

PLATFORM AVAILABILITY $\neq$ COMMERCIAL CLEARANCE

Why music being findable, searchable, or usable inside a platform's music environment does not, by itself, establish that a brand, creator, or other commercial user has permission to use it commercially.

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RESEARCH DATE

8 August 2026

Verified against platform terms
current at that date

STATUS

**Informational only. Does not
constitute legal advice.**

Key factual claims are sourced;
analytical conclusions are based
on the cited materials.

WHY THIS PAPER EXISTS

Music licensing on social media has become increasingly difficult to interpret from the user interface alone. A track may be searchable inside Instagram, Facebook, or TikTok; it may have been delivered to the platform by a distributor or other platform delivery partner; and it may be possible to add that music to a video and publish it without necessarily encountering an immediate warning or restriction.

[1][2]

For brands, agencies, creators, influencers, and rights holders, that apparent availability creates a simple but important question:

Does the fact that a platform makes a track available mean that the user has permission to use it commercially?

This paper examines that question by distinguishing between ordinary platform music availability, rights management and monetisation, and music that is specifically licensed for commercial use. It focuses on TikTok, Facebook, and Instagram, using current platform terms, help documentation, distributor materials, and commercial-music programs as its primary sources.

The paper also treats “commercial user” as a functional rather than purely account-based category. Commercial use may involve a company or brand, but it may also involve a creator, influencer, artist, public figure, or other individual where the content promotes a third-party brand, the creator’s own business, a product, service, sponsorship, affiliate relationship, or other economic interest. Account labels such as Business, Creator, or Personal do not, by themselves, determine the legal status of the music use. [1][17]

The purpose is not to determine whether any particular use is lawful or infringing. It is to clarify what platform availability does — and does not — establish about commercial music rights.

THE SHORT VERSION

Music can appear to be freely available on TikTok, Facebook, and Instagram. A user can search for a track, add it to a video, and publish the result without directly contacting a label, publisher, artist, or composer.

That technical availability does not, by itself, answer the commercial rights question.

A distinction should be made between three separate things: **platform delivery**, where music is supplied to a platform and may become available in its ordinary music environment; **platform monetization or rights management**, where usage is tracked, claimed, monetized, or otherwise administered; and **commercial-use clearance**, where a brand or business is authorized to use music in advertising, branded content, promotional video, or another defined commercial placement.

WHAT THIS PAPER MEANS BY “COMMERCIAL USE”

For purposes of platform music licensing, commerciality follows the use, not merely the account label.

References in this paper to a “business,” “brand,” or “commercial user” are functional rather than account-type labels. Commercial use can also involve creators, influencers, artists, public figures, or other individuals where the relevant content serves a commercial purpose. This may include promoting a third-party brand, product, or service; promoting the creator’s own business, products, services, or other commercial offering; sponsored or paid-partnership content; affiliate marketing; or other content created as part of a commercial arrangement.

Whether content is commercial depends on the nature, purpose and surrounding circumstances of the particular use, rather than simply on whether the user is a company or an individual, or whether the relevant account is labelled Business, Creator or Personal. Equally, an individual’s status as a creator or influencer does not, by itself, make every post commercial; the character and purpose of the particular content still need to be considered.

Commerciality follows the use, not the account label. A creator using a Personal or Creator account may still be making commercial content, including when promoting a third-party brand or the creator’s own commercial activity. TikTok’s own creator tools reflect this directly: creators posting content that promotes a brand, product, or service must disclose it, and are asked to specify whether they are promoting “Your brand” or third-party “Branded content.” TikTok’s published criteria for identifying commercial content focus on factors including financial incentives, brand mentions, and product recommendations or calls to action.^{[22][23]} This supports treating the nature and purpose of the content, rather than the account label alone, as the relevant starting point for the commercial-use analysis. Meta’s Music Guidelines apply on the same functional basis, to anyone posting or promoting content containing music, and prohibit commercial or non-personal use without appropriate licenses.^[17]

Where the use is commercial, the music must be covered by an appropriate commercial-use permission — whether through an applicable platform commercial-music license, such as TikTok’s CML or Meta Sound Collection, or through separately obtained synchronization and, where relevant, master-use rights. Merely building a personal brand or posting as an influencer does not, by itself, convert every post into a commercial use; that determination still depends on the content and circumstances of the particular post.

That does not mean that content must contain an explicit advertisement, product offer, sponsorship disclosure, or call to action before commercial-use considerations can arise. Content that appears editorial, lifestyle-oriented, or otherwise ordinary may still serve a commercial or promotional purpose when viewed in context — for example, where it forms part of a brand’s ongoing marketing activity or a creator’s promotion of their own commercial activity.

The broader context can therefore be relevant, including the nature of the account, the user’s business model, the relationship between the content and an ongoing commercial activity, and the purpose for which the audience is being built or maintained. At the same time, the fact that a creator monetizes their audience does not necessarily make every post commercial. The assessment remains fact-specific.

