

NOV 05 1985

BEFORE THE COPYRIGHT ROYALTY TRIBUNAL

WASHINGTON, D.C.

In the Matter of )  
 )  
1984 Juke-Box Royalty ) Docket No. \_\_\_\_\_  
Distribution Proceedings )

PETITION FOR LEAVE TO FILE LATE-FILED  
CLAIM OF ENTITLEMENT PURSUANT TO 37 C.F.R. SECTION 305.4

Asociacion de Compositores y Editores de Musica Latinoamericana ("ACEMLA"), by its attorneys, respectfully requests leave to file the lat-filed attached justification of entitlement pursuant to 37 C.F.R. Section 305.4 with respect to the 1984 Jukebox Royalty Distribution proceedings.

1. ACEMLA is a performing rights society which filed its claim of entitlement pursuant to 37 C.F.R. Sections 305.2 and 305.3.

2. 37 C.F.R. Section 305.4 requires that "no later than the first day of November of each year, every person or entity which has filed a claim pursuant to Section 305.2 shall file with the Copyright Royalty Tribunal a statement claiming the proportionate share of the compulsory license fees to which such person or entity believes it is entitled."

3. ACEMLA failed to file by the statutory deadline of November 1, 1985 because of inadvertance. Due to the extensive research, preparation and drafting performed by undersigned counsels with respect to the "Proposed Findings of Fact and

Conclusions of Law" and "Reply Findings of Fact" for the consolidated 1982 and 1983 Jukebox Royalty Distribution Royalty proceedings which were filed on October 17 and 24, 1985, respectively undersigned counsels neglected to comply with the November 1st filing deadline of Section 305.4. That proceeding was counsels' first before the Tribunal, and while time could have ordinarily have been spent or addressing basic Tribunal requirements such as the November 1, 1985 filing deadline, full consideration was given to the proceeding itself. Acceptance of ACEMLA's claim will not prejudice any other filing party since the claim has been tendered only three business day after it was due. Further, between October 24th and November 1st, ACEMLA's principal, Mr. Raul Bernard, was unavailable because of his mother's illness.

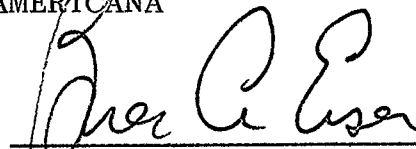
4. In light of the exigency of this matter, we are herewith filing today a statement of fact regarding ACEMLA's claim of entitlement with respect to the 1984 Jukebox Royalty Distribution proceedings and requesting leave to supplement this filing with supportive documentation in the very near future.

WHEREFORE, ACEMLA respectfully requests leave to file the late-filed attached statement pursuant to 37 C.F.R. Section 305.4 and requests acceptance of the statement by the Copyright Royalty Tribunal.

Respectfully submitted,

ASOCIACION de COMPOSITORES y  
EDITORES de MUSICA LATINO-  
AMERICANA

By



Bruce A. Eisen

By



Allan G. Moskowitz

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(202) 872-0010

November 5, 1985

Its Attorneys

CERTIFICATE OF SERVICE


I, Joanne K. Lee, a secretary in the law firm of Shrinsky, Weitzman & Eisen, P.C., do hereby certify that on this 5th day of NOVEMBER, 1985, I sent a copy of ACEMLA's "Petition for Leave to File Late-Filed Claim of Entitlement Pursuant to 37 C.F.R. Section 305.4", via United States first class mail, postage prepaid, to each of the following:

Mr. Bernard Korman, Esquire  
General Counsel  
ASCAP  
One Lincoln Plaza  
New York, New York 10023

Charles T. Duncan, Esquire  
Reid and Priest  
Suite 1100  
1111 19th Street, N.W.  
Washington, D.C. 20036

Mr. Nicholas Arcomano  
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\_\_\_\_\_  
Joanne K. Lee

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LAWRENCE BERNSTEIN

November 5, 1985

HAND DELIVERED

Mr. Edward W. Ray  
Acting Chairman  
Copyright Royalty Tribunal  
1111 20th Street, N.W.  
Suite 450  
Washington, D.C. 20036

Re: 1984 Juke-Box Royalty Distribution Proceedings  
Docket No. \_\_\_\_\_

Dear Chairman Ray:

On behalf of Asociacion de Compositores y Editores de Musica Latinoamericana, we are filing herewith, an original and five copies of its "Petition for Leave to File Late-Filed Claim of Entitlement Pursuant to 37 C.F.R. Section 305.4" with respect to the above-captioned proceeding.

Should any questions arise with respect to this matter, please contact the undersigned counsel.

Respectfully submitted,

SHRINSKY, WEITZMAN & EISEN, P.C.

By Allan Moskowitz  
Allan G. Moskowitz

Enclosures