

From: Alan Elliott alan@alanelliott.net
Subject: Fwd: aretha franklin recording agreement.
Date: May 2, 2014 at 9:51 AM
To: Winnie Wong WWong@mmibi.com



thank you.

-alan

phone: 323 988 9692

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Begin forwarded message:

From: "Spira, Steven" <steven.spira@warnerbros.com>
Subject: FW: aretha franklin recording agreement.
Date: August 16, 2013 at 11:10:34 AM PDT
To: Alan Elliott <alan@alanelliott.net>

Fyi



4-1-1968
Aretha...ts).pdf

Inter-Office Memo



WARNER BROS.

To:	Eric Frankel	From:	Michele Moore <i>MM</i>	Ext.:	2371
Subject:	Aretha Franklin				
Date:	December 6, 1991	Copies to:	Jeremy Williams		

Per your request, I have enclosed a copy of the documents in our files relating to the filming of the Aretha Franklin recording session at the New Temple Missionary Baptist Church in Los Angeles in January 1972. They include:

1. Executed consent forms wherein James Cleveland and the members of the church choir grant permission to WB to use footage taken at the recording session in a motion picture.
2. An executed location agreement wherein the Church grants permission to WB to film and record scenes at the church for a motion picture. The agreement specifically states that all right, title and interest in all photographs and sound recordings are vested in WB.

3. Executed consent forms from what appears to be members of the audience at the recording session.

For your information, I have also enclosed a copy of the linear notes from the released album which states that the recording of the album was filmed by WB with Sydney Pollack directing.

Jeremy and I discussed the question of ownership of the footage. As the agreement with James Cleveland, the consents and the location agreement were all entered into by WB, we believe the footage was owned by WB and is probably still owned by WB as there is no agreement or other information in the file that WB sold or licensed the footage to anyone else.

One important concern - we do not have in our files any agreement or consent signed by Aretha Franklin regarding the usage of the footage. If such an agreement is not located, Warner Bros. Pay-TV and/or Atlantic Records' A*Vision (or whomever is to produce the documentary) will need to obtain Ms. Franklin's consent (which I'm sure will involve negotiations for the payment of compensation). You might try to locate a copy of Ms. Franklin's Atlantic recording contract at the time of the recording session. There may be a provision covering the filming of recording sessions or other audio-visual language that may relate to the right to use such footage and any restrictions that may apply. If you are able to locate a copy of the contract, I will be glad to discuss it with you.

I hope the enclosed information is helpful. When the plans for the documentary are finalized, please let me know and we can discuss a license agreement for use of the footage.

MAH/clo
Enclosures