

INTERNATIONAL CHEER UNION (ICU)

MUSIC COPYRIGHTS EDUCATIONAL INITIATIVE & GUIDELINES

I. PREAMBLE

For many years - laws, rules and guidelines have been in place globally to protect literary and artistic works; including songwriters and music artists. ICU is committed to comply with these rules and regulations, as well as to assist in ongoing education of ICU's stakeholders on this important initiative.

Enclosed herein, please review the following links displaying the global importance of this initiative and recommended steps to assist with compliance (below)*:

**Please note: The information enclosed below is intended to provide further insight on ICU Music Guidelines, based on U.S.A. copyright law (ICU's legal seat), as well as in compliance with the Berne Convention Treaty (link enclosed below). However, this information and these music guidelines should not be construed as legal advice. Should you have specific questions or concerns related to copyright laws, we encourage you to speak with a music or copyright attorney.*

II. BERNE CONVENTION TREATY

The foundation document regarding laws, rules and guidelines to protect literary and artistic works – including songwriters and music artists is the Berne Convention Treaty.

As a reference to teams and coaches, enclosed please find the Berne Convention Treaty, as well as the nations that are party to the Berne Convention Treaty:

Berne Convention Treaty – Protection of Literary and Artistic Works:

<https://wipolex.wipo.int/en/treaties/textdetails/12214>

Nations party to the Berne Convention Treaty:

https://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

III. RECOMMENDED PROCESSES FOR COMPETITION

1. For ICU Championships specifically, all National Teams have the choice of following ICU's (www.cheerunion.org) or an approved National Federation ("NF") Music Copyrights Educational Initiative by contacting the respective NF.
2. All teams and coaches must agree to the following statement: "I have read and understand the ICU Music Copyrights Educational Initiative and all sound recordings used in our team's music shall only be used with the written license from the owner(s) of the sound recordings."
3. Teams must be able to provide proof of licensing or (if an ICU NF or endorsed by an ICU NF) must provide a signed copy of the International Music Clearance Certificate ("IMCC") for the respective event during the event's registration.
4. If a team does not have proof of music licensing available or an IMCC (based on the conditions detailed herein), the team will be allowed to perform to an optional approved

track of music or a track with counts (provided by the ICU for ICU events) or can count verbally.

5. If a team cannot provide proof of licensing or an IMCC (based on the conditions detailed herein), and do not perform to an optional approved track of music or to counts, the team will be disqualified from the competition.
6. If there are concerns regarding a certain team's use of music, a Challenge Form must be completed immediately following the team's performance.
7. A challenge can only be made by the official coach or an official National Federation representative of a team competing at the event at where the challenge is being made.
8. Challenge Process:
 - a. All music challenges must be submitted in writing to the International Cheer Union head official.
 - b. There will be a \$100 USD (or equivalent) fee to request a music challenge and must be in the form of the official local currency.
 - c. Fees collected will be returned if the challenge is correct.
 - d. If the team challenged can provide documentation during the event or can be verified, the fees will be donated to a local children's charity (e.g. St. Jude Children's Research Hospital for the ICU World Championships).
 - e. If the team challenged can provide documentation that requires further review, a decision will be finalized within 48 hours of the event.

IV. QUESTIONS AND ANSWERS (Q & A)

Based on the information contained herein, enclosed is the most common questions and answers for teams, coaches and all stakeholders regarding competition routine music copyright rules and guidelines.

QUESTION A: What music can I use for my team's routine? (2 answers)

Answer A #1: "Use Authorized Music". To comply with this process, please be advised that all routine music must be "Authorized Music" which means properly licensed music with written confirmation of such license(s) upon request.

"Authorized Music" can be:

1. Recorded Music (Original Music / Cover Music or Music Licensing Platform) that is provided by an ICU listed Preferred Music Provider <http://cheerunion.org/education/musicinfo/>
2. Recorded Music with written approval by your government and/or national sport authority's approval of a local "Preferred Music Provider" with properly licensed local music from your country*
3. Original Music created or commissioned by you/your team (e.g. an original song and recording to which you/your team own or license the rights by written agreement*

**In these cases: An International Music Clearance Certificate ("IMCC") must be provided for the specific event where the team is competing*

All routine music must have the proper licensing in place to be used, as well as proper licensing in place to be able to edit the recordings to which the Preferred Music Provider owns or

licenses the rights by written agreement; or an IMCC in place under the conditions listed herein. No teams are permitted to create their own mixed variation of a song (called a “re-mix”, “mash-up”, “blend” or “medley”) without proper written authorization from copyright owners.

Answer A #2: “Use Unedited Purchased Single Song(s)”. Purchased single song(s) from companies including ASCAP, BMI and SESAC and/or similar legitimate music vendor organizations compliant for use in a respective country. *Note: If there is a cheer placed between 2 or more of these songs, multiple songs may used.*

For use of “Unedited Purchased Single Song(s)”, traditionally (for USA based events specifically) -Public Performance Licenses are obtained from ASCAP, BMI and SESAC; therefore, teams seeking to use a single song in their routine (or 2 or more single songs with a Cheer in between songs) – may bring a legally purchased copy (from iTunes, Amazon, and similar vendors compliant with ASCAP, BMI and SESAC) of that recording(s) to be used at the applicable event.

However, a team may not re-mix these recordings in any way (including sound effects, changing the song’s tempo or mixing the song with other songs), but a team may make minor edits for timing purposes only (e.g. removing a “chorus” of a “bridge” within a song) to fit the competition routine time.

QUESTION B: What are my choices to prepare routine music & assure that I am compliant with the ICU Music Rules & Guidelines?

Answer B: Select one of the following (1-4):

1. Select an ICU approved Preferred Music Provider from the enclosed list:

<http://cheerunion.org/education/musicinfo/>

Note: A compliant Preferred Music Provider proof of purchase document must be provided prior to competition

2. Select, with written approval by your local government and/or your national sport authority, a locally approved “Preferred Music Provider”

Note: An International Music Clearance Certificate (IMCC) must be provided prior to competition

3. Select Original Music Compositions created or commissioned specifically for you/your team (e.g. an original song and recording) to which you/your team own or have licensed the rights by written agreement

Note: A compliant Preferred Music Provider proof of purchase document or IMCC must be provided prior to competition

4. Select an Unedited Single Song (or Song(s)) – purchased from vendors compliant under an ASCAP, BMI and/or SESAC Public Performance License Umbrella (e.g. iTunes, Amazon or equivalent); however, only if the competition has secured a respective ASCAP, BMI and/or SESAC Public Performance License (PPL) or equivalent and if the song(s) are PPL compliant*.

**Should this be the case, following the music format detailed in Answer A #2.*

Note: If teams are not in compliance with 1-4 above, an optional and approved track of music will be provided by ICU or counts may be used.

V. SUMMARY

ICU thanks all of our Sport's stakeholders for their commitment to the ICU Music Copyrights Educational Initiative, and its ongoing developments.

The information contained herein is intended to provide further insight on ICU Music Guidelines, based on U.S.A. copyright law (ICU's legal seat), as well as compliance with the Berne Convention Treaty. However, the ICU reminds all parties that this information and these music guidelines should not be construed as legal advice. Should there be any specific questions or concerns related to copyright laws, the ICU encourages all stakeholders to speak with a music or copyright attorney.

We thank you for your commitment to our Sport. Should there be any further questions regarding this very important topic, please contact the ICU (info@cheerunion.org) at your absolute convenience.

Sincerely,

International Cheer Union (ICU)