazy 'Bout My Baby" for the first time.

Sure, listening to such songs makes us nostalgic—but not for the reasons you may think. These steps back in time highlight the power of a good song, replete with verses, choruses and a bridge. Kudos to Siano for reminding today's club enthusiasts that there was indeed a day when club DJs did not simply play one instrumental track after another.

Beat  
Box™  
By Michael Paoletta  
[mpaoletta@billboard.com](mailto:mpaoletta@billboard.com)



MOREL: GOOD BEAT, YOU CAN ROCK TO IT

a perfect match.

Now, chances are good that Morel's hardcore fans know about Interpol. But we're not so sure if the same holds true in reverse.

Even though Interpol and Morel reach back to the post-disco, new wave '80s for musical inspiration, they are part of two different scenes—modern rock (Interpol) and dance (Morel)—with the former receiving major media coverage and the latter often treated like a second-class citizen.

In other words, for many, alternative rock is cool, dance is not. The reality is this: Morel is as cool as Interpol.

But it is likely that readers of Rolling Stone, Spin and other consumer magazines know next to nothing about Morel's new sophomore album, "Lucky Strike," yet are well informed about Interpol's recently issued second full-length, "Antics."

Now, no disrespect to Crash Man-



N.O.R.E.: REPRESENTING REGGAETÓN





# Every CMA Week Picture Tells A Story



Warner Bros. threw a post-show bash at the company's Music Row offices following the CMA Awards. Recording artists **Lauren Lucas**, left, and **Big & Rich's John Rich**, center, visit with WEA president **John Esposito**.

The cream of country music was saluted during the 38th annual Country Music Assn. Awards Nov. 9 at Nashville's Grand Ole Opry House. But the CMAs weren't the only awards presented in Music City. During what has become known as "CMA Week," ASCAP, BMI and SESAC held awards banquets recognizing their top songwriters and publishers. The Nashville Songwriters Assn. International also hosted a gala, inducting Guy Clark, Billy Joe Shaver, Freddie Hart and Dennis Morgan into the Nashville Songwriters Hall of Fame. There were also numerous showcases, seminars and events around town.

## TO OUR READERS

Nashville Scene is on hiatus this week. It will return in the next issue.



During rehearsals at the Grand Ole Opry, **George Strait** boarded his bus and found a nice surprise as Universal Music Group executives were waiting to present him with a plaque commemorating the triple-platinum certification of his two-CD set "50 Number Ones." Pictured, from left, are UMG Nashville co-chairman **Luke Lewis**, Strait, UMG Nashville co-chairman **James Stroud** and UMG Nashville senior VP of sales and marketing **Ben Kline**.



Capitol Records Nashville president/CEO **Mike Dungan**, left, congratulates **Keith Urban** on winning CMA's male vocalist of the year award at the Capitol Records post-awards party.



It was a big week for **Gretchen Wilson**. The Epic newcomer took home the CMA's Horizon Award and at Sony's post-show party was presented with a plaque commemorating sales of more than 3 million copies of her debut album "Here for the Party." Pictured, from left, are Sony BMG CEO **Andrew Lack**, Sony Music Nashville president **John Grady**, Wilson, Sony Music Nashville executive VP of A&R **Mark Wright**, Sony Music Label Group U.S. president/CEO **Don Ienner** and Sony Music Label Group U.S. COO **Michele Anthony**.



Cowboys love boots and beer and Texan **Mark Chesnutt** is no exception. The Vivaton Records artist visited the "gift room" at Emerald Studios, which was coordinated by Celebrity Connection Nashville for all artists who participated in the radio remotes. Chesnutt picked out his two favorite items, a pair of Durango boots and a beer.



SESAC honored its top songwriters and publishers with an awards dinner at its Music Row offices. **Arlos Smith** was named songwriter of the year. Pictured, from left, are SESAC's **Tim Fink** and **Trevor Gale**; Smith; SESAC president/COO **Pat Collins**; Smith's wife, **Beth Ann Smith**; and Malaco Music's **Tommy Couch** and **Jimmy Metts**.



RCA Label Group was tops among labels at this year's CMA Awards as the company's acts won half of the evening's categories, including entertainer, female vocalist, duo, album, musical event and video honors. RLG executives celebrated at a post-show party at the company's Music Row offices that boasted a pirate theme. Pictured, from left, are RLG executive VP **Butch Waugh**, **Brooks & Dunn's Ronnie Dunn**, **Jimmy Buffett**, **Kenny Chesney**, **Martina McBride** and RLG chairman **Joe Galante**.

NOVEMBER 27 2004

Billboard

TOP COUNTRY ALBUMS

Sales data compiled by

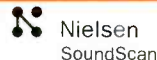


Table with columns: THIS WEEK, LAST WEEK, 2 WKS. AGO, WEEKS ON CHART, ARTIST, IMPRINT & NUMBER/DISTRIBUTING LABEL, Title, PEAK POSITION, THIS WEEK, LAST WEEK, 2 WKS. AGO, WEEKS ON CHART, ARTIST, IMPRINT & NUMBER/DISTRIBUTING LABEL, Title, PEAK POSITION.

Albums with the greatest sales gains this week... Recording Industry Assn. Of America (RIAA) certification for net shipment of 500,000 album units (Gold).

NOVEMBER 27 2004

Billboard

TOP COUNTRY CATALOG ALBUMS

Table with columns: THIS WEEK, LAST WEEK, ARTIST, IMPRINT & NUMBER/DISTRIBUTING LABEL, Title, TOTAL CHART WKS, THIS WEEK, LAST WEEK, ARTIST, IMPRINT & NUMBER/DISTRIBUTING LABEL, Title, TOTAL CHART WKS.

Albums with the greatest sales gains this week... Catalog albums are 2-year-old titles that have fallen below No. 100 on The Billboard 200 or reissues of older albums.

NOVEMBER 27 2004 Billboard® HOT COUNTRY SINGLES & TRACKS

Main Billboard Hot Country Singles & Tracks chart table. Columns include: Rank, Last Week, 2 Wks. Ago, Weeks on Chart, Title, Producers, Artist, Imprint & Number/Promotion Label, Peak Position, and Week 31-32. Includes a 'HOT SHOT DEBUT' section for new entries.

Records 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.

NOVEMBER 27 2004 Billboard® TOP BLUEGRASS ALBUMS

Billboard Top Bluegrass Albums chart table. Columns include: Rank, Last Week, Weeks on Chart, Artist, Imprint & Number/Distributing Label, Title, and Peak Position.

Records with the greatest sales gains this week. Recording Industry Assn. Of America (RIAA) certification for net shipment of 500,000 album units or 25,000 DVD single units (Gold).

NOVEMBER 27 2004 Billboard® HOT COUNTRY SINGLES SALES

Billboard Hot Country Singles Sales chart table. Columns include: Rank, Last Week, Weeks on Chart, Title, Imprint & Number/Distributing Label, Artist, and Peak Position.

RIAA certification for net shipment of 1 million units or 50,000 DVD single units (Platinum), with multibillion titles indicated by a numeral following the symbol.

## Manchester's New 'Road'

With her current **Koch Records** album "When I Look Down That Road" and its AC hit "After All This Time," **Melissa Manchester** has returned to songwriting and recording after a 10-year hiatus.

"I had children to raise and just needed to leave the industry," says Manchester, whose last album of new material was 1995's "If My Heart Had Wings" on **Atlantic**.

"The criteria for successful records was making me crazy," she says. "I needed to gain perspective and find my way back into the world of music with a sense of authenticity."

a stand at Feinstein's at the Regency in New York, considered the performance aspect in writing and recording "When I Look Down That Road."

She describes the project as "a remarkable journey. I kept peeling things away and making it sparer and sparer—just trying to find the inner life of the songs so they could more easily translate to the stage."

During her break from the record industry, Manchester wrote an off-Broadway musical, "I Sent a Letter to My Love." This also influenced the songs on "When I Look Down That Road."

"Working in the theater, you have to think of what comes before and after," she says. "So you have to streamline your songs. [The new album's songs] just got more and more intimate in the sounds—and that's where it



**Words & Music**  
By Jim Bessman  
jbessman@billboard.com

Reflecting on her past experience at major labels, she recalls the two-week album-promotion life span whereby "if it doesn't succeed, they let it die. After working on a record so long and spending so much money, it seemed a disgusting way to be dealt with."

She credits **Paul Williams** for encouraging her to go to Nashville to write, which she did for some of the tunes on the new record.

"I found a real haven for songwriters and crafts people there—a sense of community," she says. "I started writing songs, and it sparked my interest in working on a project again. And my kids got bigger and wanted me to get out of the house more."

Manchester, who recently completed

really resonated."

In Nashville, Manchester wrote with the likes of **Beth Nielsen Chapman**, **Karen Taylor Good** and **Pam Rose**. She also wrote at home in Los Angeles with writers including **Williams** and **Wendy Lands**.

She cites "Bend" (written with Lands), "A Mother's Prayer" (composed with Good) and "When Paris Was a Woman" (which she wrote herself) as songs that manifest her identity as a "crafts person."

"When you're very young and first start writing, you're finding your voice, and everything comes out in a gush of inspiration," she says. "As you get older you pray for that gush, but in terms of actually sculpting a song, your standards become a little more specific because when you're very young and first writing, anything's OK. But the truth of the matter is if you try to communicate an idea and you're the only one that gets it, it's not a good sign."

Looking back at her earlier work "more whimsically than critically," Manchester says, "I'm glad that woman survived so gracefully. Some of the songs I love to perform, and I'm grateful I've had the chance to grow older with them because now I understand what I was writing about."

Her 1975 hit "Midnight Blue," then, has become "more and more a stand for gentle wisdom in relationships," she says, then turns to "Don't Cry Out Loud."

"I finally understand what it meant," she says of her 1979 classic, which was written by **Peter Allen** and frequent Manchester collaborator **Carole Bayer Sager**. "When Peter and Carole shared it with me I knew

it was a brilliant song, but it seemed like the antithesis of everything Carole and I were writing—which was always about self-affirmation and crying out loud and sharpening your communication skills. But it's a beautifully crafted song that was all about how in the end you just have to learn how to cope—and that's no easy thing."

Meanwhile, the **Rumanian Pickleworks Music (BMI)** writer is collaborating with **Jill Conner Browne** on a 2005 Broadway musical adaptation of the Southern belle's popular series of "Sweet Potato Queens" guide books.

The name of Manchester's publishing company, incidentally, derives from fellow New Yorker **Laura Nyro's Tuna Fish Music**.

"In the days of making up ridiculous names for publishing companies, Laura was the torch bearer," Manchester says. Hers is named for an "ancient" Lower East Side pickle peddler her family patronized.

A staff writer for **Chappell Music** while a student at New York's High School of Performing Arts, Manchester studied songwriting in a class **Paul Simon** taught at New York University.

"I grew up adoring and worshipping **Johnny Mercer** and **Ira Gershwin** and **Rodgers & Hammerstein**, but when I heard [Nyro's] 'Eli and the Thirteenth Confession,' it ripped apart my notions about what lyrics could be," Manchester recalls.

"Her impressionism, poetry and occasional brilliant clarity were so appealing and really reflected my own New York upbringing: I recognized all the rhythms and chordal patterns—and it sounded like the traffic," Manchester says. "The years have put her in her appropriate place among other giants of songwriting."

**PRECIOUS MEMORIES:** At the annual Carnegie Hall concert by **Sweet Honey in the Rock** last month, the legendary African-American female a cappella group delivered a jazzy take of the gospel song "Precious Memories." The group recorded the classic hymn for last year's "Shout, Sister, Shout: A Tribute to Sister Rosetta Tharpe."

Another favorite version of the song resurfaced with **Columbia TriStar Home Entertainment's** DVD release of **Paul Schrader's** intense 1979 drama "Hardcore," in which **George C. Scott** plays a deeply religious Midwesterner searching low-life Los Angeles for his runaway daughter.

Bookending the film's credits is an unbearably wistful, unforgettable version of "Precious Memories" sung by the great **Susan Raye**, then enjoying country music fame for hits like "L.A. International Airport" and duets with mentor **Buck Owens**, including their cover of "Love Is Strange."



AVATAR'S RENOVATED STUDIO D IS NOW KNOWN AS STUDIO G

## Avatar Adds SSL G+ To Studio Upgrade

Here's something we haven't seen much of lately: a commercial recording facility in New York investing in a new and improved studio.

**Avatar Studios**, originally known as **Power Station**, has renovated its Studio D. Now dubbed Studio G, the room features a **Solid State Logic 4000 G+ Special Edition** console and **Westlake Audio BSM-15** main monitors.

The control room is 400 square feet, while its tracking space measures 320 square feet. The front and side walls feature Avatar's distinct pine and burlap finish.

Studio G is a mid-priced room, Avatar owner/president **Kirk Imamura** says. It caters to the rock projects for which Avatar is known, as well as the indie and self-funded projects that account for an increasing percentage of many high-end commercial studios' schedules.

"We stylized it a little and made it more tailored for the kind of [projects] that we do," Imamura says. "It has a smaller live room, but it's a real console, and a nice-sounding room. We think it's a nice room to complement the other rooms."

**AES, CONTINUED:** Twenty-five years after introducing multitrack recording with its Portastudio cassette-based 4-track recorders, **Tascam Society's** 117th convention with a range of products that reflect and surpass that legacy.

Tascam's DV-RA1000 High-Resolution Audio/DSD Master Recorder updates the mixdown-recorder-and-CD burner-in-one concept first popularized by **Alesis' MasterLink**.

Where the very popular MasterLink records at up to 24-bit/96kHz resolution, the DV-RA1000 takes it further, supporting 2-channel recording up to 24-bit/192kHz and recording to

DVD+RW as well as CD-R/RW media.

The DV-RA1000 also features the Direct Stream Digital format—the basis for **Sony/Philips' Super Audio CD** format—a USB 2.0 PC connection and expected features such as multiband compression and EQ.

Like many of Tascam's earlier tape- and hard-disk-based products, the DV-RA1000's most impressive aspect may be its list price: At \$1,499, the

**Studio Monitor**  
By Christopher Walsh  
cwalsh@billboard.com



division of Japan-based **TEAC** once again brings professional-quality equipment to a mass audience.

Tascam's products for home recordists were updated at the AES confab with the DP-01 8-track workstations. Though the Portastudio has evolved into a 24-track, 24-bit digital version, the DP-01 maintains the simplicity and similar tactile interface of its cassette-based versions, which Tascam continues to manufacture.

The DP-01 and the DP-01FX, which adds XLR microphone inputs and effects processing, feature a 40GB internal hard drive and 16-bit/44.1kHz resolution. They carry list prices of \$500 and \$650, respectively.

"Hopefully, [the DP-01] will do what our cassette Portastudios did in the beginning for the home recording market," says **Diane Gershuny Fleming**, Tascam artist and public relations marketing manager. "We're hoping to open it up even further to people that still aren't recording."

Tascam also introduced the FW-1082 FireWire audio/MIDI interface and control surface, aimed at small and home-based studios, and the FW-1804, a rack-mounted FireWire audio/MIDI interface without control surface.



MANCHESTER: REGAINING PERSPECTIVE



**42**  
Sony's Vaio U, a mini-PC and media hub, bows in time for the holidays

RETAIL / DISTRIBUTION / DIGITAL ENTERTAINMENT / DVD / MOBILE / WIRELESS



The Bee Gees' (pictured above) 'Number Ones' collection is competing with greatest-hits packages by Kylie Minogue, top right, Robbie Williams, bottom right, and other stars for the attention of U.S. consumers this holiday season.

## 'Best Of' Times

### U.K. Market Sees Flurry Of Hits Sets

BY PAUL SEXTON

LONDON—The arrival of new studio albums by U2 and Eminem should not distract from a compilation sales race in the U.K. market that is more competitive than ever.

Robbie Williams' "Greatest Hits" (Chrysalis) is seen by many retailers as the album that will win the public's vote as their favorite during the upcoming holiday season. Released Oct. 18, it sold 320,000 copies in its opening week in Britain, according to the Official U.K. Charts Co. The chart compiler says that marks a 21% increase over first-week sales for Williams' last studio release, 2002's "Escapology."

Keith Black, buyer for the 825-store Woolworths chain, predicts Williams will lead a crowded field ahead of two other EMI releases and one from Universal.

"Robbie Williams will be the biggest seller," Black predicts. "It has already sold well and will continue to do so until Christmas." Vying for second place, Black says, will be Shania Twain's "Greatest Hits" (Mercury), Kylie Minogue's "Ultimate Kylie" (Parlophone) and Blue's "The Best of Blue" (Innocent/Virgin).

"It'll be close, but I expect Kylie to come through just ahead of Shania," he adds.

Minogue's set, with a Nov. 22 street date, is the last of this year's heavyweight compilations to arrive in stores. The double-CD

gathers her EMI and previous PWL and BMG hits for the first time. The Blue album features the catalog of hits amassed by the English pop act since 2001.

