



ASCAP RHYTHM & SOUL MUSIC AWARDS
OFFICIAL RULES AND REGULATIONS
2021*

These Official Rules and Regulations (the “Rules”) govern the 34th Annual ASCAP Rhythm & Soul Music Awards (individually and collectively, the “Awards”), including, but not limited to, eligibility, winner selection process, and award criteria. **BY PARTICIPATING IN THE AWARDS PROCESS AND AWARDS CELEBRATION, ALL PARTICIPANTS (“PARTICIPANTS”) AGREE TO BE BOUND BY THESE OFFICIAL RULES AND REGULATIONS AND THE DECISIONS OF ASCAP, WHICH ARE FINAL AND BINDING IN ALL RESPECTS. VOID WHERE PROHIBITED.**

1. PRESENTER

The Awards are presented by the American Society of Composers, Authors and Publishers (“ASCAP”), 250 West 57th Street, New York, New York 10107.

2. ELIGIBILITY

A. Who is Eligible

The following writers (each, an “Eligible Writer”) and publishers (each, an “Eligible Publisher”; Eligible Writers and Eligible Publishers are collectively referred to as “Eligible Members”) are eligible for Awards consideration:

- A writer member of ASCAP in good standing as of April 26, 2021 (the “Date of Determination”);
- A writer member of an Affiliated Society (as defined below) in good standing within the meaning of such Affiliated Society’s rules and regulations as of the Date of Determination; and
- A publisher member of ASCAP (i.e., a publisher, co-publisher, publisher administrator or sub-publisher for the territory of the United States) in good standing as of the Date of Determination.

To be in good standing, an ASCAP member must have been elected to membership in ASCAP, be eligible to vote at General Meetings of ASCAP and have not resigned from membership. An “Affiliated Society” is a performing rights organization with a principal office outside of the United States with whom ASCAP has a written and binding agreement that authorizes ASCAP to license musical

* Modified on March 28, 2021.

compositions owned or controlled by such entity to licensees in the United States on a non-exclusive basis. Publisher members of Affiliated Societies are not eligible for the Awards.

B. What Works are Eligible

To be eligible for Awards consideration, a musical composition (each, an “Eligible Work”) must, as of the date of Determination, (i) be in the ASCAP Repertory (as defined in the Compendium of ASCAP Rules and Regulations, and Policies Supplemental to the Articles of Association, which is available on ASCAP’s website) and (ii) have at least one Eligible Member with an interest in such musical composition who is then licensing their interest in such musical composition through ASCAP for the territory of the United States.

In addition, a musical composition will no longer be an Eligible Work if, at any time prior to the start of the Awards Celebration, ASCAP has received effective notice(s) from member(s) of their intent to remove such musical composition from the ASCAP Repertory and, after giving effect to such notice, ASCAP would no longer have a licensable interest in such musical composition.

C. How the R&B/Hip Hop and Rap and Gospel Genres are Defined

Only Eligible Works embodied in a song (i.e., sound recording and the underlying Eligible Work) that appeared on any of (i) the Billboard R&B/Hip Hop and Rap Charts (as defined below) during period that includes October 1, 2019 through December 31, 2020 (each, an “R&B/Hip Hop and Rap Song”) or (ii) the Billboard Gospel Charts (as defined below) during period that includes October 1, 2019 through December 31, 2020 (each, a “Gospel Song”; Gospel Songs and R&B/Hip Hop and Rap Songs are collectively referred to herein as “R&S Songs”) are considered for Awards.

A “Billboard Gospel Chart” is any of the following weekly Billboard Charts:

- Gospel Airplay;
- Gospel Digital Song Sales;
- Gospel Streaming Songs; and
- Hot Gospel Songs.
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A “Billboard R&B/Hip Hop and Rap Chart” is any of the following weekly Billboard Charts:

- Adult R&B Songs
- Hot R&B Songs;
- Hot R&B/Hip-Hop Songs;
- Hot Rap Songs;

- Mainstream R&B/Hip-Hop;
- R&B Digital Song Sales;
- R&B Streaming Songs;
- R&B/Hip-Hop Airplay;
- R&B/Hip-Hop Digital Song Sales;
- R&B/Hip-Hop Streaming Songs;
- Rap Airplay;
- Rap Digital Song Sales; and
- Rap Streaming Songs.

D. Disqualification

At any time prior to the start of the Awards Celebration, ASCAP may, in its sole discretion, disqualify from Awards contention: (i) any ASCAP member who has either resigned from membership or delivered an effective notice of intent to resign from membership; (ii) any writer member of an Affiliated Society from Awards contention who is no longer in good standing with such Affiliated Society; (iii) any ASCAP member or any writer member of an Affiliated Society whose relevant interest in an Eligible Work is no longer in the ASCAP Repertory, or if ASCAP receives effective notice of the intent to remove such relevant interest in an Eligible Work from the ASCAP Repertory; or (iv) any Eligible Work from Awards contention that no longer satisfies the eligibility criteria set forth in Section 2.B.

