

# Direct to disc

Live acts are recording gigs themselves, and selling limited edition live discs to fans after the show. It's a lucrative new opening for the audio production industry. **NIGEL JOPSON** looks into the mechanics.

**L**AST YEAR, IN WHAT rapidly became one of the hottest tours on the US concert circuit, the Pixies took a leaf from the bootlegger's book by using DiscLive's mobile recording and CD-R burning service to provide fans with CDs of the performance just minutes after each concert ended. DiscLive, founded in 2003, is a pioneer of the fast growing live show recording market. A feed from the FOH mixer, augmented with audience mics and additional splits, was used as the source for live recording. The mobile facility can burn 800 CDs in 20 minutes, with the first 200 units available in a target time of 5 minutes after show end. Fans could pre-order a copy for collection after the show or postal delivery, buy on impulse at the show, or order online from the DiscLive web site. Online sales were limited to 500, and often sold out well before the gigs. Concertgoers purchased a voucher for US\$25 and then exchanged it at the DiscLive stand for the double CD. Each concert's album had unique artwork, and the Pixies limited the issue number to 1,000, except for the final Coachella Valley Music Festival show where 2,000 CD-Rs were burnt. A total of 22,000 discs were sold on the Spring tour, generating over half a million dollars. 'Our business plan anticipated a sell through (per concertgoer) of 10%, to date it's actually been between 17 and 20%,' said DiscLive/Immediatek CEO Zach Bair.

Clear Channel, the US radio, advertising and venue-owning conglomerate, opened its own Instant Live service with a band called Machinery Hall at a 2003 Boston concert. Jewel, The Black Crowes, Dear Leader, the Allman Brothers, Kiss and George Clinton have all signed up for the Instant Live service. Unlike DiscLive, Clear Channel has not pushed the concept of limited issues. 'We just burn the discs as people request them. We'll sell as many as the market wants, we've never had that idea as a conscious effort to build in the rarity value,' I was told by Graham Pullen, MD of Clear Channel Entertainment Events UK.

Most Instant Live recordings have involved either mature acts or bands without a major contract. There's obvious synergy in a deal between venue owner and band, as a facility fee for the recording does not arise. But Clear Channel's domination of US radio, with ownership of 1,300 stations and 700,000 outdoor advertising displays, has some observers worried. 'We're not interested in signing artists to exclusive recording contracts,' says Steve Simon, an executive vice president in Clear Channel's US concert promotion unit. But he concedes: 'There's a panoply of alliance and bundling opportunities that this product would offer.' Josh Bernoff, music industry analyst at Forrester Research, worries that Clear Channel's entry into CD sales could alter the industry's balance of

power, and force concert acts to accept unfavourable deals because of CCE's airwave dominance. James Marsh, broadcast analyst at SG Cowen Securities, has a more pragmatic take on the matter: 'They would look at it as another trinket to sell to concertgoers when they're at their venue, whether it's a T-shirt or an instant bootleg or a hot dog.'

The true test of a successful business idea in the US is a lawsuit, and last year Clear Channel ignited one after purchasing a patent purporting to cover the production of live concert CDs. 'If you try to provide similar services ... they're going to sue you for patent infringement or to license their patent,' says Kufala president Brady Lahr, whose company has produced live concert recordings since 2002. 'Clear Channel is really using their monopoly in the market to powerfully restrain trade.' Clear Channel made a show of issuing small bands with US\$1 licenses to sell their own concert recordings, but leading players in the nascent business were up in arms. 'We'd like to see this industry opened up to everybody,' asserts Erik Stubblebine, founder of Hyburn, a Phoenix company that has sold live-recorded CDs for several concerts, 'they're trying to squeeze us.' Thankfully this issue has now been set aside, but only after DiscLive wheeled out its own legal guns. US Patent 6,614,729, issued September 2, 2003 makes interesting reading for *Resolution* subscribers — it must have crept past while the patent judge was asleep — as it appears to cover most principles of digital recording. DiscLive's lawyers demonstrated their implementation of off-the-shelf Steinberg Wavelab software and commercially available burners did not infringe the strange patent.

The two main US companies, Clear Channel's Instant Live and DiscLive, now have a presence in the UK. Clear Channel has several CDs available from its [www.getlive.co.uk](http://www.getlive.co.uk) website: the Tsunami Relief



Scotland show (including Franz Ferdinand and Deacon Blue), Pop Will Eat Itself, Wet Wet Wet, Lloyd Cole and Roxy Saint. Clear Channel has its own mobile unit with a Yamaha PM5D console taking splits from the monitor desk, with mixing duties regularly handled by Jamiroquai engineer Rick Pope. Clear Channel also holds the Guinness World Record for fastest commercially produced DVD with the Pop Will Eat Itself DVD. Currently, the more complex authoring process for DVDs makes it unfeasible to sell instantly, in this case the video disc was sold the following evening.

CCE MD Graham Pullen is convinced the visual side of concerts will be important for the future: 'As long as you have the show captured, what the artistic people you deal with can come up with to do with it afterwards is amazing. When I was looking at all the new mobile phones at MIPCOM, I realised the amount of content these things are going to gobble up is amazing!' I question Graham about the possible conflict of interest due to Clear Channel's ownership of media assets: 'I've never spoken to one of Clear Channel's radio stations in my life, that's not what we do,' he reminds me. 'Owning or managing the venue makes the process easier at the concert, but it is all down to the artist. It has to be a partnership, we'd like to have a reputation for quality.' CCE does not occupy such a dominant position in Europe, and when I speak to other operators there is no criticism of Clear Channel at event level. In fact, staff at the Hammersmith Apollo are singled out for praise for their co-operation and professionalism.

