

## Are You Bizignorant?

(or: "Get It In Writing" Means More Than Just Writing it Down)

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"Get it in Writing".

If you're an aspiring music industry professional or artist, and your reaction to this time-honored maxim is either one of puzzlement or outright indifference, it may be time to reconsider your choice of career.

It could also be a sign that you're "bizignorant".

Perhaps you were unaware that the music industry is notoriously unsympathetic toward those who are oblivious to "standard" business practice. So if you're inclined to ignore my advice to "get a real job", and your approach to handling business is, in fact, based on a "handshake and a smile" strategy, you can look forward to exasperating nearly everyone you're likely to encounter in the Industry, except, of course, for those who will be all too happy to take advantage of your business ignorance (or "bizignorance").

If you're a "bizignorant" person, it's likely that you don't ask many questions regarding your business affairs, nor do you easily accept criticism regarding your career choices. You may also (mistakenly) consider the written contract you just signed to be no more than a mere administrative formality, while haplessly relying your informal negotiations with the other party as the basis of your legal rights.

That being the case, it's also likely that you don't realize that "get it in writing" is intended to convey that success in the Industry depends, ultimately, as much on

*what* is put into writing, as it does on making sure you get *something* in writing.

Maybe I've got you pegged all wrong. After all, if you really *were* "bizignorant", you probably wouldn't bother tearing yourself away from the Playstation long enough to read this article, let alone engage in serious thought about your career in the music business.

Assuming for a moment that I've misjudged you, I'll bet you're wondering how someone in your burgeoning position can expect to negotiate any sort of advantage, in an industry where "sticking it to the little guy" has been raised to an art form. It's true enough that, starting out, your bargaining strength is limited (to put it lightly). However, you *can* gradually change your circumstances for the better, simply by resolving to be an *active participant*, rather than a *passive observer*, in your business affairs.

I'm talking about adopting an aggressive approach to your contract negotiations, including a committed effort to present yourself consistently to others in a prepared, organized and professional manner (in other words, like someone who has already achieved success).

If applied correctly, this type of "hands on" approach can't help but improve your bargaining

strength, as you gradually become more experienced with, and educated about, the negotiation process and the music industry in general. Specifically, as your knowledge and comfort-level increases, your confidence will, without exception, noticeably improve. As you'll notice for yourself, your increased confidence *will* enhance your perceived value during successive negotiations, thereby directly resulting in better negotiation success (which is, after all, the essence of a superior bargaining position).

So what exactly do I mean by a "hands on approach"? I'm talking specifically about: 1) Taking steps to educate yourself regarding the subject-matter of the proposed transaction (including what the Industry "standard" is for that type of relationship); 2) Paying close attention at every stage of the negotiation process (because important business lessons are generally not repeated for your

convenience); 3) Figuring out the right questions to ask, asking them, and making sure you get the answers (keeping in mind, however, that the refusal to provide an answer can, in fact, be an answer of sorts); 4) Standing up for the right issues (and recognizing the issues you can't affect and/or shouldn't excessively worry about); and lastly, 5) Treating the transaction, generally, with the priority (i.e. time, attention, and resources) it deserves.

In addition to improving your bargaining position, you'll also find that the "hands on" approach is inherently conducive to improved communications between the parties, and stronger, more stable business relationships in

general. More importantly, the improved status which results from the "hands on" approach will deter those who might otherwise have previously perceived you to be an "easy mark". In other words, your "bizignorance" will have gone into complete remission!

Having said all this, does adopting a "hands on" approach towards your business affairs replace the need to involve your attorney? Not especially. Having a qualified attorney at the very least, review, if not negotiate and prepare, your business agreements will almost always be to your advantage. *Not* involving an attorney where the other party *is* using one is actually pretty risky. The "hands on" approach" is instead intended to enhance, rather than replace, your attorney's services.

Ultimately, whether or not you find these words to be of any use depends entirely on you. If you're the type of person who exhibits a distinct lack of patience for dealing with paperwork, or who is reluctant to assert yourself in your business relationships, or who can't be bothered to make the effort to become informed about your own affairs, you probably won't have much use for the "hands on" approach, and you should refer back to my advice at the beginning of this article.

In other words, while "bizignorance" is curable, the prognosis for its effect on your career prospects in the music industry, if left untreated: *terminal*.

