

Before the  
COPYRIGHT ROYALTY JUDGES  
Washington, DC

*In re*

**DETERMINATION OF ROYALTY RATES AND  
TERMS FOR PERFORMANCE OR DISPLAY  
OF NONDRAMATIC MUSICAL WORKS AND  
PICTORIAL, GRAPHIC, AND SCULPTURAL  
WORKS BY PUBLIC BROADCASTING  
ENTITIES (PB IV)**

**Docket No. 21-CRB-0002-PBR  
(2023-2027)**

**NOTICE OF SETTLEMENT OF THE PUBLIC BROADCASTING ENTITIES  
AND THE HARRY FOX AGENCY LLC**

The undersigned parties to the above-captioned proceeding (the “Proceeding”) hereby notify the Copyright Royalty Judges (the “Judges”) that a confidential agreement relating to the fees and terms of the 17 U.S.C. §118 noncommercial educational broadcasting compulsory license for the 2023-2027 period has been reached between The Harry Fox Agency LLC (“HFA”) and the Corporation for Public Broadcasting (“CPB”), National Public Radio (“NPR”) and Public Broadcasting Service (“PBS” and, with CPB and NPR, the “Public Broadcasting Entities”) for the 2023-2027 period at issue in the Proceeding.

The noncommercial broadcasting entities that fall within the terms of such a voluntary agreement include the following television and radio broadcast stations that receive or are eligible to receive general operational support from CPB pursuant to the Public Broadcasting Act of 1967.

- (1) Noncommercial television broadcast stations affiliated with PBS;
- (2) Noncommercial television broadcast stations not affiliated with PBS  
eligible to receive operational support from CPB;

- (3) Noncommercial radio broadcast stations affiliated with NPR; and
- (4) Noncommercial radio broadcast stations not affiliated with NPR eligible to receive operational support from CPB.

An agreement between HFA and the Public Broadcasting Entities has now been fully executed. By separate submission, HFA and the Public Broadcasting Entities will submit a joint proposal to the Judges concerning certain provisions of 37 C.F.R. § 381.7 and the fees for recording rights under 37 C.F.R. § 381.7(b)(1) and 37 C.F.R. § 381.7(b)(2) for the years 2023 through 2027.

Respectfully submitted,

THE HARRY FOX AGENCY LLC

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*Counsel for the Public Broadcasting Entities*

Dated: October 11, 2021

## CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of October, 2021, a copy of the foregoing Notice of Settlement of HFA and the Public Broadcasting Entities was filed electronically using eCRB, which will automatically provide electronic service copies to all counsel and *pro se* participants who are registered to use eCRB. *See* 37 C.F.R. § 303.6(h)(1).

/s/ David Mattern

# Proof of Delivery

I hereby certify that on Monday, October 11, 2021, I provided a true and correct copy of the NOTICE OF SETTLEMENT OF THE PUBLIC BROADCASTING ENTITIES AND THE HARRY FOX AGENCY LLC to the following:

The Harry Fox Agency LLC, represented by John C. Beiter, served via ESERVICE at john@beiterlaw.com

Church Music Publishers' Association, Inc., represented by Carroll C Rigler, served via ESERVICE at cheshirerigler@shrumhicks.com

Powell, David, represented by David Powell, served via ESERVICE at davidpowell008@yahoo.com

Global Music Rights, LLC, represented by Scott A Zebrak, served via ESERVICE at scott@oandzlaw.com

Educational Media Foundation, represented by David Oxenford, served via ESERVICE at doxenford@wbklaw.com

Broadcast Music, Inc., represented by Jennifer T. Criss, served via ESERVICE at jennifer.criss@faegredrinker.com

National Religious Broadcasters Noncommercial Music License Committee, represented by Karyn K Ablin, served via ESERVICE at ablin@fhhlaw.com

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

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

Signed: /s/ David P Mattern