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By the BlackRefer Editorial Team · November 21, 2026

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The BlackRefer Editorial Team writes BlackRefer Insights, practical guides for business owners built from primary sources.

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When a game studio wants a city to feel real, it reaches for culture. Who gets paid for that culture comes down to who owned the master, the composition, the mark, or the likeness on the day the deal was signed.

Grand Theft Auto has done this. In Grand Theft Auto: San Andreas (2004), Radio Los Santos, hosted by Julio G, was the West Coast hip-hop station, with tracks by 2Pac, N.W.A., Ice Cube, and Dr. Dre. It was one station on a dial that also carried Playback FM (classic hip-hop), plus funk, rare groove, R&B, reggae, rock, alternative, country, house, and talk. 1, 2

In Grand Theft Auto V (2013), Shawn Fonteno voiced and performed Franklin Clinton, one of three protagonists. 3, 4 On December 15, 2021, GTA Online: The Contract put Dr. Dre in the game as a character, with previously unreleased music debuting inside the update. 5

Each of those came with paperwork. This brief is about the paperwork.

Why This Matters Now

Grand Theft Auto VI is no longer an upcoming title. Rockstar and Take-Two say it launched November 19, 2026, on PlayStation 5 and Xbox Series X and Series S. 6, 7 In a November 20, 2026 investor release, Take-Two reported $3.79 billion in day-one retail sales, “based on company estimates through end of day November 19th worldwide,” and said the game sold 32.5 million units pre-release. 8 Those are the company’s own estimates. They are not an independent audit of sell-through.

A release of that scale typically pulls a surge of licensing requests across music, voice, fashion, and brand placement. Independent artists and small brands are often not ready for it. Requests arrive fast, terms are

written by the buyer, and anything unclear in your rights becomes leverage for the other side.

We don't report rumored contracts or payments for Grand Theft Auto VI. Everything below uses public, documented examples and standard industry structures.

The Four Money Flows

The money usually moves through four channels.

1. Radio and Sync Licensing

A song in a game usually needs two licenses: one for the recording (the master) and one for the composition (publishing). Whoever controls each side signs for it and gets paid for it. 9

In typical practice, the deal is a synchronization (sync) license, often a flat fee, and frequently worldwide and long-term or perpetual for a defined title and platform set. That's common. It's not universal. Downloadable content, remasters, ports, trailers, and new platforms are often carved out or priced separately. If you want "future updates" covered, negotiate it. Don't assume the form already grants it. 10, 11

San Andreas shows how this plays out. The 2004 Radio Los Santos playlist included 2Pac's "I Don't Give a Fuck" and N.W.A.'s "Express Yourself." 2 When the game was later re-released, including in the 2021 Definitive Edition, the soundtrack followed the 2014 re-release and dropped those tracks, among others. 12 Hard to square with a blanket perpetual grant over every future platform and update. Before you sign, know exactly which versions, platforms, and trailers you are licensing.

The trap: an artist who does not control their master, or who has unfinalized songwriter splits, may see the fee go to a label or co-writer, or watch the deal stall while the slot goes to someone whose paperwork is already clean.

What ownership requires: split sheets signed by every writer and producer, written sample clearances, performing rights organization and publisher registrations, and accurate metadata, including ISRC codes for recordings and ISWC codes for compositions. Writer membership at ASCAP and at BMI is free. BMI charges a one-time fee only to affiliate a publishing company. 13, 14 A U.S. Copyright Office electronic registration, as of November 21, 2026, is $45 for a qualifying Single Application (one author, same claimant, one work, not for hire) or $65 for the Standard Application. Those fees are scheduled to change on January 5, 2027. 15

We don't publish sync-fee dollar figures.

2. Voice, Performance Capture, and Likeness

Game performers are hired for voice, motion, and facial capture. Union work falls under the SAG-AFTRA Interactive Media Agreement. Non-union work is negotiated case by case.

SAG-AFTRA's video game strike, which centered on consent and compensation for AI reuse of performers' voices and likenesses, began July 26, 2024, and ended when members ratified the 2025 Interactive Media

Agreement on July 9, 2025, by 95.04% to 4.96%. 16, 17 The union's ratification announcement described compounded performer-compensation increases of 15.17% upon ratification, plus additional 3% increases in November 2025, November 2026, and November 2027. It also described consent and disclosure requirements for AI digital replica use, and the ability for performers to suspend consent for the generation of new material during a strike. 17, 18 Take 2 Productions Inc. was a party to the agreement. 18

The trap: broad contract language that lets a studio reuse, alter, or synthesize a performance in later products or downloadable content with no fresh consent and no added payment.

