

UNITED STATES COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

**DETERMINATION OF ROYALTY RATES AND
TERMS FOR PERFORMANCE OR DISPLAY
OF NONDRAMATIC MUSICAL WORKS AND
PICTORIAL, GRAPHIC, AND SCULPTURAL
WORKS BY PUBLIC BROADCASTING
ENTITIES (PBR-III)**

**Docket No. 16-CRB-0002 PBR
(2018-2022)**

ORDER POSTPONING CASE SCHEDULE

On July 7, 2016, the Copyright Royalty Judges (Judges) received a Joint Motion Requesting Postponement of Commencement of Preliminary Disclosure and Discovery and Subsequent Periods (Joint Motion). The moving parties were public broadcasters¹, performance rights organizations², and a trade organization.³ The moving parties represented that the other corporate participants in the instant proceeding had agreed not to oppose the Joint Motion. Indeed, the Judges received no responsive papers.

The moving parties' represented that a 30-day delay in the initial case schedule would foster continuing negotiations and facilitate settlement(s) between and among the participants in this proceeding. Joint Motion at 1-2. The Judges acknowledge the emphasis on negotiated settlements in their governing statute. Negotiated settlements are in the best interests of both copyright owners and licensees.

The Judges therefore **ORDER** that the initial case schedule be and hereby is **AMENDED** to grant an additional 30 days of negotiation time to all participants, with subsequent case deadlines adjusted accordingly, as detailed on Appendix A to this Order.

SO ORDERED.

Suzanne M. Barnett
Chief Copyright Royalty Judge

DATED: July 22, 2016.

¹ National Public Radio and Public Broadcasting Service represent "a vast amount of the broadcast programming at issue...." Joint Motion at 1.

² The performance rights organizations include American Society of Composers, Authors and Publishers, Broadcast Music, Inc., SESAC, Inc., and The Harry Fox Agency LLC. Joint Motion at 1.

³ National Music Publishers Association is "the major trade organization" representing songwriters and publishers. Joint Motion at 1.

APPENDIX A
July 22, 2016, Order Postponing Case Schedule
Docket No. 16-CRB-0002 PBR (2018-2022)

Case Event	Date
End of Voluntary Negotiation Period	July 27, 2016
Parties' Notice of Settlement(s)	August 1, 2016
If Parties do not Settle All Issues or if the Judges decline to adopt the proposed settlement(s)	
Order for Further Proceedings	August 8, 2016
Begin preliminary disclosure and discovery	August 8, 2016
End preliminary disclosure and discovery	September 22, 2016
Deadline for Written Direct Statements Commencement of statutory discovery period	November 17, 2016
End statutory discovery period	January 16, 2017
End of Joint Settlement Conference period	February 6, 2017
Deadline for Joint Settlement Conference Report	February 13, 2017
If Parties do not Settle All Issues	
Deadline for Written Rebuttal Statements	March 13, 2017
Hearing	Commencing May 15, 2017
Determination	NTE December 15, 2017