Twain's 21-track collection and Britney Spears' "Greatest Hits: My Prerogative"

(Jive) were released internationally Nov. 8. The latter set debuted at No. 2 on the U.K. chart on first-week sales of 115,000 copies, according to the Official U.K. Charts Co., while Twain's album bowed at No. 6.

Although Twain did not have her first European success until 1998, she has since then scored multiple hits from her studio albums. She believes the time was right to collate them on a set augmented by three new songs, including the single "Party for Two."

"At this point I think it's—I wouldn't say overdue—but definitely time," Twain says, "considering there are several songs we [can't] fit even on this one. Doing it too early would have seemed weird, but now seems the logical time to put it all into a collection."

The Bee Gees' "Number Ones" album (Polydor), released Nov. 1, sold 42,000 units, according to the Official U.K. Charts Co., to debut at No. 7. Its artwork contains a poem written by Robin and Barry Gibb about their brother Maurice, who died in January 2003, as well as a track dedicated to him, "Man in

(Continued on page 41)



## Universal 'Masters' Promo Relies On Lyrics

BY TODD MARTENS

In a new multimillion-dollar campaign, Universal Music Enterprises is turning to individual song lyrics in an attempt to spur sales of its budget-priced hits collection.

Launching this month with print ads in *Vanity Fair* and a 10-page spread in *Rolling Stone*, the "I Love That Song" campaign will spotlight hits from the company's "20th Century Masters/The Millennium Collection." The series features best-of releases from more than 300 acts.

Since launching the line in 1999, UME has shipped more than 31 million units of the 350 CDs and DVDs in the collection, according to the company.

"The Best of Lynyrd Skynyrd" is the most popular title in the series, having sold 1.5 million units in the United States, according to Nielsen SoundScan. Nearly 60 other CDs in the line have sold more than 100,000 units.

UME senior VP of sales and marketing Richie Gallo says *Rolling Stone's* upcoming "Best 500 Songs" issue (Dec. 9) supplied the inspiration for the campaign.

"We realized that so many of those songs are probably tied to our 'Millennium Collection,' so it made sense to try and make that connection to people," he says. "Instead of selling a group of artists, we're looking at it from a song perspective. We hope to get to people by tapping into the

emotions they feel when reminded of a lyric."

The print ads will highlight such acts as the Temptations, Lynyrd Skynyrd and the Who. Each ad will feature

*"We hope to get to people by tapping into the emotions they feel when reminded of a lyric."*

—RICHIE GALLO,  
UNIVERSAL MUSIC ENTERPRISES

an easily recognizable lyric from those acts, such as the opening line to "My Girl" or the chorus of "Sweet

Home Alabama."

The promotion will run through 2005. Best Buy and Target will place "I Love That Song" CDs in endcap displays, while a dump bin has been created for Musicland.

"This does well with Target, Best Buy, Wal-Mart, everyone," Gallo says. "We just didn't want to do sales with everyone out of the box, so we picked a couple of guys to start the holiday season, and then in January we'll move to the Towers of the world and everywhere else."

UME will continue to rotate the promotion among other retailers throughout 2005. The CDs at each participating store will be affixed with "I Love That Song" stickers.

The company is also planning cable TV spots and billboards and bench ads in major markets. "I Love That Song" will rack up more than \$4 million in media spending, according to the company.

Since the titles in the series are listed for less than \$10, Gallo sees the collection as a sort of modern single, even though each compilation features up to 11 tracks. He says this is the reason focusing on the lyrics made sense for UME.

"If you want more, there's a full-priced CD or a double-CD. Since singles don't really exist anymore, this is the nice introductory way for people to find artists they like and not spend a lot of money."

## Van Der Poel Ready To Add Label To His Stable

Shawn Van Der Poel began building the various components of a successful independent record label in 1998. Come next year, he plans to open that label.

In the last six years, Mount Holly, N.J.-based Van Der Poel created video label/production house **High Roller Studios**, marketing and promotions firm **RTO Productions** and booking agency **Face the Music**



VAN DER POEL: SIGNINGS ON THE WAY

**Touring**, which handles such acts as **Atreyu** and **Coheed and Cambria**.

Perhaps most importantly, Van Der Poel's interactive Web site will give his forthcoming label a built-in fan base. Radiotakeover.com hosts five audio streams and a comprehensive punk and hardcore store. The streams, which take user requests, boast more than 10,000 regular listeners, according to Van Der Poel. The site includes such expected acts as **Taking Back Sunday** and **NOFX**, but it also champions the unknown.

Radiotakeover.com was among the first to promote **Fall Out Boy**, **Spitfield** and **Lamb of God**. The site sponsored tours involving the former two, and High Roller recently shot a Lamb of God DVD. Additionally, **Lumberjack**-distributed High Roller reached No. 39 on the *Billboard* Top Music Video Sales chart in July with concert DVD "Hellfest Vol. III."

Given this foundation, Van Der Poel expects his still-unnamed label to be taken seriously. "We've ignored everyone who has come to us because we're doing this on our own terms," he says. "I can take an

upstream deal with XYZ record label and build this faster, but that wouldn't be on my terms. If I've built it this much, I can take it to the next level."

Van Der Poel, who employs about 25 people, says he will announce the label's first signings in January. He has yet to nail down a distributor, partly because of his staunchly independent views and lofty ambitions. "Lumberjack has been great for DVDs, but I just don't know if they will be able to sell the amount of records that we're looking to sell," he says. "If the distributor doesn't see my vision, then I don't want to be with them."

"I saw a lot of my friends starting labels and failing," Van Der Poel adds. "I said, 'What if there's a place a band can build hype? What if kids can hear the music 24/7? We can gauge all the way down to ZIP code

who likes what bands, and we have the ability to market them, book a tour and do our own videos. We built all the elements of a record label before we started putting out records. That was our plan."

The  
**Indies**<sup>™</sup>  
By Todd Martens  
smartens@billboard.com



**FUTURE'S SO BRIGHT:** Saddle Creek Records act **Bright Eyes** claimed the top two posts on the *Billboard* Hot 100 Singles Sales chart Nov. 13, and another single may be on the way.

Come Jan. 25, Omaha, Neb.-based Saddle Creek will issue two Bright Eyes albums, "I'm Wide Awake It's Morning" and "Digital Ash in a Digital Urn." The dueling singles, "Lua" and "Take It Easy

(Love Nothing)," represent a sampling of each respective set.

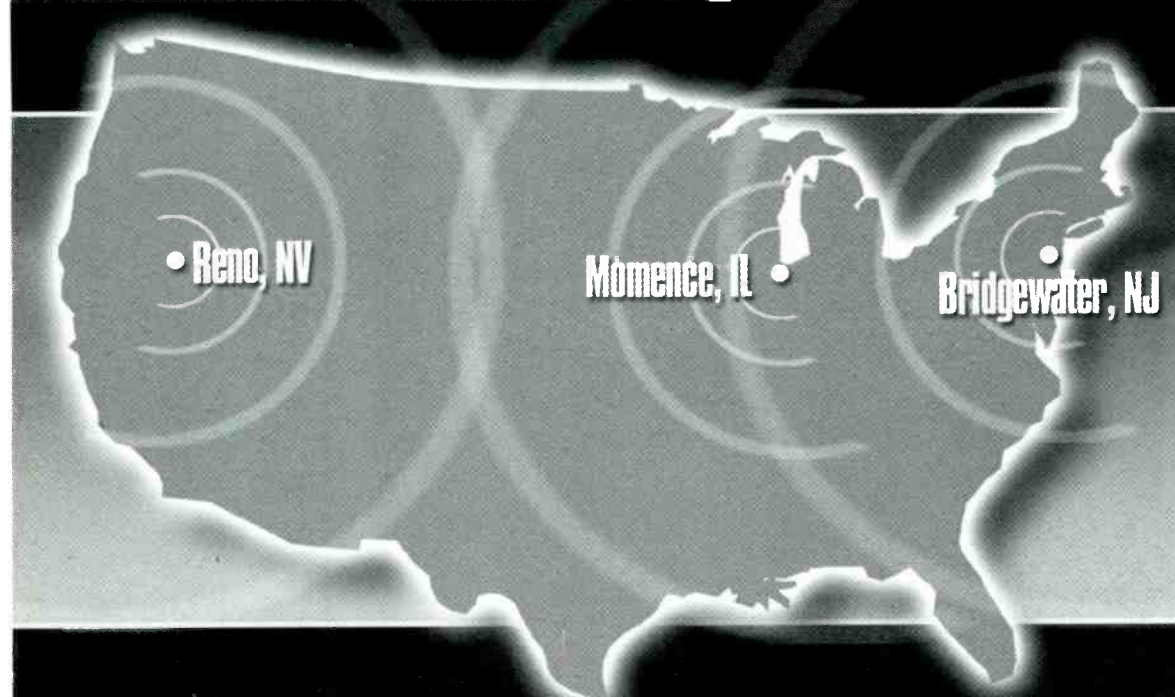
Neither single will be fashioned into a video or get a heavy push at college radio. Instead, Saddle Creek plans to work another Bright Eyes cut in January, according to label head **Robb Nansel**. The as-yet-undetermined radio track will come from "Wide Awake." Nansel says it may also be released to retail.

The label is planning distinct campaigns for the two albums. A single from "Digital Ash" is due in the spring.

The same separation will apply to touring. A Bright Eyes trek in January will support "Wide Awake," and band leader **Conor Oberst** will employ fellow Saddle Creek act **the Faint** as his backing band for May's "Digital Ash" outing.

In other Saddle Creek news, the label hopes to open a concert venue in 2005, although a group of Omaha residents nixed its first proposed location, according to Nansel. "They're worried about people parking in their yard and peeing in their porches," he says. "But the city has been really supportive. They're looking for other options for us."

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# 'Tis The Season For Street-Date Violations

After the tumultuous days leading up to Nov. 16, which saw street-date violations taken to a whole new level, I'm wondering if any of the releases scheduled for Nov. 16 were actually held until that day.

The situation "was utter chaos, and there is no other word for it," one senior retail executive says. "This is the wild and woolly days of 1985 all over again. The majors really shot themselves in the foot."

The brouhaha ignited after **Columbia** moved up **Destiny's Child's** "Destiny Fulfilled" to Nov. 15, **Shady/Aftermath/Interscope** bumped **Eminem's** "Encore" to Nov. 12 and **Geffen** issued **Snoop Dogg's** "R&G (Rhythm & Gangsta): The Masterpiece" one week earlier than its original Nov. 23 street date.

According to the labels, the albums were moved up to combat piracy, since the titles had leaked to the Internet. But retailers are skeptical, arguing that the moves were made to influence chart performance or enhance the story behind an album.

One merchant says, "Under the guise 'We have to protect ourselves against piracy,' the industry took a

giant step backward. The majors asked for it. For them to think [the violations] weren't going to happen, who are they kidding?"

It was a given that "Encore" would debut in some stores early—even with the new Friday street date. At least one independent merchant claims he was selling the album Nov. 8. By Nov. 10, it was seeping into the market, and the following day was a free-for-all.

It is unclear which retailer set off the **Eminem** violations—everybody points at somebody else. What is clear is that the major chains have adopted the **Jerry Kamiler** philosophy. Kamiler, music divisional merchandise manager for **Trans World Entertainment**, is well-known for saying, "Trans World will never be first to break street date, but we will also never be third."

In the case of **Destiny's Child**, everyone names one merchant for igniting street-date violations:

**Wal-Mart.** According to sources, the chain and its rackjobbers, **Anderson Merchandisers** and **Handleman Co.**, can handle moved-up Friday street dates, but they have a problem with Mondays.

Since "Destiny Fulfilled" was delivered in the same shipment as "Encore," either the rackjobbers

competitors had it early," a company spokeswoman says, "and then we made it available."

Whatever the circumstances, when "Destiny Fulfilled" appeared in Wal-Mart stores Nov. 12, all hell broke loose. Also on sale that week-end—ahead of their Nov. 16 street date—were **Lil Jon & the East Side Boyz's** "Crunk Juice" and **Chingy's** "Powerballin'." By Monday, the major distributors were scrambling to shore up what was left of the crumbling Nov. 16 slate.

The sales team at **Universal Music & Video Distribution**, for example, worked the phones all day Nov. 15 trying to contain the Snoop album. They were partially successful. Music specialty merchants claimed that consumer electronics chains were selling the album that day, but UMVD is said to have refuted those claims and warned all retailers against selling the album early. The UMVD bluster almost carried the day, but by early evening, Snoop was appearing in more and more stores.

There were also isolated reports of **the Beatles'** boxed set. **Clay Aiken's** Christmas album and **Pearl Jam's** greatest-hits collection

appearing in stores that day.

Given the chaos surrounding the Nov. 16 street date, one senior retail executive wonders what will happen to the Nov. 23 slate of **U2**, **Gwen Stefani** and **Nirvana**. And one major-label distribution executive worries that the Nov. 16 events could lead stores to ignore street dates for the remainder of the holiday season.

**MAKING TRACKS:** The **National Assn. of Recording Merchandisers** board of directors has elected **Richard Willis** vice chairman. The **Baker & Taylor** chairman/president/CEO replaces **Gerry Lopez**, who resigned from the NARM board after leaving **Handleman Co.** to take a position with **Starbucks**.

Before joining Baker & Taylor in 2003, Willis was chairman/president/CEO of **Troll Communications**. Before that, he was president/CEO of **Bell Sport**. Willis has also held management positions at the **Peterson Cos.**, **Aster Publishing**, **Cowles Media** and **Capital Cities**.

**Steve Harman**, Northeast regional director for **Tower Records**, has left the chain and is seeking opportunities. He can be reached at 212-679-7075 or at sch2001@aol.com.

Retail  
Track™  
By Ed Christman  
echristman@billboard.com



couldn't pull the **Destiny's Child** album from the Wal-Mart shipment in time or their instructions to hold it until Monday got lost in the shuffle at the mass merchant, which doesn't know the ins and outs of the music industry.

Wal-Mart points at other retailers for jumping street date. "We waited until we had confirmation that our

## 'Best Of'

Continued from page 39

the Middle."

While it has been only three years since the last Bee Gees retrospective, "The Record," Robin Gibb believes the format of the new collection makes it a winning proposition. "It's not meant to be definitive; it's the No. 1s, and there aren't many people who have had those kind of albums," he says. Gibb describes Universal's marketing spend for the set as "huge [in the United Kingdom] and the States as well."

"There's some good things coming out, but they are going to struggle to get the publicity," says Paul Quirk, a partner at Quirk's Records in Ormskirk, Lancashire. "Having said that, if it's a best-of, it will still sell this time next year."

"There's a lot [of best-of sets] in the top 10 or 20 at the moment, but how many of them will still [be there] at Christmas is a moot point," HMV product director Steve Gallant says.

He notes that Spears' and Twain's albums should still be around at Christmas, but he questions whether Travis' "Singles" (Independiente) and Tina Turner's "All the Best" (Parlophone) "will be troubling the top 10 [then]." He also notes that Def Leppard's "Best Of" (Mercury) and Placebo's "Once More With Feeling—Singles" (Virgin) "are unlikely to make the course. I think that's why they're out early."

Mike McMahon, commercial direc-

tor of sales for EMI Music U.K. and Ireland, says: "We've released major albums outside this period and then repromoted, which can work well. Compilations exposure is not too difficult to position, because some retailers increase the size of their charts at Christmas."

Turner's set made an early mark in Europe, debuting last issue at No. 2 on the *Billboard* Eurochart albums list, after opening at No. 3 in Austria and Switzerland, No. 4 in Portugal, No. 5 in Germany and No. 6 in the United Kingdom.

Meanwhile, the album from Scottish melodic rock act Travis collects the group's 17 singles since 1996. Bowing Nov. 1, it moved 50,000 copies in its first week to debut at No. 4, according to the Official U.K. Charts Co., outselling Turner and the Bee Gees.

Travis frontman Fran Healy tells *Billboard*: "We had been together for six years when we moved to London eight years ago, and it was a real new beginning. From then until now it seems the first part of the story. [The album] is like drawing a line in the sand."

Gallant suggests that this season's scheduling by labels "is a reflection of getting some of these things out ahead of the big studio releases" such as the new U2 and Eminem albums.

"But there's only so many pounds in the pocket, and there's not only the new studio stuff, but a very hefty DVD schedule this Christmas," Gallant adds. "There are probably too many releases [in November] to all deliver what they should do, and some inevitably will underperform."

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## EA, Cherry Lane Take Music To Next Level

BY SCOTT BANERJEE

SAN FRANCISCO—In a move designed to exploit the mass-market reach of videogames and in-game music, Electronic Arts has teamed with Cherry Lane Music Publishing to form a new music publishing company, Next Level Music.

The co-publishing partnership is simple yet unique in the gaming business. EA will continue to expose and promote music through its videogames, while Cherry Lane will seek licensing opportunities for the EA music assets in commercials, films, film trailers, ringtones and other commercial media.