Platform disclosure rules are also not necessarily coextensive with the underlying music-licensing analysis. TikTok’s criteria for identifying content that requires a commercial-content disclosure focus on indicators of clear marketing intent, such as financial incentives, brand mentions, and product recommendations.^{[22][23]} Those criteria can be relevant evidence of commercial purpose, but should not automatically be treated as defining every circumstance in which music is being used for a commercial or non-personal purpose.

TikTok makes this distinction relatively explicit. It separates its general music library from its Commercial Music Library (“CML”) and states that businesses should use the CML for commercial activities. TikTok also describes the CML as a pre-cleared commercial catalog supported by separate partnerships and artist or rights holder participation.^[1]

Meta uses different terminology, but the practical distinction is similar. Meta identifies its ordinary licensed music library as intended for personal, non-commercial use, while separately providing Sound Collection, which it describes as “entirely royalty free and safe to use” and states may be used for commercial purposes such as advertising.^[2]

The core proposition: The fact that music is available inside TikTok, Facebook, or Instagram does not, by itself, establish that the person or entity using it has permission for the intended commercial use.

The relevant question is not merely “Can this track be found on the platform?” It is: “What rights have been granted for this recording, this content, this user, this platform, this territory, this placement, and this period?”

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THE APPARENT CONTRADICTION

A brand may encounter a copyrighted song in several ways: it appears in Instagram’s music search; it appears in Facebook Reels; it is searchable in TikTok’s ordinary music library; it is attached to a popular user-generated video; it was delivered through a distributor such as TuneCore, DistroKid, CD Baby, or FUGA; it appears in a creator’s or business account’s content-creation interface; or another brand appears to have used it without an obvious problem.

These circumstances can create the impression that the song is commercially cleared. That conclusion may be wrong.

A platform’s music function reflects agreements between the platform and one or more music rights holders. Those agreements may authorize specific forms of platform use, user-generated content, rights management, monetization, or discovery. They do not necessarily grant every user a separate commercial synchronization license for every possible use.

A platform’s technical ability to identify, add, publish, or monetize music is therefore not the same as a blanket permission for commercial audiovisual use.

An existing recording may involve a musical composition, lyrics, a sound recording, performances, samples or interpolations, publisher interests, label or master-owner interests, territorial restrictions, collective-management arrangements, and, in some jurisdictions, additional contractual or labor obligations relating to performers and musicians. In the United States, for example, use of certain union-covered recordings may trigger additional payments or obligations under applicable SAG-AFTRA or American Federation of Musicians (AFM) agreements.^{[25][26][27]} When music is synchronized with video, the permissions and related clearances required therefore depend on the applicable license, jurisdiction, platform terms, contractual arrangements, and nature of the use. The U.S. Copyright Office describes audiovisual use as implicating rights in both the musical work and the sound recording.^[3]

THREE DIFFERENT ROUTES

For purposes of analyzing commercial clearance, it is useful to distinguish three functions that can overlap: ordinary platform delivery, monetisation or rights management, and commercial-use licensing. This is an analytical framework rather than an exhaustive technical taxonomy of how platforms operate — user-uploaded original sounds, direct label or platform deals, and other delivery mechanisms can also exist alongside these three functions. Distinguishing between them is the starting point for any clearance analysis.

01

ORDINARY PLATFORM DELIVERY

An artist, label, or other recording rights holder may deliver a release through a distributor or music-services provider. The provider supplies the recording and associated metadata and identifiers to the platform. The recording may then become available in the platform's ordinary music environment, while usage may be tracked or monetized under the relevant platform and distribution arrangements. ^[4]

x DOES NOT BY ITSELF PROVE COMMERCIAL CLEARANCE

02

MONETIZATION & RIGHTS MANAGEMENT

A distributor may allow a rights holder to collect revenue when a recording is used in platform content, or to identify and claim uses through a platform's rights-management system. This answers how a rights holder is paid or how the use is administered — not whether a brand has permission to use the music commercially.

x ANSWERS PAYMENT, NOT PERMISSION

03

COMMERCIAL-USE CATALOGS

A catalog specifically designed for business, advertising, or branded use — supplied through direct platform licensing, labels and publishers, production-music companies, specialist libraries, approved distributors, artist opt-in programs, or negotiated catalog partnerships.

✓ DEFINING FEATURE: TERMS EXPRESSLY IDENTIFY COMMERCIAL USE

The distinction that matters: The defining characteristic of a commercial-use catalog is not simply that the track is available on the platform. It is that the applicable terms identify commercial use and define its scope.

DISTRIBUTOR DELIVERY IS NOT AUTOMATIC CLEARANCE

TuneCore is used in this section as a representative example, not because every distributor or artist-services company operates the same business model. The wider distribution landscape includes DistroKid, CD Baby, FUGA, The Orchard, AWAL, Believe (which also owns TuneCore), Symphonic, Ditto Music, UnitedMasters, Amuse, Record Union, and ONErpm, among others. Their customer models and services differ substantially, ranging from self-service distribution to selective artist and label services such as marketing, sync licensing, and rights management. What is relevant for this paper is the narrower function they can share: delivering recordings and metadata into platform music environments and accounting to rights holders for the resulting uses.

