

Before the
UNITED STATES COPYRIGHT ROYALTY BOARD
Washington, D.C.

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| In the Matter of: |) | |
| |) | |
| DETERMINATION OF RATES |) | Docket No. 21-CRB-0001-PR |
| AND TERMS FOR MAKING AND |) | (2023-2027) |
| DISTRIBUTING PHONORECORDS |) | |
| (Phonorecords IV) |) | |

DECLARATION AND CERTIFICATION OF KYLIE C. KIM
REGARDING RESTRICTED MATERIALS

(On behalf of Amazon.com Services LLC)

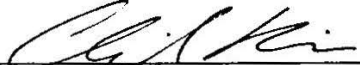
1. I am an associate at Kellogg, Hansen, Todd, Figel & Frederick, P.L.L.C., counsel for Amazon in the above-captioned proceeding.
2. I respectfully submit this declaration and certification pursuant to the terms of the Amended Protective Order dated November 4, 2021 (“Protective Order”). I am authorized by Amazon to submit this Declaration on Amazon’s behalf.
3. I am familiar with Amazon’s Opposition to the Copyright Owners’ Motion to Compel Production of Documents and Information Concerning Pricing and Bundles, including accompanying Declarations and Exhibits (collectively, “Amazon’s Opposition”).
4. I have reviewed the definitions and terms provided in the Protective Order. After consultation with my client, I have determined to the best of my knowledge, information and belief that Amazon’s Opposition contains information that Amazon has designated as “confidential information” as defined by the Protective Order (“Protected Material”).
5. Such Protected Material includes, but is not limited to, highly confidential internal business information that is proprietary, not available to the public, and commercially sensitive.

6. If this highly confidential internal business information were to become public, it would place Amazon at a commercial and competitive disadvantage, unfairly advantage other parties to the detriment of Amazon, and jeopardize its business interests.

7. The highly confidential internal business information described in the paragraphs above must be treated as Restricted Protected Material in order to prevent business and competitive harm that would result from the disclosure of such information while, at the same time, enabling Amazon to provide the Copyright Royalty Judges with the most complete record possible on which to base their determination in this proceeding.

Pursuant to 28 U.S.C. § 1746, I hereby declare under the penalty of perjury that, to the best of my knowledge, information and belief, the foregoing is true and correct.

Dated: March 11, 2022
Washington, D.C.


Kylie C. Kim (D.C. Bar No. 230277)
1615 M Street, N.W., Suite 400
Washington, D.C. 20036
Phone: (202) 326-7900
Fax: (202) 326-7999
kkim@kellogghansen.com

Counsel for Amazon.com Services LLC

Proof of Delivery

I hereby certify that on Friday, March 11, 2022, I provided a true and correct copy of the Amazon's Declaration of Kylie C. Kim Regarding Restricted Materials to the following:

Zisk, Brian, represented by Brian Zisk, served via ESERVICE at brianzisk@gmail.com

Spotify USA Inc., represented by Joseph Wetzel, served via ESERVICE at joe.wetzel@lw.com

Google LLC, represented by Gary R Greenstein, served via ESERVICE at ggreenstein@wsgr.com

Copyright Owners, represented by Benjamin K Semel, served via ESERVICE at Bsemel@pryorcashman.com

Apple Inc., represented by Mary C Mazzello, served via ESERVICE at mary.mazzello@kirkland.com

Joint Record Company Participants, represented by Susan Chertkof, served via ESERVICE at susan.chertkof@riaa.com

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

Johnson, George, represented by George D Johnson, served via ESERVICE at george@georgejohnson.com

Pandora Media, LLC, represented by Benjamin E. Marks, served via ESERVICE at benjamin.marks@weil.com

Signed: /s/ Joshua D Branson