

UNITED STATES COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

**DETERMINATION OF ROYALTY RATES AND
TERMS FOR MAKING AND DISTRIBUTING
PHONORECORDS (Phonorecords IV)**

**Docket No. 21-CRB-0001-PR
(2023-2027)**

**ORDER GRANTING INTERIM RELIEF PENDING RESOLUTION
OF RECORD COMPANIES' MOTION FOR LIMITED
MODIFICATIONS OF PROTECTIVE ORDER**

On March 4, 2022, Amazon.com Services LLC (“Amazon”) filed a motion to issue subpoenas (Subpoena Motion) to non-party licensees TikTok, Inc. (TikTok); Snap Inc. (Snap); Equinox Media LLC (Equinox); and Echelon Fitness Multimedia LLC (Echelon) (together, Non-Party Licensees). In the Subpoena Motion, Amazon sought leave to serve a Subpoena Duces Tecum and a Subpoena to Testify at Deposition (together, Subpoenas) on each of the Non-Party Licensees. The Subpoenas Duces Tecum command the production of, among other things, license agreements executed between the Non-Party Licensees and Sony Music Entertainment, UMG Recordings, Inc., and Warner Music Group Corp. (collectively, Record Companies). The Subpoenas to Testify command the production of a corporate witness to testify about, among other topics, the royalty structure of license agreements executed between the Non-Party Licensees and Record Companies.

The Judges granted the Subpoena Motion on May 16, 2022. Non-Party Licensees subsequently served notices indicating that production of license agreements was imminent. Accordingly, on June 21, 2022, the Record Companies filed a Motion for a Limited Modification of the Protective Order in the captioned proceeding (Protective Order Motion). Also on June 19, 2022, the Record Companies filed an Emergency Motion to Stay the Production of License Agreements to *Phonorecords IV* Participants Pending Ruling on Motion for Limited Modifications of Protective Order (Stay Motion).

For reasons detailed in the Stay Motion, the Judges good cause to grant the requested stay. The Judges **ORDER** the requested stay and hereby bar Amazon from producing any Record Company license agreements received pursuant to the Subpoenas, any testimony about Record Company license agreements received pursuant to the Subpoenas, and any documents, testimony, or other materials that would disclose the contents of those license agreements, to

Phonorecords IV Participants other than appropriate outside counsel for Apple and the Copyright Owners, until the Judges rule on the Record Companies' pending Protective Order Motion.

SO ORDERED.

Suzanne M. Barnett
Chief Copyright Royalty Judge

DATED: June 22, 2022