

Do You Really Got a Hold on Me???

By John Dotson



Several fine folks have asked about holds, what they mean, how they work and how to deal with them. At the outset let me say that this is one of most ill defined yet critical practices in all of the creative process. What we will attempt to do here is shed some light on the generally accepted points of view and present some multiple, constantly evolving alternative interpretations that complicate those generally accepted points of view (notice the word "rule" was not used once).

As is the case with all rituals and customs, it lives solely in its practice and what the parties to that practice will tolerate. It means different things to different people and what it means to those same people may change as their situation changes. That is just the way it works. This truly is one of those "accept the system and work with the system, not against the system" issues we discussed at the last seminar (if you weren't there, you should have been then you would know what I mean). Basically getting a hold frequently creates an outsized self-image and then inexplicably defecates upon you. When it does you accept it, never bring it up again and move on. Just repeat our mantra (Oh well. Whatever. Next.) as many times as needed and move on.

Let's identify what a hold really means: not much. It has no legal significance of any sort whatsoever. It is a courtesy. It is a sign that someone who has some participation in an artist's creative process likes a song enough to want to play it for others in the decision-making loop. That's nice but that's all. Nothing else. You can't get more from a catalogue sale or from the sale of the publishing rights on that song because it is on hold; you won't be advanced money against a hold; it won't get you a writing appointment with Gary Burr and it won't improve your social life. Only hits do any of those things-not just cuts, hits. In truth the publisher-the proprietor of the copyright-may grant a hold to anyone they want to. If they believe the bus driver, accountant or girl who does the artist's hair highlights can get it cut, they want a hold and the publisher wants to give them one, go for it. Most holds aren't worth the paper they aren't written on. But they can be like a virus: If they are managed well they strengthen you. If they are not managed it well they might kill you.

In its most broadly recognized essence there is a certain obligation to some conduct and communication that is created by the request for a hold. Who has the power to request a hold? Generally a label or A&R person, a producer (or their representative), a manager or an artist are usually granted holds. How does it happen? Someone has played the song for someone "in the loop" who likes it enough to want to share it with someone else. That person-the "holder"-asks if they can "put this on hold" or words to that effect.

The "holder" should generally also ask if there are any other publishers to whom they need to communicate the request for the hold. Although not always practiced, it is generally accepted to be the responsibility of the person placing the hold to communicate that to all publishers. That is for the "holder's" protection. If they don't do this, they are relying on someone outside their sphere of control to cover their tukus. How could this become a problem for them? Say the powers-that-be really like the song and when they call the publisher back they find that for some reason it is no longer available. The person who did not tie down the song everyone on the committee now loves will probably find themselves "domiciled in the canine quarters." And if the "holder" doesn't ask for that "other publisher" info it is probably a pretty flimsy hold. We will talk about the "levels" of holds in a minute.

Now here's the real meat. If a hold is granted, what are those aforementioned obligations to conduct and communication that get created? In general the "holder" is asking that for a limited period of time-generally two weeks-you will not pitch that song to anyone else. Once they have played it for whoever else needs to hear it, they will call you back and say, "we are still interested in holding it," which generally activates another two week hold period. Or they release the hold and you are free to play it for anyone you would like. Even if they release it, remember they liked it and play it for them again later.

Do they all call the moment they know it is off hold and tell you? No. Usually they are more focused on keeping a wall built around the songs they are going forward with so they don't lose them than they are breaking bad news to

someone. I recently had song on hold for an artist. I reached out and communicated every 10 days to two weeks, each time being assured it was very much on hold and they loved it. I ran into a guitar player I knew was making the record with the artist on the way back from the last session so I asked about our song. Off the top of his head he knew the names of the 12 other songs they had cut but he had never heard of our song. It took a week before the producer and A&R person (who had been very accessible right up to the last session) called back to verify what I already knew. You accept it, never bring it up again and move on.

Do they call you right up and tell you they are cutting it? Most of the time, but not all of the time. There is one quite successful producer in town who is well known for never placing a hold and just cutting whatever he wants to cut whenever he wants to cut it (like two years after it was pitched). He leaves it to the publishers to sort out if there is a conflict. You accept it, never bring it up again and move on.