"Anywhere music is used, we will be aggressively trying to put our music into that space," says Steve Schnur, executive of music and audio at EA. "There's so much familiarity from games—themes, beats, songs—that there are significant third-party licensing opportunities ahead."

EA's catalog of theme music and original scores for such titles as "Medal of Honor" and "The Sims 2" reaches back to the company's inception in 1982 and includes pieces from Mark Mothersbaugh, Paul Oakenfold, Chris Lennertz, Sean Callery and Mya.

The EA/Cherry Lane deal is a testament to the tightening bonds among the videogame, music and film industries. EA, which is by far the world's largest videogame company, with annual revenue topping \$3 billion, chose to work with New York-based Cherry Lane, holder of about 100,000 copyrights, after considering numerous other music publishers.

"The great film companies have realized this [opportunity] over the past 100 years, and certainly the big music companies have realized this with their own publishing divisions," says Schnur, a former senior VP at Capitol Records.

Next Level Music plans to sign new and established

artists, acquire publishing catalogs and produce original music. EA will continue to license music for game use from labels and publishers through its EA TRAX division, which Schnur created in 2002. The division is credited with helping expose numerous acts and music through EA's popular franchises, including "Madden NFL," "Need for Speed Underground" and "Burnout."

Cherry Lane has already forged co-publishing partnerships with such sports and entertainment businesses as NFL Films, NASCAR and World Wrestling Entertainment. Cherry Lane was also behind the recent licensing of Black Eye Peas' "Let's Get It Started" to the NBA. These relationships could work well for EA, which has such popular sports-related game franchises as "NBA Live" and "NASCAR."

Cherry Lane has made similar inroads with the film and TV industries, having co-publishing partnerships with production companies DreamWorks SKG, Mel Gibson's Icon Productions and Edward Pressman Film. The publisher regularly licenses music for film use to such studios as Disney, Miramax and 20th Century Fox.

According to Aida Gurwicz, president of Cherry Lane Music, the company has relationships with every major wireless carrier and aggregator for ringtone sales.

"The idea is that the videogame-buying demographic now has a built-in mind-set of finding out what's hot on the music scene through these games," Gurwicz says. "Once they're exposed through games, Cherry Lane can pick up the ball and then do our thing."

Though Next Level Music will not function as a record label, Schnur believes the partnership will give EA the opportunity to develop new artists for the creation of music in videogames.

"This will ultimately give artists and songwriters opportunities to get label deals," Schnur says.



**No. 1:** An unlikely marriage of two of America's favorite musical genres, rap and country, gives "Over and Over" by Nelly and Tim McGraw, below, a huge lead as the most-streamed AOL song in the past four weeks.



### AOL Music: Total Monthly Streams

#### TOP AUDIO

- NELLY FEAT. TIM MCGRAW**  
Over and Over UNIVERSAL 3,555,246
- USHER FEAT. ALICIA KEYS**  
My Boo LaFace/Zomba 1,977,499
- EMINEM**  
Just Lose It INTERSCOPE 1,868,616
- SIMPLE PLAN**  
Welcome to My Life \*\*\* LAVA 1,300,115
- DESTINY'S CHILD**  
My Prerogative JIVE 1,076,262
- BRITNEY SPEARS**  
My Place UNIVERSAL 1,047,902
- KELLY CLARKSON**  
Breakaway HOLLYWOOD 660,702
- GWEN STEFANI**  
What You Waiting For? INTERSCOPE 447,536
- JESSICA SIMPSON & NICK LACHEY**  
Baby It's Cold Outside \* COLUMBIA 435,663
- MARIO**  
Let Me Love You J RECORDS 352,753



#### TOP VIDEO

- EMINEM**  
Just Lose It INTERSCOPE 3,242,698
- USHER FEAT. ALICIA KEYS**  
My Boo LaFace/Zomba 1,981,783
- JOJO**  
Baby It's You \*\*\* BLACKGROUND 1,443,934
- CIARA**  
Goodies \*\*\* LaFace/Zomba 1,389,660
- GWEN STEFANI**  
What You Waiting For? \*\*\* INTERSCOPE 1,171,046
- LINDSAY LOHAN**  
Rumors CASABLANCA 1,144,722
- SIMPLE PLAN**  
Welcome to My Life \*\*\* LAVA 857,920
- BRITNEY SPEARS**  
My Prerogative JIVE 811,265
- CHRISTINA AGUILERA**  
Beautiful \*\*\* RCA 808,809
- EMINEM**  
Mosh INTERSCOPE 566,289

\* First Listen/First View \*\* AOL Music Live  
† Artist of the Month †† Breaker Artist ††† Sessions@AOL  
Source: AOL Music for four weeks ending Nov. 11



**Nos. 1 & 10:** Eminem takes advantage of the lead-up to his latest album, "Encore," with two controversial clips, both among AOL's top 10 video streams.



### WMG Seals m-Qube Deal

Seal, whose "Best: 1991-2004" album hit shelves Nov. 9, is among the artists Warner Music Group is highlighting in a new Internet and wireless effort. The label group has partnered with technology company m-Qube to allow fans to purchase ringtones over the Internet or on a handset using short codes. WMG and m-Qube are also tapping the platform for R.E.M., Green Day, Red Hot Chili Peppers, Lil Scrappy and others.



### High-Tech Fret Work

The "Eric Clapton Crossroads Guitar Festival" DVD features live performances from Clapton, Santana, ZZ Top, James Taylor, John Mayer, Joe Walsh, Buddy Guy, Robert Cray, Jimmie Vaughan, Robert Randolph and Eric Johnson. As if that weren't enough for guitar fans, the shows were recorded in high-resolution 5.1 surround sound, and the DVD showcases MX Entertainment's interactive, multi-angle feature, allowing viewers to toggle between several shots throughout the program.



### Air Traffic Control

There's a new toy for iTunes devotees who use Apple Computer's Airport Express to wirelessly stream music throughout their homes. Keyspan Express plugs into the Airport Express USB port, allowing users to manage their iTunes music with a remote control. The device retails for \$59 and is expected on store shelves by the time you read this.

### NEWTECH

With portable media devices hitting the shelves en masse this holiday season, Sony is targeting PC aficionados with its ultra-high-end über-gadget: a mini-PC that doubles as an entertainment hub.

The Sony Vaio U weighs a little more than a pound and features a 6.6-inch-by-4.3-inch video display. Consumers looking for a multifunctional



device that plays digital music straight from libraries will appreciate its 20GB memory capacity and headphone/remote control bundle—as well as its ability to wirelessly link up with such download or subscription services as iTunes or Rhapsody.

Chances are, however, that its price tag (\$2,000) and battery life (from 1½ to three hours) will restrict it to early-adopters. The device bows at retail in mid-December.

SCOTT BANERJEE





KEYNOTE  
SPEAKERS



**BEGGARS GROUP**  
Martin Mills  
Chairman [UK]



**IFPI**  
John Kennedy  
Chairman & CEO [UK]



**MICROSOFT CORPORATION**  
Hadi Partovi  
General Manager, MSN Entertainment & Digital Media [US]



**SONY CORPORATION OF AMERICA**  
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U.S. airplay sets up a new international album by Greece's Despina Vandi



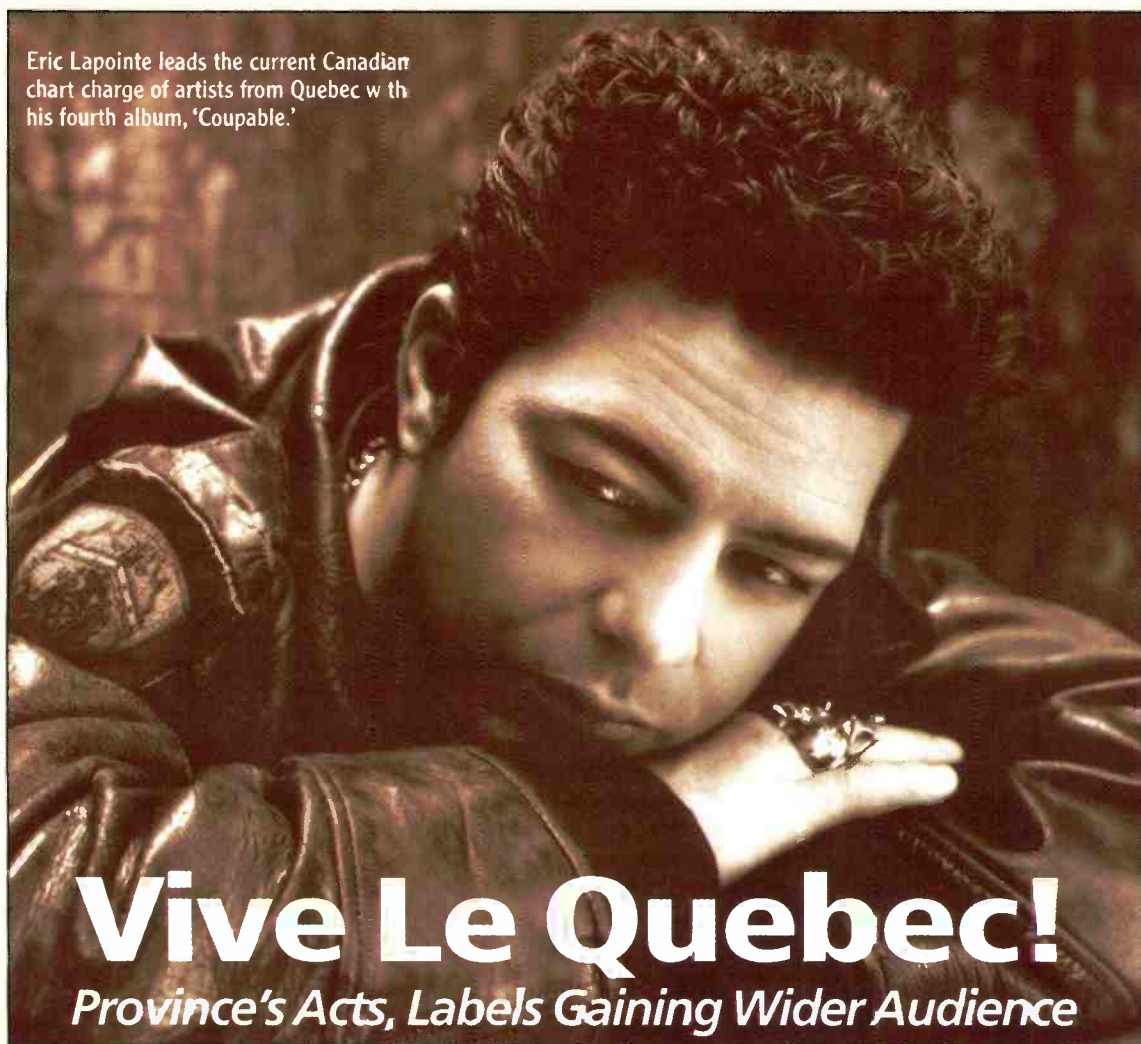
# Global



Chrysalis Group co-founder Chris Wright is lining up a return to artist management

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

Eric Lapointe leads the current Canadian chart charge of artists from Quebec with his fourth album, 'Coupable.'



## Vive Le Quebec!

Province's Acts, Labels Gaining Wider Audience

BY LARRY LeBLANC

TORONTO—In this period of industry uncertainty, Quebec is achieving steady success from domestic repertoire and a group of dedicated local companies.

The continuing international sales of homegrown star Celine Dion have been followed by breakthroughs in Europe's French-speaking markets by such Quebec acts as Corneille, Lynda Lemay, Natasha St-Pier, Garou, Roch Voisine, Isabelle Boulay and Lhasa de Sela. The Canadian province has established itself as a prime source of French-language repertoire.

"Quebec has bounced back in a big way this year," says Mathieu Drouin, president of Montreal-based DKD Groupe, which operates the label Tacea Musique. "It's a culmination of the maturing of the industry and consumers coming back to record stores and buying Quebec product."

The vibrant local scene includes such new acts as Les Trois Accord and Kodiak, which have joined the ranks of more established stars like Eric Lapointe, Boom Desjardins, Mario Pelchat, Emily, Daniel Bélanger, Dany Bedar and Marie-Chantal Toupin.

Underscoring Quebec's vibrancy are three French-language releases that debuted in the top 10 on Nielsen SoundScan's Nov. 20 Canadian albums chart. They are Lapointe's "Coupable" (Diffusion YFB) at No. 2 with 15,150 units, Desjardins' "Boom Desjardins" (DKDD) at No. 3 with 11,318 and Pelchat's "Noel Avec Jireh Gospel Choir" (MP3 Disques) at No. 10 with 6,747. Dion's English-language album "Miracle" (Columbia) was at No. 8 with 7,765.

"This is the craziest time for sales," says Montreal-based Pierre Borduas, PD of video channel MusiquePlus and its AC counterpart, MusiMax. He suggests the high numbers result from a combination of early Christmas shopping, national media coverage of the Quebec industry's annual Gala de l'ADISQ awards Oct. 31 and "Quebec people loving their culture."

### MARKET UNTO ITSELF

The language, cultural distinctiveness and small size of the Quebec market help distinguish it from English-speaking Canada. Those factors also prevent outside companies from dominating Quebec's music industry. The Quebec market is virtually self-sufficient: Some 75 independent labels and production companies record 90% of the province's domestic artists.

"We have our own awards, eight entertainment magazines and [music] shows on every TV network," says Natalie Larivière, Montreal-based president/director general of retail and distribution company Groupe Archambault.

"When artists like Eric Lapointe and Boom Desjardins release new records, there's a [media] explosion," DEP Distribution Exclusive president Maurice Courtois adds. "You will have three Eric Lapointe songs and three Boom Desjardins [in rotation] on radio."

Government regulations require Quebec's broadcasters to play 65% French-language content, but attaining airplay can still be difficult. "Radio now has so much choice," says Serge Brouillette, who operates Montreal-based Victoire Records.

(Continued on page 48)

The screenshot shows the Terra Música Premium website. It features a navigation menu on the left with options like 'Portada', 'Características', 'Cómo contratar?', 'Precio', 'Contratación', 'Tus datos', 'Condiciones legales', and 'Ayuda'. The main content area includes a promotional banner for 'Terra Música Premium' with a 25% discount offer. Below this is a section for 'Contrátalo aquí' with a 'Contratar' button. There is also a 'Zona de cliente' section with fields for 'Identificador' and 'Contraseña', and an 'Aceptar' button. The footer contains copyright information for 2004.

## Online Services Expand In Spain

BY HOWELL LLEWELLYN

MADRID—The recent arrival in Spain of Apple Computer's iTunes Music Store and Microsoft's MSN Music preceded the launch of two Spanish music services with major corporate backing.

Spain-based multinational telecommunications group Telefonica launched what it calls the first "totally national" online music store Nov. 5. That came just a few days after the local arm of Dutch brewer Heineken International unveiled its "pioneer" music Web site for trade professionals and music journalists.

Telefonica's Terra España Internet division launched Musicapremium (musicapremium-terra.es) with a catalog of 500,000 downloadable tracks from all the major labels as well as leading indies.

"The launch of Musicapremium is a great moment for the Spanish music industry, because it marks the opening of a genuinely Spanish distribution channel," says Antonio Guisasola, president of labels' body AFYVE.

"Musicapremium is the result of close cooperation between record labels, Terra and others in the industry who share the mutual and absolute conviction not only that it was necessary to develop this access

channel in Spain, but that we shouldn't waste another minute without it," Guisasola adds.

The service charges 0.99 euros (\$1.29) per song—the same as iTunes in Spain—and 6.95 euros (\$9) per album. The site also offers ringtones.

Royalty payments are dealt with locally through agreements with the 65 AFYVE member labels and through authors rights body SGAE. "It is the first such service developed at all levels in Spain," Musicapremium product manager Francisco Martinez claims.

He adds that similar services run by such non-Spanish companies as MTV España, Tiscali and Vitaminic "do not know their Spanish clients as well as we do. It's a question of local knowledge.

For example, iTunes sells country music, which is of little interest in Spain, while two of our 40 generic music channels are traditional flamenco and new flamenco. That's about as Spanish as you can get."