Disclive Europe recently started in conjunction with engineer and producer Andy Scarfe. Having previously worked with the Levellers, Andy covered their 2004 tour doing limited edition CDs of each show: 'We were able to do 500 in 20 minutes, although we were not as fast as I hoped because the second half of the show was nearly an hour long!' says Scarfe. 'The second burn was longer than I'd have liked, but we are now going to expand the burning system.' Andy used the compact Prism mobile, with the Disclive burning racks installed. 'I took individual feeds from the stagebox, and I was making full use of all the onboard dynamics on the Soundtracs console, mastering through some Neve EQs and an SSL compressor,' Andy notes, 'the only concession to it being an instant CD was that I used the hardware version of the Waves L2 limiter to keep the volume up.' Live recording introduces an added dynamic between artist and audience. 'When the audience arrives at the venue, you're trying to educate them in the 100 yards between the door and the sales stand, explaining there will be a live recording tonight and if you shout loud enough you will hear yourself on it! It leads to great banter, there were some very lively audiences. The Levellers promote that anyway, they are good at handling it and this made for some very good and individual discs.'

Another new UK-based operation called Live Here Now have recorded Mclusky for the Beggars label, Client, the Throbbing Gristle reunion gig, and the recent Erasure tour. LHN is owned by Mute Records, but runs as a separate operation. Tony Andrews says: 'We would like to service between 15 and 20% of the venue capacity. With Erasure we were looking to sell 500 on the night, with another 500 CDs available from the website, plus an additional digital download option.' The operation takes a very professional approach: for the Erasure tour they used mobiles from ex-Manor/Sanctuary man Will Shapland, one of the UK's most experienced live recording engineers. A full set of splits were mixed by Will on his SSL C200, a

second Shapland truck accommodated burner racks. Several hardware CD-R recorders burnt the mix in real time, these were then used as masters for the racks of multi-burners. CD-R blanks were pre-printed with artwork and ready in the towers for the first half of the show, making turnaround very fast. 'We focus our packaging on the band,' project manager MJ says, 'if you buy it, it's an Erasure product. It's a souvenir for Erasure fans rather than a Live Here Now product. The feedback from the fans has been tremendous.'

Live recordings for sale at shows will not suit every performer: a certain performance proficiency or a large amount of sang froid is necessary. One of the most popular Instant Live discs is a Wet Wet Wet CD where the band's hit Love Is All Around went so wrong they had to stop and start the song again. 'If a band screw up and start again, and smile and laugh with the audience, and you were there, that's a positive thing you'll remember about that show. Mind you, telling a band that is a very different thing!' says MJ of Live Here Now. There are some pragmatic solutions to the issue of artist approval: the first gig of the Erasure tour was recorded but not sold on the night, so the group could review the general sound quality and mixing approach.

From a business angle, there is clearly a good prospect for the future. Even with low edition numbers, The Pixie's US\$500,000 over 22 dates is not to be sniffed at. A whole swathe of middle-merchants are bypassed, the band and recording service can divvy the proceeds. Disclive was probably turning at least double the profit that even the most sophisticated mobile recording studio could hope to earn from each show. And budgets are not there any more for grand-scale live album recording. 'Very few people now do multiple recordings on tour like they used to — AC/DC albums I've done in the past with the Manor Mobile where we've recorded 15 or 20 shows for an album!' observes Will Shapland. 'That sort of market is disappearing. There are still a few high end one-off recordings, but mixing for live CD-R and live TV is really where mobiles are headed, which is why you need desks in them that are capable of instant reset and snapshots.'

Selling at-gig recordings will initially appeal most to mature acts without major label contractual re-recording restrictions. But label investment in, or ownership of, services — as in Live Here Now's case — will smooth the way for many artists. Record companies will be very keen not to upset the retail sector any more than they already have with digital downloads. HMV and Virgin depend on selling several hundred copies of a band's CD when they are playing locally — selling truck loads of live CDs at a gig is not what 'tour support' means

to the music industry's main sales channel. Limiting edition size, and styling CDs as souvenirs with artwork unique to the shows, will be key to more widespread acceptance.

Downloads in compressed formats seem like an obvious add-on. John Paluska, manager of US jam-band Phish, says the group sold US\$1 million concert show downloads in the first 6 months that [www.livephish.com](http://www.livephish.com) was open. But breaking acts doing likewise would run the risk of diluting the online marketplace, just as promotion departments are gearing up to present new official chart-based options to the public. Everyone agrees live DVDs are an obvious future development but, again, they won't suit all markets. Mute Records, for example, has a commercial release of an Erasure DVD filmed in Germany. It will be doing this through all territories, clearly DVDs at gigs would dilute this offering. The small screen of a mobile phone, where the inevitable lack of production finesse in live camera work will be less evident, and where storage restrictions would make it prudent to edit just a couple of key songs, may yet prove the most beguiling destination for live visuals.

The concert CD-R concept has come at a good moment, just as a new wave of live playing, guitar-wielding bands like the Kaiser Chiefs and Franz Ferdinand are sweeping the scene. And possibly at an opportune time for the sound recording industry, just when traditional mobile recording seems to be drying up, and just as a whole new wave of young audio school graduates become available for the labour-intensive task of loading those burners! ■