Ownership in music distribution has also become increasingly concentrated among major-label groups and institutional investors. Universal Music Group, through Virgin Music Group, completed its acquisition of Downtown Music Holdings in February 2026; Downtown's businesses include CD Baby, FUGA, and Songtrust.^[15] The Orchard is wholly owned by Sony Music Entertainment, which also acquired AWAL.^[21] In July 2026, CVC Capital Partners announced an agreement to acquire a majority interest in DistroKid, with existing investor Insight Partners retaining a significant minority stake.^[16] Believe, which owns TuneCore, returned to private ownership and delisted from Euronext Paris in 2025.^[20]

None of this changes the legal analysis. It is relevant context: these are commercially sophisticated intermediaries with their own business incentives, not neutral delivery pipes. The distinction between platform delivery and commercial clearance set out below applies to all of them in the same way, regardless of size, brand, or ownership.

TuneCore's public materials describe delivery to TikTok as a route through which users can use music in short-form videos and TuneCore can collect usage-based revenue.^[4]

For Facebook and Instagram, TuneCore describes enrollment as Facebook monetization. It says that eligible releases can be used in content created and shared on Facebook and Instagram, while TuneCore protects or claims the music so the rights holder can earn revenue.^[5]

The delivery dashboard itself reinforces this framing. When an artist or label selects Facebook and Instagram as delivery destinations, TuneCore's interface displays conditions that are explicitly about eligibility and monetization, not commercial licensing:

OBSERVED IN THE TUNECORE DELIVERY INTERFACE ON 7 AUGUST 2026; SCREENSHOT RETAINED BY THE AUTHOR

“Do not deliver to Facebook & Instagram if any track on this release is being monetized by a party other than TuneCore.”

“In order for a release to be available in the Facebook and Instagram audio library, it must be monetized. If one recording on a release is ineligible for monetization, the entire release is ineligible and will not be available on either platform.”

“If a track on your release is already available in the Facebook and Instagram audio library, any new delivery may overwrite previous releases and postpone availability until the new release date.”

Every condition attached to delivery concerns monetization eligibility, prior claims, and release timing — not commercial-use rights, brand licensing, or synchronization clearance. The dashboard language is internally consistent with TuneCore’s public support materials: the product is built around getting a recording into the platform ecosystem and collecting revenue when it is used there, not around clearing that recording for third-party commercial use.

These descriptions are important because they frame the service around platform availability, usage, monetization, rights administration, and revenue collection. They do not, by themselves, state that ordinary TuneCore delivery places a recording in TikTok’s Commercial Music Library, places a recording in Meta Sound Collection, grants every brand a commercial synchronization license, authorizes paid advertising, authorizes use outside the relevant platform, or covers every territory or placement.

The evidence supports this conclusion: TuneCore delivery may explain why a recording appears on TikTok, Facebook, or Instagram. It does not, standing alone, establish the commercial rights of the person or business using it.

The same principle applies to other distributors. Whether the delivery route is TuneCore, DistroKid, CD Baby, FUGA, The Orchard, AWAL, or another distribution partner, a distributor’s delivery option should not be assumed to be a commercial-use catalog unless the distributor expressly says so and identifies the applicable terms.

TIKTOK

THE GENERAL MUSIC LIBRARY

TikTok distinguishes between its general music library and its Commercial Music Library. TikTok states that businesses cannot use the general music library for commercial purposes and directs businesses to the CML for commercial TikTok activities, including organic commercial content, video advertisements, and branded content.^[1]

QUOTED DIRECTLY — TIKTOK SUPPORT

“When you post content that promotes a brand, product, or service, we recommend that you only use music from our Commercial Music Library (CML), as it’s pre-cleared for commercial use. The licenses we hold for music outside of the CML don’t cover the commercial use of music in content.”^[1]

TikTok also warns that using general-library music through a personal account to promote a business can create copyright risk. A personal account does not necessarily transform commercial content into personal content. The relevant question is the nature and purpose of the content, not merely the account label. A brand promotion, product advertisement, sponsored post, or business marketing video remains commercial in substance even if it is posted through a creator or personal account.

