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# **CMRRA**

## **Canadian Musical Reproduction Rights Agency Ltd**

56 Wellesley Street West, Suite 320, Toronto, Ontario Canada M5S 2S3

Phone: (416) 926-1966

Fax: (416) 926-7521

World-Wide Web: [www.cmrra.ca](http://www.cmrra.ca)

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## ***Pay-As-You-Press - FAQ***

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### ***Before Applying***

- 1. I plan to manufacture some copies of my product now, and some copies later. Can I pay quarterly based on my sales?**

No. The Pay-As-You-Press system is specifically designed for manufacturers who occasionally produce and duplicate CDs. Your mechanical licenses are valid for the number of copies you press, not for what you sell. Consequently, you do need to provide a copy of your pressing order / invoice with your application. In the event that you are pressing additional copies of an existing CD, you then need to reapply to us in order to obtain mechanical licenses to cover the new copies being pressed.

- 2. How do I know if CMRRA represents the songs that I want to license?**

We invite you to visit our website at [www.cmrra.ca](http://www.cmrra.ca) and to look at the section entitled 'Search Our Database'. It's free to use and does not carry any obligation of affiliation. After accepting the 'terms of use', you may then carry out song searches either by song title or by writer name. The CMRRA web site will offer you a list of potential titles based on the information that you enter. Please select the most relevant title; details will be available on the next screen that will indicate whether or not CMRRA represents shares of the song.

If you cannot find a specific title, or if you don't know the names of the composer(s), we would suggest that you send in an application to CMRRA, providing as many details as possible about the song (e.g. title / composer / publisher / famous artist who performed the title). We will then be able to research the songs and, if necessary, carry out verifications with our affiliated publishers. If ultimately we do not represent the song, we will refund the amount of the royalty payment to you. If you still wish to use a song that we do not represent, it is your responsibility to obtain a license directly from the copyright owner.

- 3. Are all the songs listed on your database represented by CMRRA?**

Whenever a song is indicated as "not represented" in our database, it means that we have logged information such as the title, composer and/or owner of a song, but that we do not represent the owner of that song for licensing purposes. There are many instances where the ownership of a song is divided between two or more publishers, and CMRRA may represent some, but not all, of those publishers. In these instances, we are able to issue licenses on behalf of the publishers we represent, but before the user can legally reproduce the song in question, he or she must also obtain licenses directly from the copyright owners that are not represented by CMRRA.

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#### **4. I want to sample a recording and use it in my song. Do I have to pay?**

In order to legally make use of songs which you do not own or control, and which have been sampled in your recording, you must obtain the consent of the owners of the copyright in each of those songs, as well as the consent of the owners of each of the recordings you have used.

If you are sampling a preexisting recording, you must apply for a license to reproduce the preexisting musical work in your own recording. You must also apply separately for a license to reproduce the original recording that you are sampling. We suggest that you start by contacting the record company that released the recording that you wish to sample in order to obtain a 'Master Rights' license. Most music publishers and record companies are willing to license sample usage, but their terms and conditions can vary widely. Clearing samples can be a very time-consuming process, so it is best to allow yourself ample time to complete the necessary licensing.

Once you have obtained the master license for your sample, you must then obtain the publisher's permission to sample their composition. You may apply for this permission via CMRRA. Should you request this service from us, you will then have to submit a letter explaining your project, a copy of the Master Rights license, and a \$25.00 fee + HST (13%). Your letter to the publisher should include the title of the song, a description of the use, i.e. how long the sample is, how many times it is used, where it appears in your composition, which other songs are being used with your sample, as well as any other pertinent information.

Please note that we cannot guarantee that your request will be approved, nor can we guarantee the length of time it will take to receive a response. If permission is granted, you will then need to submit a mechanical license application.

#### **5. Can my presser start pressing my product as soon as I send my payment to CMRRA?**

No. Licenses must be obtained prior to pressing your product. The fact that you have sent CMRRA a cheque does not necessarily mean that all of the licenses that you need have been or can be issued.

#### **6. The pressing company has told me that they cannot press my album until I have my licenses, and CMRRA has told me that they cannot issue licenses without a pressing order. How does this work?**

You will need to confirm your order with a pressing company before applying for licenses. Making a small deposit should be enough to confirm an order with most pressing companies.

#### **7. I'm pressing my CD in the US but will distribute it in Canada only. Can CMRRA issue licenses?**

Yes, CMRRA can only issue licenses for the territory of Canada. If copies are pressed in The US but the totality or a portion of the stock is sold in Canada, a cross-border confirmation will be required

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along with your application. We suggest you to contact the Harry Fox Agency to get more information on manufacturing units in the US.

### **8. Can the publisher refuse to grant me a license?**

Publishers affiliated with CMRRA generally do not deny manufacturers a license although from time to time licenses are refused for various reasons including instances where significant changes are made to the original compositions, in which case CMRRA may ask you to submit your changes for approval. Please refer to page 14 for more information on this procedure.

### **10. Can CMRRA send copies of my royalty payment/application/ licenses directly to my presser?**

No. It is the applicant's responsibility to retain copies of his or her royalty payment, licenses and application forms for this purpose. CMRRA does not make copies of received documents; therefore, we cannot return them to you. We are also unable to forward any licenses or other authorizations to anyone but the applicant.

### **12. How do I know if CMRRA represents a specific publisher?**

CMRRA has made a listing of affiliated publishers available online. To view this list, please visit our website and click on 'Affiliated Publishers List'. If the publisher you are seeking is not represented by CMRRA, you will most likely have to contact them directly to obtain the license you require.

### **13. What if I apply for a song, but it is not represented by CMRRA?**

If you have submitted an application and payment for a song that CMRRA does not represent, you will be informed and we will issue a refund cheque to you. Please note that CMRRA will only refund the royalties that have been paid on the song, and not the administration fee.

### **14. Do I need to apply for a license for my own songs?**

If you and/or your band are the sole copyright holders of your compositions, you do not need to apply to us nor pay for mechanical licenses for the use of your own songs.

Please note that CMRRA only issues licenses and collects the associated royalties on behalf of publishers that have affiliated with us. Do not hesitate to contact our Membership Department for more information on joining CMRRA.

### **15. I want to manufacture a small number of CD's for a promotional giveaway or a charitable organization. Do I still have to pay royalties?**

Yes. Under our Pay-As-You-Press system, any reproduction of a song that is not of your own composition must be licensed, no matter what purpose it will serve or the number of copies being pressed.

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### ***After Receiving Your Licenses***

#### **1. Why did I receive two or more licenses for the same song?**

A license is issued on behalf of each publisher who owns a portion of a song. If you receive more than one license for a song, these will each represent a portion of the song's ownership on behalf of different publishers.

#### **2. What if the 30 day period has expired and I haven't signed and returned the yellow copies of my licenses?**

Your licenses are still valid as long as you sign and return the yellow copies to the CMRRA.