

November 10, 1994

Dear Mr. MacCourtney:

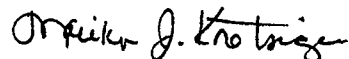
The claim you sent the Copyright Office on behalf of WOWK-TV for 1993 cable royalties was filed after the filing period. As a result, your claim for 1993 cable royalties is rejected. This rejection is without prejudice to your filing for cable royalties next year.

Your claim was received by the Copyright Office on August 5, 1994. The envelope containing your claim indicates a business meter dated July 27, 1994. Business meter dates are not evidence of when the claim was mailed because a business can put down any date it wants. 37 C.F.R. 252.4(c).

17 U.S.C. §111 states that claims for cable royalties shall be filed during the month of July. By regulation, the Copyright Office has established that you may meet this statutory deadline if: (1) the claim is received by the Copyright Office during the month of July, or (2) the claim is mailed with the U.S. Postal Service during the month of July and bears a July U.S. postmark. 37 C.F.R. 252.4(a). Because this year July 31 fell on a Sunday, the Copyright Office, in compliance with 17 U.S.C. §703, allowed claims to be filed or mailed on August 1.

In the future, you can assure yourself that the claim will be accepted as timely if you get a July U.S. postmark at the post office. Enclosed, you will find a photocopy of the claim envelope as received by the Copyright Office.

Sincerely,



Marilyn J. Kretsinger  
Acting General Counsel

Enclosure: photocopy of claim envelope

Mr. Leo M. MacCourtney  
Vice President  
Gateway Communications, Inc./WOWK-TV  
P.O. Box 12  
12 Gateway Plaza  
Columbia Drive  
Johnson City, NY 13791-0012

cc: Ben Ivins, NAB



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A Service of Gateway Communications, Inc.

555 Fifth Avenue, P.O. Box 13, Huntington, WV 25706-0013  
Tel. (304) 525-1313 Fax (304) 529-4910

Copyright Arbitration Royalty Panel  
PO Box 70777  
Southwest Station  
Washington, D.C. 20074

First Class

AUG 5 1994

Before the  
COPYRIGHT ARBITRATION ROYALTY PANEL  
Washington, D.C. 20024  
Claim to 1993 Cable Copyright Royalties

RECEIVED

I. CLAIMANT: Gateway Communications, Inc., Licensee of WOWK-TV, Huntington, W.V., and MACROMEDIA, its parent company.

II. ADDRESS OF THE CLAIMANT: Gateway Communications Inc., P.O. Box 12, 12 Gateway Plaza, Columbia Drive, Johnson City, NY 13791-0012.

III. PERIOD FOR WHICH THE CLAIM IS MADE: 1/01/93-12/31/93

IV. NATURE OF WORK FOR WHICH CLAIM IS FILED:

(1) Examples of all station-produced programming (including newscasts, public affairs, children's and sports programming) broadcast by WOWK-TV, including but not limited to:

- (a) Action News This Morning
- (b) Action News At Noon
- (c) Action News (at six pm)
- (d) Action News NightBeat
- (e) Action Newsmaker
- (f) In Focus
- (g) For Your Health Day
- (h) KidsMag!
- (i) High Q

(2) The station's entire broadcast day as a compilation. See Appendix A.

(3) Syndicated programs for which WOWK-TV is the copyright holder of exclusive exhibition rights against other broadcast stations carried by a cable system in the WOWK-TV market area as a distant retransmission, including but not limited to:

(a) Various off-network, made for TV, syndicated programs by film and tape;

(b) Various motion pictures

(4) Sports events broadcast by WOWK-TV.

(5) Programs produced by WOWK-TV and broadcast on other stations during 1993 including but not limited to "Evangelistic Outreach" which was broadcast during 1993 on WOAY-TV and WBOY-TV. In addition, a KidsMag! children's special, "Prove It," was broadcast on WBNG-TV and WLYH-TV. Two half-hour sports specials, "1992 K-Mart Classic in Review" and "The 1993 K-Mart Classic" were broadcast by WBOY-TV, WYVN-TV, WOAY-TV and WTRF-TV.

