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Radio And Internet Newsletter

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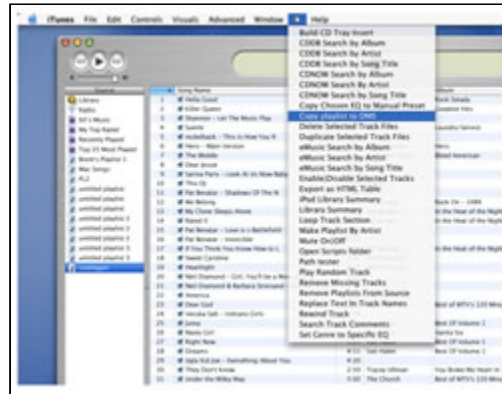
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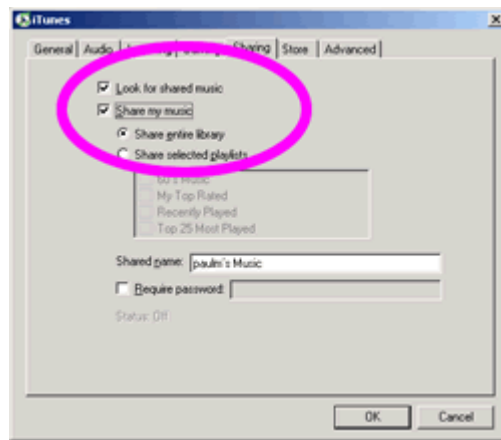
iTunes fans (legally and illegally) sharing music via streaming

From the *Wall Street Journal*: "College students were among the first big users of file-swapping programs that let them trade pirated music. Now they're turning to an unlikely new source for sharing songs: **iTunes, Apple Computer Inc.'s** popular software for playing music.

"Through a feature little-known to many fans of the Apple program, students are using iTunes to share vast libraries of music stored on their PCs with classmates. Much of the sharing appears to be perfectly legal, as it doesn't involve making permanent copies of others' music. Other swaps, however, aren't exactly what Apple intended...



"Selecting an option in iTunes called 'share my music,' users can **make their entire song libraries available** to any other



computer running iTunes on their local network. By clicking on someone else's shared music within iTunes, **users can 'stream' the music to their PC**, playing it instantly without actually storing it on the second computer.

"But far beyond Apple's control are crafty programmers who've figured out ways to get around iTunes' technical restrictions. The result: turbo-charged programs that use iTunes as a conduit for illicit music downloading.

"Because the iTunes sharing is designed to work on **local-area networks, not the wider Internet**,

even the sanctioned uses of the software are an especially big hit at colleges, with their fast campus networks. And unlike the anonymity of global file-sharing networks like Kazaa, the iTunes-sharing has a cozy, neighborly feel, especially in college dormitories...

"Less cool, at least to Apple, are ways to exploit iTunes in a manner the company never intended. To skirt Apple's anticopying measures, programmers are coming up with a growing array of iTunes companion programs that let users make copies of shared music collections...



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"Apple says the standard song-sharing capability in iTunes is legal since it doesn't leave copies of songs on other machines... A spokesman for the [Recording Industry Association of America](#) says the organization, which has numerous lawsuits pending against college users of file-sharing programs, has no current plans to go after iTunes downloaders in court."

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RAIN Guest editorial

Webcast Metrics answers call of ad-buyers and agencies



BY KEVIN SHIVELY

Reliable audience measurement is the **single most critical tool** for an advertising sales professional. Even more so for a person selling advertising on Internet radio stations -- a medium that has yet to fully prove itself to advertisers as a viable marketing vehicle.

Webcast Metrics, the new audience measurement solution developed by **Ando Media** offers the accurate audience measurement tool needed in order for Internet radio to provide buyers with the **high degree of accountability** they are likely to want from a new media.

The importance of any tool like **Webcast Metrics** is divided into two aspects:

First, it must produce reliable and trustworthy measurement statistics. The most effective way to ensure reliability with consistency and a level of trust worthy of acceptance by an advertiser is for the measurement to come from a **reputable third party**, delivered in a **unified manner**. With Webcast Metrics, Ando Media provides companies like **Net Radio Sales** with that important third-party reporting.



