



The Harry Fox Agency, Inc.

711 Third Avenue
New York, NY 10017

212-370-5330
212-953-2384 FAX

www.harryfox.com

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IMPORTANT NOTICE

Licensing of Multisession Products

To: All Licensees of The Harry Fox Agency, Inc. (HFA)

This will confirm HFA's licensing policy and procedures for the making and distribution of physical products that include more than one mechanical reproduction -- or "session" -- of a particular sound recording of a copyrighted musical work. Such products include but are not necessarily limited to certain types of CDs, SACDs and DVD-Audio products containing multiple sessions.

Please be advised that each mechanical reproduction of a sound recording of the same musical composition on an individual product requires specific license authority from the copyright owner. Thus, for example, a licensee that is manufacturing and distributing a "hybrid" disc containing two sessions of a particular sound recording of the same song must obtain a license that covers both sessions on that disc (or, if there are more than two such sessions on the disc, a license covering each such session).

HFA's configuration codes for various multisession products are as follows:

- C1 - CD/CD HYBRID (SINGLE) (2 SESSIONS)
- C2 - CD/CD HYBRID (ALBUM) (2 SESSIONS)
- D1 - AUDIO-ONLY DVD/CD HYBRID (SINGLE) (2 SESSIONS)
- D2 - AUDIO-ONLY DVD/CD HYBRID (ALBUM) (2 SESSIONS)
- S2 - SACD/CD HYBRID (SINGLE) (2 SESSIONS)
- A2 - SACD/CD HYBRID (ALBUM) (2 SESSIONS)

Please note that this list is not meant to be exhaustive and will be expanded as necessary as new products come to market.

In applying for a license from HFA for a multisession product, please be sure to use the appropriate configuration code. You will also need to indicate how many sessions are included in the product to be licensed, as well as a proposed royalty rate for the multiple sessions. HFA will convey the proposed rate to the relevant publisher or publishers for their individual approval. (Alternatively, you or the publisher may furnish HFA with written approval of the rate in connection with your license application.) Such approval is required before HFA can issue the license.

Please note that if you have previously obtained a CD, SACD and/or DVD-Audio license from HFA for the purpose of making and distributing a multisession product, you should review such license to ensure that it reflects the actual number of sessions included on the product. Unless the license expressly indicates that it covers the additional session or sessions, you may not rely on the license to manufacture and/or distribute the product, as the license provides authority to make and distribute only a single reproduction of the licensed work.

Should you have any questions regarding the above or wish to apply for a license for a multisession product, please contact Maurice Russell of HFA's Licensing Department, at 212-834-0159.

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