### PROFESSIONAL SERVICE

Heineken operates in more than 170 countries around the globe and says that Europe accounts for more than half of its annual sales volume. The company is heavily involved in music worldwide with sponsorship of tours and events, and through such

(Continued on page 48)



GUISASOLA: 'GREAT MOMENT' FOR MUSIC



JAPAN		UNITED KINGDOM		FRANCE		GERMANY	
THIS WEEK	LAST WEEK	THIS WEEK	LAST WEEK	THIS WEEK	LAST WEEK	THIS WEEK	LAST WEEK
(SOUNDSCAN JAPAN) 11/16/04		(THE OFFICIAL UK CHARTS CO.) 11/15/04		(SNEP/IFOP/TITE-LIVE) 11/16/04		(MEDIA CONTROL) 11/17/04	
<b>SINGLES</b>		<b>SINGLES</b>		<b>SINGLES</b>		<b>SINGLES</b>	
1	1	1	NEW	1	2	1	1
2	NEW	2	2	2	1	2	NEW
3	NEW	3	1	3	3	3	NEW
4	NEW	4	NEW	4	NEW	4	NEW
5	2	5	5	5	4	5	2
6	NEW	6	4	6	5	6	4
7	6	7	3	7	95	7	7
8	9	8	8	8	9	8	NEW
9	7	9	NEW	9	6	9	NEW
10	13	10	9	10	7	10	15
<b>ALBUMS</b>		<b>ALBUMS</b>		<b>ALBUMS</b>		<b>ALBUMS</b>	
1	2	1	NEW	1	NEW	1	1
2	NEW	2	NEW	2	NEW	2	NEW
3	NEW	3	NEW	3	1	3	NEW
4	NEW	4	2	4	2	4	NEW
5	1	5	1	5	4	5	3
6	6	6	NEW	6	3	6	6
7	NEW	7	5	7	6	7	NEW
8	7	8	NEW	8	7	8	4
9	8	9	4	9	10	9	5
10	NEW	10	8	10	13	10	NEW
<b>CANADA</b>		<b>ITALY</b>		<b>SPAIN</b>		<b>AUSTRALIA</b>	
THIS WEEK	LAST WEEK	THIS WEEK	LAST WEEK	THIS WEEK	LAST WEEK	THIS WEEK	LAST WEEK
(SOUNDSCAN) 11/27/04		(FIMI/NIELSEN) 11/15/04		(AFYVE/MEDIA CONTROL) DATE		(ARIA) DATE	
<b>SINGLES</b>		<b>SINGLES</b>		<b>SINGLES</b>		<b>SINGLES</b>	
1	1	1	NEW	1	NEW	1	NEW
2	NEW	2	NEW	2	1	2	1
3	NEW	3	NEW	3	2	3	3
4	2	4	1	4	NEW	4	2
5	10	5	2	5	11	5	NEW
6	3	6	5	6	4	6	5
7	5	7	NEW	7	NEW	7	NEW
8	6	8	3	8	3	8	4
9	4	9	14	9	7	9	6
10	7	10	7	10	6	10	7
<b>ALBUMS</b>		<b>ALBUMS</b>		<b>ALBUMS</b>		<b>ALBUMS</b>	
1	NEW	1	NEW	1	NEW	1	NEW
2	NEW	2	NEW	2	2	2	1
3	NEW	3	1	3	1	3	2
4	1	4	3	4	5	4	3
5	NEW	5	2	5	3	5	6
6	6	6	4	6	6	6	4
7	NEW	7	NEW	7	NEW	7	5
8	NEW	8	19	8	NEW	8	15
9	4	9	8	9	11	9	7
10	7	10	5	10	NEW	10	NEW
<b>THE NETHERLANDS</b>		<b>SWEDEN</b>		<b>NORWAY</b>		<b>SWITZERLAND</b>	
THIS WEEK	LAST WEEK	THIS WEEK	LAST WEEK	THIS WEEK	LAST WEEK	THIS WEEK	LAST WEEK
(MEGA CHARTS BV) 11/12/04		(GLF) 11/12/04		(VERDENS GANG NORWAY) DATE		(MEDIA CONTROL) 11/16/04	
<b>SINGLES</b>		<b>SINGLES</b>		<b>SINGLES</b>		<b>SINGLES</b>	
1	1	1	16	1	2	1	1
2	NEW	2	1	2	NEW	2	53
3	2	3	26	3	1	3	6
4	NEW	4	2	4	3	4	NEW
5	11	5	3	5	7	5	2
<b>ALBUMS</b>		<b>ALBUMS</b>		<b>ALBUMS</b>		<b>ALBUMS</b>	
1	6	1	1	1	1	1	1
2	1	2	2	2	NEW	2	2
3	2	3	5	3	2	3	3
4	3	4	3	4	5	4	NEW
5	4	5	7	5	NEW	5	NEW



# Chrysalis Steps Into Management Shoes

BY LARS BRANDLE

LONDON—Chrysalis Group plans to enter the artist-management business.

Executives at the London-based music and radio company say management will be a small but important cog in its business model.

"We can try and make it work for us by being involved in all aspects of an artists' income stream," Chrysalis chairman Chris Wright tells *Billboard*.

The news came as Chrysalis published its preliminary results for the financial year that ended Aug. 31. The company reported "record levels of profitability" at its radio and music divisions. Radio profits rose 56% to £12.44 million (\$22.99 million), and music profits rose 23% to £4.2 million (\$7.76 million).

Wright says the company is in talks to forge alliances with existing artist-management operations in the United States and the United Kingdom. "We can bring some infrastructure and expertise to manage-

ment," he says, "and ideally get involved with artists who we think have got long-term potential."

The move into management is still at an early stage. Wright acknowledges that the management business would be "peripheral" to Chrysalis' main radio and music operations but "still hopefully big enough so that it can contribute to the group."

Artist management would be familiar ground for Wright, who co-managed rock acts Ten Years After and Jethro Tull with his former business partner Terry Ellis before the pair founded Chrysalis Records in 1969.

Many managers view labels' moving into the field as inevitable. "The position of a record company as a unique proposition is very iffy," London-based manager Peter Jenner says. "A lot of labels are going to come in and try to do management, but there is a problem with conflict of interest. And that's a difficult one to resolve."

Jenner, a contemporary of Wright's, is secretary general of the Interna-



WRIGHT: WANTS TO WORK WITH ACTS THAT HAVE LONG-TERM POTENTIAL

tional Music Managers Forum and formerly managed Pink Floyd, the Clash and Disposable Heroes of Hiphoprisy. The current client roster at his firm, Sincere, includes Billy Bragg and Sarah Jane Morris.

## INDEPENDENTS' DAY

Wright insists that the business climate is encouraging for independent music companies, at a time when the

effects of major-label consolidation are preoccupying many in Europe's indie sector.

"The environment is much better for any independent, especially a well-funded independent, and I think we are in a very unique position," he says. "Five years ago, nobody wanted to sign an artist that had been dropped, but that stigma doesn't exist anymore. Majors are now signing artists that other majors have dropped. People are recognizing that if an artist doesn't make it with one company [it] doesn't mean [they are] incapable of making it. It's something I feel is going to happen more and more."

Chrysalis announced a solid set of preliminary financial results Nov. 11. The publicly listed firm reported operating profit for the 12 months to Aug. 31 of £8.3 million (\$15.3 million), nearly four times greater than the pre-

vious year's figure. CEO Richard Hunt-Ingford singles out the radio and music divisions as having "once again demonstrated their ability to outperform their peer group."

Stock in the company slumped immediately after it confirmed that the national radio advertising market had been "volatile" in fall trading and that first-quarter radio sales would be flat.

Chrysalis Radio's revenue rose 20.9% to £67.7 million (\$127.7 million) during the period, and earnings before interest, taxes and amortization increased 48.2% to a record £14 million (\$25.8 million).

The Chrysalis Music division—which comprises music publishing and U.K. wholesale distribution, plus the Echo record label—achieved EBITA gains of 20% to £4.6 million (\$8.5 million). Sales dipped slightly to £70.6 million (\$130 million).

## Quebec

Continued from page 45

Guy Brouillard, music director of French-language top 40 station CKOI Montreal, agrees. "There's not much room for newer artists. New bands don't get much airplay, because people concentrate on the big sellers."

In contrast to other parts of Canada, Quebec has a more centralized music industry, with most domestic product going through Groupe Archambault subsidiary Distribution Select. The company, which claims to handle some 90% of local independent labels, distributes such key imprints as Audiogram, Guy Cloutier Communications and Tacca Musique.

Groupe Archambault also operates the province's leading music retailer, Archambault, which has 14 stores.

Montreal-based DEP Distribution Exclusive is another player in the market. The 8-year-old company handles more than 60 Quebec-based labels.

While the multinationals have not traditionally been active in Quebec's market, they have made inroads in recent years with the signings of Dion, Garou (Sony) and Lemay (Warner). More recently, BMG has signed "Canadian Idol" finalist Audrey de Motigny and rock act Projet Orange.

The majors are expected to play a greater role in developing Quebec music in the wake of two significant partnerships.

Groupe Archambault and Warner Music France in January will launch production and distribution company Groupe Archambault France. Helming the Paris-based operation will be GM Herve Deplasse, former manager of catalog at BMG France, who will report to Pierre Rodrigue, VP of Distribution Select.

Groupe Archambault France will provide significant access in that market for Quebec-based French-language artists and labels—whether distributed by Archambault or not. Additionally, the company will sign and license French-language product for France and Canada.

"The majors going down to four [companies] creates opportunities," Groupe Archambault's Larivière explains. "We feel we have talent that we can export."

Meanwhile, in April, Universal Music Canada inked a deal with DEP Distribution Exclusive to assume a minority share in the distributor. Under the agreement, the major became the distributor of DEP's English-language repertoire in Canada, including its extensive DVD and CD catalog. Further, DEP began coordinating sales of Universal's domestic and international French-language repertoire in Canada and distributing Universal's DVDs in Quebec.

## Online

Continued from page 45

ventures as the nonprofit Red Star Sounds label and the Heineken Music Initiative in the United States, both of which support the development of urban music.

As in many other territories, Heineken already has a consumer-oriented site in Spain (heineken.es), which has a music element offering news and streamed tracks or video clips. It also has close links with the local music scene. For example, it

recently collaborated with the U.K. government's British Council in Spain to promote concerts by British artists.

Madrid-based Heineken España brand manager Juan Casero says heinekenpro.com is the company's first music Web site for professionals. Heineken's operations in each country are fairly autonomous, he adds, and the music professionals Web site is an original Heineken España initiative.

"Of course, if this is seen as a success in Spain, other Heineken operations could well follow suit and implement similar services in their countries," Casero says. "The reason

we have this site in Spain is to foster our relations with music journalists and other trade professionals."

Heinekenpro.com offers lists of labels, distributors, publishers, managers and music media outlets in Spain, as well as business and artist news and the weekly Media Control sales charts. It aims to improve communication among music journalists and such industry professionals as promoters, managers and venue owners. "We also want to maximize the credibility that we think Heineken already enjoys in the music industry, by showing our support for industry professionals," Casero says.

## NEWSLINE

THE INTERNATIONAL WEEK IN BRIEF

**The Spanish Economy Ministry's competition tribunal** has ruled that the country's levy on recordable CDs and DVDs is legal.

The ministry announced Nov. 7 that it had rejected complaints against the tax filed by Internet users association AI and Linux users body Hispalinux. They had claimed the levy amounted to "price fixing" and "abuse of dominant position."

The levy was agreed upon last year by five collecting societies and the association of Spanish electronic and communications companies (Asimilec), whose members manufacture or import 80% of recordable CDs and DVDs sold in Spain (*Billboard*, Aug. 23, 2003). The tax—which went into effect Sept. 1, 2003—compensates artists and authors for revenue lost through home copying.

Authors' body SGAE claims that 78% of blank optical discs sold in Spain are used to record music or video at home.

AI says it is appealing the ruling. The group claims that the majority of blank discs are used for copying computer programs not eligible for rights payments.

HOWELL LLEWELLYN

**Tokyo-based label Columbia Music Entertainment** announced consolidated net profits of 8 million yen (\$75,800) for the first half of its financial year, which ended Sept. 30. This compares with a loss of 797 million yen (\$7.5 million) in the same period the previous year. Sales rose 4.1% to 14.7 billion yen (\$139.3 million).

It was the first time the company has announced a midterm profit since it began reporting first-half results in 2001.

CME says it aggressively cut costs during the period, notably on advertising, and reduced the percentage of returns.

Top-selling acts in the first half included vocalists Yo Hitoto and Kiyoshi Hikawa, rap group Nitro Microphone Underground and U.K. alternative rocker Paul Weller.

STEVE MCCLURE



CALI

**Singer/songwriter Cali** has won the third annual Prix Constantin, France's honor for album of the year. The award is the equivalent to the United Kingdom's Mercury Prize.

A jury of music industry and media professionals on Nov. 9 gave the award to Cali for his debut album, "L'Amour Parfait" (Labels/EMI), which has shipped 180,000 units in France, according to the label.

Ten albums were nominated for the prize. It does not carry a cash award but offers the winner publicity and prominent placing at retail.

All the nominees performed at the award ceremony at Paris' Trianon Theatre. National radio station France Inter broadcast the show Nov. 18; TV station France 2 will air it on a date to be determined.

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**Shortlist**

Continued from page 10

completely out of our control." The sparsely attended event was held at the 1,250-seat Avalon Theater. Additionally, the number of performers was cut in half to four. Tom Sarig, who co-founded the Shortlist with Greg Spotts, says the trimmer bill was created in re-

sponse to last year's too-long, five-hour event. "We were overly ambitious," Sarig says. "It was a conscious decision to cut down on the number of artists."

The Shortlist Awards is also increasing its efforts to establish a brand at retail. Earlier this month Razor & Tie released a 15-track collection that featured such Shortlist finalists as Wilco, Franz Ferdinand, Air and Loretta Lynn.

"We're trying to add to the platforms by which we can help expose and shine a light on this great artistic music," Sarig says. "From the beginning we've wanted this to grow organically and naturally, and it has been that way."

The performing lineup for this year's Shortlist Prize was TV on the Radio, Eagles of Death Metal, Dizzee Rascal and Nellie McKay. The event will air Nov. 20 on MTV2.

The prize—which carries a \$10,000 cash award, presented by XM—honors left-of-center artists whose nominated albums have sold fewer than 500,000 copies. Nominees and the winner are determined by a group of "listmakers," which this year included Dashboard Confessional's Chris Carrabba, Dixie Chicks, Jim Jarmusch, John Mayer, Norah Jones and System of a Down's Serj Tankian.

Stephen Sowley, buyer at Chicago's Reckless Records, says the prize should help TV on the Radio gain mainstream exposure. "The indie community is already well aware of this group, and they've been on MTV2 before," he says. "Our sales for them have been big, so added exposure will only help."

**AMAs**

Continued from page 7

18 high-voltage performances, but Stella says the event was also notable for the absence of several big-name acts with new albums. (An exception was Gwen Stefani, whose album comes out Nov. 23.)

"I was shocked that there was no Destiny's Child, U2 or Eminem," he says. "I expected to at least see an Eminem or U2."

Eminem's album "Encore," released Nov. 12, enters The Billboard 200 at No. 1 this issue. Destiny's Child, whose "Destiny Fulfilled" release was officially moved from Nov. 16 to Nov. 15 but seeped into stores days earlier, comes in at No. 19. U2's "How to Dismantle an Atomic Bomb" is due Nov. 23.

Performers from this year's ceremony should see a bump on next issue's chart.

Nominees for the AMAs are determined by data from Nielsen SoundScan and Radio & Records. Winners are selected by a national sampling of 20,000 ballots with results tabulated by Ernst & Young.

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# For Metal's New Breed, Retail Action Spurs Airplay

BY BRAM TEITELMAN

One year ago, the primary place to hear metal bands like Shadows Fall, Lamb of God and Killswitch Engage was from the mosh pit.

But press coverage, word-of-mouth and constant touring have fueled first-week sales of at least 35,000 for each of these bands' latest albums. Additionally, their music is getting commercial radio airplay for the first time.

The passion of metal fans has driven them to record stores, and radio has taken notice. "We're seeing these impressive sales with no airplay on this station or other markets," says Bill Gamble, PD for active rock WZZN (the Zone) Chicago. "Especially in this environment, where people can download their music for free, when you see those kind of sales, there is something going on." WZZN is playing Shadows Fall and has played Lamb of God in the past.

Active KQRC (the Rock) Kansas City is playing songs by Shadows Fall and Killswitch Engage. "The records truly stand out on the radio station and engender a lot of passion among the fans," PD Bob Edwards says.

Touring has been important in spreading the word, Lamb of God frontman Randy Blythe says. "For bands as extreme as us to sell as many copies as we did the first week, I think it's indicative of the grassroots followings all of us have built up by touring so much."

Epic VP of rock promotion Cheryl Valentine says Lamb of God's Ozzfest stint before the release of "Ashes of the Wake" helped the album sell 35,000 copies in its debut week. "They have worked really hard on this, and it's also the result of very well-timed touring. The record was released at the very end of Ozzfest, and they definitely took away the crown as the new band to break out of Ozzfest. Touring is extremely important, especially when you're going to get limited on-air exposure."

Indeed, Ozzfest has proved invaluable to developing bands like Killswitch Engage and Shadows Fall, both of which played on the second stage in 2003.

Shadows Fall manager "Reverend" David Ciancio says it is "almost necessary" for a new act to prove itself at Ozzfest. "I don't know that you're going to be able to cross over into a bigger market if you don't have that kind of tour under your belt."

