

The 'Wild West' Of The Internet

■ Nashville tackles music piracy and rights to website domain names

When it comes to patrolling the Internet, attorney Hal Barza says, "This is the Wild West, in a way. It's uncharted 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 artists' 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 Industry & New Technology 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 Barry 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 honors the federal court rulings.

In the case involving the country acts, Barza said the artists' names were registered on behalf of an unauthorized fan club. Once the businessman secured the registrations, he refused to relinquish the names to the individual artists. Barza said the businessman would "park these names" at a generic website, www.countrymusic.com, which included a link to CD Universe, an Internet business specializing in sales of recorded music. In return for the link, the businessman would then collect a 5% commission on all sales that went through the site.

"The other place they parked the names was a pornographic site, whitehouse.com," Barza noted. When the country fans wound up at the site, they were greeted by an image of Hillary Clinton's face superimposed on nude artwork." Barza has already obtained a federal court injunction against the businessman. The case goes to trial in July in California.

The lawsuit alleges that the busi-

COUNTRY FLASHBACK

1 YEAR AGO

• No. 1: "I Miss You A Little" — John Michael Montgomery

5 YEARS AGO

• No. 1: "Ain't That Lonely Yet" — Dwight Yoakam

10 YEARS AGO

• No. 1: "I Told You So" — Randy Travis

15 YEARS AGO

• No. 1: "You Take Me For Granted" — Merle Haggard

20 YEARS AGO

• No. 1: "I'm Always On A Mountain When I Fall" — Merle Haggard

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 Nashville contingency involved in the California 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 factor in establishing a logical domain for their website. "The concept of buying that back is awful," Siman 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," Siman explained. However, he added that McGraw still hasn't seen any financial 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."

So far, the primary purpose of McGraw's website — www.funzone4mcgraw.com — has been to maintain contact with his fans. Siman reported great success in previewing a McGraw video on the website a week before its official debut on CMT. While there was some concern the Internet preview would detract from the excitement of the CMT premiere, Siman said the channel's ratings actually doubled when the video made its cable debut. "Really, all we did was create demand for it," he said. Siman's office also received letters from appreciative fans in isolated areas that are not served by cable TV.

Pirate Proliferation

Aside from the use of domain names, artists from all formats are becoming increasingly aware of recorded-work piracy on the Internet. To demonstrate the technology now available, RIAA Associate Anti-Piracy Counsel Denise Incorvaia played a segment from LeAnn Rimes' "You Light Up My Life" that was downloaded — at no cost for near-CD quality — from a college student's Internet site.

Detailing a brief history of Internet piracy, Incorvaia said, "At first, 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 entire *Titanic* soundtrack. In the wake of Garth Brooks releasing his six-CD boxed set, *The Limited Series*, Incorvaia said another site was offering a free download of Brooks' entire catalog. "I think a lot of people would prefer the price of zero, even though he's offering the boxed set in the \$30 range," she said.

Few of the music archive sites are readily found through Internet search engines such as Yahoo. Incorvaia said access and passwords are usually provided in underground chat rooms. The RIAA has been aggressive in filing lawsuits against the sites. Last June, the RIAA was awarded stipulated damages of more than \$1 million against individual defendants in New York, California, and Texas. However, Incorvaia said the RIAA's main intent is to ensure that the guilty parties discontinue providing the downloads.

Many of the music archive sites are operated by college students who are under the impression that the illegal downloads are only harming major corporations that own record labels. However, songwriter Peter McCann pointed out that piracy also directly impacts artists, songwriters, and music publishers. "Everybody on the food chain is going to get hurt," he said.

To educate college students, the RIAA has initiated its "SoundByting" campaign. "It's a way to get students to understand the copyright environment," Incorvaia said. The program already includes 10 pilot schools, including MIT, USC, Cornell, the University of Texas, and Texas A&M. The RIAA also investigates piracy issues through anonymous tips submitted to the organization's e-mail address. Incorvaia said, "Our motto is: If you're on the web and doing something wrong, we'll find you."

— Calvin Gilbert

Allison Moorer

NEW ARTIST FACT FILE

Current Single: "A Soft Place To Fall"

Current Album, Label: Debut album set for September 8 release (MCA)

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

Background

"The planets have been lined up for about a year now," Allison Moorer says. Although her debut album won't be released until September, the Alabama native's first single, "A Soft Place To Fall," is featured on the soundtrack of the Robert Redford film *The Horse Whisperer*. In addition to being featured alongside George Strait and Dwight Yoakam on the soundtrack album, Moorer also makes a cameo appearance in the just-released film.

