

Before the  
**THE COPYRIGHT ROYALTY JUDGES**  
WASHINGTON, DC

**In re:**

**Distribution of Cable  
Royalty Funds**

**CONSOLIDATED DOCKET NO.  
14-CRB 10-CD (2010-13)**

**MOTION OF THE CANADIAN CLAIMANTS GROUP FOR  
FINAL DISTRIBUTION OF 2010-13 CABLE ROYALTY FUNDS**

Pursuant to 17 U.S.C. § 801(b)(3)(B), the Canadian Claimants Group (“CCG”) moves for a final distribution of the 2010-2013 cable copyright royalty funds allocated to the CCG by the Copyright Royalty Judges, in an amount to be calculated by the Licensing Division based on the allocations as finally determined by the Judges.

The Judges resolved all allocation phase controversies regarding the CCG’s share of funds collected for cable royalty years 2010 through 2013 as reported in Copyright Royalty Board, *Distribution of Cable Royalty Funds*, 84 Fed. Reg. 3552 (Feb. 12, 2019) (“*Final Allocation Determination*”). That determination was appealed by the MPA-Represented Program Suppliers and was affirmed by the U.S. Court of Appeals for the District of Columbia Circuit. Judgment, *Program Suppliers v. Copyright Royalty Board*, No. 19-1063 (Apr. 14, 2020) (per curiam). The D.C. Circuit entered its mandate on June 8, 2020. With the resolution of the appeal, all controversies relating to the

2010-13 cable royalties for the CCG category are fully resolved, and the funds remaining on reserve should be available for immediate distribution by the Judges.

As shown in the *Final Allocation Determination*, 84 Fed. Reg. at 3552, the allocation phase shares of cable royalty funds in the CCG category are as follows:

<b>Allocation Phase Share of Canadian Claimants Group Category</b>			
<b>Cable Royalty Year</b>	<b>Basic Fund Award (%)</b>	<b>3.75% Fund Award (%)</b>	<b>Syndx Fund Award (%)</b>
2010	5.00	5.90	0.00
2011	5.00	6.10	0.00
2012	5.00	6.10	0.00
2013	5.50	6.80	0.00

These shares should be applied to the net royalties on deposit, which are net of the royalties distributed to National Public Radio (“NPR”) and the Music Claimants under their settlements with the Allocation Phase Parties. See *Amended Order Granting Motion for Final Distribution of 2010-2013 Cable Royalty Funds to Music Claimants* (August 23, 2017); *Order Granting Request for Final Distribution of 2010-2013 Cable Royalty Funds to National Public Radio* (August 23, 2017).

The actual amount of the final distribution of royalties should be adjusted for the prior partial distributions made for 2010 through 2013 by the Licensing Division following orders of the Judges.<sup>1</sup>

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<sup>1</sup> The Judges issued four orders granting partial distributions of each of the 2010-2013 cable royalty funds. See *Order Granting Motion of Phase I Claimants for Partial Distribution*, Docket No. 14–CRB–0010 CD (2013) (May 28, 2015) (60% partial distribution of 2013 cable royalties); *Order Granting Motion of Phase I Claimants For Partial Distribution*, Docket No.

## Conclusion

Accordingly, the CCG requests the Judges to order the final distribution of the CCG's share of cable royalty fees collected for royalty years 2010 through 2013 that have been allocated to the CCG category based on the Judges' final determination.

Dated: June 12, 2020

Respectfully Submitted

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14-CRB-0007 CD 2010-12 (Dec. 23, 2014) (60% partial distribution of 2012 cable royalties); *Order Granting Phase I Claimants' Motion for Partial Distribution of 2011 Cable Royalty Funds*, Docket No. 2012-9 CRB CD 2011 (Mar. 13, 2013) (50% partial distribution of the 2011 cable royalties); *Order Granting Phase I Claimants' Motion for Partial Distribution of 2010 Cable Royalty Funds*, Docket No. 2012-4 CRB CD 2010 (Sept. 14, 2012) (50% partial distribution of 2010 cable royalties).

# Proof of Delivery

I hereby certify that on Friday, June 12, 2020, I provided a true and correct copy of the MOTION OF THE CANADIAN CLAIMANTS GROUP FOR FINAL DISTRIBUTION OF 2010-13 CABLE ROYALTY FUNDS to the following:

Devotional Claimants, represented by Matthew J MacLean, served via ESERVICE at matthew.maclean@pillsburylaw.com

American Society of Composers, Authors and Publishers (ASCAP), represented by Sam Mosenkis, served via ESERVICE at smosenkis@ascap.com

Joint Sports Claimants, represented by Michael E Kientzle, served via ESERVICE at michael.kientzle@apks.com

Broadcast Music, Inc. (BMI), represented by Brian A Coleman, served via ESERVICE at Brian.Coleman@dbr.com

Commercial Television Claimants (CTC), represented by John Stewart, served via ESERVICE at jstewart@crowell.com

MPA-Represented Program Suppliers, represented by Gregory O Olaniran, served via ESERVICE at goo@msk.com

SESAC Performing Rights, LLC, represented by John C. Beiter, served via ESERVICE at john@beiterlaw.com

Public Television Claimants (PTC), represented by Ronald G. Dove Jr., served via ESERVICE at rdove@cov.com

Signed: /s/ Lawrence K Satterfield