What ownership requires: explicit written consent for any digital replica, defined usage boundaries, separate payment gates for reuse, and counsel review before you sign.

3. Brands, Fashion, and In-Game Products

Studios populate immersive worlds with storefronts, clothing, and lifestyle products, sometimes as satire or parody, sometimes as officially licensed real-world brands.

What gets signed: a trademark or design license that defines where the mark appears, for how long, and in what formats.

An unregistered brand has far less leverage. Common-law trademark rights can exist from use, but they are narrower and harder to enforce than a federal registration, and they are generally limited to the geographic area of that use. 19 Copyright exists on fixation; registration (or a refusal) is what lets you sue on a U.S. work and, if timely, to seek statutory damages and attorney's fees. 9, 20, 21 A generic vibe, a slang phrase, or an aesthetic is usually not a right you can license. A mark you actually use, and a design that is a fixed original work, can be. 9

What ownership requires: a federal trademark application in the classes you actually sell in, including digital and virtual goods where that is the plan. U.S. Patent and Trademark Office (USPTO) guidance on newer technologies places virtual goods in Class 9, Class 35, or Class 41, depending on whether you offer downloadable image files, retail services in a virtual environment, or online entertainment with non-downloadable virtual items. "Virtual goods" has to name the type of goods; a vague term such as "accessories" is treated as indefinite. 22

A U.S. trademark application under the current USPTO fee schedule, in effect since January 18, 2025, starts at $350 per class if it meets the base-application requirements, plus possible extra per-class fees. 23 Put clear terms on sequels, physical merchandise, and brand approvals in the license itself. A side conversation won't hold up.

4. Original Score and Sound Design

Composers and producers who write original score music for games are frequently hired on work-for-hire terms, which can vest the copyright in the studio from the start.

The trap: assuming a game score pays like a film or television score. In film and TV, performing rights organizations typically still pay a writer's share to the composer. For ordinary gameplay, U.S.

public-performance royalties usually do not arise, so the upfront fee is often the only money. Limited exceptions exist, including some later uses in traditional media. Don't underwrite a deal on them. 24

What ownership requires: knowing, before you sign, whether you retain a right to collect any writer's-share or PRO payments that do arise, whether you have soundtrack release rights, and whether credit is guaranteed. Reserve the right to collect what may appear. Do not budget as if it will.

The Difference Between Being Referenced and Being Paid

Culture can be imitated without being licensed. A sound, a slang phrase, an aesthetic, or a neighborhood vibe is generally not protectable intellectual property. 9 Master recordings, musical compositions, trademarks, and an individual's name, voice, and likeness can be.

So the real question: was a right you own used in a way the law recognizes?

In 2018, the New York Court of Appeals held, in Lohan v. Take-Two and Gravano v. Take-Two, that a video game avatar can be a "portrait" under the state's right of privacy statute, Civil Rights Law sections 50 and 51. 25, 26 Lindsay Lohan had pointed to the "Lacey Jonas" "Escape Paparazzi" character and two loading-screen images in Grand Theft Auto V. 25 Karen Gravano had pointed to the "Andrea Bottino" avatar. 26 Both cases were dismissed because the images were held not recognizable as the plaintiffs. An avatar can be a portrait. These just weren't portraits of them, in the court's view.

The same logic runs through recorded music. Control of the master is often the difference between a one-time check and a catalog you still own when the game is re-released or remastered. In 2014, Prince and Warner Bros. Records announced a deal that, in Variety's account of the announcement, granted him ownership of his master recordings, with Warner licensed to remaster and reissue the catalog from 1978 through the 1990s. 27 In 2023, JAY-Z told CBS Mornings that getting his masters back from Def Jam "was the fight of my life," and that he made reversion of those masters a condition of going back to Def Jam as its president. 28

If it is not documented, you are negotiating from memory. If it is not registered, you are negotiating without teeth.