In addition, if there is a dispute in ASCAP's records with respect to all or any portion of an interest in any Eligible Work and ASCAP has concluded that there is a reasonable basis for such dispute, then ASCAP may, in its sole discretion, remove such Eligible Work from consideration for the Awards. ASCAP encourages Participants to resolve disputes over any potentially winning Eligible Works on or before the Date of Determination.

E. Changes in Registration

In connection with a change to a work registration affecting the writer(s) or publisher(s) of a musical composition (i.e., the inclusion of a new ASCAP-licensed writer or publisher or the removal of an existing ASCAP-licensed writer or publisher), a writer or publisher will be considered as having an interest in such musical composition for purposes of the Awards if the change in registration is submitted, and all paperwork substantiating such change is provided to ASCAP, on or before the Date of Determination.

3. WINNING SONGS

Awards for Winning Songs recognize the Eligible Works underlying the highest-ranking R&S Songs, determined according to the following methodology:

A. Impressions. R&S Songs are ranked based on the sum of the (i) U.S. audience size projections for such R&S Songs on R&B or Gospel format terrestrial and satellite radio stations as determined using data provided by Nielsen Music/MRC Data for all radio stations it monitors and (ii) streams of such R&S Songs on U.S. digital services based on programmed and on-demand audio streaming data provided by Nielsen Music/MRC Data for all digital services it monitors (collectively, the “Impressions”).

B. Ranking. Each R&S Song is assigned the number of Impressions it received during either the period (i) October 1, 2019 through September 30, 2020 or (ii) January 1, 2020 through December 31, 2020, whichever is greater.

C. Winning Songs.

- Each of the R&B/Hip Hop and Rap Songs that rank first through 40th based on the greatest number of Impressions shall be recognized as an R&B/Hip Hop and Rap Winning Song (each an “R&B/Hip Hop and Rap Winning Song”), except that R&B/Hip Hop and Rap Songs that have received an ASCAP Rhythm & Soul Music Award for Winning R&B/Hip Hop Song or Winning Rap Song at any prior Awards Celebration will not be recognized again as a R&B/Hip Hop and Rap Winning Song unless that R&B/Hip Hop and Rap Song (i) has the highest number of Impressions among all of the R&B/Hip Hop and Rap Songs (as calculated in Section 3.B) and (ii) has not previously received a Top R&B/Hip Hop Song Award or Top Rap Song Award at any prior ASCAP Rhythm & Soul Music Award Awards Celebration. If two or more R&B/Hip Hop and Rap Songs are tied for the 40th highest number of Impressions, then all such R&B/Hip Hop and Rap Songs so tied shall be recognized as an R&B/Hip Hop and Rap Winning Song.

- Each of the Gospel Songs that rank first through 10th based on the greatest number of Impressions shall be recognized as a Gospel Winning Song (each an “Gospel Winning Song”), except that Gospel Songs that have received an ASCAP Rhythm & Soul Music Award for Winning Gospel Song at any prior Awards Celebration will not be recognized again as a Gospel Winning Song unless that Gospel Song (i) has the highest number of Impressions among the Gospel Songs (as calculated in Section 3.B) and (ii) has not previously received a Top Gospel Song Award at any prior ASCAP Rhythm & Soul Music Award Awards Celebration. If two or more Gospel Songs are tied for the 10th highest number of Impressions, then all such Gospel Songs so tied shall be recognized as a Gospel Winning Song.

D. Disqualification. In the event that ASCAP, in accordance with Section 2.D, removes an Eligible Work from consideration for Awards, ASCAP may (in its sole discretion) recognize as a Winning Song the Eligible Work or Eligible Works (if there is a tie) embodied in the next highest-ranking Eligible R&S Song(s) so that there are

forty (40) R&B/Hip Hop and Rap Winning Songs and ten (10) Gospel Winning Songs being awarded.]

E. Awards. Awards for Winning Song are presented to each Eligible Member with an interest in each applicable Winning Song being licensed by ASCAP. In the event that Nielsen Music/MRC Data merges more than one version of a Winning Song (i.e., the original version and any remixes, etc.), ASCAP will award the Eligible Work embodied in the version of the R&S Song that ASCAP determines was responsible for the majority of such Impressions.

4. SONGS OF THE YEAR

A. R&B/Hip Hop and Rap Song of the Year. The R&B/Hip Hop and Rap Song of the Year Award recognizes the R&B/Hip Hop and Rap Winning Song with the greatest number of Impressions that has at least one Eligible Writer who has an interest in it (the "R&B/Hip Hop and Rap Song of the Year"). If two or more R&B/Hip Hop and Rap Winning Songs with at least one Eligible Writer who has an interest in it are tied for the highest total number of Impressions, then all such the R&B/Hip Hop and Rap Winning Songs so tied shall be recognized as a R&B/Hip Hop and Rap Song of the Year. Awards for R&B/Hip Hop and Rap Song of the Year are presented to each Eligible Member with an interest that is being licensed by ASCAP in the R&B/Hip Hop and Rap Song of the Year.

