

Permissions to Stream a Chorus Performance

If you have previously recorded a concert and want to stream it publicly for one-time or on-going viewing be sure to review these guidelines for licensing.



According to copyright law: You are required by law to only post pre-recorded (as opposed to streaming live) performances (on any platform) of copyrighted music when permission has been granted by the copyright holder. Posting a recorded performance (like re-broadcasting a stream) is the same as posting anything else that is pre-recorded). Performances of music in the public domain may be posted. If you are posting or selling audio only, you need to obtain a mechanical license. If you are posting video (even if it's just a slide show) and audio, you need to obtain a sync license. There are a number of agencies that can help with this, or you can contact the copyright holder yourself. Please note that if the copyright holder changes (for example is sold to another company), use permission can change.

YouTube has negotiated the ability for you to post certain copyrighted music with a few of the large music companies. They currently have a searchable list of the status of a number of songs that you may or may not post. This list is going away soon, but we don't know when. We also do not know if that means they will still have the same list of allowable songs (meaning if just our ability to search the list is going away or if permission is also going away). For more information [search here](#).

YouTube restrictions on claimed music:

The list on [YouTube has a range of permissions](#): everything from "go ahead and use it" to "we'll mute your video" to "we might place ads on your video".

Examples:

^	All Is Full of Love (Plaid Mix)	Björk
If you use this song		
Playback	Viewable everywhere except 8 countries ⓘ	
Advertising	Ads can appear ⓘ	
If you perform a cover		
Playback	Viewable worldwide	
Advertising	Ads can appear ⓘ	
Copyright owners can change their policies or take action on your video that differs from what's described here. Learn more		
^	Night And Day	Ella Fitzgerald
This song is not available for use in your YouTube videos. If you use this song, your video may be blocked or muted. Learn more		

Enforcement: YouTube uses an automated search called “Content ID” that looks for copyrighted work. Using an original artist’s recording of a song is most likely to get flagged. Consequences range from being asked to take it down to a “copyright strike”. If you get three strikes, your channel can be deleted. Their Content ID system is getting more and more savvy, but the closer your performance sounds to the original, the more likely it will get flagged. If you’re singing an a cappella arrangement of a rock song, it’s unlikely that the system will flag it. Even if the system does not flag it, the copyright holder can still make a claim on your use if they are alerted to it and do not agree to your use of it.

More about [YouTube Content ID](#)

To be 100% legal, [YouTube recommends](#) seeking permission and/or working with a copyright attorney for advice.

Facebook also uses an automated feature to look for posted copyrighted music. If it finds copyrighted music, the first course of action is that they will mute your video. Again, the closer it is to the original the more likely it is to be flagged. An acoustic cover may not trigger the system. But the original copyright holder can still take action (from having your post removed to seeking compensation/legal action - though the latter is rare, it can happen).

Risk Assessment: Ultimately, it is up to your chorus to assess your risk tolerance. There are some companies who aggressively look for and seek removal of copyrighted materials. Some artists and companies don’t have a problem with covers and arrangements being out there.

It’s like speeding in a car: Five miles per hour over the speed limit is still illegal, and you could technically get a ticket for it, even if “everyone else is doing it”. That said, if there are a lot of covers/arrangements of a song posted on YouTube, it is likely that yours won’t get flagged. If you do a search for a song, and there aren’t dozens of other performances of it, it is likely a higher risk.

The laws change from time to time, and there are currently movements to alter current copyright law, so it is important to do your own research.

Additional recommendations: The easiest way to seek permission to post is if you have a relationship with the composer or original copyright holder. It is often easy to obtain permission to post performances of choral works of living composers. Email the composer or their managing company to ask. Performances of music in the [public domain is fair game](#) if it is YOUR performance and your arrangement.

Here are some helpful links that explain some of the above:

- Posting [Covers/Licensing explained](#)
- Posting [Cover Songs Legally](#)
- YouTube [Terms of Service](#)

Disclaimer: The details and advice above are based on current web research but do not constitute legal advice on licensing and copyright.