

UNITED STATES COPYRIGHT ROYALTY JUDGES  
The Library of Congress

*In re*

Distribution of 2014 Digital Audio  
Recording Royalty Funds

Docket No. 15-CRB-0011 DART  
SR (CO/FA) (2014)

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**ORDER GRANTING AARC’S REQUEST FOR PARTIAL DISTRIBUTION OF  
ROYALTIES FROM THE 2014 DART SOUND RECORDINGS FUND  
(Copyright Owners and Featured Recording Artists Subfunds)**

On November 2, 2015, the Copyright Royalty Board (“CRB”) published in the *Federal Register* a notice soliciting comments on a motion for partial distribution of royalties from the 2014 DART sound recordings fund (copyright owners and featured recording artists subfunds).<sup>1</sup> In the motion, the Alliance of Artists and Recording Companies (“AARC”), on behalf of itself and certain claimants with which it has reached settlements (“Settling Claimants”), seeks 98% of the 2014 DART sound recordings fund (copyright owners and featured recording artists subfunds) pursuant to Section 801(b)(3)(C) of the Copyright Act. The CRB received one comment on the notice, which was from AARC. Not surprisingly, AARC supported its own motion.

Section 801(b)(3)(C) of the Copyright Act authorizes the Copyright Royalty Judges, upon a motion of one or more of the claimants and after publication in the *Federal Register* of notice with an opportunity for comment, to authorize a partial distribution of royalty fees, provided that the claimants receiving funds pursuant to the requested distribution agree, among other things, to return any excess funds that they may receive if it is later determined that they received a greater share of the royalties than that to which they were entitled. AARC represents that the Settling Claimants have agreed to comply with the conditions of Section 801(b)(3)(C) if the Judges grant their request for partial distribution.<sup>2</sup>

In light of the fact that the Judges received no objection to AARC’s requested distribution, the Judges **GRANT** the request.

The Judges **ORDER** AARC to provide to the Judges a fully-executed agreement binding all Settling Claimants to disgorge the full amount of any overpayment (with interest accrued to the date of redeposit) that they may receive from the 2014 DART sound recordings fund (either featured recording artists or copyright owners subfund, as applicable).

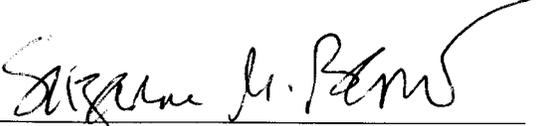
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<sup>1</sup> 80 FR 67433.

<sup>2</sup> Motion in Support of Settling Claimants’ Notice of Settlement and Request for Partial Distribution of the 2014 DART Sound Recordings Fund Featured Recording Artists and Copyright Owners Subfund Royalties at 4-5 (Dec. 2, 2015).

The Judges **FURTHER ORDER** that 98% of the DART royalties held in the 2014 sound recordings fund's featured recording artists subfund and copyright owners subfund be distributed to AARC as the designated agent for the Settling Claimants. To effect the distribution, AARC shall file the disgorgement agreement with the Judges and the Licensing Division and provide all pertinent information to the Licensing Division necessary to complete the requested distribution. The Licensing Division shall determine the date of distribution upon receipt of the disgorgement agreement and all pertinent disbursement information.

**SO ORDERED.**



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Suzanne M. Barnett  
Chief Copyright Royalty Judge

DATED: January 21, 2016