



Concepts of Music and Copyright: How Music Perceives Itself and How Copyright Perceives Music

Andreas Rahmatian

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'I've long known that musicians understand copyright law as little as copyright lawyers understand music, but this book shows brilliantly that such mutual ignorance is deeply rooted in historical, philosophical and practical arguments about music making. In persuading both musicologists and legal theorists to address issues of authorship, creativity, property and performance, Andreas Rahmatian has put together a collection that is essential reading for anyone concerned with the uneasy relationship of music and law. This is a sophisticated, instructive and stimulating book.'

- Simon Frith, University of Edinburgh, UK

'Rahmatian's edited collection in "Concepts of Music and Copyright" is provoking and revelatory. It is an elegant colloquy between four musicologists and four lawyers. The resultant discourse reveals a rich seam of amazing stories and judicial decisions on authorship, creativity and the law in the sphere of musical composition and performance. The book is not only for music scholars and copyright lawyers, but is ideal for any scholar who professes to enjoy socio-legal philosophy, music lore, or the history of ideas. Needless to add, it is a must-have for copyright judges.'

- Uma Suthersanen, University of London, UK

'This collection considers the blurred lines between copyright law and music - from early musicology to the Golden Age of MTV and the rise of YouTube and mash-ups. It explores key concepts such as copyright works, subject matter, authorship, originality, copyright infringement, safe harbours, and takedown notices. This collection also examines the clash between legal theories of music, and perceptions of copyright law in musical communities.'

- Matthew Rimmer, Queensland University of Technology (QUT), Australia

Copyright specialists have often focused on the exploitation of copyright of music and on infringement, but not on the question of how copyright conceptualises music. This highly topical volume brings together specialists in music, musicology and copyright law, providing a genuinely interdisciplinary research approach. It compares and contrasts the concepts of copyright law with those of music and musical performance. Several tensions emerge between the ideas of music as a living art and of the musical work as a basis for copyright protection.

The expert contributors discuss the notions of the musical work, performance, originality, authorship in music and in copyright, and co-ownership from the disciplinary perspectives of music, musicology and copyright law. The book also examines the role of the Musicians' Union in the evolution of performers' rights in UK copyright law, and, in an empirical study, the transaction costs theory for notice-and-takedown regimes in relation to songs uploaded on YouTube.

This unique study offers an interdisciplinary perspective for academics, policymakers and legal practitioners seeking a state-of-the-art understanding of music and copyright law.

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