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The Daily Telegraph (Australia)

August 1, 2009 Saturday
1 - State Edition

Procul's muso wins royally

SECTION: WORLD; Pg. 18

LENGTH: 135 words

LONDON: He didn't skip the light fandango but Procol Harum's former keyboardist was delighted yesterday after Britain's top court ruled he was entitled to a share of royalties from the band's 1967 hit A **Whiter Shade** Of Pale.

Judges in the House of Lords said Matthew Fisher, who played the track's distinctive Hammond organ intro, should get a portion of future royalties.

"As one of those people who do remember the '60s, I am glad that the author of that memorable organ part has at last achieved the recognition he deserves," said Baroness Hale, one of five judges hearing the case.

Fisher, 62, left the UK band in 1969 but 35 years later began a legal battle for a share in the song's copyright.

Singer Gary Brooker said it was his idea to use the Bach-inspired theme and the hit was written before Fisher joined.

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PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: DTM

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Edmonton Journal (Alberta)

August 1, 2009 Saturday
Final Edition

Procol Harum organist wins Whiter Shade of Pale row

BYLINE: James Lumley, Bloomberg

SECTION: A&E; Pg. D4

LENGTH: 352 words

The former organist for rock group Procol Harum was awarded a portion of the royalties from the band's 1967 chart-topping song A Whiter Shade of Pale in a ruling by the U. K.'s highest court.

Matthew Fisher was partly responsible for writing the keyboard melody for the 10-million selling record, which his lawyer claimed defined the Summer of Love, the House of Lords in London ruled today. The organist's lawsuit was fought for years by band members Gary Brooker and Keith Reid, who "strongly denied" Fisher's version of events, court filings said.

"As one of the people who remember the '60s, I am glad that the author of that memorable organ part has at last achieved the recognition he deserves," said Baroness Brenda Hale in her portion of the judgment.

The single was No. 1 in the U. K. for five weeks in 1967 and has been covered 770 times by other artists, Iain Purvis, Fisher's lawyer, earlier told the court. Joe Cocker, Annie Lennox and Percy Sledge are among artists who perform the song, which has also been used in compilations and in films.

Lawrence Abramson, Brooker's lawyer, said in a telephone interview that the ruling means Fisher will get income from future cover versions.

Fisher has already signed away his rights to the original recording, he said.

"Most of the income comes from the original recording," he said. "He's got the recognition, but not the money."

The song, featuring haunting, baroque-inspired organ tones, has been called Britain's most played record. It won a Brit Award for Best British Pop Single 1952-77, along with the group Queen's Bohemian Rhapsody, according to songfacts.com. "I've just heard the verdict and I haven't taken it all in yet," Fisher said after the ruling.

Lord James Hope said Fisher "did so much to make the song in its final form a success" and "is entitled to protect advantage that he has gained from this and to earn his reward."

The ruling, awarding future royalties, is one of the last to be delivered by the House of Lords. The court goes into recess after today, and when it returns in October it will be replaced by the new Supreme Court of the U. K.

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Procol Harum organist wins Whiter Shade of Pale row Edmonton Journal (Alberta) August 1, 2009 Saturday

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Townsville Bulletin (Australia)

August 1, 2009 Saturday
1 - Edition

Procul Harum win

SECTION: NEWS; Pg. 18

LENGTH: 99 words

HE didn't skip the light fandango, but Procul Harum's former keyboardist said he was delighted after Britain's top court ruled he was entitled to a share of royalties from the band's hit A **Whiter Shade** of Pale on Thursday.

Judges in the House of Lords said Matthew Fisher, who played the track's distinctive Hammond organ intro, should get a portion of future royalties from the song.

"As one of those people who do remember the 60s, I am glad that the author of that memorable organ part has at last achieved the recognition he deserves," said Baroness Hale, one of five judges hearing the case.

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Weekend Australian

August 1, 2009 Saturday
1 - All-round Country Edition

Procul Harum royalties fandango is resolved

SECTION: WORLD; Pg. 15

LENGTH: 282 words

LONDON: He didn't skip the light fandango, but Procul Harum's former keyboardist said he was delighted after Britain's top court ruled yesterday he was entitled to a share of royalties from the band's hit A **Whiter Shade** of Pale.

Judges in the House of Lords said Matthew Fisher, who played the track's distinctive Hammond organ intro, should get a portion of future royalties from the song.

