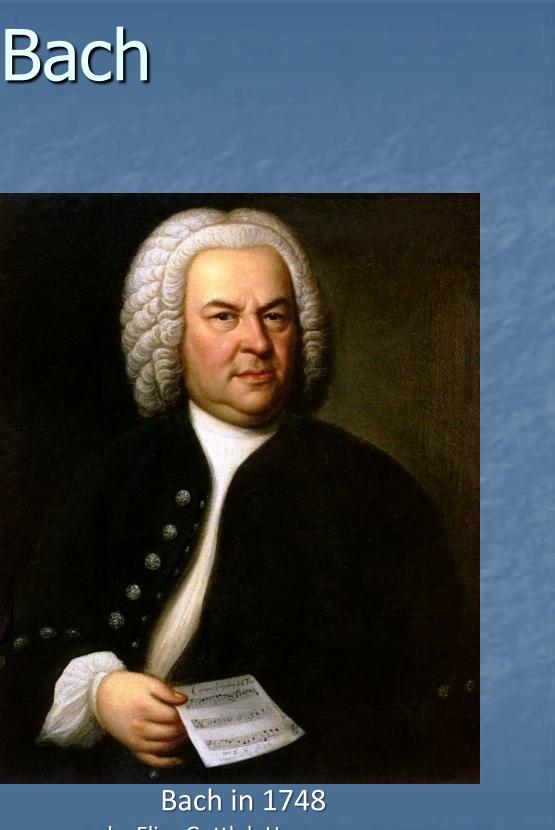
TECH RETREAT 2024

Post-Retreat Treat: You Think You're Dealing with Change? Law and Technology Affecting the Music Biz at the Turn of the 19th-to-20th Centuries **Mark Schubin**

Johann Sebastian Bach

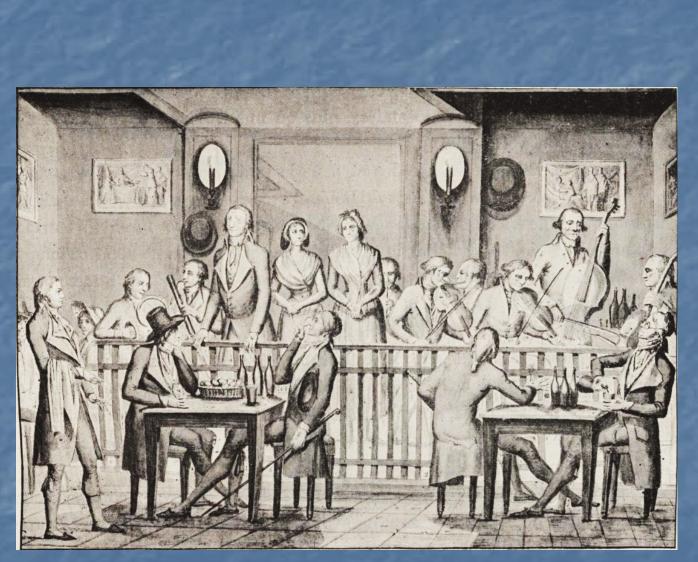
son, grandson, great-grandson, nephew, brother, and father of musicians composer of >1000 original works organist, music teacher, choir director, music director Court Composer



by Elias Gottlob Haussmann

Musician Options

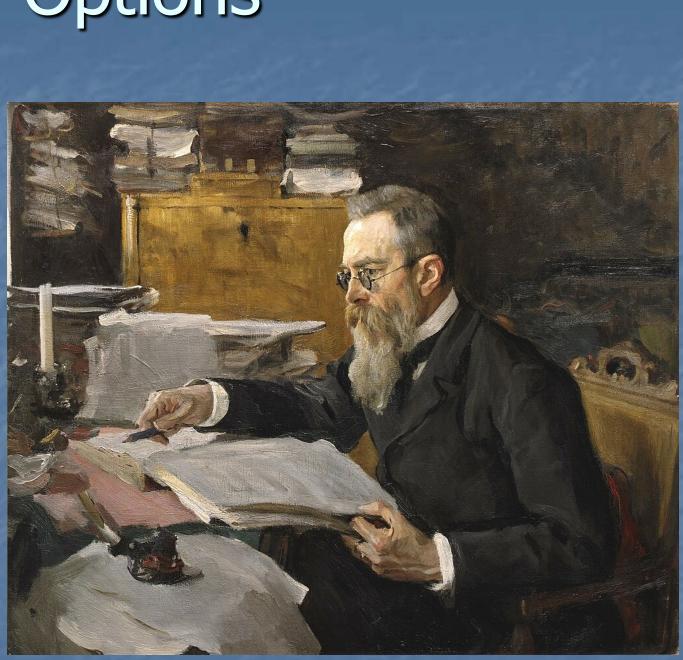
minstrel, street musician, fair church ball, party, salon theater concert, ballet, opera café, restaurant



