

MUSIC'S WORTH – MONEY VS CULTURE

The CBC's miscalculation of Canada's most iconic theme song

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Between the restructuring of CBC Radio 2 and the untimely demolition of the CBC Radio Orchestra, 2008 is shaping up to be a tumultuous year for our public broadcaster. Now they've lost the license to the "Hockey Night in Canada" (HNIC) theme song, arguably Canada's second most popular song after our national anthem.

The composer, Vancouver-born Dolores Claman, secured a license with CBC in 1968 but according to Madeleine Morris, Claman's daughter, the CBC didn't start paying for the song until 1993, at a rate of \$500 per broadcast. When the licensing deal expired in 2002, the CBC refused to sign a new deal and continued to use the song without paying royalties. Claman responded with a lawsuit to protect her intellectual property.

The CBC offered to buy full ownership for a lump sum payment of just under \$1 Million. But due to the song's iconic status, Claman's agent Copyright Music and Visuals, valuing it almost three times as much, rejected the offer. The CBC threatened to dump the song and hold a national theme song contest for a fraction of the cost to license the HNIC theme.

Claman stood firm, offering to drop the lawsuit and return to the original license of \$500 per use. The CBC rejected her offer, walked away from negotiations, and publicly announced the HNIC theme song contest. In a PR coup, CTV gladly stepped in and bought the song for its fair market value of between \$2.5 and \$3 million.

In response to the ensuing public outcry, CBC stated that as a public broadcaster, it would have been irresponsible to pay an inflated sum for the use of a simple theme song. One quote from the network stated, "[I am] surprised a rival network

would purchase something so inextricably linked to the Hockey Night brand." As the dust settled, it is clear that the CBC lost the song because they underestimated the music's market value.

Composers make very little money for what they do. The money they do make is typically from licensing fees paid each time their music is performed live, recorded, or publicly broadcast. In 1990, SOCAN (Society of Composers, Authors and Music Publishers of Canada) was established to collect these dues from media companies on behalf of about 47,600 songwriters, composers, lyricists and publishers. Composers benefit from SOCAN's reciprocal agreements with more than 100 countries and music users can easily access and pay for the music they use.

In terms of jingle composers, much work under contract for private publishing companies who hire them to write music for use for advertisements. Once the piece is finished, the composers typically sign over the rights to the company, who then licence the music to their clients for a set fee. According to The Jingle Co., the price of a jingle ranges with the market size and amount of production that needs to be put into a session. The average small market price of a jingle is around \$1200 to 5000. The price for larger markets will be higher depending on size of market (based on Nelson Ratings). Some jingles range from as low as \$275.

One can only speculate as to the worth of the HNIC jingle, but considering it is a national market, and it has a significant level of productions value (multiple instrumentation, and considerable length), the jingle would be worth more. But what makes the most difference in the value of the song is the fact that it is extremely well known and adored as

Hockey's unofficial anthem. This fact is what has placed the song's fair market value in the millions.

Daniel Levitin, the best selling author of *This is Your Brain on Music* asserts, "Canadians have definitely bonded to the song. They've experienced a chemical reaction to it. Somebody is about to take away a song and people are really upset." Levitin says that music is an essential component to our collective Canadian cultural rituals. The seemingly insignificant jingle illustrates the significance of "cultural touchstones" and emphasises the evolutionary role music has played in human history. He goes so far as to claim that music "is encoded in our DNA." It is hard to set a price on that!

According to the CBC, \$500 per use (about \$65,000 per year) is still too much to pay for a jingle, but this amount pales in comparison to the multi-million dollar annual salaries of hockey players. The Toronto Maple Leafs, for instance, gross \$55,767,390 in annual revenues based on 796,677 tickets sold at an average \$70 price. And let's not forget the \$30 Million in annual advertising revenue the CBC makes with the help of our second national anthem. If we were to place the jingle on par with all the other elements that collectively make hockey so dear to Canadians, the CBC should expect to pay in the league of what it pays for the privilege of being associated with "Canada's game."

In hindsight, one begs to ask why the CBC did not have the foresight to buy the song outright in 1968, before the song became too closely woven into the national fabric. As it stands now, the popularity of the song priced the public broadcaster out of the market. However the CBC tries to spin the story, truth be told they probably just couldn't afford it. ■

LIST OF THE MOST USED SPORTS ANTHEMS (from about.com)

1. BLACK EYED PEAS - LET'S GET IT STARTED - 2004

This smash hit was used as theme music for the 2004 NBA Playoffs. It can turn the opening of any sports event into a massive singalong.

2. C & C MUSIC FACTORY - GONNA MAKE YOU SWEAT (EVERYBODY DANCE NOW) - 1991

One of the top pop-dance hits of the 1990's is continually recycled as a jock anthem for its ability to get any crowd moving.

3. GARY GLITTER - ROCK AND ROLL PART 2 - 1972

aka "The Hey Song." Gary Glitter first reached the pop top 10 in the US and UK with this song in 1972. It is believed the primal drum and chant piece was first used at sports events by the Colorado Rockies hockey team in the late 1970's. The song has since been adopted widely for its ability to have chants inserted into the mostly instrumental music. Often it is a variant of "we're gonna beat the hell out of you!" Gary Glitter's recent criminal conviction on child abuse charges has tarnished the song's reputation somewhat, but it is still widely heard.

4. QUEEN - WE WILL ROCK YOU / WE ARE THE CHAMPIONS - 1977

The classic foot-stomping and hand-clapping Queen chant "We Will Rock You" never fails to rile up a crowd. "We Are the Champions" is convenient for celebration of a victory if "We Will Rock You" worked to the host team's advantage.

5. REEL 2 REAL - I LIKE TO MOVE IT - 1994

Reel 2 Real was the house music project of DJ Erick Morillo. "I Like to Move It" does exactly what the title says - helps get a crowd moving.

6. STEAM - NA NA HEY HEY KISS HIM GOODBYE - 1969

Steam was a fictitious band when its song "Na Na Hey Hey Kiss Him Goodbye" hit the top of the pop singles chart in 1969. A group was hastily put together in support of the hit, but the group didn't last. The song's use as a jock anthem is believed to date to the 1977 Chicago White Sox baseball season when it was sung as opposing pitchers were replaced by a reliever. Crowds now sing the classic when a game is nearly complete, or in cases of opposing players leaving the game whether through replacement in baseball or fouling out in basketball.

7. TAG TEAM - WHOOMP! THERE IT IS - 1993

This simple, nearly nonsense level, hip hop chant classic is a multi-use tune for sports events. It can simply get a crowd moving, or be used to celebrate any success at scoring.

8. TRICK DADDY FEATURING LIL JON AND TWISTA - LET'S GO! - 2004

A classic Ozzy Osbourne sample from "Crazy Train" coupled with searing guest vocals from Lil Jon gives you one of the most recently recorded jock classics.

9. 2 UNLIMITED - GET READY FOR THIS - 1991

This is believed to be one of the most frequently played songs worldwide at the opening of sports events. The line "Y'all ready for this" is a sample from "It's Funky Enough" by the D.O.C.

10. VILLAGE PEOPLE - YMCA - 1978

Who would have predicted that a gay disco group's biggest hit single from the 1970's would become one of the favourite jock anthems of all time? Stadiums and arenas filled with crowds spelling out "YMCA" with their arms attest to the long-term appeal of this classic.