

Clapton Concerts At Athens Venue Almost Called Off

By JOHN CARR

ATHENS—A set of three concerts here by British blues/rock guitarist Eric Clapton almost didn't happen, underscoring the determination of the police authorities to keep the peace at rock concerts.

Clapton performed three scheduled appearances at the Sporting Hall in Athens in late January. But the shows took place only after police decided, at the last minute, to let him appear.

The concerts themselves were successful and drew enthusiastic reviews in the Greek national press. There was none of the street violence that has marred appearances here by several foreign acts in the past.

Police, fearing violence, had slapped a ban on the concerts after Clapton had already arrived in Athens. They claimed the concert agents, Half Note Productions Ltd., had created a potentially explosive situation by issuing some 4,000 tickets for the first night, while the Sporting Hall seats just 1,000.

The authorities invoked a 1975 law that says the number of tickets issued for a concert should coincide with the number of actual seats available.

Half Note Productions and WEA, which distributes Clapton's records here, confessed themselves surprised, since it was the first time the law was so strictly interpreted. "A very sad case," said one WEA executive.

However, overbooking has been called an underlying cause of rock violence in the past, resulting in disappointed ticket-holders trying to force their way into venues and bringing on clashes.

The ban was reversed only after Half Note Productions agreed to issue just 2,500 tickets for the three nights and reimburse those ticket-holders who found themselves left out.

A force of some 150 policemen ringed the Sporting Hall several hours before the first Clapton concert started, turning away loiterers and anyone without a ticket.

Japan Firms' CD Player Prices Falling

TOKYO—In a bid to bolster sagging sales of Compact Disc players here, Toshiba and Trio will start marketing new lines of CD hardware retailing here at less than the 100,000 yen (roughly \$425) "barrier" in late April.

Toshiba is starting with a production tally of 10,000 low-price units a month, while Trio opens with 2,500 units monthly. The idea of getting below 100,000 yen is seen as a likely sales incentive.

Toshiba's model is the XR-Z60, Trio's the DP-700.

Music Council Meet To Look At Treaty Of Rome

LONDON—The implications of the Treaty of Rome, creating one European market which cuts across licensing agreements covering individual countries, are to be discussed at a seminar here organized by the National Music Council of Great Britain.

Along with the emphasis on licensing, the March 12 meeting will debate the cultural dimension of the situation and the call for harmonization of authors' and performers' rights.

Robert Montgomery, deputy chairman of the council, says the seminar, an all-day event at the Cavendish Conference Center in London, will acknowledge that the British approach to the protection of intellectual property differs from the rest of Europe. The question being posed is: "Will the community harmonize and what will be the effects on the music industry of the future?"

Among the speakers at the seminar will be: Gillian Davies, associate director general of IFPI; H. Colin Overbury, principal administrator of the competition sector of the directorate general of the European Economic Community; and Jean-Loup Tournier, director general of French copyright society SACEM.

GEMA To Collect U.K. Royalties Move Seen As German Response To Low British Rates

By MIKE HENNESSEY

MUNICH—GEMA, the West German performing and mechanical rights society, has told Britain's Mechanical Copyright Protection Society (MCPS) that in the future all records pressed in West Germany for sale in the U.K. will have mechanical royalties collected at the source by GEMA.

The move is widely regarded as a response to the fact that the U.K., with its statutory mechanical license rate of 6 1/4%, cannot adopt the BIEM standard contract which, in Germany, currently provides for a mechanical royalty of 10% of the published price to the dealer (Billboard, Feb. 4).

"Exactly what this means in terms of ultimate remuneration to copyright owners is difficult to determine," says Bob Montgomery, managing director of the MCPS. "We have written to GEMA expressing our surprise at the decision and asking what plans they have for distribution of the royalties.

"For example, we're not sure at present whether they plan to base the royalty on 10% of the published price to the dealer in West Germany or whether they will take the U.K. price as the basis."

Montgomery says he sees the GEMA decision not as a snub to the MCPS but as a gesture to the European Commission about the low royalty rate in the U.K. He also notes that 35% of European pressings are done in West Germany.

One of the British companies most involved is WEA, which brings in the bulk of its LP and cassette product from its Alsdorf plant in West Germany. Siegfried Loch, WEA senior vice president for European operations, says: "We have not received official notification from GEMA of its intention, so I cannot comment at the present time, except to say that I hope that GEMA is not taking the German pressing plants hostage in this matter."

