

UNITED STATES COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

**DETERMINATION OF ROYALTY RATES AND
TERMS FOR MAKING EPHEMERAL COPIES
OF SOUND RECORDINGS FOR
TRANSMISSION TO BUSINESS
ESTABLISHMENTS (*Business Establishments IV*)**

**Docket No. 21-CRB-0013-BER
(2024-28)**

**NOTICE OF PARTICIPANTS AND COMMENCEMENT
OF VOLUNTARY NEGOTIATION PERIOD**

By notice published in the *Federal Register*, the Copyright Royalty Judges (Judges) initiated this rate proceeding to determine terms and rates for licensees making ephemeral copies of sound recordings for transmission to business establishments. *See* 87 Fed. Reg. 490 (Jan. 5, 2022). Title 8 of the Copyright Act (Act) and the procedural regulations adopted by the Judges and codified in Chapter III of title 37 of the Code of Federal Regulations (Rules) govern royalty rate proceedings. Attachment A to this order identifies parties that have filed Petitions to Participate in the captioned proceeding. Participation in this proceeding is limited to parties in interest who filed a timely Petition to Participate. By listing filers of Petitions to Participate, the Judges do not imply a finding that the filing party has a significant interest in the proceeding as required by 17 U.S.C. § 803(b)(2)(C).

Voluntary Negotiation Period

All participants shall engage directly or by counsel in good faith settlement negotiations to resolve any outstanding controversies regarding the terms and rates for payment of royalty fees for the years at issue in this proceeding. *See* 17 U.S.C. § 803(b)(3). The voluntary negotiation period (VNP) shall end after three months. *See id.* at §803(b)(3)(B). In this proceeding, the VNP shall end on May 16, 2022.

Settlement of All Issues

If the participants do not notify the Judges of full and final settlement of all issues before May 20, 2022, the Judges will issue a case scheduling order. The case scheduling order shall establish pertinent proceeding deadlines. The first statutory deadline, the date for filing Written Direct Statements, must occur not less than four nor more than five months following the end of the VNP. *See id.* § 803(b)(6)(C)(i). Parties may notify the Judges at any time during the proceeding of a settlement “in principle,” but the Judges expect all parties to follow the case schedule until all terms of their settlement are documented and presented for publication, comment, and approval.

SO ORDERED.

Suzanne M. Barnett
Chief Copyright Royalty Judge

DATED: February 15, 2022.
md/kw

Notice of Participants and
Voluntary Negotiation Period - 1

ATTACHMENT A

Participant List

21-CRB-0013-BER IV (2024-2028)

Party	Contact	Firm	Address	Phone	Party status
I Mood Media Corporation	David P Mattern	King & Spalding	1700 Pennsylvania Ave NW Suite 200 Washington, DC 20006 dmattern@kslaw.com	202-626-2946	Participant
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	Jason B Cunningham	King & Spalding	401 Congress Ave. Austin, TX 78701 bcunningham@kslaw.com	405-488-8434	
I Music Choice	Paul Fakler	Mayer Brown LLP	1221 Avenue of the Americas New York, NY 10020 pfakler@mayerbrown.com	212-506-2441	Participant
	Margaret L. Wheeler-Frothingham	Mayer Brown	1221 6th Avenue New York, NY 10020 mwheelerfrothingham@mayerbrown.com	212-506-2142	
	Jacob B Ebin	Mayer Brown LLP	1221 Avenue of the Americas New York, NY 10020 jebin@mayerbrown.com	212-506-2659	
I Rockbot, Inc.	Gary R Greenstein	Wilson Sonsini Goodrich & Rosati	1700 K Street, N.W. 5th Floor Washington, DC 20006 ggreenstein@wsgr.com	202-973-8849	Participant
	Lisa Zang	Wilson Sonsini Goodrich & Rosati	633 W 5th Street Suite 1550 Los Angeles, CA 90071 rbenyamin@wsgr.com	323-210-2923	
	Ryan Benyamin	Wilson Sonsini Goodrich & Rosati	633 West Fifth Street Suite 1550 Los Angeles, CA 90071-2027 rbenyamin@wsgr.com	323-210-2924	
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J Sirius XM Radio Inc. and it's Wholly-Owned Subsidiaries Cloud Cover Media, Inc. Sirius XM Radio Inc. Pandora Media, LLC	Todd Larson	Weil, Gotshal & Manges LLP	767 Fifth Avenue New York, NY 10153 todd.larson@weil.com	212-310-8000	Participant
	Benjamin E. Marks	Weil, Gotshal & Manges LLP	767 Fifth Avenue New York, NY 10153 benjamin.marks@weil.com	212-310-8029	
I SoundExchange, Inc.	Steven R. Englund	Jenner & Block, LLP	1099 New York Ave NW Suite 900 Washington, DC 20001 senglund@jenner.com	202-639-6006	Participant
I Soundtrack Your Brand Sweden AB	Todd Larson	Weil, Gotshal & Manges LLP	767 Fifth Avenue New York, NY 10153 todd.larson@weil.com	212-310-8000	Participant
I Stingray Music USA Inc.	Gary R Greenstein	Wilson Sonsini Goodrich & Rosati	1700 K Street, N.W. 5th Floor Washington, DC 20006 ggreenstein@wsgr.com	202-973-8849	Participant
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