TIKTOK ACCOUNT TYPES AND MUSIC-LIBRARY ACCESS

Like Meta, TikTok structures music access around account type. TikTok’s own Business Help Center identifies three core account categories: Personal, Business, and Organization.^[18] TikTok does not currently list a separate Creator account as one of its account types; instead, TikTok describes Personal Accounts as suitable for general TikTok users, content creators, and most public figures.^[18] TikTok’s Commercial Music Library guidance states directly that businesses cannot use the general music library for commercial purposes and should use the CML instead.^[19] Organization Accounts are designed to help brands and organizations manage TikTok accounts through multiple team members; TikTok states that Organization Accounts do not have access to the General Music Library and must use the Commercial Music Library.^[24]

ACCOUNT TYPE	MUSIC LIBRARY ACCESS	COMMERCIAL-USE IMPLICATION
Personal	Access to TikTok's general in-app Sound Library, used by everyday users and creators	Not cleared for commercial content. If a post promotes a brand, product, or service, CML or separately licensed music is required regardless of the account label.
Business	Directed to the Commercial Music Library (CML) — over one million pre-cleared tracks — instead of the general library for commercial use	Cleared for commercial use only when using CML tracks, within TikTok, and within the track's designated Usable Placements.
Organization (verified enterprises, institutions, nonprofits)	Commercial Music Library; TikTok states that the General Music Library is unavailable to Organization Accounts	Commercial music use remains subject to the CML terms and applicable Usable Placements. As with other account types, the commercial-use analysis depends on the nature and purpose of the content.
TikTok Ads Manager / Spark Ads (boosting an organic post)	Ads Manager and Creative Center workflows surface Commercial Sounds and CML tracks for paid placements	Boosting an organic post through Spark Ads converts it into paid advertising. Re-verify CML clearance and Usable Placements before boosting, even if the original organic post was compliant.

This table reflects TikTok's own account-type documentation,^[18] Commercial Music Library guidance,^[19] and Organization Account documentation.^[24] Regional variation and product changes can affect the specifics; the account type shown at the time of posting should be verified directly in TikTok's Creative Center or Ads Manager.

THE COMMERCIAL MUSIC LIBRARY

TikTok describes the CML as a pre-cleared global library of more than one million songs and sounds for commercial content.^[6]

Quoted directly from TikTok Newsroom: “A pre-cleared global music library that helps make it easier for brands to find music to soundtrack their content on TikTok. The Commercial Music Library connects brands with over one million songs and sounds from both emerging and established artists.”^[6] TikTok's own materials name Believe and DistroKid among its CML distribution partners.^[6]

TikTok's public announcement identifies a network of commercial-music partners, including distributors, labels, publishers, production-music companies, and other music businesses. It also refers to artist participation and opt-in mechanisms, and gives examples of music entering the CML through particular partners.^[6]

An important distinction: Ordinary delivery to TikTok and CML participation are related but separate concepts. The public materials do not establish that selecting TikTok in an ordinary distributor dashboard automatically places every release in the CML. TuneCore's public TikTok materials discuss platform delivery and usage-based revenue; they do not state that ordinary TuneCore delivery automatically equals CML enrollment. ^[4]

HOW TO VERIFY CML INCLUSION

The most reliable verification process is as follows.

1. Open TikTok's Commercial Music Library through TikTok Creative Center or an eligible business account.
2. Select the region where the campaign will run.
3. Search by track title, artist, and, where available, ISRC.
4. Confirm that the result appears as a Commercial Sound, not merely as a general-library track or user-uploaded original sound.
5. Review the displayed usable placements.
6. Check whether the track is available for organic posts, paid advertisements, branded content, or a particular ad format.
7. Record the title, artist, version, identifier, territory, placement, and date.
8. Save a screenshot or PDF of the result and the applicable terms.
9. Confirm that the audio in the final video matches the selected recording.

TikTok's search tools allow users to search and filter by usable placements, themes, genre, mood, duration, and other criteria. ^[7]

A title-and-artist search is not always sufficient. A track may have several versions, including the original master, a radio edit, a remix, a live recording, a cover, a re-recording, an instrumental, a sped-up or slowed version, or a short-form edit. The CML permission may apply to one recording and not another.

CML IS NOT UNLIMITED CLEARANCE

"Pre-cleared" does not mean "cleared for every use everywhere." TikTok's CML terms govern commercial sounds selected from the library and contain restrictions concerning permitted platforms, placements, and other conditions. Uses outside TikTok require separate permission from the relevant rights holders. ^[8]

QUOTED DIRECTLY — TIKTOK COMMERCIAL MUSIC LIBRARY TERMS

“You may only post or share videos that include Commercial Sounds within TikTok and by using the sharing features made available to TikTok users. Commercial Uses outside of TikTok are not permitted and no rights are granted by TikTok for such uses. Any uses outside of TikTok are subject to you obtaining separate permission and licensing the necessary rights directly from the Commercial Sound rights holder(s).”^[8]

The same terms also state: “Commercial Sounds may only be used on designated platforms, which are listed in the ‘Usable Placements’ section of the web portal version of the CML. To use Commercial Sounds in videos on media or platforms other than the platforms listed under ‘Usable Placements,’ you must obtain separate permission from the rights holders.”^[8]

A CML track may be cleared for a TikTok organic brand post, a TikTok in-feed advertisement, a specified branded-content placement, or a designated paid-media format. The same track may not be cleared for Instagram or Facebook, YouTube, television, cinema, a brand’s website, retail screens, a downloadable campaign film, a different territory, or a different TikTok placement. A CML track may also be available for particular territories and Usable Placements and unavailable for others. Availability can change over time: TikTok’s CML Terms state that if TikTok loses the right to make a particular Commercial Sound available, it may remove or mute content containing that sound.^[8]

A commercial user should verify the relevant region, Usable Placement, account context, and current availability at the time of use.

