



Taylor Swift:

From Artist to Strategist in the New
Paradigm of Creative Ownership

Panelists: Anna Chauvet (Finnegan) &
Andrés Rodríguez (Novus Estrategias L.)
Moderator: Álvaro Arevalo (Villaseca)

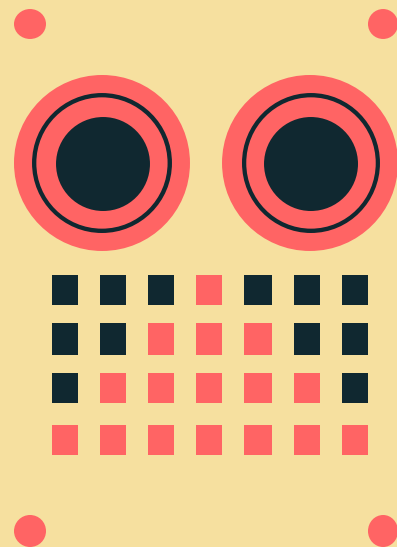
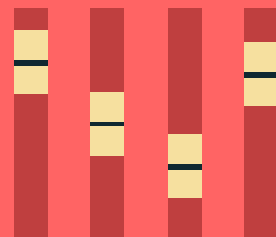
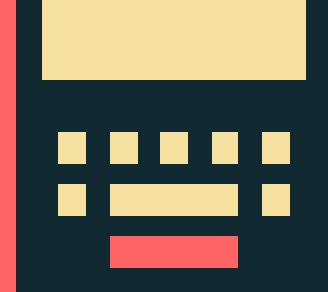
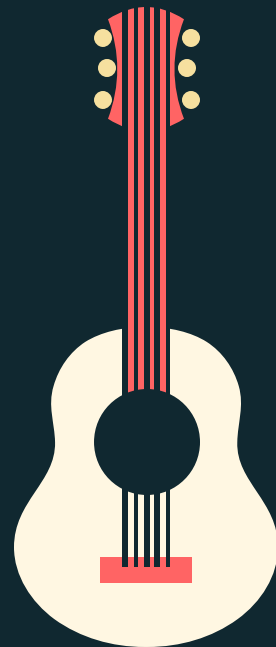


TABLE OF CONTENTS ★

01 ▶▶

Taylor Owns It:
Music Copyrights

02 🎛️

“Bad Blood”: Inside
Taylor Swift’s Feud
with Big Machine

03 🎧

Speak Now™:
Taylor’s Trademark
Strategy

04 🗣️

Reputation Rights:
Name, Image &
Likeness (“NIL”)

05 🏟️

You Belong With IP:
Q&A on Taylor, Fame
& Ownership



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01

Taylor Owns It **Music Copyrights**

★ Music Copyright basics

Music Involves Two Copyrights:

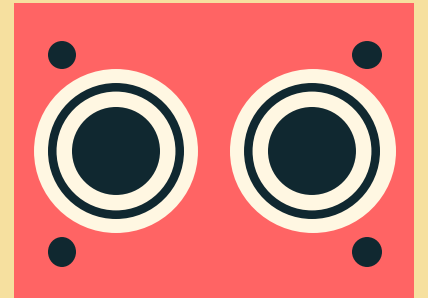
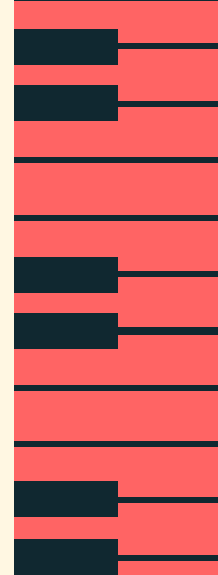
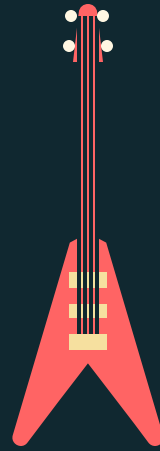
- Musical Work (Composition, Lyrics & Melodies)
- Sound Recording

Musical Work Example: “Lover” written by Taylor Swift

Sound Recording Example: “Lover” recorded versions by:
Taylor Swift, Keith Urban, and Niall Horan



“Lover”



★ Each copyright comes with its own “bundle” of exclusive rights



For all works, exclusive rights to

- **reproduce** the work in copies or phonorecords (e.g., CD, digital audio file)
- prepare **derivative works**
- **distribute** copies or phonorecords of the work to the public



For musical works, exclusive rights to:

