

Instructions on Completing HFA's Request for Phonorecord Importation Form

Under the U.S. Copyright Act, the importation of physical phonorecords (LPs, CDs, cassettes, etc.) made outside of the U.S. requires the express authorization and consent of the copyright owner of the musical compositions embodied on the phonorecords, even if the phonorecords were manufactured lawfully outside of the U.S. Accordingly, import licenses are required in order for you to lawfully import phonorecords into the U.S. under all circumstances (including custom pressings, transfers of inventory, import for direct or indirect sale, etc.).

Instructions on Completing the Importation Licensing Request:

Please provide all information requested. An incomplete request will delay the licensing process.

1. From – Please indicate your company's name, address, and telephone number.
2. Title – Title of the song.
3. Writers – Songwriter's name(s).
4. Publishers – Publisher name and copyright percentage splits.
5. Number – Catalog or manufacturers' identification number for the release, in the appropriate configuration. Note that you must submit a separate request for each configuration.
6. Record label name.
7. Playing time of the composition.
8. Indicate mechanical royalty rate – check the box if applying U.S. statutory compulsory rate, or if other rate, indicate on the line next to "Other."
9. Planned date of importation.
10. Quantity of units.
11. Artist name.
12. Country of export.
13. Manufacturer/Fabricator name, address and phone number.
14. Exporter name, address and phone number.
15. Port of entry into U.S.
16. Importer Agent name, address and phone number.
17. Importer name, address and phone number, if different than above.
18. Explanation for importation.
19. Album title.

-Leave Publisher Approval line blank.

Please note:

1. Request forms must be received by HFA and licenses must be granted prior to the date of importation into the U.S.
2. Royalties shall be payable at a rate acceptable to the publisher-principal(s) and/or foreign society(ies) that control the copyrights in the compositions you are seeking to license. Royalties are payable for each unit imported into the U.S., regardless of whether there is any further distribution within the U.S. after importation.
3. A separate import license must be requested and obtained for each configuration (CD, cassette, LP, etc.).

4. In order to receive an import license for music that is recorded on a chip, such as in a music box or singing toy, the license must also supply written permission from the publisher allowing for the use of the composition in this manner. Without a copy of the permission document, HFA will not issue an import license.
5. Import licenses must be obtained regardless of the existence of a domestic license issued for the manufacture and distribution of the same phonorecord in the U.S. They also must be obtained even if licenses may have been issued and royalties paid in a foreign country for the manufacture and distribution of these phonorecords outside of the U.S.
6. Import license royalties must be paid in accordance with the license terms. U.S. copyright owners may require payment of royalties upon importation.

Feel free to make as many copies of the blank form as you need. When completed, please return the form(s) to the HFA Licensing Department, 601 West 26th Street, 5th Floor, New York NY 10001, fax 646-487-6746, and we will strive to obtain the licenses as soon as possible. Should you have any questions, please contact a Publisher Services representative at 212-833-0100, or publisherservices@harryfox.com.