V. EXAMPLES OF DISTANT CABLE CARRIAGE IN 1993:

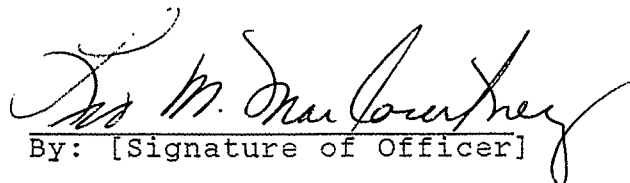
"Action News This Morning" (6-7am) "Action News At Noon," "Action News" (at six pm) and "Action News NightBeat" (at 11pm) were broadcast on WOWK-TV and retransmitted by Beckley Telecable, Beckley, West Virginia,

on Monday, November 15, 1993, at 6am, noon, 6pm and 11pm  
respectively.

Respectfully submitted,

Gateway Communications, Inc.  
[Licensee]

Vice President  
[Title]

  
By: [Signature of Officer]

July 27, 1994  
Date:

# WOWK-TV 3 program schedule

Television Center, 555 Fifth Avenue  
 P.O. Box 13, Huntington, WV 25706-0013

CONTACT: Gloria Hyre - Programming Assistant  
 (304) 525-7661

## SUNDAY - NOVEMBER 14, 1993

6:00 AM DISNEY'S LITTLE MERMAID (DB)  
 6:30 In Focus  
 7:00 James Robison (#931114)  
 7:30 Search  
 8:00 Evangelistic Outreach  
 8:30 Lower Lighthouse  
 9:00 Feed The Children (#404)  
 9:30 Rev. Henry Mahan  
 10:00 Jimmy Swaggart (#1742)  
 11:00 Jerry Falwell (#1100)  
 12:00 PM This Is The NFL (#12)  
 12:30 NFL TODAY  
 \* 1:00 NFL FOOTBALL DOUBLEHEADER  
 Game #1  
 "Phoenix & Dallas"  
  
 Game #2  
 "Minnesota & Denver"  
 1-7PM  
  
 \* 7:00 60 MINUTES 25TH ANNIVERSARY  
 SPECIAL  
 \* 9:00 CBS MINI-SERIES: "Return To  
 Lonesome Dove" - PART I  
 11:00 Action News NightBeat  
 11:30 Emergency Call (#163)  
 12:00 AM Designing Women (#313)  
 12:30 Highlander (#93207)  
 1:30 Highway Patrol (#9301)  
 2:00 CBS NEWS - UP TO THE MINUTE

## MONDAY-FRIDAY DAYTIME NOVEMBER 15 - NOVEMBER 19, 1993

6:00 AM Action News This Morning  
 7:00 CBS THIS MORNING  
 7:07 Action News Morning Report  
 7:25 Action News Morning Report  
 7:45 Action News Morning Report  
 8:07 Action News Morning Report  
 8:25 Action News Morning Report  
 8:45 Action News Morning Report  
 9:00 The Bertice Berry Show  
  
 10:00 Joan Rivers (#1115-93,1116-93,  
 1117-93,1118-93,1119-93)  
 11:00 THE PRICE IS RIGHT  
 12:00 PM Action News At Noon  
 12:30 THE YOUNG AND THE RESTLESS  
 1:30 THE BOLD AND THE BEAUTIFUL  
 2:00 AS THE WORLD TURNS  
 3:00 GUIDING LIGHT  
 4:00 Golden Girls(155,156,157,158,159  
 4:30 Designing Women  
  
 5:00 Geraldo(#1115-93,1116-93,1117-93  
 1118-93,1119-93)  
 6:00 Action News  
 6:30 CBS EVENING NEWS  
 7:00 Cops (#501,002,522,511,526)  
 7:30 Family Feud (#936,937,938,939,  
 940)

NOTE: THURSDAY, NOVEMBER 18:  
 10-10:30AM - 227  
 10:30-11AM - For Your Health Day  
 4:30-5PM - For Your Health Day

\*Indicates a change from previous week

CBS PROGRAMMING IN ALL CAPS

A Service of GATEWAY COMMUNICATIONS, INC., Suite 237, One Bala Plaza, Bala Cynwyd, PA 19004

WBNG-TV/Binghamton, NY WLYH-TV/Lancaster-Lebanon, PA WTAJ-TV/Altoona-Johnstown, PA WOWK-TV/Huntington-Charleston, WV