META

Meta's music environment is more difficult to describe because several products and access systems overlap.

META'S ORDINARY LICENSED MUSIC LIBRARY

Meta's official guidance states that music in its licensed music library is intended for personal, non-commercial use. Meta also says that access may be restricted for certain business accounts and certain types of posts, and that availability can vary by country or region.^[2]

QUOTED DIRECTLY — META BUSINESS HELP CENTER

"Meta is obligated to uphold our agreements with the rights holders of the music that's available in our licensed music library. These agreements are designed to protect artists, songwriters and their works. The music available in our library is intended for personal, non-commercial use."^[2]

"To make sure that the music in our licensed library is not used for commercial purposes, certain business accounts and certain types of posts do not have access to the library. Licensed music may also not be available in certain countries or regions."^[2]

This help-center guidance is reinforced by Meta's Music Guidelines, a supplemental terms document that applies whenever a user posts, shares, or promotes content containing music on any Meta product. Those terms state the prohibition directly, in binding rather than advisory language:

QUOTED DIRECTLY — META MUSIC GUIDELINES (SUPPLEMENTAL TERMS)

"Nothing in these terms constitutes any authorisation by us with respect to any use of music on any of our Products. Use of music for commercial or non-personal purposes in particular is prohibited unless you have obtained appropriate licences. Eligibility for, and participation in, Music Revenue Sharing does not by itself make a video commercial."^[17]

Read together, these provisions distinguish platform functionality and participation in Meta programs from the user's responsibility to hold the licenses required for the particular use. Meta expressly states that its Music Guidelines do not themselves authorize use of music, and that commercial or non-personal use requires appropriate licenses — including where a track is eligible for Meta's revenue-sharing programs or a rights holder is being paid when the track is used. Monetization eligibility and commercial-use clearance are governed by different provisions of Meta's own terms.

Current TuneCore documentation provides a direct example of the ordinary-delivery route into Meta's music environment. TuneCore describes eligible Facebook and Instagram delivery as "Facebook monetization," under which music may become available for use in content while TuneCore protects or claims the music and

accounts to the rights holder.^[5] That delivery route does not establish that the same recording is part of Meta Sound Collection.

Nor does ordinary Meta-library availability necessarily establish permission for paid advertising, boosted content, branded content, commercial influencer content, use by a business account, use outside Meta, or a campaign across multiple territories. The platform's availability of a track and the user's commercial permission are separate questions.

META SOUND COLLECTION

Meta Sound Collection is a separate resource containing music and sound effects that Meta describes as "entirely royalty free and safe to use" in supported Reels and Stories. Meta expressly states that Sound Collection content may be used for commercial purposes such as advertising.^[9] The separate Sound Collection Terms grant a non-exclusive, royalty-free license for commercial or non-commercial use within the scope specified in those terms.

The Sound Collection terms grant a non-exclusive, royalty-free license to use the audio in commercial or non-commercial content created, uploaded, and distributed on Meta products.^[10]

QUOTED DIRECTLY — META SOUND COLLECTION TERMS

"Meta hereby grants you a non-exclusive, royalty-free license to use the SC Audio Content for commercial or non-commercial purposes in content you create, upload, and distribute on the Meta Company Products (including through links to the Meta Company Products embedded in third party sites) only. You may not perform, distribute, make available or otherwise use the SC Audio Content separately from the Meta Company Products."^[10]

The terms go on to state: "Meta reserves all rights and remedies for use of any SC Audio Content by you outside of the uses permitted above without Meta's express prior written consent."^[10]

Scope limitation: This is a platform-specific license. It should not automatically be understood as a general license for TikTok, YouTube, television, radio, cinema, websites, retail systems, or external branded-content platforms.

Meta also provides advertising workflows in which music may be added from its royalty-free audio resources for particular formats and placements. The available options should be checked inside Ads Manager for the actual campaign.^[11]

Meta's guidance also states that Instagram Reels advertisements cannot use licensed music and recommends original audio or royalty-free music such as Sound Collection.^[12]

Quoted directly from Meta's Ads Manager guidance: "Your Instagram Reels cannot use licensed music. Instead, use original audio or royalty-free music, such as what's available in Sound Collection."^[12] In this Meta guidance, "licensed music" refers to music from Meta's licensed music library. It should not be read as a statement that music supported by an independently obtained commercial license can never be used in advertising; any such use remains subject to the applicable advertising format, platform rules, and license terms.

HOW MUSIC REACHES META

There are at least two relevant routes: **ordinary Meta music delivery**, where an artist or label uses an approved distributor or other rights holder channel to make music available in Meta products, and **Sound Collection**, a separate catalog of royalty-free audio licensed for commercial use on Meta products under Meta's own terms.

