

You can listen to music on your mobile phone, wherever, whenever you want – but make sure it's legal!

On many phones your favourite tracks are as accessible as your contacts and you can listen to them on-the-go. But it's important to understand the legal limits of what you can and can't do with music on your mobile phone.

Where can I get music for my mobile?

You can get music for your mobile from a variety of sources. You may want to head to specialised mobile music online stores as a first port of call. Some of these include:

- Telstra BigPond Music bigpondmusic.com/DualDownload.aspx
- Optus Zoo mobile.optuszoo.com.au
- My Moto www.mymoto.com.au
- MTV www.mtv.com/mobile/
- I93 I23 www.I93I23.com.au/
- Virgin Mobile www.virginmobile.com.au/vibe/music.html
- Vodafone music.vodafone.com.au/
- Three www.music.three.com.au
- Nokia music.nokia.com.au

Other legal online music services in Australia can be found in MIPI's Guide to Digital Music at: www.mipi.com.au/documents/musiconyourmobile.pdf.

If you have purchased CDs (or otherwise got them legitimately) then you can also copy these onto your mobile for your own private and domestic use. It's important to keep the original CDs though!

What about sharing music with my friends?

Every time that you buy a song from an online music service or a CD, the artist gets paid what's called a royalty. Royalties ensure that the artist, the songwriter and others involved in the creative process get paid for all their hard work. Music doesn't just happen – it's written bar by bar, line by line, by people who work hard to get it right.

When someone creates a piece of music a whole system of legal rights and obligations called copyright comes into play. These rights and obligations outline what someone can and can't do with the material.

Copyright law says that you can't just share songs with your friends without the permission of the owners of the music. Due to the number of people involved in creating music, there is generally more than one owner of copyright in a song – the composer who wrote the music owns copyright in the musical works, the lyricist who wrote the lyrics owns copyright in the literary works, the artist who performed the music owns copyright in a sound recording of their live performance and finally, the maker of the recording (typically a record company) owns copyright in the sound recording.

Sharing music with your friends via Bluetooth may seem cool and convenient, but it's really just like stealing. Your favourite artist gets ripped off, and ultimately with less money in the music industry there is less to invest in finding and nurturing new Australian talent. What's more, stealing music also threatens the livelihoods of the thousands of technicians, CD-plant workers, warehousemen, graphic designers, printers and other non-musicians who are employed in the music business helping to create and deliver the music you listen to on your mobile.

What about getting music through file sharing networks?

The vast bulk of P2P 'file sharing' of music is illegal. Just like sharing music with your friends without permission, getting music through file sharing networks hurts your favourite artists and the livelihoods of people in the business. You may think that illegal downloading is a victimless crime that really doesn't hurt anyone. Try telling that to the struggling young musicians in a garage band who can't get signed because record sales are down. Or tell it to the young singer-songwriter whose career dead-ends because people would rather download her music for free.

Can I record concerts on my mobile phone?

Recording live performances without the permission of all of the relevant copyright owners and the performers is illegal and unfair – artists and copyright owners have a right to say how their music and performance is used by others.

Can I sell my old mobile phone that contains music?

It's fine to sell your old mobile phone, however you should delete your music before doing so. Selling a mobile pre-loaded with music is basically like copying your music collection for someone else. This means less royalties for the artists and less support for the music you love.

Respect copyright in music

Music piracy has a major effect on the music industry. The makers of the music, the composers, lyricists and all the other people involved in the music industry are paying the price with less legitimate music being sold because of people downloading through P2P sites or sharing music with their friends. People's livelihoods are affected. As a result of piracy there is less money for finding and nurturing new Australian talent, which ultimately means less new music for your mobile.

Need more information?

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