What are your obligations? First, be sure you know what the holder means by a hold-i.e. what "level" of hold you have. Is it a "light hold"? Usually this means "just know I might play it for someone sometime in the next month or so but I will only call you about it if someone else likes it." I call that the "OK, I'll let you kiss me but don't tell anyone or I'll deny it" hold. Is it a "firm hold"? Most often this means "I have the authority to say that if I like it, it stands a really good chance of getting cut." That "holds" water if it comes from the producer, the artist, a label head or A&R person. Or is it an "OhMyGod hold"? That means "I LOVE it and I am going to track down everyone who has to hear this right now so we can cut it tomorrow and if you play it for anyone else before I call back you'll never get back in my door." You won't need to be fluent in Latin to know when you get one of those. But you may still not hear if it comes off hold despite the enthusiasm of the moment.

If it is a hold of any sort from a legitimate person, you should observe the not-playing-it moratorium to the extent that you do not harm yourself knowing what a hold really means. What do I mean by that? If you have one chance to play one song for Blake Chancey and it is on hold, you should still play it for Blake. But before you play it you should say, "This is on hold for so and so. If you really like it and want a hold, I will (either): a) challenge the hold-meaning you call the current holder and (very nicely) say someone else wants it, where are you with it?"-or, b) you will give him a "second hold." Generally a second hold means that if it comes off the first hold, they will automatically get the hold without the song "hitting the streets" again. There are publishers who do not recognize or grant second holds; there are those who will take as many as they can get. Know your publisher's policy. If you are your own publisher, get together with yourself and make one. You will need to have the right answer when the moment is upon you or you may experience the door slamming / Italian theory of driving issues I will tell you about in a moment.

One publisher who shall remain nameless uses the holds to their advantage. As soon as a song goes on hold they start pitching it twice as hard, proudly telling the world it's on hold. Everyone wants what they think they can't have which makes it more desirable. Be careful about what some of you are thinking right now: if you make up a hold, you could get caught. If you feign a hold and whomever you played it for calls the folks you say have it on hold and they never heard of the song, you will "project the appearance of having no further capacity for feces"(if you catch the drift of my piano). You might find yourself "dropping CD's off" instead of meeting next time. It's more of the "door slamming stuff" that is coming up.

In a practical sense, it really is your responsibility to do the communicating. You have the most to lose by taking your "product out of inventory." If it is not marketed it cannot be exploited. If it is not exploited it will not make money. If it does not make money...you get the picture. If they want it, you will probably know that because they will probably let you know. If they do not, you will probably also know that when they don't call back. In Nashville three unreturned phone calls means "pass." You accept it, never bring it up again and move on. Do you see the acceptance pattern developing?

All of this is probably spurring those among you prone to righteous indignation to warm those sirens up. Save it. You are right: none of it stands to reason. I will only relate two anecdotes to aid in your acceptance therapy. First, years ago when I was on an A&R committee for a multi platinum artist, we lost a song whose hold I had been diligently protecting. As an antidote I suggested that when we placed a hold that we should give the publisher a \$500.00 deposit. It would be an advance if we cut it and forfeited if we did not. The unanimous response from the label reps was similar to what I could imagine getting if I had asked to see naked pictures of their wives. Obviously it didn't become a widely accepted standard.

Second anecdote. Not so many years ago, a huge, major publishing company with a very respected publisher leading the charge tried to institute a written system for holds for their company. This is the way it was proposed to work. The label would send a written request for a hold. The publisher would (probably) grant the hold in writing with very specific conditions to be met to constitute a "real hold." A "real hold" meant that the publisher would really not play it for anyone else and the label would either let the publisher know if it came off hold before the period expired or it automatically came off hold in the absence of further communication at the end of that time. Seems reasonable, right? Robin Williams never got the laughs from labels these well meaning souls got and he is treated with lots more respect than was the policy.

The best approach is to treat every hold seriously and use it as a means of building a future relationship. If they like this one but don't cut it they will remember your songs are worth listening to and that opens the door for you. Here's the "slamming the door" stuff. Then it is up to you to not slam the door on your own foot by getting the acceptance ritual down to an instinctual response. See, just being on hold doesn't mean it will probably get cut. Plus they will never let you know it comes off hold. If you brag from a writer's night stage at the Hall of Fame Motor Inn that a song is on hold, you may be told by a loud drunk in the audience you don't even know that it wasn't cut and they are done cutting. And he will probably be right.

Welcome to Nashville. Keep pitching that one. Write another one. Hope for the best and expect nothing. That way when you get something you appreciate it but were not expecting it. It's a very short walk from appreciation to expectation and appreciation never creates disappointment. Can't say the same for expectations.

What's the Italian theory of driving? Nothing that's behind you matters...unless you ran over something.

Hang in there and keep writing things you are proud of that move you. If they move you, they might move someone else.

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