Public materials do not establish that ordinary delivery through TuneCore automatically submits a recording to Sound Collection. Nor do they establish a universal public submission process through which every individual artist can apply directly to Sound Collection.

The public Meta materials reviewed for this paper do not set out a general self-service process by which an individual artist can submit a recording directly to Sound Collection, nor do those materials provide the complete commercial terms governing rights holder participation in Sound Collection.

The responsible conclusion: TuneCore may deliver eligible recordings to Meta's ordinary music products, but Sound Collection is a distinct catalog of royalty-free audio licensed for commercial use on Meta products under separate terms.

META ACCOUNT AND PUBLISHING CONTEXTS

Meta uses account type, post type, product surface, and region to determine which music options are available. Account classification is relevant, but it is not the only factor, and Instagram, Facebook, and Meta’s advertising tools do not share one account taxonomy. Instagram distinguishes Personal Accounts from Professional Accounts, with Professional Accounts split into two categories, Creator and Business. Facebook instead uses profiles – which can be switched into professional mode without becoming a separate account type – and Pages, which Meta recommends for representing a business, brand, or product. Meta Business Suite, Ads Manager, and boosted or partnership-ad placements are tools and content treatments layered on top of these accounts, not separate account types.

Meta states that the ordinary licensed music library is intended for personal, non-commercial use and that certain business accounts and post types may have restricted access.^[2] Meta separately identifies Sound Collection as a royalty-free source licensed for commercial use, including for creators with a Page or a profile in professional mode, in supported Reels and Stories workflows.^[9]

CONTEXT	ACCURATE DESCRIPTION
Instagram Personal Account	Ordinary licensed-library availability may vary by territory, product, and post type; the library is intended for personal, non-commercial use and access should not be treated as commercial clearance
Instagram Professional – Creator	Creator is one of Instagram’s two Professional Account categories; broader music access on this account type does not itself create commercial music rights
Instagram Professional – Business	Certain business accounts have restricted access to the ordinary library because Meta designates it for personal, non-commercial use; Sound Collection or separately obtained rights apply for advertising and branded content
Facebook profile / professional mode	Professional mode adds professional tools to an existing Facebook profile; it does not itself grant commercial music rights
Facebook Page	Used to represent businesses, brands, and products; music remains subject to Meta’s applicable licensing and Music Guidelines regardless of Page access
Ads, boosts, and partnership ads	Separate advertising restrictions and music-selection workflows can apply; treat boosting or converting an organic post into paid media as a separate commercial-use question, even where the original post was permitted

This table describes the general structure reflected in Meta’s public guidance. It should not be treated as a guarantee that every account in every country will display the same catalog.

Account type is a starting filter, not a guarantee. A track appearing as selectable inside a Business or professional-mode account interface is not, by itself, reliable evidence that the track is licensed for commercial use. The source should still be verified — Sound Collection, a direct license, or another expressly commercial catalog — independently of what the account interface displays.

THE “CREATOR” SETTING IS NOT A COMMERCIAL LICENSE

A creator or professional-mode account may expose more music options than a business account. Meta also states that some creators can monetize eligible Reels using music from the Facebook audio library.^[13]

That does not mean that every track visible to a creator is cleared for advertising, sponsorship, branded content, commercial influencer content, use by a third-party business, boosting, or cross-platform publication.

The account label is evidence of technical access, not conclusive evidence of legal permission. A creator may use a track in an ordinary creator post under the platform’s applicable arrangements. If the creator is promoting a brand, product, or service — or if the post is later boosted — the commercial-use analysis changes.

PRACTICAL META RULE

For a commercial Instagram or Facebook campaign: do not rely solely on the account type; do not rely solely on the fact that a track appears in audio search; check whether the track comes from Sound Collection or another source expressly cleared for commercial use; verify that the license covers the exact format, placement, territory, and campaign term; and treat an organic post, a branded-content post, and a paid advertisement as separate use cases.

Meta’s account settings influence which music libraries a user can access, but they do not determine the full legal scope of the user’s rights. Business accounts are generally directed away from the ordinary licensed music library and toward Sound Collection for commercial-use applications. Creator and professional-mode accounts may see additional music options, but that expanded access does not convert ordinary platform music into a general commercial license.

ROYALTY-FREE VS. RIGHTS-CLEARED

The terms “royalty-free” and “rights-cleared” are often used together, but they describe different things.

ROYALTY-FREE

“Royalty-free” is not a universal statutory licensing category. In licensing practice, it generally means that use within the scope of a particular license does not require recurring or per-use royalty payments. It does not necessarily mean free of charge, free of copyright, cleared for every use, cleared for every platform, cleared for paid advertising, cleared worldwide, or cleared perpetually.

RIGHTS-CLEARED

“Rights-cleared” describes permission for a defined use. A track may be rights-cleared for one brand, one campaign, Meta products only, one territory, one year, organic content but not advertising, advertising but not television, or one client but not sublicensing.

