

Mozart's *Musikalisches Würfelspiel* or "Musical Dice Games" is a fascinating example of early algorithmic composition, dating back to the late 18th century. Published in 1793, this work allowed musicians of the time to generate a multitude of musical variations by the seemingly random act of rolling dice. The instructions accompanying the *Würfelspiel* provide players with a series of musical fragments, each assigned to different dice roll outcomes. By following a predefined chart, the resulting sequence is pieced together in real-time during the throws, ensuring that no two performances are exactly alike, yet all remain inherently "Mozart." The examples shown here illustrate facets of this process, like how Mozart repeats the last two measures of a phrase identically regardless of previous results, underscoring the structured randomness embedded in his method.

From a copyright standpoint, *Musikalisches Würfelspiel* presents intriguing challenges for modern-day comparison. Although presently in the public domain due to its age, if created today, the underlying code or notational fragments serving as the work's DNA might be the only protected elements. The specific realization of sequences—unique to each performance—would remain uncopyrighted given that they are spontaneous adaptations derived from the fixed source material. Thus, the individual musical pieces a performer generates are in a nebulous copyright state, illustrating the tension between fixed score protection and the ephemeral nature of the composition process itself. Importantly, the outputs of this composition remain inherently **unfixed**, ensuring a myriad of potential performances reside in a dynamic and variable existence.

Using a contemporary framework for copyright authorship that allows for percentage allocations between human and other contributors, analyzing Mozart's waltz through this lens, one might allocate 80% authorship to Mozart. This substantial portion reflects his control over the musical fragments and the structural integrity of the work. The 20% granted to the performer acknowledges their critical role in bringing the waltz to life in the moment. However, the dice themselves, despite influencing the paths each performance might take, hold no intrinsic authorship because every creative option was preemptively accounted for by Mozart, and thus remains under his intellectual umbrella. This allocation system provides a nuanced reflection of collaborative creation, illuminating how each active participant contributes to the evolving artistry of the work.