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GENERAL COUNSEL
OF COPYRIGHT

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Before the
UNITED STATES COPYRIGHT OFFICE
LIBRARY OF CONGRESS
Washington, D.C.

_____)	
In the Matter of)	
)	
Digital Performance Right in Sound)	Docket No. 2002-1 CARP DTRA 3
Recordings Rate Adjustment)	2000-2 CARP DTNSRA
_____)	

MOTION OF ROYALTY LOGIC, INC.
FOR PARTIAL RECONSIDERATION OF NOVEMBER 19 ORDER

Royalty Logic, Inc. ("RLI") respectfully moves for reconsideration in part of the November 19, 2003, Order of the Copyright Office in the above-captioned proceeding ("Order"). RLI submits that the Order required the striking of more than necessary or appropriate from the opening memorandum. We note, in this regard, that the Prehearing Memorandum of SoundExchange, Inc. includes statements that are directly parallel to many of those proposed to be stricken by the Order. Although we believe numerous statements in the RLI Direct Case paper could, with justification, be the subject of this motion, there are two sentences in particular that we respectfully submit should be permitted to be incorporated in the re-filed RLI paper:

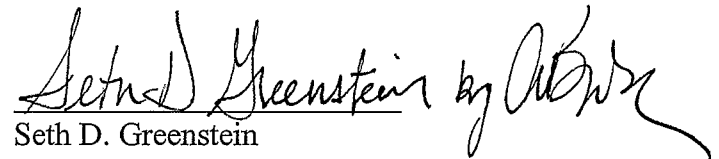
"Chambers believes that terms and conditions that most clearly represent the terms and conditions that would have resulted from a marketplace negotiation between a willing buyer and willing seller are those set forth in the regulations proposed in Appendix A hereto. Therefore, Chambers hereby requests that the CARP designate RLI as a Designated Agent, adopt the alternative regulations attached as Appendix A and make any necessary conforming changes to the uncontested terms of payment."

Direct Case at 15. The first sentence merely ties the evidence being presented by RLI and Chambers to the “willing buyer/willing seller” standard and, in that respect, is virtually identical to a statement at page 1 of the SoundExchange Prehearing Memorandum. The second sentence merely sets forth a direct reference to the regulations proposed in Appendix A, which the Office noted was not in dispute. Inclusion of these two sentences will certainly not prejudice SoundExchange in any manner, but would provide helpful context to the arbitration panel that will review the direct cases.

Therefore, we respectfully submit that these two sentences should be permitted to be included in RLI’s opening summary statement of the Direct Case.

Respectfully submitted,

Date: November 21, 2003



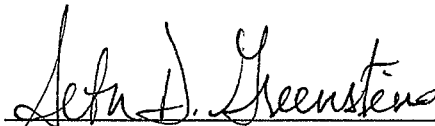
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Counsel for Royalty Logic, Inc, as
representative of Lester Chambers

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion of Royalty Logic, Inc. for Partial Reconsideration of November 19 Order has been served on November 21, 2003, by overnight delivery, to:

Michele Woods
Arnold and Porter
555 Twelfth Street NW
Washington, DC 20004-1206
Counsel for SoundExchange


Seth D. Greenstein
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