Interactive Readiness Audit

Score each item: Yes / Partly / No

- Clean Splits: Every track has split sheets signed by all contributing writers and producers.
- Clear Samples: Every sample or interpolation is licensed in writing or removed.
- Registered Rights: Recordings and compositions are registered with your PRO, publisher, or administrator with valid ISRC and ISWC codes.
- Protected Marks: Your brand name and logo are registered or filed with the USPTO in the classes you sell in.
- Likeness Terms: You have a standard rider prohibiting unauthorized digital replicas or AI cloning of your voice or image.
- **Licensing Representation:** You have a named rep or attorney who can review a license within a week.

Any “No” marks the first phone call to make before an inquiry arrives.

Where BlackRefer Fits

Make that call to someone who reads license paper for a living. Use the BlackRefer Directory to research available providers. The specialties to look for include:

- Entertainment attorneys
- Trademark and IP counsel
- Publishing administrators and sync reps
- Clearance specialists
- Talent reps

Fix the paper before the request comes. Once it arrives, the buyer is writing the terms.

General information, not legal, tax or financial advice. Figures are as of November 21, 2026, unless a source date is given. Do this with your attorney and CPA.

Sources

Source 1

Take-Two Interactive and Interscope Records, official San Andreas box-set release, November 16, 2004. https://ir.take2games.com/static-files/6a323179-2284-47be-a2fd-612905e05835

Source 2

GameSpot, October 26, 2004, San Andreas soundtrack details: Radio Los Santos format, Julio G, track list, and other stations. https://www.gamespot.com/articles/full-san-andreas-soundtrack-details/1100-6111346/

Source 3

MobyGames, Grand Theft Auto V Xbox 360 in-game credits, listing Shawn Fonteno as Franklin Clinton. https://www.mobygames.com/game/62275/grand-theft-auto-v/credits/xbox360/

Source 4

The Source, October 13, 2013, Shawn Fonteno on the voice and likeness of Franklin Clinton. https://thesource.com/2013/10/13/exclusive-shawn-fonteno-the-voice-and-likeness-of-gta-vs-franklin-clinton-talks-with-the-source/

Source 5

Take-Two Interactive, Business Wire release, December 15, 2021, GTA Online: The Contract launch, including previously unreleased music from Dr. Dre. https://www.businesswire.com/news/home/20211215005542/en/GTA-Online-The-Contract-Out-Now-Featuring-Franklin-Clinton-Plus-Dr.-Dre-New-Exclusive-Music-and-More

Source 6

Rockstar Games, “Grand Theft Auto VI: Out Now,” November 19, 2026. https://www.rockstargames.com/VI/out-now

Source 7

Take-Two Interactive, investor relations, November 19, 2026, official Grand Theft Auto VI launch announcement. https://www.take2games.com/ir/news/rockstar-games-announces-grand-theft-auto-vi-now-available

Source 8

Take-Two Interactive, investor relations, November 20, 2026, Grand Theft Auto VI day-one retail sales and pre-release units (company estimates). https://www.take2games.com/ir/news/grand-theft-auto-vi-shatters-entertainment-box-office-records and https://ir.take2games.com/node/32701

Source 9

U.S. Copyright Office, “What Is Copyright?” https://www.copyright.gov/what-is-copyright/

Source 10

Amar-VR Law (Canadian firm), September 26, 2025, “Understanding Sync Licensing for Music in Video Games and Film” (practice overview, not a surveyed contract set). https://amarvrlaw.com/understanding-sync-licensing-for-music-in-video-games-and-film/

Source 11

UseThirdChair, 2026, “Music Licensing for Video Games: Rights and Deal Terms” (practitioner guide). https://usethirdchair.com/blog/music-licensing-for-video-games-rights-and-deal-terms

Source 12

Pitchfork, November 10, 2021, Grand Theft Auto remastered trilogy radio stations, including tracks omitted from the 2021 Definitive Edition.
https://pitchfork.com/news/grand-theft-autos-remastered-iii-vice-city-san-andreas-trilogy-radio-stations-detailed/

Source 13

ASCAP, "Why Join ASCAP," writer membership is free. https://www.ascap.com/about-us/why-join-ascap-general

Source 14

BMI, creator FAQs: songwriter and composer membership is free; a one-time fee applies to publisher affiliation.
https://www.bmi.com/creators/faqs?faq=when-should-i-join-bmi

Source 15

U.S. Copyright Office, fee schedule, as fetched November 21, 2026, noting fees will change on January 5, 2027.
https://copyright.gov/about/fees.html

