

Copyright in Audio Book Recording & Production

When an audiobook is created there are various copyrights to consider. Often these aspects can get overlooked and only come to light when somebody has a hugely successful audio book generating lots of revenue.

If you are hiring a voice over or company to record and produce your audiobook you should make a point of confirming the copyright status of the finished book.



Who owns what and what can be done with it?

Whilst the author of the book owns the copyright of the content being narrated, there will be other aspects that need consideration.

Music and Sound Effects

If you are using music and sound effects you will need to clear the rights before distributing the audio book and if you are going to make a CD version of the book, all good CD pressing plants / duplicators will require licensing documentation before they create any copies.

Using [royalty free music](#) in your audio books is often a good and affordable option, but make sure you have confirmed that there are no limitations on how many copies you can make. Most royalty free music agreements will have limitations that require you to purchase an extended license option for mass duplication.

The Voice Over Recording

The voice-over may claim copyright ownership on the voice recording. This aspect of copyright is not often discussed or considered at the time, however, unless it is clarified you can not assume that you own the recording. A work for hire agreement can negate potential conflict in the future.

The recording and production will also carry a copyright that is automatically owned by the producer. Again, there can be a work for hire agreement, but more commonly there will be a license agreement where certain terms are defined. For example, how long the production can be used for, how many copies can be made, whether any royalty is due to the publisher etc.

Audio Book Publishers

Just as the music industry has publishers, the audio book industry has publishers that produce and sell audio books. This industry is still relatively new, however, audio book publishers continue to work on an historic business model. This model carefully controls all aspects of copyright based on the publisher taking a royalty on every sale they make, as well as there being an initial production fee to record the book. It is also worth mentioning that some publishers restrict the countries the audiobook can be sold in.

A Fresh Approach

Media Music Now is not a publisher, but is a producer of audio books. Our philosophy is to charge a fee based on the initial work involved in recording and producing the book. We provide the client with a license that allows them to sell copies in any country they choose and on any format. We also factor in a threshold of sales before we expect any royalties.

Most of our clients are authors, small book publishers and small businesses. To make this service accessible, we charge a reasonable one-time fee for the [audio book recording and production](#) with a generous royalty term that only kicks in after a high volume of sales. This prevents any ownership / revenue disputes from any party involved should the audio book become a huge success.

We expect the client to profit from selling a few thousand units each month, however, should we produce an audiobook that becomes a massive hit, we would expect to receive a fair share from royalties.

Can you imagine landing the job of turning Harry Potter into audio books!? Well, it has already been done, and with the book version reported to sell over 4 million copies, the audio book deal must have been lucrative.

Conclusion

There are numerous payment models for this type of product so my advice is this. Understand the aspects covered here and expect to see them detailed in any quote you receive.

If the information is not clear about any limitations, it is not good enough to assume there are none. When your audio book starts selling in the millions this is usually the time that copyright owners start to think about money. Sad, but true!

Make sure all terms of the audio book production are discussed and document it before the project starts. This will avoid any unexpected surprises in the future.