



Sampling is the technique of taking a small piece, or “sample,” of a pre-existing, copyrighted piece of music and using it to create a new piece of music. In most cases, the “sample” must be cleared with the copyright owners (i.e.: record label and music publisher), to avoid future infringement claims.

If you use samples when writing or producing songs, you need to understand the business issues that surround the art of sampling. The process of correctly securing the rights to a sample for use in your own recording is crucial, and could become very complicated if you don't cover all the bases.

Here are some tips to keep in mind when working towards clearing a sample:

- Detail is crucial - gather the following information for each sample you wish to clear and have it ready to present to the copyright holders: the name of the original composition, the artist who performs the master, the record label of the master recording, the composer(s) of the composition, and the publishing company or companies of the composition.
- You will need to give the length of the sample you are contemplating using, as well as in number of measures (for example, “:30 seconds/16 bars of music”).
- Be prepared to provide a description of the use of the song or master in your new recording – i.e. looped or repeated.
- Have a working copy of your new recording ready to send to the copyright holders to show how you want to incorporate the original versions into your work.
- Don't forget to credit the original recording.
- Know which rights you need to clear. Is the sample you are using limited to only one recorded version of your song, or do your rights extend to uses such as remixes or live performances?
- Be prepared to discuss ownership and compensation. How will the original copyright holders be compensated? Who will own the new work? If there is shared copyright, what will the royalty splits be?

If you have any questions about this or any other topic, contact **SOCAN** at 1-866-30.SOCAN or go to www.socan.ca