Le Café des Aveugles à Paris c. 1800

Composer Options

single sale commission appointment



Nikolai Rimsky-Korsakov by Valentin Serov

Handel: 42 Operas

Revenue streams: commission conducting, playing, directing, managing libretti candlesticks candles

George Frideric Handel by Balthasar Denner



Handel: 42 Operas

Revenue streams: commission conducting, playing, directing, managing libretti candlesticks candles

RINALDO.

28

Arg, Non funeftar' O bella, Di due Luci divini il dolce Raggio; Che per pietà mi sento il Cor a frangere Alm. Signor, deh ! Per pietà, lasciami piangere ! Arg. Ofcura questo Pianto Il bel foco d' Amor, ch' in me s' accefe Per te mia Cara. Alm. In questi Lacci avolta. Non è il mio Cor foggetto D' un' amorofo Affetto. Lascia ch' lo pianga Mia dura Sorie, E che sospire La Liberta; Il Duol' infrança Queste ritorte, De miei Martiri Sol per pieta.

Lascia &c. Arg. Tu del mio Cor Reina Con disposico impero Puoi dar Legge a quest' Alma. Alm. Ab! Non è vero. Arg. Vuoi che questo mio Brando T' apra il Varco a quel Centro Ove il mio Cor trapaffi ? Alm. Ah! No, tanto non chiedo; eh! Se m' amafi! Arg. Della mia Fedeltate Qual fia un pegno ficur ? Alm. La Libertate. Arg. Malagevol commando. Alm. Amor mentito ! Arg. E fe ad Armida, O cara, Nel procurare al tuo bel piè lo scampo, Note fien quelle Fiamme, Che per se, mio Tefor, ftruggono il Core ? Scopo faremo entrambi D' Amor gelofo, e d' infernal Furore.

29 Arg. Divinest Creature, let not Grief's black Shade Ecclipfe the beamy Beauties of thy Face; My fimpathizing Heart is touch'd with Woe To hear thy just Complainings. Alm. Give my big Tears their way : Arg. Those Tears, bright Maid, Deaden the Fire which Love has kindled in me; Alm. Oppress'd, and troubled as you fee me now, Judge if my trembling Breaft has room for Love! Permit the wretched to complain Of their unhappy Fate; The Lofs of Liberty's a Pain That fhou'd our Sighs create; When you wou'd comfort an afflicted Mind. Pity not Love, fhou'd make you kind.

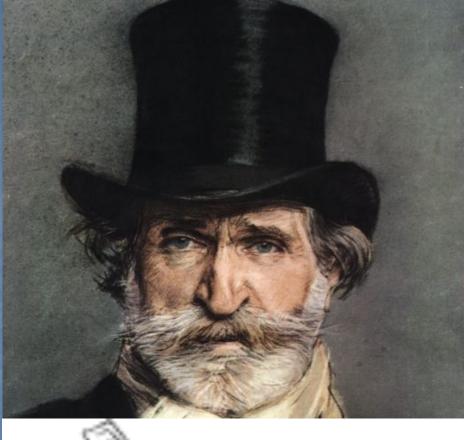
Arg. You are the Queen of my fubmiffive Will, And with defpotick Power may give me Laws ! Alm. Ah ! 'tis not true ! Arg. Wou'd you behold a Proof? This faithful Sword shall lead you to my Heart, And cut you out a Road to Demonstration : Alm. Alas I wish not that ! Oh ! did you love me! Arg. What can convince you of my Faith? Alm. My Liberty. Are, Oh hard Command ! Alm. Oh, ill diffembled Paffion ! Arg. What if while 1, ambitious of thy Love, Contrive thy wish'd Release, Armida's Skill Shou'd give her fatal Notice of my Falschood ! How shall we both be tortur'd with Revenge, While Jealoufy, Love, and infernal Rage, Excite her keen Refentment !

