

37 CFR § 351.4 - Written direct statements.

- [CFR](#)

[prev](#) | [next](#)

§ 351.4 Written direct statements.

(a) Required filing; deadline. All parties who have filed a petition to participate in the hearing must file a written direct statement. The deadline for the filing of the written direct statement will be specified by the Copyright Royalty Judges, not earlier than 4 months, nor later than 5 months, after the end of the voluntary negotiation period set forth in [§ 351.2](#).

(b) Required content -

(1) Testimony. The written direct statement shall include all testimony, including each witness's background and qualifications, along with all the exhibits.

(2) Designated past records and testimony. Each participating party may designate a portion of past records, including records of the Copyright Royalty Tribunal or Copyright Arbitration Royalty Panels, that it wants included in its direct statement. If a party intends to rely on any part of the testimony of a witness in a prior proceeding, the complete testimony of that witness (*i.e.*, direct, cross and redirect examination) must be designated. The party submitting such past records and/or testimony shall include a copy with the written direct statement.

(3) Claim. In the case of a royalty distribution proceeding, each party must state in the written direct statement its percentage or dollar claim to the fund. In the case of a rate (or rates) proceeding, each party must state its requested rate. No party will be precluded from revising its claim or its requested rate at any time during the proceeding up to, and including, the filing of the proposed findings of fact and conclusions of law.

(c) Amended written direct statements. A participant in a proceeding may amend a written direct statement based on new information received during the discovery process, within 15 days after the end of the discovery period. An amended written direct statement must explain how it differs from the written direct statement it will amend and must demonstrate that the amendment is based on new information received during the discovery process. The participant amending its written direct statement may file either the amended portions of the written direct statement or submit complete new copies at its option.

[[70 FR 30905](#), May 31, 2005, as amended at [71 FR 53328](#), Sept. 11, 2006; [71 FR 59010](#), Oct. 6, 2006]

CFR Toolbox

[Law about... Articles from Wex](#)

[Table of Popular Names](#)

[Parallel Table of Authorities](#)

[How current is this?](#)

Proof of Delivery

I hereby certify that on Thursday, November 14, 2019, I provided a true and correct copy of the CFR 37 to the following:

AARC, represented by Linda Bocchi, Esq, served via Electronic Service at lbocchi@aacroyalties.com

circle god network inc d/b/a david powell, represented by david powell, served via Electronic Service at davidpowell008@yahoo.com

Signed: /s/ Eugene Curry Mr.