- **perform** the work publicly
- **display** the work publicly



For sound recordings, the exclusive right to:

- **perform** the work publicly by means of a **digital audio transmission**



Exclusive Rights ★

	MUSICAL WORKS	SOUND RECORDINGS
	<ul style="list-style-type: none">• Sheet Music & Lyrics• Physical (CDs, Vinyl)• Digital Downloads (MP3s, Ringtones)• Digital Streaming• Social Media, Apps• Film, TV, Video Games (Synch Rights)	<ul style="list-style-type: none">• Physical (CDs, Vinyl)• Digital Downloads (MP3s, Ringtones)• Digital Streaming• Social Media, Apps• Film, TV, Video Games (Master Use Rights)
	<ul style="list-style-type: none">• Digital Streaming• Live Performances• Internet, Cable, Satellite Radio• AM/FM Radio• Public Background Music (Stores, Bars, Restaurants, Gyms)	<ul style="list-style-type: none">• Digital Streaming• Internet, Cable, Satellite Radio• <u>NOT</u> AM/FM Radio• <u>NOT</u> Public Background Music (Stores, Bars, Restaurants, Gyms)• <u>NOT</u> Live Performances

★ Industry Key Players



Music Publishers

Promote/license works, collect royalties for songwriters, share in royalties



Performing Rights Orgs

License public performance rights for songwriters/publishers
E.g.: ASCAP, BMI, GMR



Mechanical Licensing Collective

Entity designated by the USCO to administer statutory blanket license relating to musical works for digital music providers (§115)



SoundExchange

Distributes royalties to artists/labels for non-interactive digital audio (§§112,114)



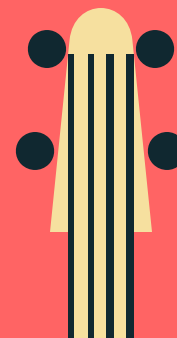
Copyright Royalty Board

Sets and adjusts statutory copyright royalty rates/terms



Aggregators

Enable independent digital distribution without labels/publishers
E.g.: CD Baby, TuneCore

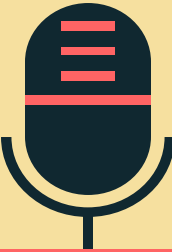




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02

“Bad Blood”: Inside Taylor Swift’s Feud with Big Machine

“Bad Blood”: Inside Taylor Swift’s Feud with Big Machine



2005 – Taylor Signs with Big Machine Records

Taylor Swift signs a 13-year contract with **Big Machine Records**, giving the label ownership of her master recordings.

2018 – Taylor Leaves Big Machine

– Swift’s deal with Big Machine Records expired
– Signs with **Republic Records (UMG)**, ensuring she owns her **future masters**.

June 2019 – Masters Sold to Scooter Braun

– Big Machine sells Taylor’s first 6 masters to **Ithaca Holdings** (Scooter Braun) for \$300M.
– Taylor publicly denounces the deal and announces plans to **re-record her albums**.

November 2020 – Masters Sold Again

– Scooter Braun sells her masters to **Shamrock Holdings**.
– Taylor declines partnership due to Braun’s continued involvement.

21–23 – “Taylor’s Version”

Taylor releases *Fearless* (Taylor’s Version), *Red* (Taylor’s Version), *Speak Now* (Taylor’s Version), and *1989* (Taylor’s Version), thus reclaiming creative and financial control.

2025 – Taylor Regains All Her Masters

– Completes re-recordings of ***Reputation*** and her debut ***Taylor Swift (2006)***.
– Taylor bought back the rights to her first six albums

Clash of Taylor's Titans





Re-recording Restriction Clause Examples ★

■ “10.04 Artist will perform exclusive services hereunder. Artist will **not perform for** (for license, or consent to, or permit the use by any Person other than RAF of Artist's name or likeness for or in connection with) the recording or exploitation of any Phonograph Record (including, without limitation, any Audio-Visual Device) embodying any Composition recorded by Artist under this agreement (and released during the Term hereof or within one (1) year thereafter) **prior to the later** of the date five (5) years subsequent to the date of delivery to RAF of the Master Recording embodying that Composition hereunder, or the date two (2) years subsequent to the expiration or termination of the Term.”



