

Mozart's "Musikalisches Würfelspiel" (Musical Dice Games) is a fascinating historical artifact from the late 18th century. Created around 1793, this composition allows performers to generate a unique minuet by rolling dice and following a corresponding chart, making it an early example of algorithmic composition. While attributed to Mozart, similar works were circulating among composers of the era, indicating its nature as both a musical exercise and a social amusement. Performers use the chart to determine which measures to play, leading to a composition determined by chance rather than a set, linear score. Notably, Mozart's process involves structuring the final two measures of a phrase to repeat identically no matter the outcome, preserving a familiar resolution amidst variability.

In discussing copyright, it's important to note that although "Musikalisches Würfelspiel" was originally published over two centuries ago and is not under copyright protection today, imagining it under contemporary copyright law raises intriguing questions. If such a piece were released today, only the source material—the score fragments and possibly the procedural instructions—would be protected. The specific outputs, generated anew with each performance, would exist in a copyright limbo, reliant on random chance and thus distinct from the fixed expression that copyright typically safeguards. Consequently, the music outputs remain **unfixed**, continually reshaped with each roll of the dice, and multitudinous in their existence.

Considering a hypothetical percentage-based allocation of authorship under a proposed system, we might assign 80% of the ownership to Mozart for his foundational creative work—the original score and underlying algorithm. Meanwhile, 20% would go to the human performer, who animates the work through their engagement and interpretation. The dice, while a catalyst for randomness, do not contribute creative authorship since all potential outcomes were meticulously crafted to fit Mozart's design. Hence, the performer's role is indispensable, giving life to the latent musical possibilities preordained by Mozart's ingenuity but left **unfixed** until the act of performance.