5.1.

RINALDO.

Permit the, Oc.

Alm.





Giuseppe Verdi by Giovanni Bol

Copyright

Early composers earned by commission Verdi eventually earned by copyright ■ 1840s: 14 operas ■ 1850s: 7 operas **1860s:** 2 operas ■ 1870s-90s: 1 opera per decade (numbers can vary based on reworking)

Mr. Monopoly by Hasbro



Copyright Effects

ongoing revenue more compositions better compositions

COPYRIGHT AND CREATIVITY-EVIDENCE FROM ITALIAN OPERAS*

MICHELA GIORCELLI, UCLA, AND PETRA MOSER, NYU, CEPR, AND NBER

SEPTEMBER 22, 2016

opera_{it} = $\beta \sum_{r=1781}^{1820} \beta_r Lombardy & Venetia_i \times year_r + \varphi_i + \delta_t + \varepsilon_{it}$

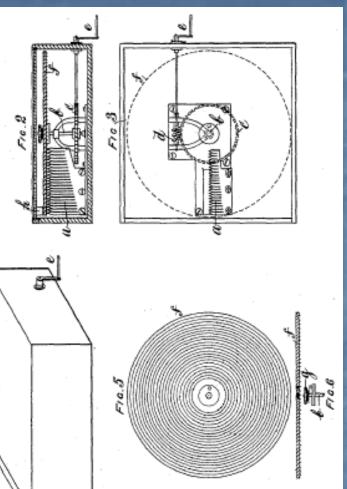
Technology: Playback for the Rich

1784 David Roentgen & Peter Kinzing automaton for Marie-Antionette plays opera music 1738 Charles Clay clock with organ played pieces from operas 1625 Samuel Bidermann clock with organ & spinnet **c.** 1480 barrel re-pinnable pre-Jacquard loom





Pre-Phono Playback for the Masses 1888 gramophone disk 1885 musical box disk mass produced "a few pence" disk changers (longer) coin-operated 1881 "mechanical rights" Paris merry-go-round organ ■ 1845 *New-York Mirror:* tunes from that year's new opera The Bohemian Girl were already "established favorites... ground by 1892 every hand organ" organ



disk musical box patent Ellis Parr 1885

grinder

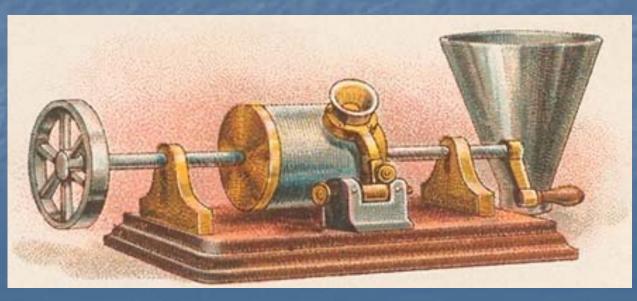
1st Bootleg Recording: 1888

Interesting and highly colored accounts of queer incidents seem to be "the rage" just now around the theatres which employ special men to do their press work. The latest comes from the Casino. The story is to the effect that on Wednesday evening the manager of a small travelling opera company went to see " The Yeomen of the Guard," and took with him a phono. graph. He had succeeded in recording the ontire first act with his machine, when the eagle eye of an usher lighted upon him and he was hustled, phonograph and all, into Mr. Aronson's office. The manager explained that he wanted to produce the operetta on the road, and had been compelled to steal the score, as he could not get it otherwise. The libretto he had bought for twenty-five cents. Mr. Aronson was generous and forgave the manager, but took the imprinted foil of the phonograph away from him.