Meta describes Sound Collection as royalty-free and safe to use, while the separate Sound Collection Terms define the actual license granted and limit use to the scope of content created, uploaded, and distributed on Meta products.^[10] The governing document is the license, not the marketing label.

HOW TO VERIFY PAID ADVERTISING CLEARANCE

A brand, agency, or rights holder should use the following process.

IDENTIFY THE EXACT AUDIO

Record the song title, artist, version or edit, ISRC (if available), composition and publisher, label or master owner, and source of the audio. Title and artist alone are insufficient. Remixes, covers, live recordings, re-recordings, edits, and sped-up versions may involve different rights.

IDENTIFY THE SOURCE

Classify the source as TikTok CML, Meta Sound Collection, a commercial production-music library, a direct label or publisher license, an artist or composer license, an ordinary platform music library, or a user-uploaded original sound. The last category is not proof of commercial clearance.

READ THE LICENSE

Confirm express permission for paid advertising, branded content, boosting, Instagram and Facebook, Reels and Stories, in-feed advertising, agency and client use, creator or influencer use, territory, campaign duration, edits and synchronization, cross-posting, and post-campaign availability. If paid advertising is not expressly covered, obtain written confirmation.

VERIFY THE PLATFORM PLACEMENT

For TikTok, search the CML using the relevant territory and review the track's usable placements. TikTok's search tools distinguish between organic and paid use and allow filtering by placement.^[7]

For Meta, use Sound Collection or the audio options available through the relevant Ads Manager workflow. Do not assume that a track available in ordinary Instagram search will be accepted for an advertisement. Meta specifically recommends royalty-free music such as Sound Collection or original audio for Reels advertisements.^[12]

VERIFY UNDERLYING RIGHTS

For a commercial recording, confirm that the clearance addresses both the musical composition and the sound recording. A music library may provide both rights, but that must be confirmed from its license. If the track contains samples, interpolations, or third-party materials, additional clearance may be necessary.

OBTAIN WRITTEN CONFIRMATION

Where there is ambiguity, ask the licensor or library to confirm, in writing, that the exact recording and composition are cleared for paid advertising and branded content on Instagram and Facebook — including Reels, Stories, in-feed placements, boosting, and Meta Ads Manager — in the relevant territories and for the

relevant term, and whether agency, client, creator, and cross-posting use is permitted. Retain the response with the license.

VERIFICATION CHECKLIST

Before publishing a commercial video, document the following.

☐ **The exact track and recording**

Title, artist, version or edit, and ISRC where available

☐ **The artist, label, publisher, and master owner**

☐ **The source from which the music was obtained**

CML, Sound Collection, production library, direct license, or ordinary platform library

☐ **The applicable license or platform terms**

☐ **The permitted platforms, and organic and paid uses**

☐ **Territory and campaign duration**

☐ **Whether boosting, creator use, or agency use is permitted**

☐ **Whether the video may remain online after the license ends**

Plus any attribution or account-whitelisting requirement

☐ **The date and evidence of verification**

Applicable placement and territory, plus a screenshot or PDF of the catalog entry

For TikTok, retain the CML region and usable placements. For Meta Sound Collection, retain the track information and applicable Sound Collection terms. Meta's interface provides track information and attribution links when audio is downloaded. ^[14]

A platform's initial acceptance of an advertisement is not conclusive evidence that the underlying rights are fully cleared.

COMMON ERRORS

“IT IS ON TIKTOK, SO A BUSINESS CAN USE IT”

Not necessarily. TikTok expressly directs businesses away from the general music library and toward the CML for commercial use.^[1]

“IT WAS DELIVERED BY TUNECORE, DISTROKID, OR ANOTHER DISTRIBUTOR, SO IT IS COMMERCIALY CLEARED”

Not necessarily. Distributor delivery may explain availability and monetization, regardless of which distributor was used. It does not automatically establish commercial advertising rights.

“IT IS IN INSTAGRAM’S MUSIC LIBRARY, SO META CLEARED IT FOR ADS”

Not necessarily. Meta distinguishes its personal-use licensed music library from Sound Collection and other commercial-use options.^[2]

“THE ACCOUNT IS SET TO CREATOR, SO THE USER CAN USE ANY AVAILABLE SONG COMMERCIALY”

Not necessarily. A creator account may have broader technical access, but account type does not itself create commercial rights.

“THE MUSIC IS ROYALTY-FREE, SO THERE ARE NO RESTRICTIONS”

Not necessarily. Royalty-free is not a universal-use label. The license may restrict platforms, territories, placements, campaign terms, or advertising.

“ANOTHER BRAND USED IT”

That proves only that another user used it. It does not reveal whether that user had a direct license, used a different recording, had a private platform arrangement, or was using the track without permission.

“THE POST WAS NOT MUTED”

That proves only that the platform did not take action at that time. Rights disputes, claims, removals, and changes in platform licensing can occur later.

