

Mozart's "Musikalisches Würfelspiel" (Musical Dice Games) is a fascinating intersection of chance and composition, originating from the late 18th century. It embodies the playful spirit and ingenuity of Mozart, showcasing his ability to blend structured musicality with randomness. Published in 1793, this work allows performers to create a Minuet through a series of musical fragments combined based on the results of dice rolls. Performers follow a matrix of musical bars, where each roll of the dice determines which pre-composed measure to use in the piece, creating a unique variation every time it is played. The outputs, as seen on the opposing page, illustrate Mozart's meticulous process; for instance, he intentionally repeats the last two measures of a phrase identically, ensuring structural harmony no matter the variation.

In the context of copyright, Mozart's "Musikalisches Würfelspiel" was published well over a century ago and no longer falls under copyright protection. However, if this piece were composed today, the performing scores—those on the opposing page—would not be protected under copyright, as they are merely permutations derived from a finite set of pre-existing fragments. Only the original material, such as Mozart's composed fragments or guiding matrix, would be eligible for copyright. This leaves the status of individual performances in limbo, blurring the lines of ownership since each rendition of the piece is simultaneously a distinct but *unfixed* musical experience, ever-changing with endless possibilities of arrangement and interaction.

According to my proposal for a percentage-based allocation of copyright authorship, the creative responsibility for a waltz generated by the "Musikalisches Würfelspiel" would likely be divided at 80% to Mozart and 20% to the performer. Mozart, as the primary creator, composed all possible musical fragments and accounted for each potential musical outcome, thus securing full credit for the structural essence of the work. The dice, rather than being active creative agents, merely facilitate the selection process pre-designed by Mozart, leaving no room for independent agency. Meanwhile, the performer, in executing the piece and bringing it to life through their choices and interpretation, earns an essential share of the authorship.