

Alas, my love, you do me wrong

PLAYER PIANO ROLLS

maddog finds out that copyright prevents preserving paper player piano rolls. **BY JON 'MADDOG' HALL**

Some people know that I collect automated musical instruments: player pianos, player organs, nickelodeons, and other mechanisms that use a roll of paper to control the playing of the instrument. This was a natural outcome of my fascination of controlling a piece of hardware with “logic” and “software” and my love of music. I have even developed a talk about how free software is like a player piano, and have given this talk several times, complete with illustrations and music played from my piano collection.

Many years ago, I joined the Automatic Musical Instrument Collector's Association (AMICA) [1], and I receive their publications. This month's edition talked about how Yamaha is using Linux in their automated grand pianos to control the automation. These Yamaha Disklavier Mark IV pianos provide an amazing array of features and the ability to download music software updates from the Internet [2].

Pogue's article reminded me of the Marshall & Ogletree Opus 1 organ installed at Trinity Church in New York City. Designed to replace Trinity's real pipe organ, which was destroyed during the World Trade Center attack on September 11, 2001, the Opus 1 uses 10 Linux PCs to drive 74 channels of sound with between 150 and 500 watts of power for each channel. It even has a “hot stand-by” PC to take over in case the hardware fails on any of the 10 PCs. On their website, the Opus 1 designers say that a certain popular desktop operating system was too unstable for anything as important as an organ recital, which is why they chose Linux. Of course, this instrument is also connected

to the Internet and can download new voices or be monitored during an organ concert. You can read more about the instrument and its capabilities online [3].

Last month was the first time, however, that I got to attend a local chapter of the AMICA. In a lot of cases, one of the downsides of collecting the older paper-driven instruments is that the paper, which is sometimes made with an acid-based wash, is falling apart, and some of the members are trying desperately to preserve this old music by copying the rolls or by capturing the information into MIDI files or MPEG-3 files. These people then put these files – songs recorded on rolls by companies that have long gone out of business – up on the Internet for others to share. I decided I had a lot of songs in my collection that I could put on the Internet for people to hear the sound of my instruments playing. As a free software person and a follower of the issues around copyright, I would use a melody that was long out of copyright, such as “Greensleeves.” But something in the back of my mind began to nag me, so I contacted a company that still manufactures player piano rolls and asked to talk to their legal department.

I explained to the man who answered the phone what I wanted to do and that I could be sure to use a song that was an ancient melody that had to be out of copyright by now, and I only wanted to do a few songs, perhaps “Greensleeves” and a ragtime melody that used a mechanism in my piano called the “mandolin.” The man replied that Greensleeves was out of copyright, but that the artist's rendition of my Greensleeves roll might not be. He said that the rendition of Greensleeves had been put onto a roll of



paper, and that too included a copyright, so other player piano roll manufacturers would not just buy the roll, copy it, and sell it to other player piano owners.

Then the man mentioned the “Phonorecord” copyright act, which to me has always been as clear as mud and also made this issue of rescuing an ancient song cut into rapidly decomposing paper even foggier.

We ended up agreeing that if I made an MP3 recording of less than 30 seconds off an old roll from a company that was completely out of business, kept it completely for my own use and locked up so no one else could hear it, that I probably would not be sued. I thanked him for his time.

Of course, now I have stopped singing “Greensleeves,” even when alone in the shower. ■

INFO

- [1] Automatic Musical Instrument Collector's Association: <http://www.amica.org/Live/index.htm>
- [2] “A Grand (i.e., Cool) Piano” by David Pogue, *New York Times*, April 17, 2008, http://www.nytimes.com/2008/04/17/technology/personaltech/17pogue.html?_r=1&oref=slogin
- [3] “The Sonic Boon: New Organ is Digital, Realistic, and Powerful, but is it Sacred?” by Nathan Brockman, *Trinity News*, August 13, 2003, <http://www.trinitywallstreet.org/welcome/?article&id=255>