

SINGLE STROKES

LEGAL EAGLES BRIAN K. CARVELL, ESQ.

A Tale of Two Guns

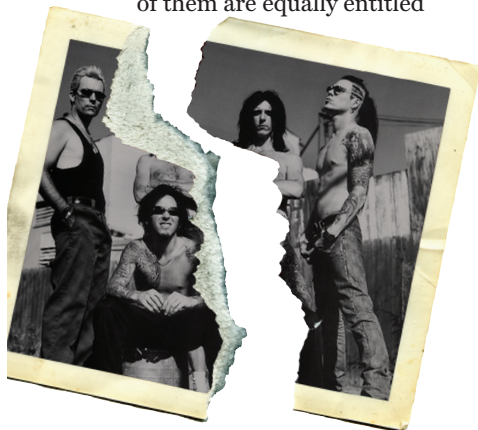
Man, do I love the '80s. Not only was it my favorite period for rock music (though that era is widely disregarded by most, give me a band in Spandex with a big stage show any day) the decade also provides me with excellent topics for my column.

A while back, I wrote about the two Ratt bands that were touring and the lawsuit between them. Lo and behold, we



BRIAN CARVELL is a partner at *Musicians Legal Representation*, a legal firm specializing in music business law. On the weekends he lays down a wicked backbeat for his band *Live Miguel*.

have another situation of duplicative bands touring, this time it's L.A. Guns. Currently the two versions are 1) L.A. Guns featuring vocalist Phil Lewis and drummer Steve Riley, and (2) L.A. Guns featuring guitar slinger Tracii Guns. Both simply bill themselves as "L.A. Guns" and both release albums under the same name. Monster drummer Steve Riley has discussed the situation in a few interviews, and he said that, legally, there is nothing he can do to stop Tracii's version because the name is owned in equal share by both Riley and Guns. As such, each of them are equally entitled



Not intended as legal advice. If you have a specific legal concern, please contact an attorney.

to tour and record using the name.

So what is the point of the story above? Bands need to work out the ownership of the band name, and how and when it can be used after the bandmembers split up, before such a break-up occurs. This is done via a formal

partnership agreement among the bandmembers.

The agreement should spell out who owns what portion of the band's name, who is entitled to use the name after the members dissolve the partnership, and under what circumstances the name can be used. If multiple members of the partnership all own an interest in the band name, typically, the agreement will provide that the name cannot be used unless there is a unanimous agreement among all owners (or at least an agreement by enough members to constitute 75 percent of the name ownership). While the conversation may be uncomfortable, it is important to work these issues out before problems arise. When reducing ownership interests in the band name to writing, you always want to plan for the worst-case scenario. I'm sure when Riley and Guns split the ownership in the name, they never imagined this situation, but you need to plan for what will happen to the band's interests in the event of a split.

The dangers of having multiple bands playing under the same name are obvious. There will be confusion among the audience, fans are turned off by the idea of multiple bands using one name, and oversaturation in the market.

Don't get me wrong. As I said above, I love '80s music, but does the world really need three Skid Rows, two Mötley Crüe's, four Warrants, three Trixters ... you get the drift.

NEW BLOOD

By Waldo The Squid

Scott Aller

AGE 22

EQUIPMENT Meinl cajon, DW bass pedal, Pearl cowbell and percussion table, Zildjian K Session Dark Crash, Sabian 10" AA splash, Rhythm Tech Ribbon Crasher and tambourine, LP Jam Block, Akira Jimbo Signature Snare, Regal Tip sticks, Pro-Mark "Cool Rod" sticks, Vic Firth brushes, Spaun cymbal stand.

CONTACT

boulderacousticsociety.net



Every once in a while, The Squid is struck by what a drummer *doesn't* do — as in showboat.

Check out Scott Aller's percussive forays with alternative string band Boulder Acoustic Society, where the Fort Collins, Colorado-bred musician plays everything from washboard to sea shells. Don't let the variety of noisemakers fool you — dude is all about serving the song.

On the band's latest, *The Caged Bird*, he captivates whether he's conjuring textures with found objects or just doing some mean

syncopated rhythms. Aller's ability to wring a beat out of darn near anything probably has a lot to do with his openmindedness, exploring everything from Dixieland jazz and punk to Appalachian bluegrass and funk. Even his more pedestrian alt-rock band, The Stinos, sees Aller treating the drums as a bona fide musical instrument, not just a means for keeping time.

Nikki G

AGE 26

EQUIPMENT DW Drums, PDP Drums, DW and Gibraltar hardware, Zildjian cymbals, Toca percussion, Vic Firth sticks

CONTACT

myspace.com/nikkidrums



If you've ever been hypnotized by one of those street percussionists thrashing on plastic containers, chances are it might have been Nikki G. Reading charts as early as age eight in a local production of *Godspell*, once this innovative player nailed her rudiments she struck out for fame and glory in La La Land, where she got her real drum education. But this protean percussionist's interests don't end there. She's rocked out in pop-metal group Lindsey Haun and 7th Fall and edited a Street Drum Corps track into a bargin' mixtape worthy of underground dance clubs. A recipient of Berkeley's Jimmy Lion's scholarship

and a graduate of Musician's Institute in Los Angeles, G also teaches a wide range of students when she's not laying it down with SDC's BANG!, which, as you read this, are playing Warped Tour. Whether it's big band jazz or experimental, this gal is a slave to the groove — and she likes it like that.

YOU CAN APPEAR IN NEW BLOOD. Send a cassette or CD of your drumming, a bio with your age, equipment setup, contact information, and a photo to Waldo The Squid, c/o New Blood, 95 S. Market St., #200, San Jose, CA 95113. No materials will be returned. Please indicate if you want your email contact published.