"As one of those people who do remember the 60s, I am glad that the author of that memorable organ part has at last achieved the recognition he deserves," said Baroness Hale, one of five judges hearing the case.

The song, renowned for its mystifying lyrics -- beginning "We skipped the light fandango, turned cartwheels cross the floor" -- was one of the signature hits of 1967's Summer of Love. It topped the British singles chart for five weeks and was a top-10 hit in the US.

Fisher, 62, now a computer programmer, left the British band in 1969, but 35 years later began a legal battle for a share in the song's copyright.

Procul Harum singer Gary Brooker argued it was his idea to use the Bach-inspired theme that Fisher played on the track. Brooker, who still tours with the band, said he and lyricist Keith Reid wrote the song before Fisher joined in March, 1967.

In December 2006, a High Court judge ruled that Fisher had co-written the song and should receive 40 per cent of the song's royalties. Last year the Court of Appeal agreed Fisher was the song's co-author, but said he should receive no money from past or future royalties because he had waited too long to make his claim.

The Law Lords reinstated the High Court decision, saying there was no time limit on copyright claims in English law.

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Procul Harum royalties fandango is resolved Weekend Australian August 1, 2009 Saturday

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Daily Post (Liverpool)

July 31, 2009 Friday
Mersey Edition

Royalties victory worries industry

SECTION: Pg. 15

LENGTH: 134 words

ORGANIST Matthew Fisher yesterday won a share of the royalties of A **Whiter Shade** of Pale - 42 years after it became one of the biggest hits in pop history - following a Law Lords ruling.

He successfully claimed a share of the royalties from the tune after winning a claim in the High Court against Procol Harum's lead singer Gary Brooker.

Fisher, 61, now a computer programmer, went to the Lords in April to ask for a final decision after the Court of Appeal overturned the ruling that he was entitled to 40% of the future royalties.

Appeal judges agreed with the High Court finding that Fisher could call himself a coauthor of the classic for his haunting organ counter-melody and introduction.

Music lawyers had previously said a win for Fisher would throw the whole business of royalties into chaos.

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PUBLICATION-TYPE: Newspaper

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The Express

July 31, 2009 Friday
U.K. 1st Edition

GBP 1m win for 60s anthem

SECTION: NEWS; 25

LENGTH: 157 words

A MUSICIAN who played the haunting organ music on the Sixties classic A **Whiter Shade** Of Pale yesterday won his legal battle for an estimated GBP 1million share of song royalties.

Overturing an earlier court ruling, five Law Lords unanimously accepted Matthew Fisher was the co-author of Procol Harum's "Summer Of Love" anthem, described as one of the greatest songs of all time.

They ruled that Mr Fisher, 61, was entitled to damages over exploitation of the song.

The classically trained organist, of Croydon, south London, has not received a penny in royalties. He can now expect a steady income from all future royalties on the 1967 hit.

Mr Fisher's claim to the rights of the song which has sold 10million copies had been disputed by the group's founder and frontman Gary Brooker, 62.

Mr Brooker, who had fought the claim "tooth and nail" and claimed that the music was all his own work, now faces a legal bill estimated in excess of GBP 1million.

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The Express

July 31, 2009 Friday
Scottish Edition

Procol organist wins song fight

SECTION: NEWS; 26

LENGTH: 96 words

ORGANIST Matthew Fisher yesterday won a share of the royalties of the Sixties pop classic A **Whiter Shade** of Pale, one of the biggest selling songs of all time.

Lawyers said the House of Lords ruling could create problems for artists, with musicians who performed on successful recordings lining up to bring claims.

Fisher, 61, London, launched his claim against the lead singer of Procol Harum, Gary Brooker, in 2005. Fisher wrote the haunting organ introduction and counter melody.

The group's record was released in 1967 and was recently named as the most played tune in public.

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PUBLICATION-TYPE: Newspaper

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The logo for The Guardian, featuring the word "the" in a smaller, lighter blue font and "guardian" in a larger, bold blue font.

The Guardian (London)

July 31, 2009 Friday

Organist wins battle for recognition for **Whiter Shade** of Pale riff: Musician entitled to future royalties, Lords rule Lawyers say win could open floodgates for claims

BYLINE: Maev Kennedy

SECTION: GUARDIAN HOME PAGES; Pg. 14

LENGTH: 563 words

The musician who wrote the haunting organ riff in A **Whiter Shade** of Pale, the 1967 hit for Procol Harum that became part of the soundtrack of the last half-century, is entitled to future royalties, the House of Lords ruled yesterday.