Century Media director of rock and specialty

promotion Andrew Sample cites the work ethic of metalcore bands such as Shadows Fall, which is on his label. "All these bands spend a lot of time on the road because it's where they would rather be," he says. "It's more real for kids than with pop stars you can never talk to, who tour once every two years and put an album out every three years, and it reflects in their fan bases. They'll go out and buy that record because they feel a kinship with the band."

Ciancio says the past summer's Strhess Fest tour, which brought Shadows Fall into secondary and tertiary markets, gained exposure for the band's album as street date neared. "If you put



New metal bands such as Lamb of God, left, and Atreyu are making inroads at radio thanks to strong sales.

something that someone in the middle of Iowa or Idaho has seen on TV or read about in a magazine in front of their face, that really means something to them," he says.

The touring success of these bands has also proved to be a barometer for response at radio. "Bands like these are coming in with more of a fan base than bands that are getting signed purely on the basis of a song," Roadrunner VP of promotion Mark Abramson notes. "With slots for adds being as precious as they are, radio stations really have to be pickier. It makes sense to give a slot to a band that has a story out there [rather] than play roulette with a band that has a radio song."

Active WTFX (the Fox) Louisville music director Frank Webb says OM Michael Lee "isn't the biggest fan of what he calls 'cookie monster' music. But I can walk into his office with 'Laid to Rest' and say, 'The other day, Lamb of God sold out [Louisville club] Headliners and there were over 1,000 people there,' and he'll take notice."

According to Nielsen Broadcast Data Sys-

tems, Lamb of God is getting airplay on 15 active rock stations.

## FANS BEFORE RADIO

Killswitch Engage has released two albums on Roadrunner. They toured "constantly" in support of the first one, Abramson says, "and over the course of two years, sold 100,000—which for a band like that was fantastic."

With its latest album, the label didn't pursue commercial radio right away. "I insisted we not go [to radio] out of the chute, because I wanted to make sure the base was there," Abramson notes.



Roadrunner waited for the album to sell 100,000—which took less than two months this time—before taking the title track to radio.

The strategy has paid off: Killswitch Engage's "The End of Heartache" is No. 32 on the *Billboard* Active Rock Tracks chart.

Also receiving strong airplay is Slipknot, whose "Duality" and "Vermilion" stand at Nos. 13 and 24, respectively, on Active Rock Tracks.

It could also be argued that the success of heavy music reflects today's social climate. There is a political undercurrent to Lamb of God's "Ashes of the Wake" and its previous album, "As the Palaces Burn." Frontman Blythe says, "All the music we're playing is pretty harsh, and right now is a pretty harsh time in the world . . . People want to listen to something real, not Britney Spears or whatever."

WTFX's Webb agrees. "It's the first music that has come along in a long time that actually says something and expresses the sense of urgency and anger that kids feel about the world right now. Plus, it's decidedly anti-corporate and anti-

commercial, and people are into that. There's a social and political message in a lot of this music. When you take testosterone-fueled music and add a politically relevant message to it, now you have something that's highly charged. This is the new protest music."

## THE LATEST GENERATION

Sales success for formerly underground bands isn't exactly new. Metallica's 1986 album "Master of Puppets" reached the top 10 without airplay, and active rock staples like Korn, Marilyn Manson and Pantera initially weren't played at radio, either.

The new breed of bands emerging from the underground is a logical extension of those that came before. "There is a whole generation of kids that grew up listening to bands like Korn and Type O Negative," Roadrunner's Abramson notes. "Commercial radio never wanted to do anything with it at first, so the first batch of these bands taken to commercial radio were based on a legitimate story. Once the doors open to Type O Negative and Korn, you eventually get to a Slipknot, and it keeps on going. The cream is rising to the top."

KQRC's Edwards has no qualms about adding bands that have been, until recently, unproven commodities, because there are guideposts. "It's not like we woke up one day and decided to play Killswitch Engage," he says. "After you have a good history with a band like Slipknot, it's easy to take the next step into a band like Shadows Fall. There has been a progression that led us to the point where we feel comfortable exposing these records in meaningful dayparts."

This progression has occurred with listeners as well. "One indicator that it was time to start experimenting," Webb says, "was that we took some of the last generation of heavy music and tested it. We did research on songs like Pantera's 'This Love,' and they tested through the roof. Our station has gotten heavier and heavier over the years. I don't think that we did it just because we like heavy music."

Gamble says the latest metal music stands out not only for its political stance, but because it sounds like nothing else on the radio. "[Metal] is definable, it's distinctive, it's different," he says, "and it's not the same generic junk that 90% of the music industry is putting out there. It invokes passion. The metal fans that are buying this stuff, some of them have been metal fans for 20 years."

## Hurban

Continued from page 8

popular and Spanish hip-hop is so popular, everything aligned itself."

The new format is part of CCR's broader Spanish-language initiative. Announced in September, the effort aims to convert 20-25 CCR stations nationwide to Spanish-language programming within the next 12 months. The first stations under the initiative were Atlanta's simulcast WWVA/WWVA, which went on the air Sept. 16 with a contemporary Latin format.

Since then, CCR has flipped stations in San Jose, Calif., and Las Vegas, where

hip-hop outlet KWID was switched to an oldies regional Mexican format called La Preciosa.

But Houston's hurban format goes to the heart of what Alonso espoused when he was named to his current post in September: reaching the younger Latino listener.

"Everything pointed for us to do something that was not traditional

Spanish radio, which is first-generation-driven," Alonso says. "We felt there was a void in the market for third-generation Latinos."

Alonso says it is premature to qualify the hurban format as CCR's flagship Spanish format. But if it does well, he expects to roll it out in other markets as stations become available.

"It's good to know that we're not

screaming to deaf ears anymore," says Jerry Blair, a principal at the Fuerte Group, whose marketing and promotion arm focuses heavily on third-generation Latinos. Houston's Mega, he predicts, will be the first of many similar stations.

Already, other Spanish-language stations throughout the country, among them XMOR San Diego and WRTO

Miami, are adding reggaeton, hip-hop and dance mixes to their playlists.

Similarly, rhythmic top 40 WPOW (Power 96) Miami caters specifically to young Latinos and regularly programs Spanish-language tracks.

KLOL will be programmed by Jesse Rios, who has programmed several stations, including Tejano outlet KXDN San Antonio.

## Services

Continued from page 8

into one company, World's Fair is very forward-looking," band member John McEntire says. "There is a lot of potential for all kinds of things to happen. This could cause other doors to open for us in the future."

Wichita co-founder Mark Bowen

agrees. "World's Fair offered us the resources to open a U.S. office," he says. "It was the ideal scenario for us—especially because it's not always easy to find the right licensing label partner in the U.S."

A bonus of not licensing music to other companies is that it allows a label like Wichita to retain ownership of master recordings. "In this way," Booker says, "the label makes more money in the long run."

Wichita and Echo, meanwhile, have

inked their first direct U.S. distribution deals, with Alternative Distribution Alliance.

"The World's Fair concept works great for us," ADA president Andy Allen says. World's Fair "is able to re-create each label's presence in the U.S."

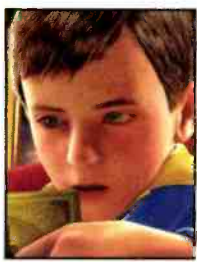
The first Wichita release to travel through the World's Fair U.S. pipeline will be the Cribs' self-titled debut, due in January.

Also arriving in January are two Echo releases: the Stands' "All Years

Standing" and I Am Kloot's self-titled sophomore album.

World's Fair approaches each label or artist deal so that it's a "win-win situation for all parties involved," Booker explains. "Our deals are not set in stone. Each one is client-specific. We want to save our clients money while making them as much money as possible. We want our clients to come back."

World's Fair plans to open a U.K. office early next year.

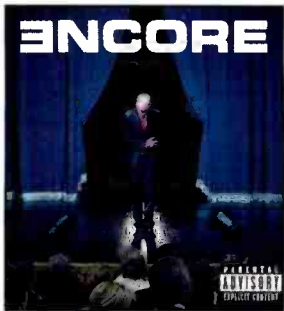


SALES / AIRPLAY / TRENDS / ANALYSIS

## Short Week: Eminem Tall

Eminem becomes the first artist to twice bow at No. 1 with abbreviated sales weeks, as his off-cycle release rules The Billboard 200.

In the space of roughly three days—although many locations put it out a day ahead of its adjusted Nov. 12 street date—"Encore" (Shady/Aftermath) ticks through 711,000 copies, according to Nielsen SoundScan.



Even with a truncated frame, that still stands as the fourth-largest sales week of 2004, behind the bows of Usher's "Confessions" (1.1 million), Norah Jones' "Feels Like Home" (1 million) and Tim McGraw's "Live Like You Were Dying" (766,000 copies). Those

three titles each had six-day openers.

Compared with other off-cycle starts, Eminem exceeds his own "The Eminem Show" of 2002 (284,500 units in about three days' time) and last year's Metallica set, "St. Anger," (418,000 in four days), but falls shy of colleague 50 Cent, whose "Get Rich or Die Tryin'" had the largest sales week of 2003 despite a Thursday release (872,000 in four days).

Eminem looks safe to grab a second week at No. 1 (see A Look Ahead, page 8), with a total of around 750,000 or more. That would put him in the range of about 1.5 million after two chart weeks, just a tick behind the 1.7 million that 50's "Get Rich" did in the same window and the 1.6 million in comparable time for "The Eminem Show," so the rapper seems to have maintained his cool quotient.

## Over the Counter

By Geoff Mayfield  
gmayfield@billboard.com



That said, Eminem's test stands not in the short term, but the long. With first set "The Marshall Mathers LP" having sold 9.7 million since 2000 and "The Eminem Show" doing 9.3 million to date, he is one of only four acts to place two titles in SoundScan's all-time top 20, sharing that distinction with Backstreet Boys, Celine Dion and Britney Spears.

Can he be the first to induct three albums in SoundScan's 9-million-plus club? It will take more than a minute for that answer to develop.

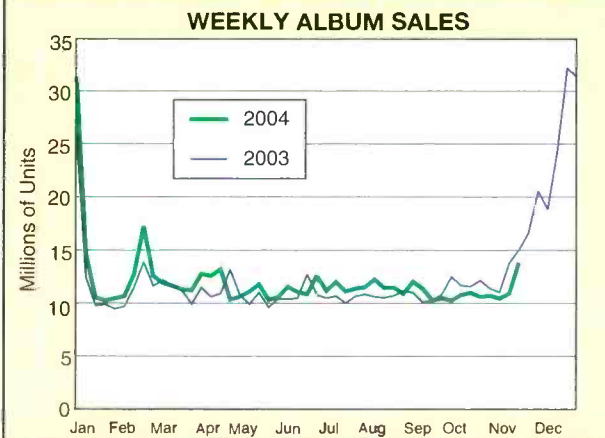
**STREET FIGHTS:** I could smell trouble when Sony Music Label Group advanced the street date for Destiny's Child's "Destiny Fulfilled" one day from its original Nov. 16 target. To accommodate a Monday street date, a high percentage of stores actually had to receive product before the weekend arrived.

Since "Destiny Fulfilled" was featured in many of the same ad programs as Eminem's Nov. 12-slotted album, widespread transgressions ensued, giving Destiny's Child the distinction of the largest pre-street-date sum in Nielsen SoundScan's 14-year history (61,000 copies, good for No. 19 on The Billboard 200).

(Continued on page 56)

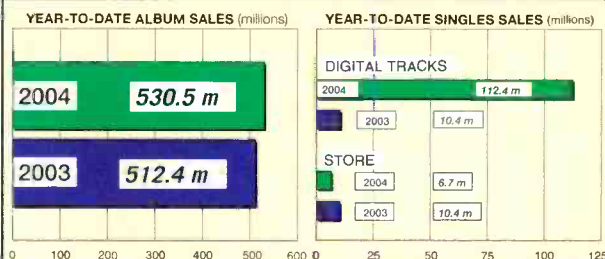
## Market Watch

A Weekly National Music Sales Report



**WEEKLY UNIT SALES**

	Albums	Store Singles	Digital Tracks
<b>This Week</b>	13,833,000	99,000	3,381,000
<b>Last Week</b>	10,910,000	102,000	3,137,000
<b>Change</b>	↗26.8%	↘2.9%	↗7.8%
<b>This Week 2003</b>	15,010,000	175,000	1,171,000
<b>Change</b>	↘7.8%	↘43.4%	↗188.7%



**YEAR-TO-DATE OVERALL UNIT SALES**

	2003	2004	Change
<b>Total</b>	533,141,000	646,175,000	↗21.2%
<b>Albums</b>	512,393,000	530,512,000	↗3.5%
<b>Store Singles</b>	10,354,000	6,659,000	↘35.7%
<b>Digital Tracks</b>	10,394,000	112,385,000	↗981.2%

**YEAR-TO-DATE SALES BY ALBUM FORMAT**

	2003	2004	Change
<b>CD</b>	495,397,000	521,116,000	↗5.2%
<b>Cassette</b>	15,440,000	8,014,000	↘48.1%
<b>Other</b>	1,556,000	1,382,000	↘11.2%



**YEAR-TO-DATE SALES BY ALBUM CATEGORY**

	2003	2004	Change
<b>Current</b>	327,402,000	336,094,000	↗2.7%
<b>Catalog</b>	184,991,000	194,418,000	↗5.1%
<b>Deep Catalog</b>	131,492,000	134,107,000	↗2.0%

Nielsen SoundScan counts as current only sales within the first 18 months of an album's release (12 months for classical and jazz albums). Titles that stay in the top half of The Billboard 200, however, remain as current. Titles older than 18 months are catalog. Deep catalog is a subset of catalog for titles out more than 36 months.

For week ending 11/14/04. Rounded figures.

Compiled from a national sample of retail store and rack sales reports collected and provided by

Nielsen SoundScan

## Linda Hums At No. 2

Linda Ronstadt is one of those rare artists who has appeared on a wide variety of *Billboard* charts, including pop, country, R&B, adult contemporary, Latin and jazz. Since she made her chart debut in November 1967 (on The Billboard Hot 100 with "Different Drum"), she has crossed all of the genres and come back again, as she does this issue with a return to Top Jazz Albums.

Her "Hummin' to Myself" (Verve) is a new entry at No. 2, the highest mark she has ever reached on this tally. Further, it is Ronstadt's first appearance on this chart in almost 20 years. "Lush Life" peaked at No. 8 in February 1985, and "What's New" went to No. 5 in January 1984.

On The Billboard 200, "Hummin'" bows at No. 166, just one rung lower than the debut and peak of Ronstadt's last chart entry, "The Very Best of Linda Ronstadt," in October 2002.

Next week will mark the 37th anniversary of Ronstadt's debut on the album chart: "Evergreen, Vol. 2" by the Stone Poneys bowed the week of Dec. 2, 1967. "Hummin'" is her 34th album to chart.

**BROKEN RECORD:** Britney Spears had a perfect record on The Billboard 200—until now.

She made her debut on this chart in January 1999 by opening at No. 1 with "... Baby One More Time." Her next three albums also debuted at No. 1—"Oops! ... I Did It Again" in 2000, "Britney" in 2001 and "In the Zone" in 2003.

This issue, her fifth chart entry, "Britney Spears Greatest Hits: My Prerogative" (Jive), becomes her first album to open below pole position. The new CD enters at No. 4.

## Chart Beat

By Fred Bronson  
fbronson@billboard.com



**WHAT'S NEW?** The members of New Edition have come together and gone their separate ways and come back together—more than once. That explains the gaps in their chart career. They debut at No. 12 on The Billboard 200 with "One Love" (Bad Boy), their first chart appearance in eight years.

The last New Edition album to chart was "Home Again" in 1996. It is the only album by the group to reach No. 1.

"One Love" is the eighth New Edition album to chart. The group's career stretches back 21 years and three weeks to the Nov. 5, 1983, debut of the "Candy Girl" LP.

**SPOILER:** Joss Stone debuts at No. 71 on Hot R&B/Hip-Hop Singles & Tracks with "Spoiled," a song she wrote with a father-and-son team.

The son is Beau Dozier and the father is the legendary Lamont Dozier, whose writing credits on the R&B chart date back 41 years and seven months to the April 27, 1963, debut of "Come and Get These Memories" by Martha & the Vandellas.

The most recent song credit for the senior Dozier on the R&B chart was "Burnin' Up," a No. 19 hit for Faith Evans Featuring Missy Elliott in September 2002.