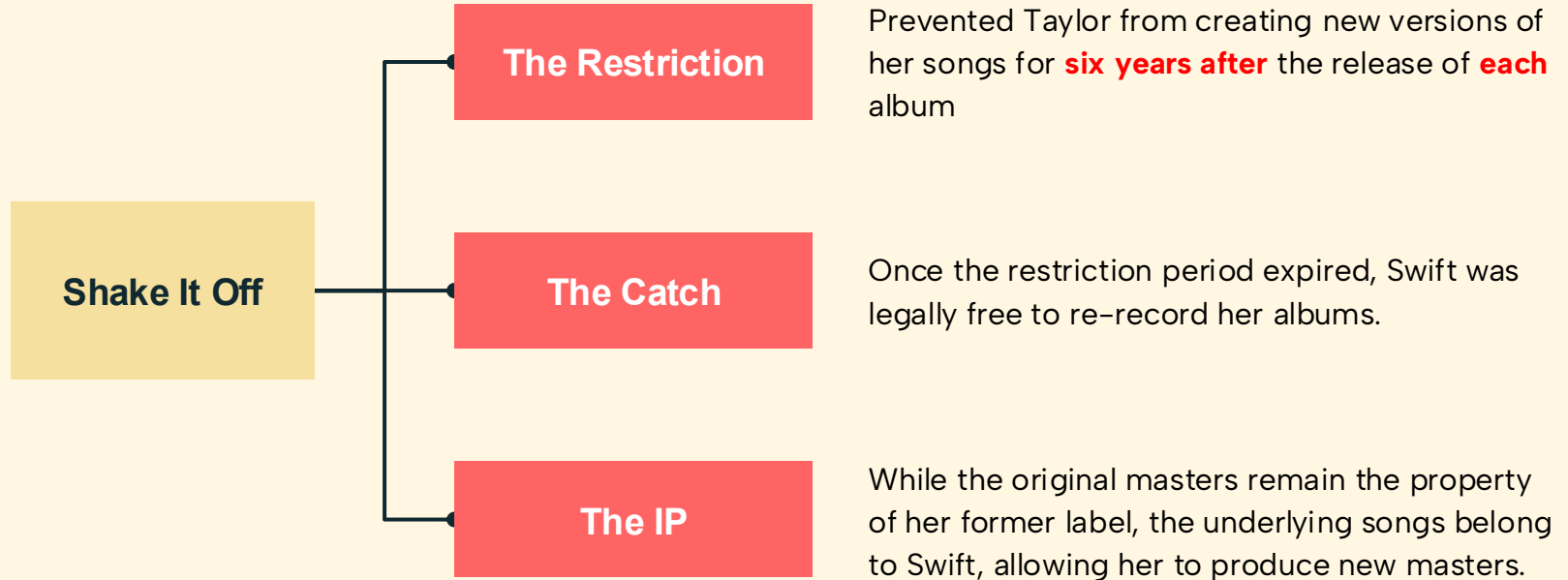
KANYE'S AGREEMENT

■ ARTIST shall not perform any selection recorded hereunder for the purpose of making records for anyone other than COMPANY (i) for a period of five (5) years after the initial date of release of the respective record containing such selection or (ii) for a period of two (2) years after the expiration or other termination of this Agreement, whichever is later ('Re-recording Restriction')



MICHAEL LANDAU, LINDEY ON ENTERTAINMENT, PUBLISHING AND THE ARTS (3D ED) § 9:39 EXCLUSIVE ARTIST RECORDING AGREEMENT (DECEMBER 2023 UPDATE).

Re-recording Restriction Clause Effect ★



How was Taylor's revenge possible? ★

Section 114(b) of the Copyright Act



"The exclusive rights of the owner of a copyright in a sound recording under clauses (1) [making copies] and (2) [making derivative works] of section 106 do not extend to the making or duplication of another sound recording that consists entirely of an **independent fixation of other sounds, even though such sounds imitate or simulate those in the copyrighted sound recording.**" (17 U.S.C.A. § 114(b))

What's happening now?



★ THE END:





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03

Speak Now™.
**Taylor's Trademark
Strategy**

Trademarks ♥ Taylor S ★

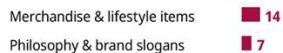
Taylor Swift's branded universe

A breakdown of her 400+ trademarks and the assets they protect

What Taylor's trademarks relate to

190

Music & artistic output



21

Merchandise, lifestyle & philosophy

45

Fan culture & community

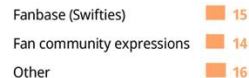
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Personal identity & branding



66

Events & promotions



★ **713**

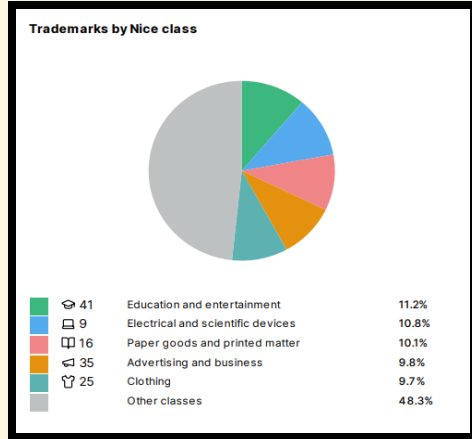
Total registered Trademarks

★ **309**

Trademark records (both live and dead) at the USPTO

★ **2007**

First live mark



What has she protected as TM?