Moorer grew up in a small community about 50 miles north of Mobile. "It's not even a town," she says. "There's not even a stoplight." Moorer and her older sister — singer Shelby Lynne — grew up in a creative atmosphere. "My mother's family was real musical," Moorer says. "My dad played guitar and dabbled in songwriting. If they weren't playing their own music, they were playing records."

Moorer enjoyed the sounds of George Jones and Tammy Wynette, but she got even more excited when she heard Waylon Jennings and Willie Nelson. She says, "They were cool ... they were different. That *Outlaws* record still holds up today."

After graduating from the University of South Alabama, Moorer wrote her first song at the age of 22 and moved to Nashville in 1993. "The only performing I'd really done was singing backup for my sister," she says. "That was a natural, since we'd been singing together since we were babies." Moorer planned to develop her interests as a background vocalist until her husband — singer/songwriter Butch Primm — encouraged her to pursue a solo career.

Breakthrough

Her sister's Nashville experience gives Moorer a slightly different outlook 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 performance in which she paid tribute to her friend Walter Hyatt, a respected singer/songwriter who died in a plane crash. Other performers on the bill included Lyle Lovett, David Ball, Champ Hood, Townes Van Zandt, Guy Clark, and Hal Ketchum. Impressed by her performance, booking agent Bobby Cudd later introduced 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 concert for her late friend. She says, "It was totally weird that way, but I think he'd be thrilled."



Allison Moorer

Around the time Moorer was signed to MCA, Brown was working with Robert Redford's production office on *The Horse Whisperer* soundtrack. Moorer explains, "They wanted a Joe Ely song for the soundtrack, and Tony stuck 'Call My Name' — a song I wrote with my husband — after the Joe Ely song. Without saying anything about it, he just stuck it on there, hoping they'd hear it. In the meantime, my publisher [Windswept Pacific] pitched 'A Soft Place To Fall' for the movie. They ended up liking that song better." Although no collusion was involved, Moorer admits, "It was sort of like Tony and Windswept Pacific doing a double whammy on them."

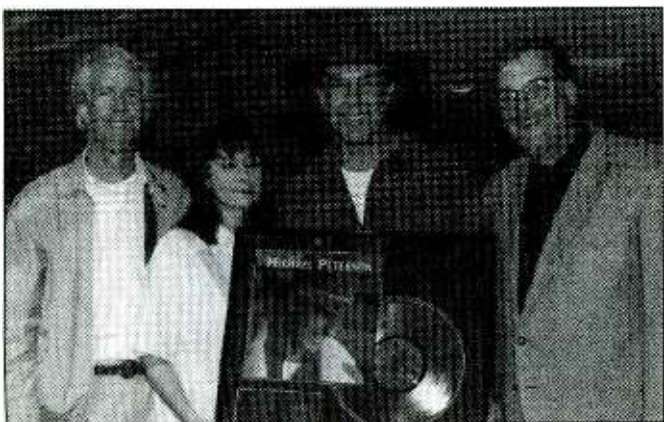
The Future

Moorer wrote "A Soft Place To Fall" with Gwil Owen. "There have been other songs written with that title, but I don't know that there's been one with this spin," she says. After Redford heard her voice, he expressed interest in having her perform the song during a barn dance segment in the film. "I had no idea that it was so intense," Moorer says of movie making. "We were only supposed to shoot for two days and it turned into four days, but I got to know the song really well," she laughs.

Impressed by Redford's accomplishments as a filmmaker, actor, and environmentalist, Moorer has vivid memories of her first meeting with him on the set in Montana. "I was a little bit starstruck, and I'm normally not that way," she says. "Luckily, I got to see him from a distance before I met him. He was totally nice."

Moorer wrote or co-wrote all but one of the songs included on her upcoming debut album. "I think 'A Soft Place To Fall' is a really good representation of it," she says. "It's a little bit organic, which I love. Not a lot of heavy-handed production."

As far as the rest of the year, Moorer says, "We'll put another single out this summer, get the album out. My goal is to get out there to sing for the people. I would be happy to do clubs. I love to play. I'll sing to anybody who wants to hear me."



GOLDEN MOMENT — Reprise/Nashville recently hosted a party celebrating the gold certification of Michael Peterson's self-titled debut album. Sharing the excitement (l-r) are Warner-Reprise/Nashville President Jim Ed Norman, Warner-Reprise Sr. VP/A&R Paige Levy, Peterson, and Reprise Sr. VP/GM Bill Mayne.