

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

In re

Distribution of Cable Royalty Funds

**CONSOLIDATED PROCEEDING
NO. 14-CRB-0010-CD (2010-13)**

**JOINT SPORTS CLAIMANTS' MOTION FOR FINAL DISTRIBUTION OF 2010-13
CABLE ROYALTY FUNDS**

Pursuant to Section 801(b)(3)(A) of the Copyright Act, 17 U.S.C. § 801(b)(3)(A), the Joint Sports Claimants¹ (“JSC”) hereby move for the final distribution of the 2010, 2011, 2012 and 2013 cable royalty funds (“2010-13 Cable Royalties”) allocated to the Joint Sports category. As set forth below, no Allocation or Distribution Phase controversies remain concerning these funds. The Judges have determined the amount of the 2010-13 Cable Royalties allocated to the Joint Sports category, and have determined that JSC is entitled to 100 percent of those funds. An immediate final distribution to JSC of all remaining 2010-13 Cable Royalties allocated to the Joint Sports category is therefore warranted.

On February 12, 2019, the Judges issued their final determination of royalty allocation in the 2010-13 cable distribution proceeding. Distribution of Cable Royalty Funds, 84 Fed. Reg. 3552 (Feb. 12, 2019), corrected 84 Fed. Reg. 5505 (Feb. 21, 2019) (“2010-13 Cable Final Determination”). The Judges allocated the following shares of the 2010-13 Cable Royalties to the Joint Sports category:

¹ The Joint Sports Claimants are the Office of the Commissioner of Baseball; National Basketball Association; Women’s National Basketball Association; National Football League; National Hockey League; and National Collegiate Athletic Association.

Royalty Year	Basic Fund	3.75% Fund	Syndex Fund
2010	32.9%	38.6%	0%
2011	30.2%	37.1%	0%
2012	33.9%	41.3%	0%
2013	36.1%	44.9%	0%

2010-13 Cable Final Determination, 84 Fed. Reg. at 3552. The foregoing royalty shares are stated net of the allocations of royalties to the Music Claimants and National Public Radio, *id.*, and the Music Claimants and NPR have received final distributions of their shares of the 2010-13 Cable Royalties. *See* Order Granting Motion for Final Distribution of 2010-13 Cable Royalty Funds to Music Claimants, No. 14-CRB-0010 CD (2010-13) (Aug 11, 2017); Order Granting Motion for Final Distribution of 2010-13 Cable Royalty Funds to National Public Radio, No. 14-CRB-0010-CD (2010-13) (Aug. 23, 2017). The D.C. Circuit affirmed the 2010-13 Cable Final Determination, and entered its mandate on June 8, 2020. *See* Judgment, *Program Suppliers v. Copyright Royalty Bd.*, 19-1063 (Apr. 14, 2020) (per curiam).

No other claimant is entitled to share in the 2010-13 Cable Royalties allocated to the Joint Sports category. Major League Soccer withdrew its claims in the category on September 21, 2016. *See* Major League Soccer, LLC Withdraw of Certain Claims Relating to the Distribution of the 2010-13 Cable and Satellite Royalty Funds, No. 14-CRB-0010 CD 2010-2013) (Sept. 21, 2016). The Judges denied each of Multigroup Claimants' claims in the category on October 23, 2017. Ruling and Order Regarding Objections to Cable and Satellite Claims, No. 14-CRB-0010-CD (2010-13) (Oct. 23, 2017). The D.C. Circuit affirmed the dismissal of MGC's claims to Joint Sports royalties on February 5, 2020. Judgment, *Multigroup Claimants v. CRB*, No. 18-1338 (D.C. Cir. Feb. 5, 2020) (per curiam). No other non-JSC claimant sought a distribution of 2010-13 Cable Royalties allocated to the Joint Sports category.

The Judges should order the final distribution to JSC of all of the remaining 2010-13 Cable Royalties allocated to the Joint Sports category, in an amount to be determined by the Licensing Division pursuant to the 2010-13 Cable Final Determination and accounting for all prior distributions of 2010-13 Cable Royalties to the Allocation Phase parties. JSC is willing to provide any additional information the Licensing Division requires in order to calculate its final share of royalties.

Dated: June 12, 2020

Respectfully submitted,

JOINT SPORTS CLAIMANTS

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Proof of Delivery

I hereby certify that on Friday, June 12, 2020, I provided a true and correct copy of the JSC Motion for Final Distribution of 2010-13 Cable Royalty Funds to the following:

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

Canadian Claimants Group, represented by Lawrence K Satterfield, served via ESERVICE at lksatterfield@satterfield-pllc.com

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

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

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

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

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

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

Signed: /s/ Michael E Kientzle