

UNITED STATES COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

**Distribution of Digital Audio Recording Royalty
Funds**

**Docket No. 15-CRB-0011 DART
(SRF-CO) (2014)**

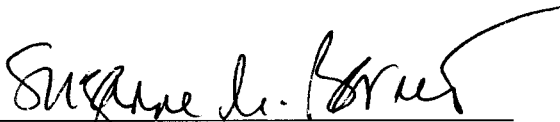
**ORDER ON MOTION TO DISMISS ERIC BURNS'S CLAIM
AND ORDER TO SHOW CAUSE**

On June 26, 2015, the Alliance of Artists and Recording Companies (AARC) filed a motion (Motion) requesting that the Copyright Royalty Judges (Judges) dismiss the claim of Eric Burns on the grounds that it failed to meet the legal requirement of identifying a legitimate basis for his claim. AARC served the Motion on Mr. Burns, and the Judges received no response from him.

The Judges have reviewed the motion and the claim and find that in his claim Mr. Burns failed to identify any qualifying sound recording of a *musical* work embodied in a digital or analog musical recording as required by 17 U.S.C. 1001(7)(A). AARC staff performed research to show persuasively that the work he identified in his claim is "text," not music. Motion ex. B ¶ 3. However, the Judges would like to hear from Mr. Burns.

The Judges **ORDER** Mr. Burns to show cause why his claim should not be dismissed. His response to this order is due no later than August 31, 2015. Any reply to his response is due on September 4, 2015.

SO ORDERED.



Suzanne M. Barnett
Chief Copyright Royalty Judge

DATED: August 25, 2015