



## Danae Dekker

# Terms of Service for Music Commissions

Last updated: 2021-04-30

These are the terms and conditions of the contract between you and Danae Dekker regarding the purchase of a music commission. By purchasing a music commission from me, you automatically agree to all the terms listed below. These terms are subject to change any time, without warning.

### Disclaimer

1. **Right of refusal.** I have the right to refuse a commission for any reason, in particular if the commission in question goes against these terms of service.
2. **Intellectual property.** Unless discussed and agreed upon beforehand, **all intellectual property rights to the musical work, including the rights to the underlying musical composition and production, remain my sole and exclusive property.** These rights include, but are not limited to: uploading the audio to my portfolio and any social media platforms; selling the audio, e.g. through any streaming service; or using the audio for self-promotion.
3. **Grant of license.** Unless discussed and agreed upon beforehand, you have the right to use the commission for any personal usage, which includes but is not limited to: using the audio for your own listening pleasure; making copies of the file or converting it to other audio formats; sharing with (but not selling to) others; gifting it to a friend or family member; or posting the audio to your social media platforms. **Any commercial usage of the commissioned audio is prohibited.**
4. **Separate license agreement.** If we discussed and agreed on a separate license agreement beforehand, the terms and conditions listed in that agreement are leading regarding the intellectual property rights and grants of license listed in §2 and §3.

### Commission information

5. **Commission description.** If you're ordering a music commission, please include a **description of the type and form of the music** you're after, as well as **the desired length** of the musical piece. This description may include genre, timbre, rhythm, melody, dynamics, texture, harmony, tempo, and/or instrumentation. Please be as clear as

possible in your description, although I may still ask questions even if your description is detailed enough, as I want to be sure that I'll deliver the music you're looking for.

- a. Please note that **I'm mainly specialized in mixing up ambient, orchestral and electronic music**, so I most certainly won't be able to create an arbitrary genre of music. The examples of my previous work on my portfolio website are great references of music that I feel comfortable to write. As per the disclaimer, I have the right to say no to a commission if I feel too uncomfortable to deliver the desired result.
  - b. Also note that **I compose instrumental music**, so I don't provide lyrics or singers whatsoever.
  - c. Note that I round prices for commissions longer than one minute up to whole minutes of music. If a commission turns out to be slightly longer than the requested length, e.g. because of reverb tails, naturally I won't charge you for the extra length
6. **Reference tracks.** If possible, I highly recommend **sending at least two reference tracks** along with your description, so I can get a better understanding of what you're after. They help me enormously in the composition process.
  7. **Additional info.** Any additional info you think I'll need for the commission, such as particular musical instruments to include in the composition, or fun facts about the person you're gifting this musical piece to.
  8. **Info for personal commissions.** In the case of a commission for personal use, please indicate if you prefer to remain anonymous when your commission is made public, or if you wish your commission to remain private. You may also request that I wait with the publication of the commission until a particular date, e.g. when your commission is a gift and don't want me to spoil the surprise.

## Payment

9. **Method of payment.** If you live in a region that is a member of SEPA (most of the European Union), the preferred payment method is by bank transfer. Additionally, payment can be received through a PayPal invoice, which requires you to provide an email address to send the invoice to.
10. **Term of payment.** Unless discussed and agreed upon beforehand, full payment is expected upfront within two weeks after the invoice has been sent. Work on a particular commission will not be started until the payment hasn't been received in full.
11. **Accepted currency.** Payments are made in EUR, unless discussed and agreed upon beforehand. If your primary currency is not EUR, a currency conversion fee may apply to your payment, which will be processed by your bank or PayPal.
12. **Refunds.** All payments are final and not refundable, unless discussed and agreed upon beforehand, and excluding legal warranty periods.

## Process

13. **Duration.** When your commission is accepted and paid for, I will start working on the commission as soon as it fits my schedule.
  - a. **The typical estimated time for a commission to be finished is 3 to 4 weeks**, but may vary depending on workload, schedule, and life circumstances. In the event that your commission is about to be delayed, you will always be informed about the situation.
  - b. Please note that I usually don't work with tight deadlines, unless otherwise discussed and agreed upon, which would likely increase the price of a commission.
14. **Sketch and revisions.** During the process I will provide you with a sketch of the musical piece for your approval, to see if I interpreted your description correctly. I will offer a **maximum of two revisions for a commission**. Any further requested revisions, as well as major changes to the piece, will require an additional payment of **EUR 50,00** per revision.
15. **Mixing and mastering.** Once the musical sketch is approved, I will finish, polish up, and mix and master the piece. Any larger changes you want to be made to the final piece will require additional payment, decided on a case-by-case basis, as that's where the sketch phase usually is for.
16. **Delivery.** When your commission is finished, you will receive **one or more high-quality audio files** via email, containing a musical piece matched to your provided description as much as possible.
  - a. Per your request I can provide you with a FLAC or MP3 file, but I will always send you the uncompressed audio as a WAV file nonetheless.
  - b. You will not receive any of the source project files, unless otherwise discussed and agreed upon beforehand.