Sales data compiled by  
**Nielsen SoundScan**

THIS WEEK	LAST WEEK	2 WKS. AGO	WEEKS ON CHART	ARTIST IMPRINT & NUMBER/DISTRIBUTING LABEL	Title	PEAK POSITION	WEEKS ON CHART	LAST WEEK	2 WKS. AGO	WEEKS ON CHART	ARTIST IMPRINT & NUMBER/DISTRIBUTING LABEL	Title	PEAK POSITION																																																																																																																																																							
														1	2	3																																																																																																																																																				
<b>1</b>	NEW	1	1	👑 <b>NUMBER 1/HOT SHOT DEBUT</b> 👑	<b>EMINEM</b> SHADY/AFTERMATH 003771/INTERSCOPE (18.98/19.98)	Encore	1	50	39	37	38	<b>LOS LONELY BOYS</b> ▲ DR/E/PIC 92088/SONY MUSIC (13.98 CD) [M]	Los Lonely Boys	9																																																																																																																																																						
															2	NEW	1	2	👑 <b>GREATEST GAINER</b> 👑	<b>SHANIA TWAIN</b> MERCURY 003072/UMGN (13.98 CD)	Greatest Hits	2	51	34	27	17	<b>ASHLEE SIMPSON</b> ▲ <sup>3</sup> GEBFFEN 002913/INTERSCOPE (13.98 CD)	Autobiography	1																																																																																																																																							
																														3	NEW	1	3	1 Week At Number 1	<b>TOBY KEITH</b> DREAMWORKS (NASHVILLE) 002323/INTERSCOPE (13.98 CD)	Greatest Hits 2	3	52	37	29	4	<b>JOHN MELLENCAMP</b> ISLAND/UTV 003311/UME (19.98 CD/DVD)	Words & Music: John Mellencamp's Greatest Hits	13																																																																																																																								
																																													4	NEW	1	4	1	<b>BRITNEY SPEARS</b> JIVE 65294/ZOMBA (18.98 CD)	Greatest Hits: My Prerogative	4	53	30	19	4	<b>JIMMY EAT WORLD</b> INTERSCOPE 003416* (13.98 CD)	Futures	6																																																																																																									
																																																												5	NEW	1	5	1	<b>VARIOUS ARTISTS</b> EMI/UNIVERSAL/SONY BMG/ZOMBA 74203/CAPITOL (18.98 CD)	Now 17	1	54	115	—	2	<b>SOUNDTRACK</b> WARNER SUNSET/REPRISE 48897/WARNER BROS. (18.98 CD)	The Polar Express	54																																																																																										
																																																																											6	NEW	1	6	1	<b>FABOLOUS</b> DESERT STORM/ATLANTIC 83754*/AG (18.98 CD)	Real Talk	6	55	40	11	3	<b>MICHAEL W. SMITH</b> REUNION 10073 (17.98 CD)	Healing Rain	11																																																																											
																																																																																										7	NEW	1	7	1	<b>JA RULE</b> THE INC./DEF JAM 002955*/DJJMG (13.98 CD)	R.U.L.E.	7	56	44	43	21	<b>JOJO</b> ▲ DA FAMILY/BLACKGROUND 002672/UMRG (13.98 CD)	JoJo	4																																																												
																																																																																																									8	4	6	34	1	<b>USHER</b> ▲ <sup>7</sup> LAFACE 63982/ZOMBA (12.98/18.98)	Confessions	1	57	73	105	5	<b>MANNHEIM STEARMROLLER</b> AMERICAN GRAMAPHONE 2020 (17.98 CD)	Christmas Celebration	54																																													
																																																																																																																								9	3	5	9	1	<b>NELLY</b> ▲ <sup>2</sup> DERITY/FO REEL 003314*/UMRG (8.98/13.98)	Suit	1	58	36	33	12	<b>YOUNG BUCK</b> G-UNIT 002972*/INTERSCOPE (13.98 CD)	Straight Outta CaShville	3																														
																																																																																																																																							10	6	7	7	1	<b>GEORGE STRAIT</b> ▲ <sup>3</sup> MCA NASHVILLE 000459/UMGN (25.98 CD)	50 Number Ones	1	59	33	38	73	<b>BLACK EYED PEAS</b> ▲ A&M 002854/INTERSCOPE (12.98 CD)	Elephunk	14															
																																																																																																																																																						11	5	4	4	1	<b>ROD STEWART</b> ▲ J 62182*/RMG (18.98 CD)	Stardust... The Great American Songbook Vol. III	1	60	43	39	34	<b>GUNS N' ROSES</b> ▲ GEBFFEN 001714/INTERSCOPE (12.98 CD)	Greatest Hits	3

THIS WEEK	LAST WEEK	2 WKS. AGO	WEEKS ON	ARTIST	Title	PEAK POSITION	THIS WEEK	LAST WEEK	2 WKS. AGO	WEEKS ON	ARTIST	Title	PEAK POSITION
100	94	85	32	MODEST MOUSE ▲	Good News For People Who Love Bad News	18	151	129	109	40	KANYE WEST ▲ 2	The College Dropout	2
101	86	86	20	LLOYD BANKS ▲	The Hunger For More	1	152	142		36	FIVE FOR FIGHTING ●	The Battle For Everything	20
102	99	87	11	PAPA ROACH	Getting Away With Murder	17	153	136	139	25	SLIPKNOT ●	Vol. 3: (The Subliminal Verses)	2
103	91	74	14	SOUNDTRACK ●	Garden State	20	154	65		2	LIVE	Awake: The Best Of Live	65
104	87	67	11	JILL SCOTT ●	Beautifully Human: Words And Sounds Vol. 2	3	155	121	114	3	LOS TEMERARIOS	Regalo De Amor	114
105	70	47	4	ELLIOTT SMITH	From A Basement On The Hill	19	156	128	88	8	SOUNDTRACK	Shark Tale	31
106	158	145	16	TERRI CLARK	Greatest Hits 1994-2004	14	157	135	107	6	CAKE	Pressure Chief	17
107	75	52	12	R. KELLY ▲ 3	Happy People/U Saved Me	2	158	117	75	3	WILLIE NELSON	It Will Always Be	75
108	71	50	6	VARIOUS ARTISTS	Totally Hits 2004 Vol. 2	19	159	155	157	7	JESSE MCCARTNEY	Beautiful Soul	50
109	111	120	18	CROSSFADE	Crossfade	109	160	147	136	20	MAROONS	1.22.03.Acoustic (EP)	42
110	82	56	7	BRIAN WILSON	Smile	13	161	175	186	64	DIERKS BENTLEY ●	Dierks Bentley	26
111	108	113	24	DEAN MARTIN ●	Dino: The Essential Dean Martin	28	162	145	119	14	GRUPO CLIMAX	Za Za Za	79
112	90	104	3	SOUNDTRACK	The OC: Music From The OC: Mix 2	90	163	160	176	14	KIDZ BOP KIDS	Kidz Bop 6	23
113	131	115	47	CASTING CROWNS ●	Casting Crowns	59	164	139	129	50	TRACE ADKINS ●	Comin' On Strong	31
114	107	102	9	BOWLING FOR SOUP	A Hangover You Don't Deserve	37	165	130	118	38	LIL SCRAPPY/TRILLVILLE ●	The King Of Crunk & BME Recordings Present	12
115	104	98	12	THE ROLLING STONES	The Best Of The Rolling Stones: Jump Back '71-'93	30	166	NEW	1		LINDA RONSTADT	Hummin' To Myself	166
116	146	133	5	SOUNDTRACK	Shall We Dance?	116	167	143	155	8	STEVEN CURTIS CHAPMAN	All Things New	22
117	106	101	15	SOUNDTRACK ●	The Princess Diaries 2: Royal Engagement	15	168	NEW	1		HANDSOME BOY MODELING SCHOOL	White People	168
118	NEW	1		GEORGE JONES	50 Years Of Hits	118	169	161	160	16	TAKING BACK SUNDAY	Where You Want To Be	3
119	81	46	4	JUVENILE	The Greatest Hits	31	170	127	108	12	MASE ●	Welcome Back	4
120	103	96	56	THREE DAYS GRACE ●	Three Days Grace	69	171	183		2	SOUNDTRACK	Alfie	171
121	105	100	22	SEETHER	Disclaimer II	53	172	NEW	1		CHINGY	Powerballin'	172
122	114	103	73	BEYONCE ▲ 4	Dangerously In Love	1	173	148	162	58	JET ▲	Get Born	26
123	126	137	25	LONESTAR	Let's Be Us Again	14	174	182	189	26	MONTGOMERY GENTRY ●	You Do Your Thing	10
124	97	81	20	AKON	Trouble	38	175	162	152	54	SHERYL CROW ▲ 3	The Very Best Of Sheryl Crow	2
125	151	143	48	ALAN JACKSON ▲ 3	Greatest Hits Volume II	19	176	72		2	DARRYL WORLEY	Darryl Worley	72
126	102	83	7	GUERRILLA BLACK	Guerilla City	20	177	157	151	21	JADAKISS	Kiss Of Death	1
127	NEW	1		RANDY TRAVIS	Passing Through	127	178	167	177	52	JAY-Z ▲ 2	The Black Album	1
128	109	94	18	SOUNDTRACK ●	A Cinderella Story	9	179	170	181	39	GARY ALLAN ●	See If I Care	17
129	132	127	75	THE BEACH BOYS ▲	The Very Best Of The Beach Boys: Sounds Of Summer	16	180	RE-ENTRY	15		REBA MCENTIRE ●	Room To Breathe	25
130	133	124	49	HOOBASTANK ▲ 2	The Reason	3	181	141	121	6	TOM WAITS	Real Gone	28
131	NEW	1		VARIOUS ARTISTS	Las Mas Bailables Del Pasito Duranguense	131	182	NEW	1		BARENAKED LADIES	Barenaked For The Holidays	182
132	56		2	NEWSBOYS	Devotion	56	183	159	122	4	LIL WYTE	Phinally Phamous	64
133	120	91	7	INTERPOL	Antics	15	184	98		2	SOUNDTRACK	Team America: World Police	98
134	144	90	3	BIG & RICH	Big & Rich's Super Galactic Fan Pak (EP)	90	185	NEW	1		SOUNDTRACK	Halo 2	185
135	110	99	7	JUANES ▲	Mi Sangre	33	186	96		21	TWISTA ▲	Kamikaze	1
136	92	60	5	DURAN DURAN	Astronaut	17	187	NEW	1		DISPATCH	All Points Bulletin	187
137	95	68	7	TALIB KWELI	The Beautiful Struggle	14	188	152	134	4	JOHN DENVER	Definitive All-Time Greatest Hits	52
138	150	150	14	SNOW PATROL	Final Straw	114	189	177	154	6	A.B. QUINTANILLA III PRESENTS KUMBIA KINGS ▲	Fuego	89
139	123	116	32	SHINEDOWN ●	Leave A Whisper	53	190	191		65	LED ZEPPELIN ▲	Early Days & Latter Days: The Best Of Led Zeppelin Volumes One And Two	114
140	119	106	12	PITBULL	M.I.A.M.I. (Money Is A Major Issue)	14	191	NEW	1		VARIOUS ARTISTS	Lunytunes Presents La Mision 4: The Take Over	191
141	125	130	6	TOBYMAC	Welcome To Diverse City	54	192	122	138	4	PINK MARTINI	Hang On Little Tomato	122
142	138	172	16	GAVIN DEGRAW ●	Chariot - Stripped	56	193	186		63	HILARY DUFF ▲ 3	Metamorphosis	1
143	113	117	34	FRANZ FERDINAND ●	Franz Ferdinand	32	194	140	89	4	PAT GREEN	Lucky Ones	28
144	50		2	THE ROLLING STONES	Live Licks	50	195	RE-ENTRY	6		ISRAEL AND NEW BREED	Live From Another Level	146
145	124	111	60	NICKELBACK ▲ 2	The Long Road	6	196	168	146	8	RAVEN-SYMONNE	This Is My Time	51
146	RE-ENTRY	6		CHRIS BOTTI	When I Fall In Love	124	197	185	197	22	SHEDAISY	Sweet Right Here	16
147	134	135	65	JESSICA SIMPSON ▲ 2	In This Skin	2	198	156	156	13	213	The Hard Way	4
148	NEW	1		SOUNDTRACK	The Spongebob Squarepants Movie	148	199	RE-ENTRY	21		LENNY KRAVITZ	Baptism	14
149	116	70	6	R.E.M.	Around The Sun	13	200	NEW	1		FRANK SINATRA	The Christmas Collection	200
150	RE-ENTRY	2		LEANN RIMES	What A Wonderful World	150							

● 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 for net shipment of 400,000 units (Multi-Platino). \* 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. © 2004, VNU Business Media, Inc., and Nielsen SoundScan, Inc. All rights reserved.



NOVEMBER 27 2004 TOP HOLIDAY ALBUMS

Table of Top Holiday Albums for November 27, 2004. Includes columns for rank, artist, title, and sales data. Top album: The Polar Express (Soundtrack).

NOVEMBER 27 2004 TOP HEATSEEKERS

Table of Top Heatseekers for November 27, 2004. Includes columns for rank, artist, title, and sales data. Top album: Crossfade (Crossfade).

NOVEMBER 27 2004 TOP INDEPENDENT ALBUMS

Table of Top Independent Albums for November 27, 2004. Includes columns for rank, artist, title, and sales data. Top album: Crunk Juice (Lil Jon & The East Side Boyz).

Billboard chart methodology and certification details. Includes information on Nielsen SoundScan sales data, RIAA certification levels (Gold, Platinum, etc.), and chart rules regarding album eligibility and reporting.









# Destiny

Continued from page 3

recent downturn in album sales (*Billboard*, Nov. 20).

Eminem's "Encore" was shifted to Friday, Nov. 12. Snoop Dogg's "R&G (Rhythm & Gangsta): The Masterpiece" advanced to Nov. 16 from Nov. 23. And Destiny's Child moved up one day to Nov. 15.

Prior to the date change, Columbia Records Group president Will Botwin acknowledged the label was concerned about the competition. "It would be stupid to say no. There are some huge records coming."

Jim Stella, urban music buyer for Trans World, says his chain began selling the album Nov. 12 after noting other chains' street-date violations. And though Stella estimates Destiny's Child had one good day's lead on Lil Jon, Trans World found itself selling more of the latter artist's title.

Despite that and the fact that "Destiny Fulfilled" arrives without a bonus DVD or other extras (after it had been originally announced that the album would be in the DualDisc format), Stella believes the "well-rounded" album will do well, especially since he's seeing a lot of \$9.99 price tags on the release.

He also contends the three-year break won't adversely affect the trio. "The solo albums they released during those years kept them in the spotlight and kept the group fresh," he says.

## TOGETHER AGAIN

For Destiny's Child members Beyoncé Knowles, Kelly Rowland and Michelle Williams, however, the issue is not about sales. It is about the group singing together again.

During the three-year break, each member released a solo project. Beyoncé still remains on the pop and R&B charts with "Dangerously in Love" (2003), which has sold 3.7 million, according to Nielsen SoundScan, and snared multiple Grammy Awards.

"Obviously, it would feel good to be No. 1," Beyoncé says of the new

## Trio Pursues Its Sales Destiny

With the Nov. 15 release of 'Destiny Fulfilled,' Destiny's Child is poised to surpass TLC as the top-selling female R&B act

	Destiny's Child	TLC
<b>Albums sold to date in the United States:</b>	11.9 million	15.1 million
<b>Billboard 200 stats</b>	Two top 10s, one No. 1 ("Survivor")	Three top 10s, one No. 1 ("FanMail")
<b>Top R&amp;B/Hip-Hop Album stats</b>	Two top 10s, one No. 1 ("Survivor")	Four top 10s, one No. 1 ("FanMail")
<b>Billboard Hot 100 stats</b>	Nine top 10s, four No. 1s ("Bills, Bills, Bills," "Say My Name," "Independent Women Part I," "Bootylicious")	Nine top 10s, four No. 1s ("Creep," "Waterfalls," "No Scrubs," "Unpretty")
<b>Top R&amp;B/Hip-Hop Singles &amp; Tracks stats</b>	Eight top 10s, four No. 1s ("No, No, No," "Bills, Bills, Bills," "Say My Name," "Independent Women Part I")	Nine top 10s, three No. 1s ("Baby-Baby-Baby," "Creep," "No Scrubs")
<b>Discography and sales (according to Nielsen SoundScan)</b>	"Destiny's Child" (1988): 796,000 "The Writing's on the Wall" (1999): 6.1 million "Survivor" (2001): 4.1 million "8 Days of Christmas" (2001): 571,000 "This Is the Remix" (2002): 249,000	"Ooooooohhh... On the TLC Tip" (1992): 2.5 million "CrazySexyCool" (1994): 7.2 million "FanMail" (1999): 4.7 million "3D" (2002): 680,000

album. "But we're not thinking competitively. We did this record for ourselves, not to sell a million the first week out. That doesn't mean as much to us as just the fact that three friends got back together to do another record. That was our destiny."

"Destiny Fulfilled" finds the threesome making the transition into womanhood. With a decidedly more R&B stance, the album is a mature sequel to the act's 1999 album, "The Writing's on the Wall."

Each song introduces a new chapter in that journey—from love's exhilarating start ("Lose My Breath") to its sometimes disappointing end ("Through With Love"). The second single "Soldier," featuring rappers T.I. and Lil' Wayne, was co-produced by Rich Harrison, whose credits include Beyoncé's runaway hit "Crazy in Love." Among the other writer/producers the group worked with are Rodney Jerkins, Sean Garrett, 9th Wonder, Rockwilder and Mario Winans.