New York Tribune 1888 November 2 p. 7

As he turned from the windows his eye lighted upon a queer-looking machine lying on a chair near the lone man. Daly's first thought was of dynamite and anarchy; his next of how to remove the disciple of Herr Most and his death dealing machine; his next thought-but before he thought again he had planted the man and his machine in a chair in Mr. Rudolph Aronson's office, and was standing at a respectful distance from him waiting for either the machine to explode or the man to begin a barangue.

Electrical Review 1888 November 10 p. 7



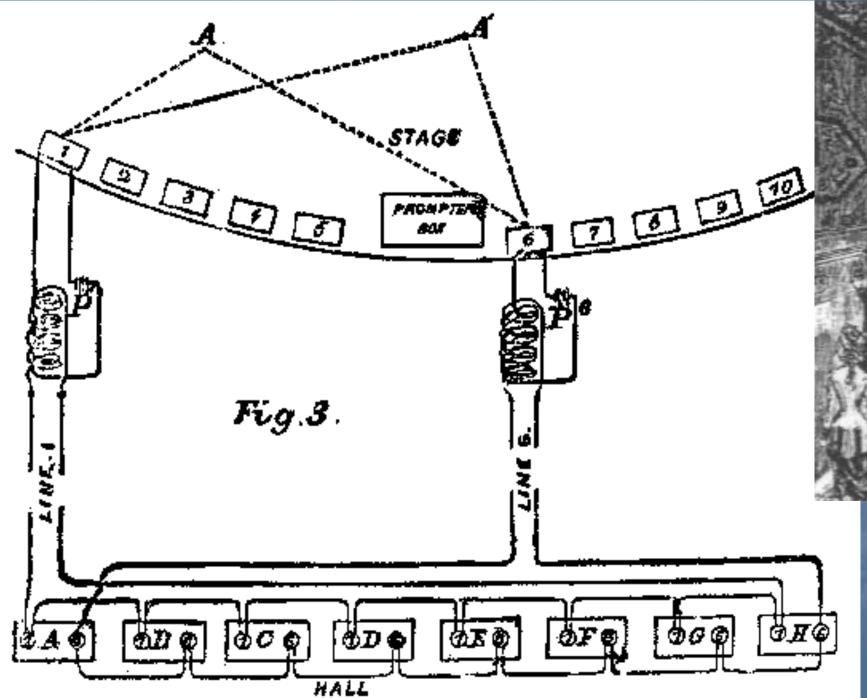
The First Live Home Listeners: 1880

Edward P. Fry, connected to New York's Academy of Music no later than November courtesy of Col. J. H. Mapleson arranged photos of singers around himself William Hearden, connected to Plymouth's Theatre Royal possibly in November courtesy of J. R. Newcombe





Paris Stereo 1881 (London later same year)



Victor Hugo: "It's very strange. We heard the opera through two earpieces connected to the wall." "The children were delighted, & me, too."

Mark Schubin, HPA Tech Retreat, 2024 February 22



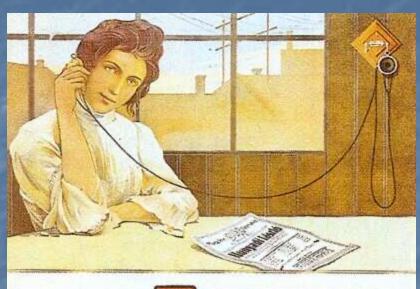
Commercial Live Services

Homes: pay-per-event subscription subscribers: Marcel Proust, Charles Gounod, French President Institutions:

coin-op







AM.KIR. UPERA felváltva hallható Összes állomásain. Megrendelhető Rákóczi út 22.sz.a. A BEVEZETÉS DIJTALAN ≈ ELŐFIZETÉS EGY ÉVRE 36 KOR.



Before Headphones



elbow rest

Mark Schubin, HPA Tech Retreat, 2024 February 22



Broadcast Rights Established Before Radio

Brussels 1899 théâtrophone demo at electricity exhibition uses Rigoletto from Société des Concerts (performance fee paid) Verdi sues and wins Basis for ASCAP

JUSTICE DE PAIX DE BRUXELLES

(1er CANTON)

2 octobre 1899

DROIT D'AUTEUR. — ŒUVRE MUSICALE. - Audition téléphonique. - Grapho-PHONE. — PHONOGRAPHE. — ATTEINTE AU DROIT.