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Second, the statistics any measurement tool produces must be able to be translated into **metrics that are meaningful to a marketer.** Webcast Metrics provides us with the established metrics of average quarter hour (AQH), cume audience reached and time spent listening (TSL) in addition to tracking campaign impression delivery.



Webcast Metrics not only provides buyers with standard broadcast metrics that they have come to rely on, it also offers buyers a degree of accountability in terms of **real data and reporting** that they have not been able to enjoy with traditional broadcast audience estimates and reporting.

"It's vital for **Internet radio** to be able to provide metrics that **make sense to a radio buyer** to be able to include it in a radio marketing plan," explains Matt Feinberg, senior vice president of radio for **Zenith Media**. "Having those metrics from a reliable third party based on real audience data would be an important step in the right direction."



With these metrics, we can not only assure to an advertiser that we have delivered their campaign effectively, but just as importantly, we can predict with a significant level of confidence how a campaign can deliver on an advertiser's goals. And because Webcast

Metrics delivers these statistics and metrics **in real time, on a daily basis,** we are not only able to design and traffic campaigns, but to monitor and manage them efficiently. If a campaign is not delivering the expected amount of impressions, for example, it can quickly be optimized to ensure that it stays on track to deliver to the full expectations of an advertiser.

Without a doubt, Webcast Metrics is the most exciting sales tool that has been offered to boost Internet radio as a viable new advertising medium. It meets the demands we have heard over and over from both direct advertisers and advertising agencies for accurate audience statistics and accurate campaign delivery reporting. With Webcast Metrics, Internet radio can raise the bar of accountability in the industry to meet the demands of the buyer, and deliver advertising campaigns that produce results.

Kevin Shively is Regional Account Manager with [Net Radio Sales](#). He sells advertising on a network of Internet radio stations. Contact Kevin at kevin@netradiosales.com.

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Satellite radio fan's recording software raises ire of XM, RIAA

From **USA Today**: "Catching Blondie's reunion tour broadcast at 4 in the morning wasn't an option for **XM Satellite Radio** subscriber and single father Scott MacLean..."

"So the 35-year-old computer programmer from Ottawa, Ontario, wrote a piece of software that let him **record the show directly onto his PC hard drive** while he snoozed. The software, **TimeTrax**, also neatly arranged the individual songs from the concert, complete with **artist name and song title information, into MP3 files.**



"Then MacLean started **selling the software**, putting him in the thick of a potential legal battle pitting technically savvy fans against a company protecting its alliance — and licensing agreements — with the music industry..."

"A spokesman for the **Recording Industry Association of America** said his organization had not reviewed the software, but said that in principle it was disturbed by the idea... The RIAA and XM are both busy figuring out if any copyright laws and user agreements have been broken.

"More than 2,400 XM listeners have downloaded the program since he made it publicly available on Aug. 12, MacLean said, and nearly 400 paid for the full version at a cost of \$19.95. He raised the price on Tuesday to \$29.95... These users are using TimeTrax — in combination with the software that came with XM's receiver, the PCR — as their main gateway to XM Radio on the PC..."

"That's a product that's not authorized by XM,' Chance Patterson, vice president of (XM) corporate affairs, told Reuters last week. 'That program is something we don't condone ... It's our expectation they will be shut down,' he added..."

"The software could conflict with XM's plans to improve its service. XM has said it plans to launch in October a new car and home radio receiver that lets users **pause and rewind live broadcasts.** XM also has a deal to **stream its broadcasts over next-generation TiVo recorders.**



Voice talent

JAY BEAU JONES

Melanie Haynes

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"In a letter seen by Reuters, XM's lawyers told MacLean to discontinue his sales and provide the company with a list of purchasers. He said he had no intention of complying and added that he had no such list."

This story is available from *USA Today* online [here](#).

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- | | |
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| October 13-16 | 2004 CMJ Music Marathon : New York |
| October 26-28 | Streaming Media West 2004 : Santa Clara |
| October 30 | Intercollegiate Broadcasting Fall Conference : Chicago |
| November 4-7 | Collegiate Broadcasters, Inc. Annual Conference :
Nashville |
| November 6 | Intercollegiate Broadcasting Fall Conference : Boston |
| November 7-9 | NAB European Radio Conference : Lisbon, Portugal |
| November 13 | Intercollegiate Broadcasting Fall Conference : Los Angeles |
| November 18-19 | MMC 2004 Mobile Music Conference : Miami |

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