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Lyrics Sites at Center of Fight Over Royalties

By JOSEPH PLAMBECK
Published: May 9, 2010

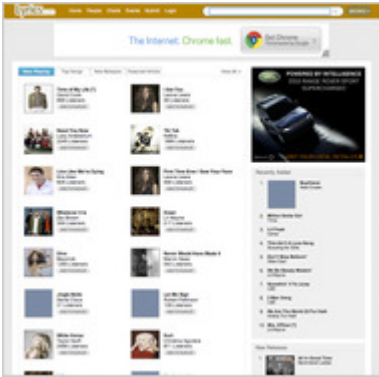
What's the line in that song?

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Bayne Stanley for The New York Times
Milun Tesovic, standing, and Alan Juristovski, chief executive, at the offices of MetroLyrics.com, which had close to \$10 million in revenue in 2009.

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The home page of Lyrics.com.

That's what Milun Tesovic wanted to know back in 2000 as he searched online for the lyrics of his favorite tunes. But often, he got results that seemed dubious or could not find the song at all. So a year later, at age 16, he started his own site.

That site, [MetroLyrics.com](#), crept up on search engine results, and before he knew it, he said, checks from advertisers were arriving in the mail and the site "started looking a lot more like a serious business."

Now 24, Mr. Tesovic helps oversee the site and its handful of employees from an office outside Vancouver. It drew about 13.5 million unique users in March and generated close to \$10 million in revenue in 2009.

He is not the only one walking that particular stairway to heaven. Dozens of sites with a range of quality and graphics now showcase song lyrics, raising the prominence of the words and sometimes providing significant revenue for the sites' owners.

For songwriters and their publishers, though, the ubiquity of lyrics on Web sites presents both opportunities and problems — especially when it comes to getting some of the sites to pay royalties for use of the lyrics.

For decades, printed song lyrics lived in relative obscurity, relegated to album sleeves and sheet music. And until now, they provided no significant source of revenue.

But the digital age has provided a chance to re-evaluate the value of the words, said David Israelite, the chief executive of the [National Music Publishers' Association](#), which represents more than 2,500 publishers. That value, he said, "hasn't been exploited very

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well.”

Collecting royalties for the lyrics has not been easy, though. The sheer number of publishers makes it cumbersome for each site to reach deals with each of them. Only in the last couple of years have companies, including Gracenote and LyricFind, gathered the licenses themselves, which they then sell to sites.

The creation of those third-party aggregators is a crucial first step toward finding significant revenue from the sites, said Peter Brodsky, an executive vice president at Sony/ATV, a major publisher.

“The best way to combat unauthorized distribution is to authorize sites and third parties to make deals and build sites that have a better experience,” he said.

Mr. Tesovic said he had always wanted to use the lyrics legally and had approached publishers about getting the rights. But it wasn't until 2008, when MetroLyrics signed a deal with Gracenote, that legal lyrics appeared on the site.

“It's either right or it's wrong, and it felt wrong to not compensate the writers,” he said. “Publishers knew that when they were ready, we were ready.”

In the last two years, the music publishers association has reached out to 95 sites that carried unlicensed material, nine of which then obtained licenses, while 31 shut.

Last year, the organization sued two Web site operators. It reached a deal with one and filed a motion in April against the other, LiveUniverse, that seeks to shut its lyrics sites while the case is being resolved. A hearing on the motion is expected this week.

Brad Greenspan, the owner of LiveUniverse and a founder of MySpace, said the company ran into financial trouble in recent years and needs to untangle its contracts before it can pursue new licenses.

Despite all his effort to rein in the sites, Mr. Israelite realizes it is a battle that may never be completely won.

“I think it will be like shoplifting at stores, in that we're hoping to keep it manageable enough,” Mr. Israelite said. “It will always exist, just a matter to what degree.”

Regulating the offending Web sites is even more difficult when they are operated outside the United States. Take the example of Lyricscafe.com, which has no licenses for its content.

According to public Web site registration information, that site is registered by a person

named Plarent Nasto in Albania. When reached by e-mail, a person responding to that name said that when the site opened about 10 years ago it “was a real hobby and I updated it after work.” But, the writer said, finding time for the hobby became harder after marriage, and the site is now largely unattended.

Lyrics for many popular recent albums, like Beyoncé’s “I Am ... Sasha Fierce,” remain available on the site. The database does appear incomplete, though, missing Lady Gaga’s albums, for example.

“In 10 years, I have always removed all the song lyrics that I was asked to remove,” Plarent Nasto said. When approached by an agency about buying a license, “I told them that my site does not have enough traffic and earnings,” and requested from the agency a list of songs to take off the site, which never arrived.

Lauren Apolito, the vice president for business development at the Harry Fox Agency, which collects and distributes publishing royalties, said lyrics are often published on Web sites without a license out of “just ignorance, not malice.”

It is not clear which reason, if either, applies to Plarent Nasto’s case. According to registration information — in addition to a Plarent Nasto profile at LinkedIn.com — at least three lyrics sites are registered under that name. Plarent Nasto did not respond to an e-mail message about the other sites.

For songwriters, missing out on some royalties is only one of the problems with the unlicensed sites, which often allow users to submit the lyrics. The lyrics themselves, they say, are often wrong.

“The sites don’t necessarily care about the quality of the lyrics,” said Tia Sillers, a songwriter in Nashville, who co-wrote “I Hope You Dance,” a Grammy-winning song. “It’s a cool wealth of information, but it’s frustrating when things aren’t correct.”

Mr. Brodsky of Sony/ATV said that as the third-party databases continue to be updated, the quality of the licensed sites should improve. The opportunities to benefit from the lyrics will improve, too — as they become more prevalent on mobile applications and interactive music files.

“Every week there is some new potential income for lyrics,” he said. “The revenue is not significant now, but it’s just the beginning.”

A version of this article appeared in print on May 10, 2010, on page B6 of the New York edition.

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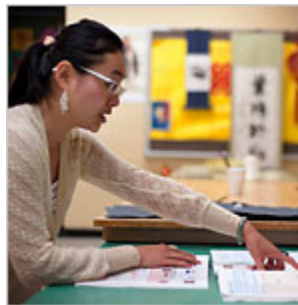
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