Constitue une atteinte au droit de l'auteur d'une œuvre musicale, l'établissement, sans son consentement, d'un local où, moyennant rétribution, le public participe par voie téléphonique ou par le graphophone ou pho-nographe à l'audition de cette œurre, d'après l'exécution qui en est donnée, avec le consentement de l'auteur, par une autre personne, dans unautre local et devant un autre public (1). (1^{re} espèce.)

Il en est ainsi, même si le but de celui qui organise ces auditions téléphoniques ou · par graphophone ou phonographe, est uniquement de faire connaître ces invention's, et non de retirer un bénéfice de l'usur pation du droit de l'auteur de l'œuvre (2). (2° espèce.)

Première espèce.

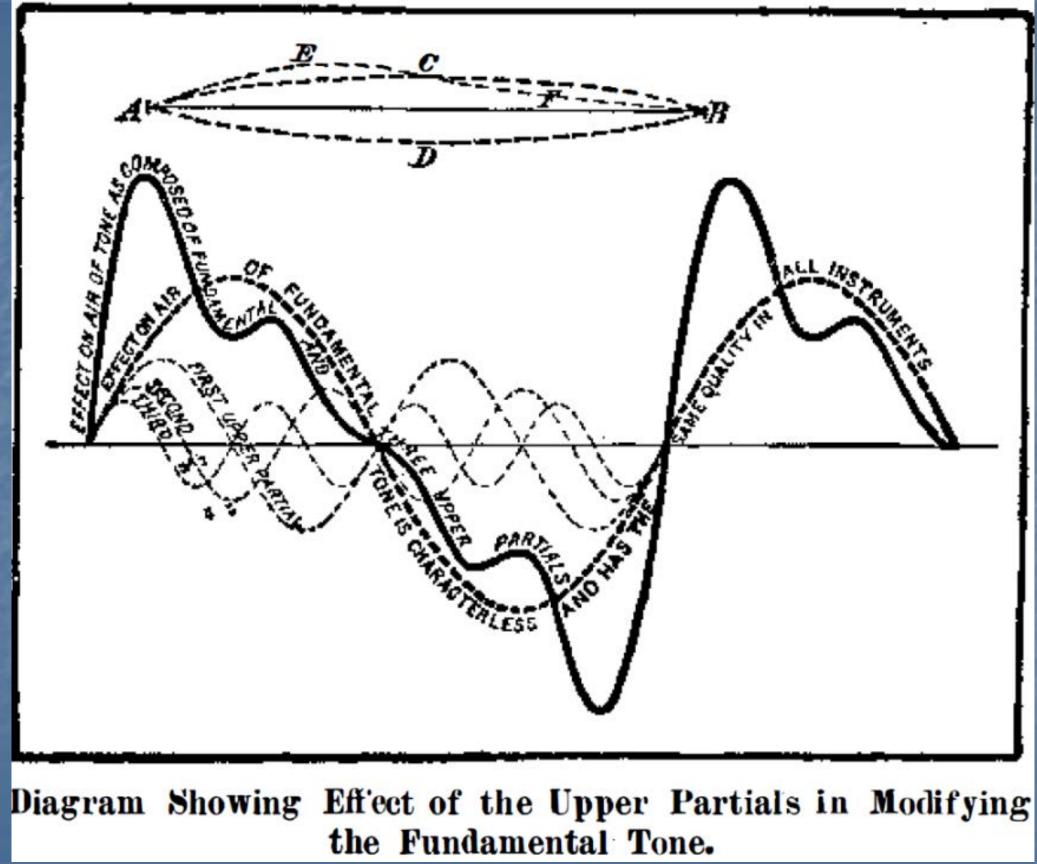
(VERDI, - C. SOCIÉTÉ DE TÉLÉPHONIE PRIVÉE.)