The album's lyrical content was drawn in part from conversations the three women had upon reuniting in

the studio. Given prior commitments on their busy solo schedules, the trio only had three weeks together to record.

"For the first three days in the studio, we recorded our conversations," Rowland recalls. "We were running our mouths, catching up. It was non-stop energy. And that helped us out on the album, conceptually and creatively."

"We're talking and singing about what we love and relate to," Williams adds. "There's no song on this album that we didn't experience."

Serving as executive producers with manager Mathew Knowles, Rowland, Williams and Beyoncé also co-wrote all the songs. Beyoncé is also credited as co-producer and vocal arranger.

"I wanted to make sure Kelly and Michelle were heard," says Beyoncé, who alternates leads with both on the album. "I wanted people to hear how beautiful and strong their voices are, how much they've matured."

"This album shows how they've all grown as women and businesspeople," Mathew Knowles says. "They were involved in every aspect of this

album, from picking the songs to mixing and mastering."

## MARKETING MACHINE

In the wake of performances at the Radio Music Awards in October and the National Football League's kick-off show on ABC in September, the act's marketing blitz has shifted into full throttle.

Among the linchpins is the group's global partnership with McDonald's "I'm Lovin' It" campaign. The partnership officially launched in November with Destiny's Child serving as worldwide ambassadors and appearing in a special commercial for World Children's Day (Nov. 20). McDonald's is also sponsoring next year's Destiny Fulfilled and Lovin' It tour, which ramps up in April 2005 and stops in 70 cities.

Destiny's Child has already signed on as a July 2 headliner at the 2005 Essence Music Festival in New Orleans.

Wal-Mart is a major partner on the retail front. The chain's stores are displaying signage in its music departments as well as other floor areas.

needs. In addition, I will be looking at alternative outdoor venues in every market so artists and agents have options if they want to play outdoors."

The new amphitheater in Indianapolis, which will compete with the CCE-owned, 25,000-capacity Verizon Wireless Music Center in nearby Noblesville, Ind., is targeted to open in 2006. "It will be very competitive," Lucas vows.

## AN AGONIZING DECISION

Lucas' future had been uncertain in the wake of the recent CCE reorganization that saw Michael Rapino named global president of CCE's music division, reporting to CCE chairman/CEO Brian Becker (*Billboard*, Nov. 6).

"They did everything to try and keep me there, from offering me the chairmanship of the music division to other opportunities," Lucas says of CCE.

"The decision for me to leave was

something I agonized over for four months," he continues. "I have great relationships and friendships with many of the employees of Clear Channel, and I leave with nothing but a positive experience."

He says there is no non-compete contract clause in place for him with CCE. "Not only am I absolutely free to compete, I believe I will work with [CCE] on different projects."

Speaking about corporate promotion leaders CCE, AEG Live and House of Blues Concerts, Lucas says, "There are some things we'll do that they don't do, and we'll be working in some of the same spaces. When we do compete, it will be good, clean competition."

Lucas says he is currently in meetings with four "very deep-pocketed" potential investors. Industry speculation, which he would not confirm, has named such people as mega-managers Coran Capshaw and

Howard Kaufman as potential partners in the joint venture.

"Coran is a good, personal friend who has given me a great amount of advice, as has Howard Kaufman and many other people who have been very kind to me," Lucas says. "Right now they are not partners, but I welcome listening to any potential investors."

Lucas has a 33-year history in the concert business, founding Indianapolis-based Sunshine Productions. In 1997, it was the second promoter acquired in the industry consolidation orchestrated by SFX, later acquired by Clear Channel Communications. Lucas was CEO of CCE for 2½ years.

"In 2002, my first year as co-CEO, we had the biggest year ever for the company, and '03 was [again] the biggest year ever," Lucas says. "So after two years of record profit, there was a correction in the entire

More high-visibility TV appearances include "The Oprah Winfrey Show," "Good Morning America," "20/20," BET's "106 & Park" and MTV's "Total Request Live." The press blitz includes articles in Teen People, Glamour, Cosmo Girl and Blender.

An ABC-TV special is also in the works for February, which Botwin says is part of the label's phase-two launch. That phase will include the release of the DualDisc in January. "We're still putting together the footage," Botwin says.

## THE EXCITEMENT CONTINUES

In September, Beyoncé tore a leg muscle while rehearsing dance moves, which delayed shooting on the video for "Lose My Breath." It was sent to major video outlets the first week in November. But it hardly hampered MTV's enthusiasm.

MTV is currently staging the MTV Destiny's Isle contest. Three fans and their guests will win a one-week trip to their own private island and spend an afternoon with the trio. Mtv.com began streaming "Destiny Fulfilled" Nov. 8 as part of "The Leak."

Noting the current lack of female acts, MTV VP of music and talent programming Amy Doyle says it has been difficult finding girl groups that can connect with teenage and older women. "These ladies do and can," she adds. "They're talented, glamorous and down to earth. If the attraction to the first single is any indication, these girls can do no wrong as a group."

The promotional blitz is international: "Destiny Fulfilled" was released Nov. 15 in most territories. Noting the group has "sold at least as many records outside the U.S. as it has inside," Botwin says the act—which recently returned from a London promotion—will make more promo trips to the United Kingdom and Europe "where the opportunity for growth is very apparent."

So how apparent is another Destiny's Child album?

"Who knows what will happen in three, five or 10 years?" Beyoncé says. "The main thing is that we maintain our friendship and that we do it because we want to—not because it's a good business move."

# Lucas

Continued from page 3

ating under the Lucas Entertainment Group banner.

The new company will include national tour promotion, tour marketing and venue components. Among its plans is a proposed large amphitheater for downtown Indianapolis, Lucas' home base.

"I am looking at forming a company involved in the many areas of the live music industry where I have a background of success," Lucas says. "There will be a touring division for national tours, as well as a division that will focus on festivals. We're also forming a new artist services company focusing on tour marketing."

Lucas says he will form a network of arenas to "focus specifically on their

industry. Yet the company is still very profitable, and I'm very proud of my time there."

While the new company will have a national presence, "we won't have 30 different offices. We will be very nimble, and it won't take weeks and months to get a deal done," he says.

The industry will likely take a wait-and-see attitude toward Lucas' new venture, particularly when it comes to producing national tours.

"The more the merrier, I suppose," says Peter Grosslight, worldwide head of music for the William Morris Agency. "But frankly, I see less national tours and more tours sold date-by-date to the local promoters as healthier for the business."

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"There is absolutely no resting on our laurels," he tells *Billboard*. "I say to people we have to break the band every time we put out a record."

And this is with an album that McGuinness expects to debut at No. 1 in "32 or 33 countries."

"How to Dismantle an Atomic Bomb" comes out Nov. 22 internationally on Island and Nov. 23 in the United States on Interscope. Steve Lillywhite produced the record with additional production by Chris Thomas, Jackknife Lee, Nellee Hooper, Flood, Daniel Lanois, Brian Eno and Carl Glanville. Interscope is initially shipping 2.2 million copies in the United States alone.

"U2 has amazing word-of-mouth," says Carl Mello, buyer for Brighton, Mass.-based Newbury Comics. "I don't think [the album] could be set up any better."

In fact, the only stumbling block that might keep the album from entering *The Billboard* 200 at No. 1 is labelmate Eminem's new set, "Encore." However, McGuinness expects the advance of the street date for "Encore" from Nov. 16 to Nov. 12 to work in U2's favor.

#### ALWAYS ROOM FOR IMPROVEMENT

Early reports that this is the best effort from the band—Bono, the Edge, Larry Mullen Jr. and Adam Clayton—since 1987's "The Joshua Tree" suit McGuinness just fine.

"The group's always trying to beat their previous best," he says. "They went into [their career] to do it as long as they could be great and then stop. They're like a championship holder. They hold the title, and they're not going to give it away. If someone wants to come and take it away, they'll

## How To Top A \$104 Million Tour

With approximately 115 dates already slotted, U2's 2005 world tour will likely surpass its last outing in capacity and dollars.

The group's 2001 tour grossed \$104 million from 106 shows worldwide, according to *Billboard* Boxscore. The top gross was \$6.4 million from four sellouts at Chicago's United Center.

The new tour, in support of the band's Nov. 23 Interscope release, "How to Dismantle an Atomic Bomb," will start March 1 in Florida, according to the band's manager Paul McGuinness.

The tour will be promoted by

Clear Channel Entertainment's TNA International, which is spearheaded by president Arthur Fogel in Los Angeles and the TNA Toronto staff. Building deals and routing are being finalized.

"We'll play approximately 35 shows in arenas in the spring in the U.S.," McGuinness says. That will be followed by 30 stadium shows across Europe. The group will then come back to the United States for another 35-date arena swing and then go to Japan and Australia for about 20 dates.

The 2001 outing did not include stadium dates, nor did the band play Japan and Australia.

U2 is one of a number of superstar outings projected for 2005. Paul McCartney is believed to be plotting a tour, and there is still the potential for a Rolling Stones trek later in the year. But it is doubtful that either act would play as many dates in 2005 as U2.

Rumors have circulated that potential openers for U2 include Snow Patrol and Scissor Sisters. McGuinness says a decision has not been made, but he adds, "We love Snow Patrol. Their producer, Jackknife Lee, also worked on U2's album, and they're Irish. There's a close connection."

MELINDA NEWMAN and RAY WADDELL

have to fight them for it."

But this time at least, McGuinness feels that the job is a little easier since the band is coming off 2000's "All That You Can't Leave Behind," which sold 10.8 million worldwide and snared several Grammy Awards.

"With that record's launch, we were coming off a comparative flop," he says, referring to 1997's "Pop." "Mind you, it still did 7 or 8 million, but in our terms, that's not very good."

"Pop" sold 1.5 million copies in the United States, according to Nielsen SoundScan. "All That You Can't Leave Behind" sold 4.2 million stateside.

Key to continuing U2's success is taking the record to "young recruits," as McGuinness refers to them. "If we can't break at modern rock, we would regard this as a failure."

No such worries. "Vertigo" has topped the *Billboard* Modern Rock chart for four weeks, the Heritage Rock Chart for six weeks and *Billboard* Radio Monitor's Triple-A chart for seven weeks. All this is in addition to debuting at No. 1 on the U.K. singles chart.

Interscope is also reaching out to the

teen audience by advertising on such youth-oriented outlets as MTV, MTV2, Fuse and various extreme-sports programs, label marketing executive Paul Kremen says. It also hired teen marketing firm Moxie to distribute 25,000 stickers to high schools and coordinate other grassroots efforts.

The album was serviced to radio via digital download Nov. 11. The band and the label will look at radio's reaction to the album to aid in picking subsequent singles. Unlike "Vertigo," which was the first single worldwide, McGuinness says he expects the next few singles to vary by market.

#### APPLE AT THE CORE

The core of the early push centered on a promotion with Apple Computer that launched with the Cupertino, Calif.-based company featuring "Vertigo" in its ubiquitous iPod/iTunes TV commercial.

"Apple is spending \$20 million worldwide on the U2 commercials," McGuinness says.

Kremen believes that the Apple ads, which feature the band performing in

silhouette, "helped create a really quick appetite" for the song, especially among U2's upper demos. "What ignites them is multiple impressions," he says. "And Apple gave us that. We could never afford that on our own." The "Vertigo" single was available exclusively through iTunes in the United States.

Additionally, the Apple/U2 partnership includes a special-edition iPod, available in mid-November. The black iPod, which holds 5,000 songs and costs \$349, features a red click wheel and is laser autographed by U2's four members.

Another component of Apple's deal is a digital collection of more than 400 U2 songs, including approximately 25 previously unreleased or rare tracks. The digital set, which includes the new album and an elaborate PDF artwork file, sells for \$149 on iTunes. However, the special iPod includes a coupon for \$50 off the set.

The ongoing relationship between U2 and Apple could lead to the group's shows being available for download from the iTunes Music Store. The

band's tour starts March 1, 2005 (see story, this page).

U2 is paying as much attention to traditional retail as to online sales by offering three editions of the set. The CD in a standard jewel case, or "the paperback version," as McGuinness calls it, retails for Universal Music & Video Distribution's JumpStart price of \$13.98 in the United States. (The boxlot price is \$10.38.) A deluxe CD/DVD package, with a documentary and five videos on the DVD, sells for \$24.98, while the premium, limited-edition version (175,000 copies), which combines the CD and DVD with a hardback U2 book, is \$39.98. The 70-page book carries artwork, paintings and graphics by the band.

"We thought one of the reasons the music business was losing out to peer-to-peer file sharing was that people had stopped making the record and its packaging a beautiful object to entice people back to the stores," McGuinness says.

Despite the effort, U2 was not able to keep the album from leaking to file-sharing services two weeks prior to its release. McGuinness and Interscope talked about moving up the in-store date but opted not to. "We thought, 'Let's not panic,'" McGuinness says.

The biggest challenge of coordinating a campaign for an act with such an international following comes down to negotiating where and when the group will be doing promotions.

Kremen says the marketing campaign will last at least 20 months and that impatient media outlets need to realize the duration. But he admits that one difficulty of coming off such a successful album is that demand for the band soars. "It was far easier last time when we were [re-establishing] a lot of what U2 was about. This time, it's the Beatles on the tarmac, and it's 1965."

Additional reporting by Ed Christman in New York.

## Film & TV

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"weren't looking for quality, and soundtracks weren't good, [so] consumers rejected them," said Lia Vollack, president of worldwide music for Sony Pictures Entertainment. "There are fewer soundtracks, and there should be. Now we do soundtracks only for the right projects."

Even with the attempt to raise quality, soundtrack sales are down substantially: 33% from last year alone (*Billboard*, Nov. 20).

Vollack, who participated in the "View From the Top" panel moderated by *Billboard* co-executive editor Tamara Conniff, has worked on such films as "Spider-Man" and "50 First Dates." She feels that deals to secure new tunes from top-level artists for a movie have changed for the better.

"Artists were getting ridiculously high fees to do one song—more than an advance for three albums," Vollack said. Metallica, for example, received a \$1 million advance for "I Disappear," which was heard in 2000's "Mission: Impossible II" and its soundtrack.

"Now we're making deals in a different way," Vollack added. "We show A-list acts the film first, and then we make a deal."

#### BUDGET CRUNCHES

Meanwhile, securing existing tracks—especially hits—is becoming more difficult because of financial constraints.

"Licensing departments are charging more, sometimes five times more," Vollack said. "And music budgets are being set aside just to get a movie greenlit."

Others agreed that smaller budgets are leading to downsizing on some film and TV projects.

"When budgets are crunched, more people wear a number of hats. They compose and supervise," said Laurie Soriano, partner at Manatt, Phelps & Phillips, where she chairs the Entertainment Industry Practice Group.

Music supervisor Chris Douridas, who hosts a program on Los Angeles radio station KCRW, said the situation is "not all that bleak. We are working with ever-shrinking budgets, but artists want to work on films. They'll take smaller fees to be part of a project that works for them creatively."

Indeed, Douridas noted that when he worked on "Shrek 2," 50 artists wrote on spec for the film's opening, because "they all believed in it."

For composers, shrinking budgets are leading to more creative thinking. In a BMI-sponsored Q&A with *Billboard* West Coast bureau chief Melinda Newman, composer Mark Mothersbaugh said, "My job is to take the budget that exists and make the best of it and ignore the fact that there's a budget 40 times greater to buy a pop song."

The Devo co-founder noted that a big budget is "not always necessary. If you don't have money for a 100-piece orchestra, you give the director different ideas."

Mothersbaugh also said competition among composers is increasing because of the growing number of writers filling home studios with equipment

that 20 years ago was only available in professional studios for hundreds of thousands of dollars.

However, he added, studios are often reluctant to give new talent a chance. "Producers want to play it safer than a guy with a studio in a room in his mom's house."

The struggle between creativity and studio frugality was also a topic for film director Garry Marshall and composer John Debney in their ASCAP-sponsored session, moderated by Conniff.

"Studios call me and say, 'I don't know about this choir. Can you use a synthesizer instead?'" Debney said. He admitted that the studios come around more often than not, but "there is a certain amount of money, and you deal with it."

#### PLACEMENT UPS AND DOWNS

Participants noted that the right music can draw audiences to a project, increasing its box office.

Director/producer McG, who participated in a keynote Q&A session with Newman, estimated that Destiny's Child's hit "Independent Women Part 1" brought at least \$30 million in box office to 2000's "Charlie's Angels"

because a lyric in the song cited the movie. He added that the soundtrack was certified triple-platinum by the Recording Industry Assn. of America.

However, McG added, company pressure caused him to include in the same film a song he did not like. "I had to put the Destiny's Child song 'Dot' in the picture. You have to make the studio and label feel good." Sony Pictures released the film. The act is signed to Sony Urban Music/Columbia.

Marshall addressed how he deals with a label that will provide a superstar's song only if the director will also feature music from a new artist the label is trying to break. "You'll see a lot of characters in my movies walking in and out of rooms turning on radios really quick to get around that," Marshall said.