MONDAY - NOVEMBER 15, 1993

8:00 PM EVENING SHADE  
 8:30 DAVE'S WORLD  
 9:00 MURPHY BROWN  
 9:30 LOVE AND WAR  
 10:00 NORTHERN EXPOSURE  
 11:00 Action News NightBeat  
 11:35 LATE SHOW WITH DAVID LETTERMAN  
 12:35 AM CBS LATENIGHT II  
**"Sweating Bullets"**  
 1:35 Highway Patrol (#93111)  
 2:05 CBS NEWS UP TO THE MINUTE

TUESDAY - NOVEMBER 16, 1993

8:00 PM RESCUE 911  
 \* 9:00 CBS MINI-SERIES: **"Return To Lonesome Dove" - PART II**  
 11:00 Action News NightBeat  
 11:35 LATE SHOW WITH DAVID LETTERMAN  
 12:35 AM CBS LATENIGHT II  
**"Forever Knight"**  
 1:35 Highway Patrol (#93112)  
 2:05 CBS NEWS UP TO THE MINUTE

WEDNESDAY - NOVEMBER 17, 1993

\* 8:00 PM HEARTS AFIRE (UFN)  
 8:30 THE NANNY  
 \* 9:00 CBS REPORTS: JOHN F. KENNEDY  
**9-11PM**  
 11:00 Action News NightBeat  
 11:35 LATE SHOW WITH DAVID LETTERMAN  
 12:35 AM CBS LATENIGHT II  
**"Dangerous Curves"**  
 1:35 Highway Patrol (#93113)  
 2:05 CBS NEWS UP TO THE MINUTE

THURSDAY - NOVEMBER 18, 1993

\* 8:00 PM CBS MINI-SERIES: **"Return To Lonesome Dove" - PART III**  
**8-11PM**  
 11:00 Action News NightBeat  
 11:35 LATE SHOW WITH DAVID LETTERMAN  
 12:35 AM CBS LATENIGHT II  
**"Dark Justice"**  
 1:35 Highway Patrol (#93114)  
 2:05 CBS NEWS UP TO THE MINUTE

FRIDAY - NOVEMBER 19, 1993

\* 8:00 PM DIAGNOSIS MURDER: STARRING  
 DICK VAN DYKE (UFN)  
 9:00 GOOD ADVICE  
 9:30 BOB  
 10:00 PICKET FENCES  
 11:00 Action News NightBeat  
 11:15 The Point After  
 11:35 LATE SHOW WITH DAVID LETTERMAN  
 12:35 AM CBS LATENIGHT II  
**"The Kids In The Hall"**  
 1:35 Highway Patrol (#93115)  
 2:05 Conus - All News Channel

SATURDAY - NOVEMBER 20, 1993

6:00 AM Action Newsmaker  
 6:30 CADILLACS AND DINOSAURS (DB)  
 7:00 BEAKMAN'S WORLD (DB)  
 7:30 CBS STORYBREAK (DB)  
 8:00 MARSUPI LAMI  
 8:30 Nick News (#9)  
 9:00 GARFIELD AND FRIENDS  
 10:00 THE ALL NEW DENNIS THE MENACE  
 10:30 TEENAGE MUTANT NINJA TURTLES  
 11:30 KidsMag!  
 12:00 PM High-Q  
 \* 12:30 Color Classic Movie **"Chain Lightning"**  
**12:30-2:30PM**  
 \* 2:30 Billy Packer's College  
 Basketball Preview  
 \* 3:30 FRANKLIN FUNDS SHARK SHOOTOUT  
**3:30-6PM**  
 6:00 Action News  
 6:30 CBS EVENING NEWS  
 7:00 Crusaders (#111)  
 8:00 DR. QUINN, MEDICINE WOMAN  
 9:00 HARTS OF THE WEST  
 10:00 WALKER, TEXAS RANGER  
 11:00 Action News NightBeat  
 11:30 Baywatch  
 12:30 AM Acapulco H.E.A.T. (#107)  
 1:30 Court TV (#9310)  
 2:00 Conus - All News Channel

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A Division of the Lawry Companies, Inc.

500 Foothills Drive, P.O. Box 13, Huntington, WV 25706-0013  
Tel (800) 793-1313 Fax (301) 529-4910

Copyright Administration Royalty Fund  
PO Box 70777  
Southeast Station  
Washington D.C. 20006

# ATTACHED NOTES

Received 5 Aug 94

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Business entered - 27 July 94

RSQ