Synthesizing Sounds

"The Telharmonium—an Apparatus for the Electrical Generation and Transmission of Music," *Scientific American,* March 9, 1907, p. 210

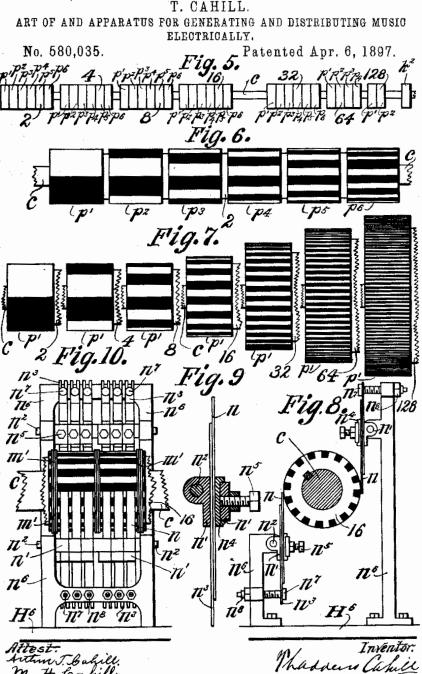
Mark Schubin, HPA Tech Retreat, 2024 February 22



The Telharmonium

Business plan: music to restaurants forerunner of Muzak Technology: alternator per sine wave ■ 200 tons in 2nd version 30 railroad freight cars sums of harmonics <u>much</u> power music induced into other lines

(No Model.)

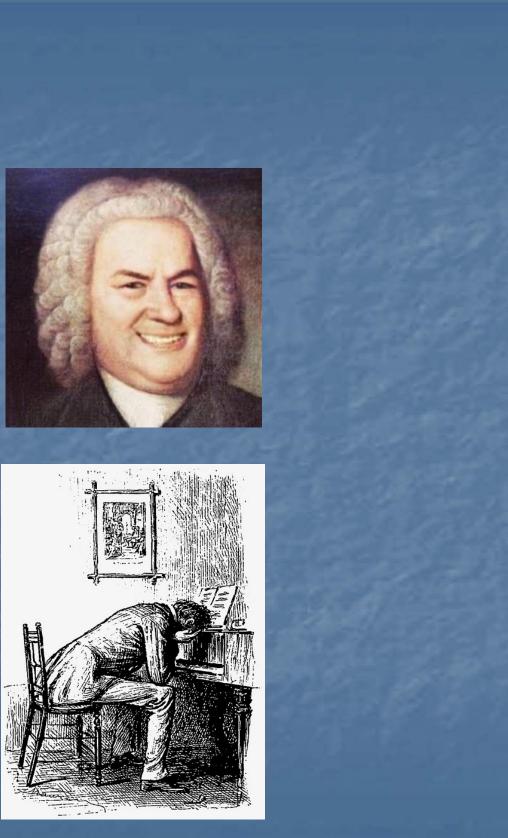


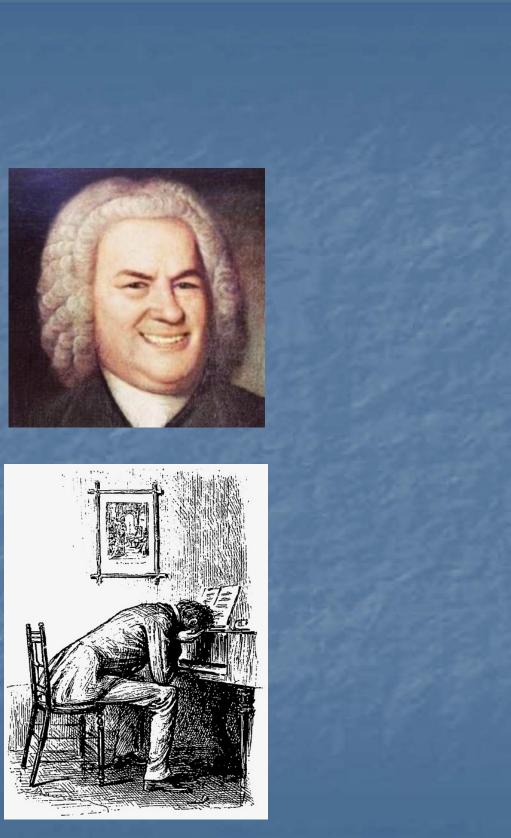
10 Sheets-Sheet 4



Composers earn from copyright, broadcast rights, mechanical rights

Musicians compete with recordings, radio, streaming





a pdf of these slides is available at bit.ly/hpa24-prt