The GEMA move comes at a time when the EEC Commission has an-

nounced that the U.K. and Ireland are the only countries in the Common Market where, because the level of royalties is governed by statute, the mechanical royalty can continue to be based on the retail price but no distinction will be made between domestic sales and exports.

This means that product pressed in the U.K. and exported to West Germany will have mechanical royalties applied at the 6 1/4% rate. If the U.K. product were shipped royalty-free to West Germany, then GEMA would apply its own mechanical royalty criteria, which would almost certainly yield higher income.

The new GEMA decision represents another initiative by the society to boost its income at a time when its mechanical revenue is down by between 5% and 6% (Billboard, Feb. 4).

Some time ago, GEMA attempted to impose a supplementary mechanical royalty on albums imported into Germany from Pickwick in the U.K. to bring it up to the West German level, but the European court ruled this to be illegal. GEMA also attempted to have CBS pay royalties in Germany instead of Holland for group product pressed in the CBS Haarlem plant and shipped to CBS Frankfurt. But this bid, too, was unsuccessful.

Under Common Market legislation, the import of sound recordings that have been lawfully placed on the market in another EEC member state following payment of royalties must

not in principle be impeded. However, GEMA opposed such cross-frontier deliveries of records when they took place between companies belonging to the same group, as in the CBS case.

GEMA claimed that the records were not in free circulation. But the Commission has ruled that once the royalties are paid, their export to other member states must not be restricted.

The Commission now says that all collection societies in the EEC have made it known that they will henceforth impose no geographical restrictions on the exportation of sound recordings.

"Consequently," says the Commission's statement, "sound recordings which are lawfully manufactured in a member state, that is made with the copyright owner's permission, and are marketable in that state, may be sold without restriction anywhere in the Community."

"The same goes for deliveries between companies within a group. GEMA has already expressly included this in its new agreement with the sound recording industry. Societies will in future base royalties for sales in the Community not on retail prices on the manufacturer's published selling price to retailers."

It may be that, having agreed to accept the "free circulation" principle, GEMA is now seeking to be as little disadvantaged by it as possible by levying royalties on all German-pressed exports to the U.K.

Dutch Vid Piracy War Heats Up Year-Old Investigative Group Mounting New Campaign

By WILLEM HOOS

AMSTERDAM—Video Security, a national organization, has launched a major new campaign here against video pirates, who are estimated to account for 60%-70% of the total video business in the Netherlands.

The group says it has already had substantial success in its year-long fight to clean up the marketplace. The new campaign centers on national newspaper advertising, bannered: "About piracy in our video-shops" and listing the various criminal activities in the trade. It ends: "Let's see that crime never pays."

The foundation was set up last January by NVPI (the Dutch branch of IFPI, which recently set up a separate video section), copyright organizations BUMA/STEMRA, the Netherlands cinematographic group NBB, the national branch of the Motion Picture Assn. of America (MPAA) and NOS, the Dutch state-owned broadcasting network.

There are five investigative employees, who have the same status as police officers in that they have pow-

ers of arrest. In its first year, the Video Security team confiscated some 100,000 tapes in its raids on video stores throughout the Netherlands.

Hans Tijssen, foundation executive, estimates that pirate turnover in the Dutch video industry is at least \$1 million, with subsequent tax and copyright loss. He calculates that more than half the rented prerecorded videotapes in this territory are illegal.

Video stores have mushroomed to around 3,000 outlets in Holland, with the majority handling varying amounts of counterfeit product. According to a Video Security check, less than 10 of the 180 video stores in The Hague rented wholly legal software. Many are renting poor-quality product at a mere \$1.70 a day.

To help win its battle, Video Security is making urgent representation to the government for stiffer penalties, especially hefty jail terms, for convicted pirates. And, says Tijssen, there are hopes of new legislation soon.

On the day the new campaign started, raids on three video stores in

Utrecht led to the seizure of 3,000 tapes, including copies of "Never Say Never Again" and "War Games."

Meanwhile, a total of 160 video retailers here, suspected of handling illegal software, face court appearances by mid-March, having failed to respond to industry rulings that they agree to cease trading in the sale or rental of pirate tapes.

Video Security says this lengthy series of court hearings exposes "merely the tip of the iceberg."

Billboard



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