# CONTENTS

*About the Author*  
*Acknowledgments*  
*Prologue: The King Is Dead*

## PART I. Music as American Commerce
1. Music as Property—The Early Sheet Music Trade  3
2. Copyright in “Musical Compositions”  6
3. Music Goes to Court  10
4. The First Superstar of American Song  13
5. High Tech Hellion—John McTammany’s Organette  21
6. “After the Ball”  24
7. Century’s End  31
8. Before and after *The Mikado*—The Exclusive Right of Public Performance  33
9. Transitions  43

## PART II. The End of the World as We Know It, Part 1—Rolls, Cylinders, and Discs
10. *Stern v. Rosey*  47
11. The Mechanical People Invade Tin Pan Alley  50
12. *White-Smith v. Apollo*  55
13. 1909  61
14. Prelude to Public Performance  64
15. 1909 Epilogue—*Leeds & Catlin v. Victor*  66

## PART III. Public Performance for Profit—From Lüchow’s to the La Salle Hotel
16. Dinner at Lüchow’s  71
17. “From Maine to Oregon” (By Way of Manhattan)  74
18. A Pleasant Dinner at Shanley’s, Gone Bad  76
19. Justice Holmes  78
20. ASCAP Goes to the Movies  80
22. 1931: *Buck v. Jewell-La Salle* and the Birth of Background Music  85
23. Reshaping an Industry—Radio, Movies, and Music  88
24. ASCAP Meets the Competition  94
25. ASCAP Goes to the Movies, The Sequel  96

**IV. Recordings and Recording Artists**

26. Notes and Lyrics, Not Sounds  103
27. Whiteman and Waring  107
29. After *Whiteman*  122
30. After the War  126
31. From Recordings to Records  132

**PART V. Revolutions in the Air**

32. Pudding Basin Hair  141
33. Three Revolutions  143
34. Back to the Future in *Goldstein v. California*  152
35. 1976  154
36. Home Taping Is Killing Music  158
37. Sample This  162
38. Holy Trinity of Music Copyright  165

**PART VI. The End of the World, Part 2**

39. Party Like It’s 1999  173
40. Hired or Fired?  175
41. MP3.com  178
42. Learning to Share  180
43. . . . and Share Alike  186

**Part VII. Into the Cloud**

44. Convergence  195
45. Performance under Pressure  200
46. Partly Cloudy  208
47. A Letter from Google  210
48. Saving Prokofiev  213
49. Beautiful Future of Music  217

*Epilogue: Long Live the King!*  221
*Timeline*  225
*Index*  229