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 AGC Studios was founded and launched by Chairman and CEO Stuart Ford in February 2018 as a platform to develop, produce, finance and globally license a diverse portfolio of feature films, scripted, unscripted and factual television, digital and musical content from its dual headquarters in Los Angeles and London. The new studio's Hollywood output has a wide-ranging multicultural focus, designed for exploitation across an array of global platforms including major studio partnerships, streaming platforms, traditional broadcast and cable television networks and independent distributors, both in the U.S. and internationally.

AGC Studios is initially backed by three key strategic investors; Latin American private asset management firm MediaNet Partners; Silicon Valley entrepreneur, Symantec CEO and founder and chairman of Fibonacci Films, Greg Clark; and Image Nation Abu Dhabi, one of the leading media and entertainment companies in the Arabic-speaking world.

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DEBORAH MANNIS-GARDNER OWNER/PRESIDENT OF DMG CLEARANCES - PHOTO CREDIT: GENE SMIRNOV

In the clear(ance) – Deborah Mannis-Gardner on licensing music in the metaverse

by Emma Griffiths / Synchtank

In our new In the Clear(ance) interview series, we speak to music licensing and clearance experts about the challenges they face.

In this first edition, Deborah Mannis-Gardner, Owner/President of DMG Clearances, talks us through the unique obstacles she faces when clearing music for platforms like Roblox and Meta, and her mission to future-proof music licensing for new technologies.

What makes clearing something for the metaverse more challenging than traditional media?

With the metaverse, sometimes the artist is performing in a live environment, for example Meta is actively involved in doing stuff like that, versus Roblox, which is an animated character with the prerecorded music. So, the question that comes into play from the copyright holders, besides us trying to clear it as a synchronization use, is what other revenue is being derived that goes to the artist and label and any brands.

In the world of film, video games and TV, we get perpetuity, but in the world of audio books, podcasts, and the metaverse, we are forced into limited terms. But let's talk about the internet – when something's up there, it's always out there. So, I think the biggest obstacle is defining these parameters to work within the budgets that these platforms have.

Other difficulties are the PRO licenses and

which platforms have established those and which haven't. One of the things I have to constantly advise these clients that have these new platforms in the metaverse is you need to get PRO licenses in place.

Can you talk about the consortium you started to address some of these challenges?

I belong to a private sync group on Facebook and I said, I think we need to be having a roundtable discussion. And so, we put together a group of people with different backgrounds, including music licensing and clearance people, attorneys, accountants, and people on the tech and crypto side of things. So, the consortium is just us once a week discussing what we think needs to be done next, and how we go about doing this. It's a private group for now, and we're just trying to figure things out and hopefully we can bring it to the next level.

I went to CES years ago and I found that the biggest gap was between music licensing and new technology. There was no bridge. And whenever people were talking on the tech side, they would use the word organic meaning they really wanted the music for free. On the crypto side and what's going on now, they're not looking for free. There's a lot of money. So, we need to make sure that we create that bridge.

“There's a lot of money. So, we need to make sure that we create that bridge [between music licensing and new technology].”

And hopefully there's an opportunity to establish better income structures for creators

That's why this consortium started because we need to make sure it doesn't turn into another streaming situation where people really got

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short end of the stick. We need to make sure that we establish something, and it can be done. I did it with sample clearances back in 1990. There wasn't an established way of doing clearances and it's been evolving and evolving. We need to establish the same thing with the metaverse and NFTs with the ability to evolve as technology changes to make sure that people are paid properly.

You recently handled the music clearance for the Song Breaker Awards on Roblox, which featured live performances from Lizzo and GAYLE. What were the main challenges you faced?

I think the biggest one was the budgetary constraints. This is a fairly new awards show, and we have to remember these are really important and relevant to this younger generation using TikTok, Roblox and Twitch and these other platforms for musical exposure. We have to respect and recognize these platforms, but then make sure that the music clearances are done correctly so that revenue is derived.

We were really fortunate that we had artists that wanted to participate and relay that to their copyright administrators so that they played ball and it wasn't painful at all. When you deal with really cooperative copyright holders, then we all can reach the same goal. Those that were difficult, we didn't use their music and we pulled it. That's the only way to handle that stuff right now.

You also gave guidance on performance deals, what did that look like?

With performance deals, even if an artist is performing their song, usually the labels require a waiver or blocking rights. A lot of people on the production side don't realize that. They think that if an artist is performing a song, that their issue is just getting the publishing clearance. And so, I've been trying to educate people that you have to go to the label and you have to get consent. And sometimes the labels are cooperative and sometimes they aren't, it really depends on who the artist is and what you're dealing with.

With Roblox they create these avatars and they pre-record the music, which redefines it as a master use. So, you have to analyze and evaluate how everything is done to make sure that you cover all those clearances.

You've been consulting with companies looking to enter the metaverse. What kind of conversations are you having?

As we know, Snoop is in the forefront of doing this and he really set everything up properly. We have other artists like Warren G who re-recorded "Regulate" to sell as NFTs so he didn't have the master side to deal with. We have to guide them [our clients], because people come up with these ideas and then we'll say, well, how many NFTs? What are your intentions? Everyone has fabulous ideas, but you have to make sure that those ideas are defined so that you can then explain it to the other people you

need to get consent from and stay within that budget that you're limited to.

We're doing a lot of consultation, even with festivals that want to enter into this world. We see that people aren't necessarily going back to concerts and they need to earn that revenue. So, they're looking at the metaverse as a platform and I think Meta are really out there strong. I have so much props and respect for them going out and trying to do more of these metaverse concerts. I think it's brilliant.

"I think the world is shrinking and that we have ways to entertain and still see revenue and utilize this new technology."

Through all of the work that you're doing, what excites you the most in terms of the potential for music?

I would love to see more of these concerts where people have the ability to attend through the metaverse and not necessarily be there live. If you think about Broadway, Lin-Manuel Miranda did it with Hamilton becoming a Disney release. If theaters don't go back to full capacity, maybe they need to look into recording shows and making them available for people to pay to watch. I think the world is shrinking and that we have ways to entertain and still see revenue and utilize this new technology. I'm sure we're going to see a lot of that popping up.

What advice would you give music rights holders wanting to do business in the metaverse?

I'd like to see publishers sit down and make a list of the information they think they need in order to grant the quote. That's what I'm doing with this consortium. I put together a boilerplate NFT request and a boilerplate metaverse request hoping that it includes everything that they could possibly need and all the rights that we need to cover and all the people that would be eating from that pie, if you will.

The more information they have, the more they can get the clearance in place. I think there's so much hesitation with metaverse NFTs. We should try to find out, well, what do you the copyright holder need to make sure that you can get that consent? What are your concerns? What are your questions? So as a clearance person, we can make sure that we touch on all those points and we can facilitate things quickly. That's what I want to see come to the table. ■



Emma Griffiths is editor of Synchblog, a blog created by Synchtank to provide insight into the management & monetization of music copyright. Subscribe to our weekly newsletter for the latest Synchblog posts & key industry news in your inbox each week.

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