The ‘Wild West’ Of The Internet

When it comes to patrolling the Internet, attorney Hal Barza says, “This is the Wild West, in a way. It’s unchartered waters.”

Barza is representing 27 country artists who are trying to regain their “domain names,” which are now being used to attract fans to unauthorized websites. A senior partner in the Los Angeles law firm of Loeb & Loeb, Barza filed a federal lawsuit against a California businessman after the artist’s names led unsuspecting country fans to a website containing pornography.

Barza made the comments last week in Nashville during the Country Music Association’s second annual Music Biz: New Music, New Business conference. Billed as “Get Downloading: Property & Piracy,” the panel discussion also featured Tim McGraw’s manager, Scott Siman, and attracted an audience that included several key industry players such as Bob Doyle and Gary Coburn.

Registration Issues

Domain names for Internet sites are overseen by Network Solutions Inc., a private organization that relies on the honor system when businesses or individuals contact them about registering a name for a website. Although NSI has an in-house system of resolving conflicts surrounding the use of those names, Barza said some of the disputes eventually make their way to the courts. NSI honored the federal court decision in the case involving the country acts, Barza said the artists’ names were registered on behalf of an unauthorized firm.

In the case involving the country acts, the businessman secured the registrations, he refused to relinquish the names to the individual artists. Barza said the businessman had operated under the name “these names would ‘park these names’ at a generic website, www.countrymusic.com, which included a link to CD Universe, an online store specializing in sales of recorded music. In return for the link, the businessman would then collect advertising sales on all sales that went through the site.

“The other place they parked the names was a portal site, www.moonhouser.com,” Barza noted. When the country fans wound up at the site, they were greeted by an image of Hillary Clinton. “We’re not sure of the intent,” he added. Barza said they were later taken off by the website. “It was done in a totally disingenuous manner,” Barza said.

The lawsuit alleges that the busi-
nessman was demanding a financial payment in return for use of the domain names. “They are often called ‘cyber-squatters,’” Barza said, noting that large corporations are sometimes asked to pay as much as $250,000 for use of their names, depending on the estimated value.

Siman, who helped lead the Nash- ville contingency involved in the Cali- fornia case, said, “Our whole purpose was to unite as a group and make a stand.” Acknowledging that it was an economically efficient method, Siman added, “Any one artist could spend tons of money trying to stop this.”

Siman said the artists have worked for years to gain public awareness only to find they can’t use that recognition to establish a logical domain name. “Every concept of buying that back is awful,” Si- man said. “They just refuse to do it.”

McGraw’s website has been up and running for two years. “In terms of country artists, he’s been around for a long time on the Internet,” Si- man explained. However, he added that McGraw still hasn’t seen any fi- nancial gain from the website. “I think it’s been a losing proposition for him for a long time,” Siman said.

“As time goes by, it’s going to be come more important. The primary purpose of McGraw’s website — www.fanczone.com — has been to maintain contact with his fans. Siman reported great success with a McGraw video on the site a week before its official debut on CMT. While there was no way to tell what percentage of viewers would do that, “Really, all we did was create de- mand for it, he said.” Siman’s office also received letters from appreciative fans in isolated areas that are not served by cable TV.

Piracy Proliferation

Aside from the use of domain names, artists from all formats are be- coming increasingly aware of recorded- piracy on the Internet. To demon- strate the technology now available, RIAA president & CEO- Piracy Counsel Denise Incorvia played a segment from LeAnn Rimes’ “You Light Up My Life” that was downloaded for no cost for near-CD quality — from a college student’s Internet site.

Detailing a brief history of Internet piracy, Incorvia said, “What we were seeing was college music. It’s not like that anymore. If you’ve got a CD out, there’s a good chance it’s on the Internet.” The day after this year’s Academy Awards, she said an Internet site was providing a free download of the theme song to Empire of the Sun. The wake of Garth Brooks releasing his own six-boxed set, The Limited Series, and the release of Titanic soundtracks had been-and still is, “a dream that people would prefer the choice of free, even though she’s offering the box set in the 30% range,” she said.