B. Gospel Song of the Year. The Gospel Song of the Year Award recognizes the Winning Song with the greatest number of Impressions that has at least one Eligible Writer who has an interest in it (the "Gospel Song of the Year"). If two or more Gospel Songs with at least one Eligible Writer who has an interest in it are tied for the highest total number of Impressions, then all such Gospel Songs so tied shall be recognized as a Gospel Song of the Year. Awards for Gospel Song of the Year are presented to each Eligible Member with an interest that is being licensed by ASCAP in the Gospel Song of the Year.

5. SONGWRITER OF THE YEAR

ASCAP calculates, for each Eligible Writer who has an interest in any Winning Song, a "Writer Score" equal to the sum of (i) such Eligible Writer's shares (in such member's capacity as a writer) in each Winning Song in which such Eligible Writer has an interest being licensed by ASCAP multiplied by (ii) that Winning Song's Impressions (determined in the manner set forth in Section 3).

The Songwriter of the Year Award recognizes the Eligible Writer with the highest total Writer Score. If two or more Eligible Writers are tied for the highest total Writer Score, then the Songwriter of the Year Award shall be awarded to all Eligible Writers so-tied.

6. PUBLISHER OF THE YEAR

ASCAP calculates, for each Eligible Publisher that has an interest in any Winning Song, a “Publisher Score” equal to sum of (i) such Eligible Publisher’s shares (in such member’s capacity as a publisher) in each Winning Song in which such Eligible Publisher has an interest being licensed by ASCAP multiplied by (ii) that Winning Song’s Impressions (determined in the manner set forth in Section 3). For the purposes of this Award, Publishers that have subsidiary, affiliated or associated publishing companies that are members of ASCAP are all treated as a group.

The Publisher of the Year Award recognizes the Eligible Publisher with the highest total Publisher Score. If two or more Eligible Publishers are tied for the highest total Publisher Score, then the Publisher of the Year Award shall be awarded to all such Eligible Publishers so-tied.

7. SPECIAL AWARDS

ASCAP in its sole discretion reserves the right to present Special Awards to members and others to honor them for special achievements and contributions to music. These awards are determined by ASCAP staff and ASCAP is under no obligation to present such Special Awards on an annual basis. Information about the general criteria of Special Awards and past honorees is available on the ASCAP website at: <https://www.ascap.com/news-events/awards>.

8. DECISIONS ON AWARDS NOT REVIEWABLE

ASCAP’s determination as to the winners of any of the Awards or whether any ASCAP member, writer member of an Affiliated Society or musical composition meets the criteria for any of the Awards will be final and non-reviewable.

9. AWARDS RECOGNITION

Award recipients for the 34th Annual ASCAP Rhythm & Soul Music Awards will be invited to participate in a virtual awards celebration on ASCAP’s social media platforms to be conducted during the week of June 21, 2021 through June 25, 2021 (the “Awards Celebration”). The full list of Awards recipients will be made available on <https://www.ascap.com/news-events/awards> on or about June 25, 2021. All matters regarding rules and dates for the 34th Annual ASCAP Rhythm & Soul Music Awards are subject to change based on Federal guidelines, state and local government orders and best practices that affect ASCAP’s operations. Awards have no cash value.

10. GENERAL CONDITIONS

ASCAP reserves the right in its sole discretion to cancel, postpone or otherwise reschedule the Awards, or to not give any specific Award described herein, at any time for any reason or no reason. ASCAP's failure to enforce any term of these Rules shall not constitute a waiver of that provision.

11. LIMITATION OF LIABILITY; DISPUTES

By participating in the Awards, each Participant acknowledges and agrees that ASCAP, its subsidiaries and affiliates, and each of their respective officers, directors, employees, agents, and other representatives will have no liability whatsoever for: (i) any liability for injuries, losses, or damages of any kind to persons (including personal injury or death) or property resulting, directly or indirectly, from the acceptance, possession, misuse, or use of the Awards or participation in the Awards program, the Awards Celebration or in any Awards-related activity; and (ii) any claims based on publicity rights, defamation or invasion of privacy.

Except where prohibited, ASCAP members and all other Participants agree that: (i) any and all disputes, claims and causes of action arising out of or connected with the Awards or any award awarded shall be resolved individually, without resort to any form of class action, and exclusively by the United States District Court for the Southern District of New York or the appropriate Supreme Court of the State of New York located in New York County; (ii) any and all claims, judgments and awards shall be limited to actual out-of-pocket costs incurred, including costs associated with entering the Awards, but in no event attorneys' fees; and (iii) under no circumstances will an ASCAP member or other Participant be permitted to obtain awards for, and they hereby waive all rights to claim, indirect, punitive, incidental and consequential damages and any other damages, other than for actual out-of-pocket expenses, and any and all rights to have damages multiplied or otherwise increased. All issues and questions concerning the construction, validity, interpretation and enforceability of these Rules, or the rights and obligations of ASCAP members, other Participants and ASCAP in connection with the Awards, shall be governed by, and construed in accordance with, the laws of the State of New York without giving effect to any choice of law or conflict of law rules (whether of the State of New York or any other jurisdiction), which would cause the application of the laws of any jurisdiction other than the State of New York.

12. HONOREE LIST

For the name(s) of the recipients of the Awards, please visit: <https://www.ascap.com/news-events/awards>.

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