CONTENTS

	About the Author v	
	Acknowledgments vii	
	Prologue: The King Is Dead ix	
DADT		
	I. Music as American Commerce	
	Music as Property—The Early Sheet Music Trade 3	
	Copyright in "Musical Compositions" 6	
	Music Goes to Court 10	
	The First Superstar of American Song 13	
	High Tech Hellion—John McTammany's Carganette 21 "After the Ball" 24	
	Century's End 31	
	Before and after <i>The Mikado</i> —The Fxclusive Right of Public Performance 33	
	Transitions 43	
PART II. The End of the World as We Know It, Part 1—Rolls,		
Cylin	ders, and Discs	
	Stern v. Rosey 47	
	The Mechanical People Invade Tin Pan Alley 50	
	White-Smith v. Apollo 55	
	1909 61	
	Prelude to Public Performance 64	
15.	1909 Epilogue—Leeds & Catlin v. Victor 66	
PART	III. Public Performance for Profit—From Lüchow's to the	
La Sa	lle Hotel	
16.	Dinner at Lüchow's 71	
17.	"From Maine to Oregon" (By Way of Manhattan) 74	
18.	A Pleasant Dinner at Shanley's, Gone Bad 76	
19.	Justice Holmes 78	
20.	ASCAP Goes to the Movies 80	

515-50511_ch00_6P.indd iii 7/24/12 6:27 PM

iii

iv Contents

22. 23. 24.	"L. Bamberger & Co., One of America's Great Stores" 82 1931: Buck v. Jewell-La Salle and the Birth of Background Music Reshaping an Industry—Radio, Movies, and Music 88 ASCAP Meets the Competition 94 ASCAP Goes to the Movies, The Sequel 96	85
IV. R	ecordings and Recording Artists	
26.	Notes and Lyrics, Not Sounds 103	
27.	Whiteman and Waring 107	
28.	Whiteman v. WBO Broadcasting Company (RCA v. Whiteman)	117
29.	After Whiteman 122	
	After the War 126	
31.	From Recordings to Records 132	
PART	V. Revolutions in the Air	
32.	Pudding Basin Hair 141	
33.	Three Revolutions 143	
34.	Back to the Future in <i>Goldstein v. California</i> 152	
	1976 154	
	Home Taping Is Killing Music 158	
	Sample This 162	
38.	Holy Trinity of Music Copyright 165	
PART	VI. The End of the World, Part 2	
	Party Like It's 1999 173	
	Hired or Fired? 175	
	MP3.com 178	
42.	Learning to Share 180	
43.	and Share Alike 186	
Part \	VII. Into the Cloud	
44.	Convergence 195	
	Performance under Pressure 200	
	Partly Cloudy 208	
	A Letter from Google 210	
	Saving Prokofiev 213	
	Beautiful Future of Music 217	
	Epilogue: Long Live the King! 221	
	Timeline 225	

-1— 0— +1—

515-50511_ch00_6P.indd iv 7/24/12 6:27 PM

Index 229