Few of the music archive sites are carrying the most popular music engines such as Yahoo. Incorvia said access and passwords are usually pro- vided by a site owner. “They’re al- most all forging a free download of Brooks’ entire catalog. “I think a lot of people would prefer the choice of free, even though she’s offering the box set in the 30% range,” she said.

Many of the music archive sites are operated by college students who are under the impression that the underground websites are only harming major cor- porations that own record labels. How- ever, songwriter Peter McCann pointed out that piracy also directly impacts artists, songwriters, and music pub- lishers. “Everybody on the food chain is going to get hurt,” he said.

To educate college students, the RIAA has initiated a “SoundBiting” campaign. “It’s a way to get students to understand the copyright environ- ment,” McCann said. The program already includes 10 pilot schools, in- cluding MIT, USC, Cornell, the Uni- versity of Texas, and Texas A&M. The RIAA also investigates piracy issues through anonymous tips submitted to the organization’s e-mail address. In- cormia said, “We’ve been on the web and doing something wrong,” we’ll find you.”

Calvin Gilbert

GOLDEN MOMENT — Reprise/Nashville recently hosted a party cele- brating the gold certification of Michael Peterson’s self-titled debut album. Sharing the excitement (l-r) are Warner-Reprise/Nashville President Ed Norman, Warner-Reprise Sr. VP/Prom John F. Palermo, EVP/Prom Ray Levy, Peterson, and Re- prise Sr. VP/CBM Bill Mayne.

Allison Moorer

NEW ARTIST FACT FILE

Current Single: “A Soft Place To Fall”
Current Album: Debut album set for September 8 release (MCA)

Influences: Waylon Jennings, Willie Nelson, Emmylou Harris, Gram Parsons

Background

“The planes have been lined up for about a year now,” Allison Moorer says. Although her debut album won’t be released until Sep- tember, the Alabama native’s first single, “A Soft Place To Fall,” is fea- tured on the soundtrack of the Rob- bert Redford film. The Horse Whis- perer, in addition to being featured alongside George Strait and Dwight Yoakam on the soundtrack album, Moorer’s performances are also featured in the movie’s release.

Moorer grew up in a small com- munity about 50 miles north of Mo- ble. “It’s not even a town,” she says. “There’s not even a stoplight.” Moor- er and her older sister — singer Shelyn Lynne — grew up in a cre- ative atmosphere. “My mother’s family was pretty artistic, Moorer says. “My dad played guitar and dabbed in songwriting. If they weren’t playing their own music, they went to George Jones’ shows.”

Moorer enjoyed the sounds of George Jones and Tammy Wynette. “I was more into country music when I heard Wayfongs and Nelson,” she said. “They were cool. They were different. That Outlaws record still holds up today.”

After graduating from the Univer- sity of Southern Alabama, Moorer wrote her first song at the age of 19 and recorded it on a sheet of paper. “The only performing I’ve really done was singing backup for my sister,” she says. “I was in a national tour when we left.”

Moorer spent her senior year inter- ning as a background vocalist until her hus- band — singer/songwriter Butch Fleischman — first approached her to pur- sue a solo career.

Breakthrough

Her sister’s Nashville experience gives Moorer a slightly different out- look on the music business. She says, “I feel really lucky that I was exposed to the business side of music through her. I saw some great things happen and some not-so-great things happen. I didn’t come into this totally green.”

Things began happening for Moorer following a 1996 perform- ance in which she paid tribute to her friend and fellow performer Townes Van Zandt, Guy Clark, and Hila Ketchum. Impressed by her performance, booking agent Bobby Cudd later in- troduced Moorer to MCA Nashville President Tony Brown, who signed her to the label last June. Moorer said it was somewhat bittersweet to get a record deal following a con- versation with her long-time friend. She says, “It was totally went that way, but I think he’d be thrilled.”