



WEXER GUIDELINES FOR USING MUSIC IN WORKOUT VIDEO PRODUCTIONS

What are music rights?

Music and compositions are protected by rights, to make sure that the composers and artists get paid for the use of their intellectual property.

Most productions are protected by rights, which means that gyms playing music in their facilities need a license and producers wanting to use a piece of music in a video need a (different) license too.

Which music rights exist?

Most facilities are familiar with the license needed to use music in their open spaces. This allows for the radio to be turned on or popular tunes from the charts to be played.

To use this, the club signs an agreement with the local or national Performing Rights Organization, which collects the fee on behalf of the artists and composers.

It is important to understand that such a license DOES NOT cover the use of music in a video production. When using music for any production, the producer must secure the rights to use this music for production.

What music can be used in productions?

To use music in video productions, one must secure (buy or license) the rights to use it.

This is where it can get tricky, as there are two rights associated with every piece of music: The master recording and the publishing. The master recording refers to the actual sound recording of the piece of music and the publishing refers to the tune, or musical notes, if you prefer.

To use a piece of music in conjunction with visual images (to sync) you need to have the rights granted to you by both the owners of the master recording and the owners of the publishing.

These people will be able to issue you with a sync license.

For commercial / chart music this can be very expensive and quite complicated. The easiest way round this is to use music from a library, where they control both the master and the publishing rights and can license both to you at the same time.

This unfortunately rules out using well-known artists and music from the charts as it would simply be too hard and expensive to obtain those rights.

Luckily, there are companies that specialize in aggregating original music to sync that can be licensed and used in video productions. Once you have a license to use their music, you can use it on any workout productions you want to do.

PRO and non-PRO

However, even when you have secured the sync rights for a piece of music, there is still one thing to look out for: Whether the music is registered with a PRO (Performing Rights Organization) or not.

What difference does this make? Here is some background:

Each composer has the option of joining a performing rights organization (PRO). These are bodies in each country which collect performance income on behalf of the composers that have joined them. In joining, the composers assign their performing rights to the society and can no longer license them themselves. This means that every performance of that music has to have a royalty paid to the society. For example, if you play something written by John Lennon in a gym, the gym is liable to pay the local society for the performance. That is a very basic example.

If you use PRO-registered music, which is legal if you have the sync rights, then every time that workout is played, public performance charges will apply.

Using the workouts will then mean you paying again for the performance – practically paying double.

Therefore, it is important to make sure that you are using music and artists that are not registered with a PRO.

PRO free libraries

Some libraries warrant in their agreements that they control the performing rights in the music and that means there are no further liabilities. Once you have licensed the music, you can use it in your productions without worrying about performance fees afterwards.

Make sure that the terms you have in the license agreement cover your needs.

The rights to use the music in the content created, once synced, must remain in perpetuity, or you will need to keep going back and licensing the music again.

For example, the term of your agreement may only be one year, but anything created within that year should be able to keep the music on it forever.

Where can I find music to use on my workout videos?

We recommend that you use one of the below music vendors and make sure you select artists that are non-PRO.

[Epidemic](#)

[Shockwave Sound](#)

The Beginner's Guide to using music on video productions

- Do not use any music that has not been specifically licensed for the purpose
- Get a license from a library that can provide full sync rights
- Make sure the license covers the use of the music in perpetuity
- Choose non-PRO music and artists only