Her stage, initials and fans name

- Taylor Swift
- T.S., TS
- Swifties



Tour Names

- The Eras Tour
- 1989 World Tour
- Fearless Tour



Names of her albums and Abbreviations

- Speak Now, Reputation, Lover, Evermore, Midnights, 1989, and Fearless (Taylor's Version), The Life of a Showgirl
- TTPD, TLOAS



Merchandise & Apps

Taymoji
Swiftsend
The Swift Life



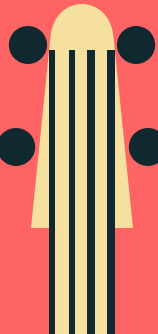
Individual phrases in her lyrics

- Welcome to New York, it's been waiting for you
- This sick beat
- Nice to meet you, where you been?



Her cats' names

- Meredith Swift
- Olivia Swift
- Benjamin Swift



Examples ★

Taylor Swift

15 Musical instruments; guitars; acoustic guitars

25 Short-sleeved or long-sleeved t-shirts; tops as clothing; tops for children or adults, as clothing; tops for men or women, as clothing; robes; bathrobes; dressing gowns; cover-ups; loungewear; scarves; neck scarves; gloves

26 Hair clips; hair grips; **hair pins**; **shoe laces** (?)

28 Dolls; doll accessories; dolls and doll accessories; toy glow sticks; toy LED light sticks





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04

***Reputation Rights:
Name, Image &
Likeness (“NIL”)***

★ Taylor's Money-Making Brand Deals



Fashion

- Adidas (Taylor Swift x Adidas Originals)
- Gucci
- Stella McCartney



Beauty

- CoverGirl
- Wonderstruck Perfume (Elizabeth Arden)
- L.E.I. Jeans



Technology

- Apple
- AT&T



Beverages

- Diet Coke
- Starbucks
- Coca-Cola



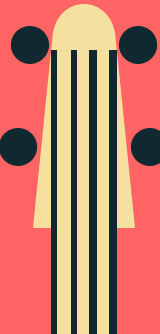
Health and Wellness

Got Milk?



Consumer Goods

- American Greetings
- Keds



★ The Power of Taylor's NIL



Taylor Swift Sponsorships



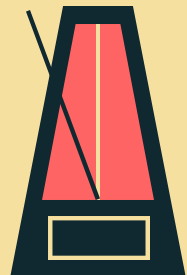
Taylor Swift Sponsorships



Taylor Swift Sponsorships



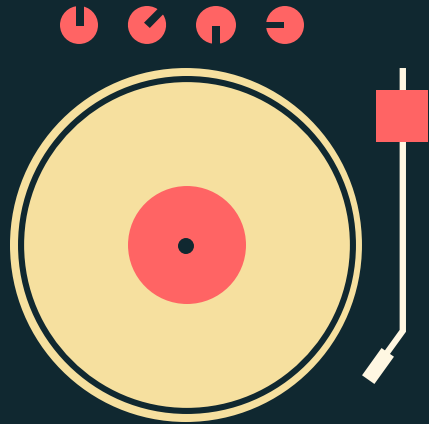
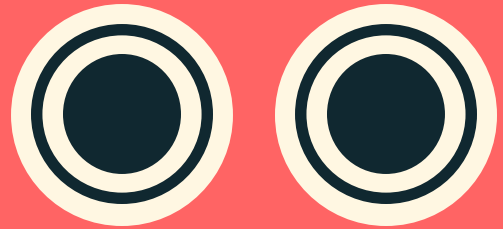
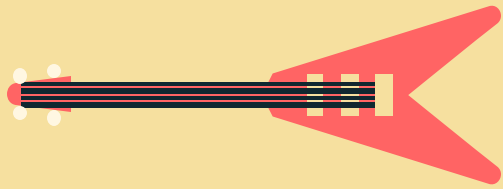
Taylor Swift Sponsorships





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05

You Belong With IP:
**Q&A on Taylor, Fame
& Ownership**



THANKS!

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