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In re

DISTRIBUTION OF CABLE ROYALTY FUNDS

Docket No. 20-CRB-0010-CD (2019)

ORDER TO SHOW CAUSE WHY CLAIM OF EUGENE CURRY SHOULD NOT BE DECLARED INVALID

On October 1, 2021, Eugene Curry (Curry), a party asserting an individual claim to cable retransmission royalty funds deposited for broadcast year 2019¹ filed a Motion for Partial Distribution of 2019 Cable Royalty Funds (Motion). The Copyright Royalty Judges (Judges) have not commenced a proceeding to determine distribution of 2019 cable service royalty funds. The Judges did not publish notice of his request. Curry states in the Motion that “all . . . claimants agree to the partial distribution”, but does not assert that he had delivered his Motion to any other party in interest. Before publishing the request for partial distribution, the Judges inspected Mr. Curry’s claim in the captioned matter.

After reviewing Curry’s claim, the Judges find that it was timely filed. In the claim, Curry identifies five copyrighted works: Bet Soul, Somebody Loves You Baby, NFL Timeline, Buddy’s Watching You, and Goldberg’s Buddy’s Watching You. The listed works all appear to be musical works.² Based on the content of the Motion, the Judges cannot ascertain whether and when these works were retransmitted by a cable television system. Nonetheless, Curry seeks distribution of “20% of the royalties deposited.” *See* Motion at 1. In the Motion, Curry asserts there were “no comments” on his filings and that “there should be no opposition from the claimants. . . .” *Id.* As Curry did not deliver the Motion to any party in interest and the Judges did not publish the request for partial distribution, no party would have been in a position to respond to the Motion or submit any comments.

In light of the circumstances indicated above, including the lack of clarity regarding the existence of a bona fide claim and the lack of notice to interested parties, the Judges **ORDER** that, within 15 days of the date of this Order, Curry show cause why his claim should not be invalidated and his Motion declared moot.

SO ORDERED.

Suzanne M. Barnett
Chief Copyright Royalty Judge

Dated: January 31, 2022.

¹ *See* Claim No. 195.

² In the Motion, Curry claims status as “a creative individual under the recent MUSIC MODERNIZATION ACT.” *See* Motion at 1.