Source 16

SAG-AFTRA, video game strike announcement, effective July 26, 2024.
https://www.sagaftra.org/sag-aftra-members-who-work-video-games-go-strike

Source 17

SAG-AFTRA, "SAG-AFTRA Members Approve 2025 Video Game Agreement," July 9, 2025.
https://www.sagaftra.org/sag-aftra-members-approve-2025-video-game-agreement Corroboration: Variety, July 9, 2025, reporting the ratification.
https://variety.com/2025/gaming/news/video-game-actors-strike-contract-ratified-sag-aftra-1236451291/

Source 18

SAG-AFTRA, "SAG-AFTRA National Board Approves Interactive Media Agreement," including ratification-announcement terms on wages, consent, and disclosure, and noting Take 2 Productions Inc. as a party.
https://www.sagaftra.org/sag-aftra-national-board-approves-interactive-media-agreement See also the union's 2025 Interactive Media Agreement page.
https://www.sagaftra.org/contracts-industry-resources/interactive/2025-interactive-media-video-game-agreement

Source 19

U.S. Patent and Trademark Office, "Why Register Your Trademark?" (common-law rights and the geographic limits of unregistered use). https://www.uspto.gov/trademarks/basics/why-register-your-trademark

Source 20

17 U.S.C. § 411(a). https://www.law.cornell.edu/uscode/text/17/411

Source 21

17 U.S.C. § 412. https://www.law.cornell.edu/uscode/text/17/412

Source 22

U.S. Patent and Trademark Office, "Registering Trademarks for Newer Technologies: NFTs, Blockchain, Cryptocurrency, and Virtual Goods." https://www.uspto.gov/sites/default/files/documents/TM-Newer-Technologies-handout.pdf

Source 23

U.S. Patent and Trademark Office, trademark fee information, fiscal year 2025 schedule effective January 18, 2025.
https://www.uspto.gov/trademarks/trademark-fee-information Full schedule:
https://www.uspto.gov/learning-and-resources/fees-and-payment/uspto-fee-schedule

Source 24

GameSoundCon (Brian Schmidt), June 15, 2019, updated December 23, 2023, "Can Video Game Composers Get Royalties?" https://www.gamesoundcon.com/post/2019/06/15/can-video-game-composers-get-royalties

Source 25

Lohan v. Take-Two Interactive Software, Inc., 31 N.Y.3d 111, decided March 29, 2018. Official opinion: https://nycourts.gov/reporter/3dseries/2018/2018_02208.htm and https://nycourts.gov/ctapps/Decisions/2018/Mar18/24opn18-Decision.pdf

Source 26

Gravano v. Take-Two Interactive Software, Inc., 31 N.Y.3d 988, decided March 29, 2018. https://law.justia.com/cases/new-york/court-of-appeals/2018/23.html

Source 27

Variety, April 18, 2014, reporting on the Prince and Warner Bros. Records announcement. https://variety.com/2014/music/news/prince-makes-peace-with-warner-music-sets-new-album-and-reissues-1201159487/

Source 28

CBS Mornings, October 26, 2023, JAY-Z interview with Gayle King. https://www.cbsnews.com/news/jay-z-says-being-a-beacon-helping-culture-matters-to-him-most/

Related Insights

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Cover: AI-generated conceptual editorial collage; the people depicted are not named game performers or artists.

Licensing Evidence Worksheet

Opportunity / title: _____

Review owner / date: _____

Item and evidence	Yes / Partly / No · Next action
Clean Splits Every track has split sheets signed by all contributing writers and producers.	_____ _____
Clear Samples Every sample or interpolation is licensed in writing or removed.	_____ _____
Registered Rights Recordings and compositions are registered with your PRO, publisher, or administrator with valid ISRC and ISWC codes.	_____ _____
Protected Marks Your brand name and logo are registered or filed with the USPTO in the classes you sell in.	_____ _____
Likeness Terms You have a standard rider prohibiting unauthorized digital replicas or AI cloning of your voice or image.	_____ _____
Licensing Representation You have a named rep or attorney who can review a license within a week.	_____ _____

Any No marks the first phone call to make before an inquiry arrives. Partly means more evidence or follow-up is needed. This is not legal clearance or a guarantee of payment.

Next call / date: _____

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