

We Come From a Land Down Under

A tale of stolen arrangements.....

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The internet is a wide and wonderful place where we communicate, collaborate and work with people from all over the world instantaneously, something that was not possible 20 years ago. But, how do we, as arrangers know exactly who we are working for and how do we protect ourselves if anything goes pair shaped, well, here is something that recently happened to me.

5 years ago I began working for a client in the U.S.A, this gentlemen runs a respectable website dedicated to the work and recordings of some of the top recording musicians in Hollywood. Upon receiving the initial message via my website I did what I normally do, a google search his name which then led me to his site, initial conversations would see me transcribing a saxophone solo that would then be later turned into a supersax arrangement.

The second request was a big band transcription of a Kurt Elling recording, based on prompt payment and ease of communication from the last job, I took the job in good faith and began a good working relationship with this gentlemen, over the years arranging big band charts, transcribing solo transcriptions and lead trumpet parts for what I thought was for his website, his own band and his high school where he worked.

This is where it gets interesting...

Late last year (2015) I found myself in a conversation with a friend talking about big band arrangements that a band in Sydney were playing, my clients name came up as an arranger of a couple of songs that the band in Sydney were playing, these are charts that I had also arranged. So, upon further questions I bought up a couple of scores on Dropbox and asked my friend 'Hey, does this look similar to what you played', stunned he replied 'that's the chart, note for note' - however, the chart he had played did not have my name on it as the arranger, it had my clients.

Over five years and 19 separate arrangements I learned that my client was removing my name from the PDF's that I had sent him and put his own name on them, sending them to whoever and wherever, one of the jobs were lead trumpet transcriptions that were sent to and corrected by a musician in L.A from some Al Jarreau sessions, they did not have my name on them.

So now I have to take a course of action, is legal action worth it? Who do I contact? What can be my outcome? Legal action would have meant to be very time and energy consuming, expensive, no justifiable outcome other than my own satisfaction, so I opted the 'who do I contact' route.

I emailed not only my client, but everyone who I had leads for within the U.S.A which included the president of ASMAC (American Society of Music Arrangers and Composers), the president and vice president of the Local Unions in L.A and the state where my client is from, the University faculty of where my client had attended (I learned that he had submitted one of my charts to the top band of this university for consideration to be recorded on their next album) and also arrangers, producers and musicians in L.A who is listed on his website, including the musician from the Al Jarreau recordings who corrected my work.

My outcome - I made as many people aware that he wasn't who he said he was, the response and support has been overwhelming.

I know that I am not the first, and certainly not the last person that something like will happen to, we have all had some bad experience within the industry at one point or another (I have done work and gigs that were never paid for), I offer my story with my own practices and advice below.

- Never release project files (Sibelius, Finale etc), the only time I do is when I'm working as part of a team
- New clients, 50% of the fee upfront before any work commences, the remainder before I hand over any work (I usually send the first and last page of the score with a mock up for evidence of completion)
- Find out what the project is for and the intent of the arrangement.
- The client is always responsible for relevant copyright clearances and evidence should be provided.

Some useful organizations if you encounter anything untoward and need advice

- MAGA (magainc.org.au)
- APRA/AMCOS (apraamcos.com.au)
- Media Arts Lawyers (www.mediaartslawyers.com)
- IP Australia (<http://www.ipaustralia.gov.au/get-the-right-ip/copyright/>)