Matthew Fisher, now 61 and working as a computer programmer, had his case thrown out at an earlier stage of a tortuous legal process which has now lasted for more than four years, because he waited almost 40 years to claim the rewards for his unforgettable contribution to the sound of the first Summer of Love.

His doleful little tune was added to the song after the band responded to his advertisement in Melody Maker, boasting that he was the proud possessor of a rare Hammond organ.

Lawyers warned that his victory could open the floodgates to other belated claims by musicians who played on old hits.

Lawrence Abramson, representing Gary Brooker, the singer who wrote the rest of the music to famously inscrutable lyrics by Keith Reid, said: "The ruling will encourage a lot of other claims but it will not mean that they will all succeed. They will have to be determined on the facts but everyone in the same position as Mr Fisher will have a go."

Fisher has said he delayed so long because he was repeatedly told he had no hope, but was inspired to go to law after a landmark judgement in 2002 against Scottish band the Bluebells, when Bobby Valentino was recognised as composer of the violin solo on the 1984 single Young At Heart, for which he originally earned £75.

Fisher has always said he only wanted recognition for his work, and only sought royalties from the date he first sued in 2005. The ruling only applies to future royalties, but Abramson predicted any earnings would be swallowed up in legal costs, which have yet to be ruled on.

He the ruling still left confusion over the song. "The Lords ruled that the terms of the recording contract in place at the time may well have the effect of depriving Mr Fisher from collecting royalties on the original recording.

Organist wins battle for recognition for Whiter Shade of Pale riff: Musician entitled to future royalties, Lords rule Lawyers say win could open floodgates for claims The Guardian (London) July 31, 2009 Friday

"However, they expressly refused to make a definitive finding on the point. The judgment leaves both parties no clearer as to where they stand as to who can benefit in the future from royalties arising from the original recording of A **Whiter Shade** of Pale."

The single was a worldwide hit in 1967, but topped the UK charts for a modest six weeks. However it has been used on countless occasions, as the music for weddings and funerals, at product launches and in lifts, as well as on dozens of film scores. Earlier this year a BBC chart rated it Britain's most frequently played song in public places.

It has now made history twice more: in April it was played in the Palace of Westminster in the first time the law lords have been asked to rule on a pop song, and yesterday they handed down their judgment on their last day before the new supreme court takes over.

Fisher won in the high court in 2006, lost the appeal in 2008, and has now had the original decision in his favour upheld. On his own website, he said he has been portrayed as "an intransigent and vengeful fiend", determined to drag Brooker through the courts. "This has been a long, painful ordeal for me and my family and I am glad that whatever the verdict, this case is now over," he said.

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The number of years Matthew Fisher waited before claiming the rewards for his haunting organ riff on A **Whiter Shade**

LOAD-DATE: August 3, 2009

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Huddersfield Daily Examiner

July 31, 2009 Friday
1ST Edition

Royalty victory; National briefs

SECTION: Pg. 8

LENGTH: 49 words

MATTHEW Fisher who won a share of the royalties of A **Whiter Shade** of Pale, 42 years after the record became one of the biggest hits in pop history. Fisher, 61, from Croydon, who now works as a computer programmer, launched his claim against the lead singer of Procol Harum, Gary Brooker, in 2005.

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July 31, 2009 Friday

Organist wins in Whiter Shade of Pale royalties bid

SECTION: WORLD

LENGTH: 137 words

It was the subject of one of the last judgments to be handed down by the Law Lords before they move to a new Supreme Court.

Procol Harum's song was released in 1967 and became the anthem of the Summer of Love and was recently named as the most-played tune in public places.

Nearly 40 years later it became the subject of a bitter long-running legal battle when Matthew Fisher, the former organist with the group, claimed he was entitled to a share of royalties.

He successfully claimed a share of the royalties from the tune after winning a claim in the High Court against Procol Harum's lead singer, Gary Brooker.

Fisher, 61, now a computer programmer, went to the House of Lords in April this year to ask for a final decision after the Court of Appeal overturned the ruling that he was entitled to 40% of the future royalties.

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