The closing title sequence is still considered a prime slot for movie music, though not everybody covets it. Douridas noted that it is "hard to negotiate the track that plays when everyone is in the parking lot."

Additional reporting by Margo Whitmire in Los Angeles.

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for 3G handsets and services that enable subscribers to access from their phones a range of multimedia and interactive content, including music and music videos.

Vodafone has spent £14.7 billion (\$27.3 billion) worldwide to secure 3G licenses and undisclosed amounts to develop 3G infrastructure.

The initiative, which covers 12 major European markets and Japan, will offer entertainment options, such as full-length music tracks and videos for streaming and downloading. Consumers can access these services and more through the network's dedicated multimedia portal, Vodafone Live.

"We're going from voice technology to multimedia technology. It's here now; it's real; it's palpable, and you can use it today," Vodafone CEO Arun Sarin said to an audience of investors, analysts and journalists on launch day in London. "With services such as CD-quality, iPod-like music experience, we want to be terminal-centric, so that no matter which handset you are using, you'll be having the Vodafone experience."

He predicted that Vodafone will have 10 million 3G customers by 2006 but added that application of the technology will be evolutionary, not revolutionary.

Most of today's mobile phones use either 2G or 2.5G technology and are dedicated mostly to voice telephony, text messaging, basic photography, monophonic or polyphonic ringtones and some master ringtones.

The 3G system offers customers a broader bandwidth, enabling high-speed wireless transmission and better quality audio and video. Vodafone's announcement represents

Europe's biggest 3G push to date and comes with the blessing of the four major music companies.

London-based new-media research firm and consultancy ARC Group forecasts that 3G handsets will represent one-third of the global market by 2009, compared with 4% in 2004.

#### FOUR-YEAR WAIT FOR 3G

This new generation of phones finally appears poised to make its mark in Europe, four years behind schedule. Plagued with technical problems, 3G operators have delayed the introduction of the technology in that region.

However, 3G is established in Japan, where telephone operator NTT DoCoMo's iMode Internet telephony revolutionized local mobile entertainment, and in South Korea.

In the United States, 3G networks are in an embryonic stage. In July, AT&T Wireless launched its first commercial 3G high-speed wireless data services in Detroit, San Francisco, Phoenix and Seattle.

Ed Kershaw, head of music at Vodafone Global Content Services in London, tells *Billboard*: "Last year, we were not ready, because the network's speed was not fast enough. We needed to know whether we would have the right content and whether the labels were with us. All those problems have been solved."

He adds that the new 3G music service comes with a broader portfolio of ringtones and master ringtones from three of the majors, apart from Warner Music International.

The biggest innovation is an offering of 3,000 full downloadable tracks through direct licensing deals with WMI, Universal and Sony BMG Music Entertainment. Additional tracks from EMI are also available through Musiwave, the Paris-based mobile-music distributor that provides content for Music On Demand Service, the full-track download platform

Vodafone Live uses.

Other music content includes video clips of live events, supplied by MTV Networks.

Content is encrypted using the ACC+ technology based on the Open Mobile Alliance standard and is stored on a removable memory card that can carry 20 full tracks. The service will launch with 10 new 3G



PONSOT: LABELS MUST PLAN FOR 3G

handsets for the Christmas season from Sharp, Motorola, Sony Ericsson, NEC, Nokia and Samsung.

Kershaw emphasizes that the carrier is working directly with the labels, which helped select the first 3,000 downloadable songs for 3G. He says they are starting with only 3,000 full tracks because "we're not trying to compete with iTunes in the number of tracks. It is about what makes the experience work. It will take too long a time to browse through 800,000 songs on a mobile."

#### MAJORS CLIMB ABOARD

The major-label partners are enthusiastic.

"The operators are among the retailers of the future. We're trying to get as much of our content available to them as possible," says London-based John Reid, WMI executive VP of international marketing. "When you have space like 3G, there

is more you can do compared with standard mobile phones, and we have more stuff lined up for the first and second quarter of next year."

Sony BMG has licensing agreements in place to provide music content for Vodafone and such rival international carriers as T-Mobile, a subsidiary of German telecom group Deutsche Telekom AG; France Telecom's mobile division, Orange; and the U.K. group mm02.

"We're already offering music-related content through different partners in more than 25 different countries. And we feel music and music video content will be very attractive to users as they get more bandwidth on their mobile phones," says Thomas Gewecke, senior VP of the digital business group at Sony BMG in New York. "We try to make our content as widely available as possible, and we view Vodafone as an important strategic partner."

Vodafone's 3G pricing will vary from country to country. Significantly, subscribers will no longer pay for airtime just to browse Vodafone Live before selecting a paid service. With 3G, the browsing is free, and services are paid for either per item or bundled as packages.

In the United Kingdom, until February 2005, users will be able to download three full tracks per month for free as part of the standard subscription packages, costing £40 (\$74.30) or £60 (\$111.40) per month. Beyond the free download allowance, each track costs £1.50 (\$2.78). Most video clips will cost £1 (\$1.85), compared with £2 (\$3.70) for ringtones and £3 (\$5.50) for master ringtones. In the rest of Europe, prices will be slightly cheaper, with an average rate of 1.50 euros (\$1.90) per download.

Cedric Ponsot, Paris-based CEO/president of Universal Mobile, believes content owners should be aggressive in addressing 3G, instead

of letting operators and handset manufacturers dictate the pace.

Universal Mobile has signed a global agreement with French communications group Alcatel to develop 3G mobile multimedia services. These include personalized video mail greetings called Video Mail Boxes, video ringback tones and a Video Delivery Portal, where a hit act will be the voice that instructs users which numbers to dial for information.

"We have to start thinking of these new services well in advance. That is why we signed the worldwide alliance with Alcatel," Ponsot tells *Billboard*. "We have more than 1,000 video tones produced, and they're ready for operators in Europe and Japan to start selling at the end of this year. And we have 500 Video Mail Boxes, which will be ready by the second half of 2005."

#### THE 3G ADVANTAGE

Musiwave CEO Gilles Babinet says 3G technology offers several advantages over such digital portable music players as Apple Computer's iPod.

"It is ubiquitous, because phones are carried everywhere for several other uses; it is viral, because it can communicate and personalize the experience in several other ways through the different types of ring tones," Babinet observes. "You don't need a credit card, as payment can be done through billing, and the profile of users is more efficient, as we know there is one mobile phone per user as opposed to one PC per 3.2 users in the personal computer market."

Patrick Parodi, London-based chairman of Mobile Entertainment Forum Global, cautions that interoperability is going to be important to developing the 3G market.

For example, a Vodafone user should be able to send and share the same paid-for content with subscribers of rival networks. This is not the case for music downloads from Vodafone, because of the digital rights management software used to protect the copyrighted content.

Forrester Research principal analyst Michelle Lussanet, based in Amsterdam, adds that users of 3G downloads will be tempted to compare the service with existing digital music options.

"The user experience will be better than on the iPod," she notes. "But they are charging 150% of the price people are paying for iTunes tracks, while the mobile services don't have access to a huge catalog of music. [Customers] might then think it's not as great an experience as on the iPod."

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## Sears

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to drive traffic.

Since the test hasn't been completed, it is not yet known if the chain will add music to its merchandising mix. In fact, some suggest that the merger and the work it will create could put the AEC test on the back burner.

In a conference call with Wall Street investors and press to discuss the deal, senior management said both chains would concentrate on the holiday selling season and then figure out how to complete the merger.

"We are going to determine

whether we want to convert Kmart stores into the Sears nameplate and whether to bring Sears products into Kmart stores," said Edward S. Lampert, chairman of Kmart, who will serve in the same capacity at the new company. Executives projected that several hundred Kmart stores will be converted into Sears full-line stores.

#### DIMINISHED MUSIC SALES

Kmart is on its way to becoming less of a factor in music, with sales dropping from \$400 million in 2000 to the \$250 million it is believed to have generated in 2003, thanks to its Chapter 11 restructuring, which saw nearly 1,000 stores shuttered or sold.

Handleman Co. has racked Kmart since at least the 1960s, but

the discount merchant has been making noises that it is unhappy with its longtime supplier. It recently chose AEC to supply music in a 38-store test.

Music industry executives, however, believe the AEC test is just a ploy by Kmart to get Handleman to lower its price structure so the chain can compete more effectively with loss-leader music merchants like Wal-Mart and Target.

Handleman and AEC did not return calls for comment.

Regardless of who runs the music departments at Kmart, a recent make-over of its combined electronics/music and video section that separated the department into its own bullpen has had disastrous results for music sales. Industry executives are projecting that Kmart

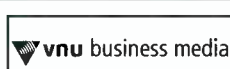
will garner only about \$150 million in music sales this year, instead of its previously projected \$185 million-\$200 million.

The Sears-Kmart merger is valued at \$11 billion, with Kmart shareholders receiving one share in the new company for each Kmart share owned. Sears shareholders will receive either \$50 in cash or half a share in the new company for each Sears share, with individual conversions limited to 45% cash. That leaves 55% of Sears' stock to be converted into shares of the new company. The deal is projected to close next March.

Sears, Roebuck stock closed Nov. 17 at \$52.99, up 17% from its previous-day close on news of the deal, while Kmart closed at \$109, up 7.7% from its previous-day close.



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# 'I Met Everybody In The Business . . . All Sorts Of Characters'

BY BILL HOLLAND

Jerry Wexler is the classic record business guy.

For more than three decades, Wexler, as co-owner of Atlantic Records and later senior VP at Warner Bros. Records, signed and worked with scores of vocalists and instrumentalists, and produced some of the greatest rock and soul records ever made.

Now 86 and long retired, Wexler is still applauded as an insightful producer, crafty deal-maker and promoter, divining rod of hit songs and occasional writer of songs and liner notes.

"He is one of my greatest heroes," Sire Records founder Seymour Stein says. "Jerry is a consummate record man and, along with Ahmet Ertegun, his old partner at Atlantic, our foremost elder statesman."

Wexler helped create Atlantic's "second generation" legacy—the music he refers to as "immaculate funk"—with great gospel/blues-influenced tunes, tour de force vocals, killer grooves and meticulously crafted arrangements.

The list of artists Wexler signed, produced or co-produced at Atlantic includes LaVern Baker, the Drifters and Ray Charles in the '50s; Wilson Pickett, Solomon Burke and Aretha Franklin in the '60s; and Duane Allman, Donny Hathaway and Roberta Flack in the '70s. At Warner Bros. in the '80s, he signed Dire Straits and the B-52's and produced Bob Dylan and Carlos Santana.

Wexler learned the music business ropes during a 42-month stint as a reporter at *Billboard*, starting in 1949, when the magazine was a mere 55 years old. He remembers those years "like it was yesterday."

**Q:** What was it like starting out at *Billboard*?

**A:** When I started there, [I made] \$75 a week, and I ended up at \$150 a week. That was good money back then.

I had the terrific advantage of working under Paul Ackerman—I'm sure his name still resonates. Paul and I, we were very close. The tutelage of Paul Ackerman can never be replaced. I did the eulogy at his funeral. [Ackerman, a nonperforming member of the Rock and Roll Hall of Fame, passed away in 1977.]

**Q:** When did you graduate from cub reporter to a presence in the newsroom?

**A:** I became a presence almost immediately. I was the only guy who knew how to use a semi-colon! Seriously, I don't think there were any really gifted prose-ologists on the staff, but I prided myself on my writing back then.

**Q:** What were some of the stories you covered?

**A:** I covered a lot of big stories, including the rise of BMI as a force, a mechanism, to open the lid to the new music that eventually became rock'n'roll. Also, I covered the terrific fights between ASCAP and BMI, and the performance-rights-group court consent decree [modified by the courts in 1950].

I'm sure they bored the *Billboard* reading public. But I had terrific sources at both ASCAP and BMI—people inside, on the board—and the story of these consent decrees, providing rate-court arbitration on challenged licensing rates, changed all music [business] to come.

**Q:** You also did record reviews, right?

**A:** Oh, yeah. The staff of four of us did about 100 records a week. We even did classical. With those, we made up as many sonorous phrases as we could think of—because none of us had the slightest idea of what we were talking about!

There was a record-review night. Guys from the labels would come up and show us their wares. Syd Nathan [of King] would come by; Mitch Miller [of Columbia] would drop by. That's where Syd discovered young Seymour Stein! We all took records home over the weekend to review if we thought they were good enough



## The Last Word

A Q&A With Jerry Wexler

### Jerry Wexler: Career Highlights

- 1949: Hired as reporter by *Billboard*
- 1951: Takes promotions job at Atlantic Records
- 1952: Becomes co-owner of Atlantic (with a share of 13.5%), supervising A&R and promotion
- 1965-68: Produces classic recordings by Wilson Pickett, including "In the Midnight Hour," "Mustang Sally" and "Land of 1,000 Dances"
- 1966: Founds Bang Records with Bert Berns
- 1967: Produces Aretha Franklin's breakthrough hits for Atlantic
- 1968: He and his partners sell Atlantic to Warner Bros. for \$17.5 million
- 1977: Joins Warner Bros. Records as a VP
- 1993: Wins BMI's Ralph J. Gleason Award and the Blues Foundation's Keepin' the Blues Alive award for his autobiography, "Rhythm & the Blues: A Life in American Music," co-written by David Ritz
- 1996: Inducted to the Rock and Roll Hall of Fame

to make it in the Spotlight section, or whatever it was called back then.

**Q:** You are generally credited with changing what was known as the Race Records chart in *Billboard* to Rhythm & Blues, a term you coined. How did that come about?

**A:** We were trying to bring up the terminology a little bit. It

leached up to us that somehow the term "race records" was considered pejorative by some people. So we tried to make a decision.

It was really against my wishes. I figured it's in the purview of people being described to describe themselves. You know, it has been a big thing, [using terms] from "colored" to "Negro" to "black" to "African-American."

And back then, the word "race," used as an adjective, always had a great deal of esteem attached to it. Because, back in the day, when you called a man a "race man," that was a man who lived, exuded and swore by his essential Negritude.

Back in Harlem, they would say, "That man is a race man to the bricks"—meaning from the top of his head to the ground. So "race records" was OK with me. However, I wasn't the one who made the decision.

Back then we closed the book on Friday and came back to work on a Tuesday. So we had a meeting on a Friday and discussed it, and asked, "What are you going to call it?" So I threw in the term "rhythm and blues," and they said, "That sounds OK."

The next week, and from then on, the heading became that.

**Q:** What was different about music journalism in that era?

**A:** Traditionally, trade papers used the telephone [to get stories]. Now they also use the Internet, e-mail and so on.

But, man, in my day, I would use "shank's mare." I would go on foot to the top floor of the Brill Building, poke my head in every office and work my way down.

I'd go over to 11th Avenue to the record jobbers and the juke-box guys, and ask 'em, "What's hot? What you got piled up in front?" That's why it was so great. We didn't do it the easy way. We went out and walked and saw and met our contacts. Every week.

Back then, I believe we did not depend on promotional puffs from record companies. We did not print them. We did all true reporting, to my recollection.

Here's another thing. I met everybody in the business: music publishers, song pluggers, producers, label owners. All sorts of characters. Those were the days of the crazy barons like Nathan, Herman Lubinsky [of Savoy], Lew Chudd [of Imperial] and Art Rupe [of Specialty].

I saw Little Richard's Specialty contract one time, and it specified that the more records he sold, the smaller a royalty [rate] he got!

**Q:** When you left *Billboard*, you began a truly amazing career as a talent scout, producer and entrepreneur. Who is the most complex performer you ever encountered?

**A:** Donny Hathaway, without question. He was so complex because his musical thinking went to planes of satori that one couldn't imagine. And in sessions, when he would start to talk about the "projection of music theory," going into one of his extended excursions into the empyrian to other musicians, or to me privately, nobody could keep up with him.

Donny was very idiosyncratic in sessions. One time I brought up Al Jackson from Booker T. & the MG's to play drums on some of his sessions. Now, if there ever was an in-time drummer, it was Al Jackson.

But Donny kept saying, "Your two [beat] is in the wrong place." It was totally incorrect; Jackson was perfect. This went on for hours. We went back to the drums, the snare; tried this, tried that. Then, finally, Donny suddenly said, "That's it!" And it was the same thing Jackson had been playing all along!

**Q:** What's your take on the state of the record industry today?

**A:** I don't keep up that much. All I know is that the industry is in an awful state, and that conglomeration, agglomeration, has certainly taken a lot of the soul out of the business. And what with the problems of downloading and counterfeiting, things are in such terrible shape—witness the decimation of staffs, the unbelievable firings. It's just a tragedy.

Don't miss the follow-up to the industry's most talked about event. **The first "The Next Big Idea" conference attracted over 400 senior executives** from companies including: American Express, Bank One, BBDO, Broadcasting, Unilever, Universal Music, Verizon, Vh1, Vibe, VOGUE, Walt Disney Company, and more.

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