PLATFORM AVAILABILITY IS NOT CLEARANCE

A song can appear in TikTok's general library or Meta's ordinary licensed music library because the platform has a particular arrangement with rights holders. A distributor may deliver the track and collect usage revenue. A user may be able to add it to a video with one tap.

None of those facts, standing alone, proves that the person or entity using the track has permission for the intended commercial use.

TikTok provides the clearest structural distinction through its separation of the general music library and the Commercial Music Library. The CML is a separate commercial-use program supported by partner and rights holder arrangements, and its permissions remain subject to placement, territory, and platform limits.^[6]

Meta uses different terminology but presents a comparable practical distinction. Its ordinary licensed music library is intended for personal, non-commercial use, while Sound Collection provides royalty-free audio licensed for commercial use on Meta products under separate terms.^[2]

For commercial users – including brands, agencies, and creators: the safest rule is to use TikTok CML audio for the specified TikTok placements; Meta Sound Collection audio for the permitted Meta uses; or music supported by a written commercial license that expressly covers the intended campaign.

For artists and rights holders, the lesson is equally important: delivery to a platform, monetization, and inclusion in a commercial-use catalog are separate events. Contractual terms, platform metadata, territory, placement, and evidence of acceptance should be examined individually.

The practical question is never simply whether the music can be found. It is whether the music has been cleared for the particular use being made of it.

Related reading: This paper focuses on the mechanism – how platform delivery, monetization, and commercial-use catalogs differ, and how to verify which applies. For the legal consequences of using unlicensed music commercially, including statutory damages exposure and a review of Sony Music Entertainment v. Marriott International, see our companion whitepaper, [When “Free” Isn’t Free](#), which also addresses the position of artists and rights holders whose music has been used without clearance.

IF YOU ARE NOT SURE WHETHER A TRACK IS ACTUALLY CLEARED

Many music licensing issues on social media are unintentional. A track may have been selected because it was searchable on the platform, delivered by a distributor, or used by another account without an obvious problem — without anyone verifying whether it sits inside a commercial-use catalog or a written license.

If your organization regularly posts video content on TikTok, Instagram, Facebook, or other platforms, a basic verification pass across recent campaigns can help identify potential licensing risk before it becomes a claim.

Sync Valuations offers a compliance scan across your social media platforms — reviewing a selection of your content to identify potential licensing issues and areas of potential exposure. The scan assesses whether the music used appears to come from a genuine commercial-use catalog, whether platform delivery is being mistaken for commercial clearance, and where separate synchronization and master-use rights may be required.

Request a compliance scan

Contact: nicholas@syncvaluations.com — syncvaluations.com

BOOK A FREE CALL →

NICHOLAS VAN DEN DOEL



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Nicholas van den Doel is the co-founder of Sync Valuations, an independent consultancy specializing in the valuation of synchronization licenses and related music-rights advisory for legal proceedings, licensing negotiations, rights enforcement, and claim response.

Sync Valuations works for both rights holders and music users. The practice prepares independent license-fee valuations for artists, songwriters, publishers and labels, as well as for brands, agencies and their legal counsel when they need to assess the value of a license, test the quantum of a claim, or understand their potential exposure. Its work also includes rights-ownership and control verification, analysis of licensing scope, and direct advisory input on active disputes and settlement negotiations.

Reports and advisory work are used in civil copyright claims, out-of-court settlements, licensing disputes, and commercial negotiations across multiple jurisdictions, including the United States, the United Kingdom, Germany and the Netherlands. The role is not to advocate for one side, but to assess what the relevant music rights would most likely have cost to license in the market and to provide the supporting rights and licensing analysis around that question.

Alongside Sync Valuations, Nicholas runs Ringo, a B2B sync licensing platform that helps brands, agencies, music supervisors and production companies navigate music licensing and pricing. That exposure to active sync-market pricing and licensing practice – rather than theoretical valuation alone – informs the methodology used by Sync Valuations.

Before co-founding Ringo, Nicholas spent six years at the music-for-advertising agency Sizzer, progressing from Publishing & Copyright Manager to Managing Director, where his responsibilities included music copyright administration, licensing, and contract negotiations with composers, publishers, rights holders and licensees. He is also a board member of Music Tech Netherlands.

Sync Valuations is based in Amsterdam, the Netherlands, and works with clients internationally.

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NOT SURE YOUR MUSIC IS CLEARED?

Whether you're a brand verifying a campaign or a rights holder checking how your catalog is being used — book a free 30-minute call with Sync Valuations.

[BOOK A FREE CALL →](#)

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Scope and limitation. This paper is an independent research and educational publication. It is not legal advice and does not replace advice concerning a particular recording, license, jurisdiction, campaign, platform, or dispute. TikTok, Meta, distributor, catalog, and licensing terms can change. Rights should be verified against the current terms and the specific campaign before publication or advertising begins.

Sync Valuations — syncvaluations.com — Independent sync licensing valuations. Author: Nicholas van den Doel.