

UNITED STATES COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

Distribution of 1998-1999 Cable Royalty
Funds

Docket No. 2008-1 CRB CD 1998-1999
(Phase II)

ORDER GRANTING IPG's MOTION
FOR FINAL DISTRIBUTION OF 1999 CABLE ROYALTIES
(Devotional Category)

The captioned consolidated royalty distribution proceeding concluded on April 6, 2017, when the United States Court of Appeals for the D.C. Circuit issued a mandate relating to the February 10, 2017, order affirming the distribution shares for claimants in the Devotional category as determined by the Copyright Royalty Judges (Judges). After the mandate, the Judges received a motion from Worldwide Subsidy Group LLC dba Independent Producers Group (IPG) requesting final distribution of 1999 cable royalties in the Devotional category as set forth in the Judges' final determination in which IPG was awarded 28.7% of the 1999 cable royalties for the Devotional category, with the remaining 71.3% being awarded to the Settling Devotional Claimants (SDC). 80 FR 13423, 13443 (March 13, 2015). The Motion was unopposed.¹

After adding accrued interest² and deducting appropriately allocated expenses, the Licensing Division of the Copyright Office calculated that, as of July 13, 2017, the respective final distributions for IPG and SDC for 1999 are:³

Party	Principal	Interest	Total
IPG	361,396.90	116,587.04	477,983.94
SDC	293,091.21	59,743.72	352,834.93
Total	654,488.11	176,330.76	830,818.87

¹ The SDC filed a response to IPG's motion in which the SDC states that IPG fully briefed its case before the U.S. Court of Appeals for the D.C. Circuit (Case No. 15-1093) rather than withdraw its appeal as IPG states in its motion. Nevertheless, the SDC consents to the relief IPG requests in its motion. *See* Settling Devotional Claimant's Response to Independent Producers Group's Motion for Final Distribution of the 1998 and 1999 Cable Royalty Funds for the Devotional Category at 1 (Apr. 13, 2017).

² The Licensing Division has allocated accrued interest to SDC and IPG, respectively, as if the distribution allocation the Judges ordered had been applied to each year's fund from the date funds were deposited until the date any portion of those funds was disbursed (or from which Copyright Office expenses were deducted). Interest ceases to accrue on funds when they are disbursed. In this regard, in completing the final distribution of Devotional Category funds, the Licensing Division reviewed the dates and amounts of any partial distributions in determining an appropriate *pro rata* allocation of accrued interest.

³ The Licensing Division's calculations, which are shown on Attachment A to this Order, are based on the Notice of Settlement of 1998 Phase II Devotional Claims and Motion for Distribution of Funds, Docket No. 2001-8 CARP CD 98-99 (Nov. 14, 2003), in which the Devotional Claimants notified the Copyright Office that all known Phase I parties approved a stipulated share to the Devotionals to 1998 and 1999 cable royalty funds of 1.19375% of the Basic Funds and 0.90725% of the 3.75% Funds. The Notice and Stipulation are Attachment B to this Order.

Therefore, the Judges hereby **ORDER** the Licensing Division to make final distribution to IPG and SDC in the amounts listed.

The Judges **FURTHER ORDER** that IPG and SDC provide to the Licensing Division all necessary and pertinent information to facilitate the transfer by July 6, 2017.

SO ORDERED.

Suzanne M. Barnett
Chief Copyright Royalty Judge

DATED: June 12, 2017

Attachments

ATTACHMENT A

For Copyright Royalty Board Use

**FINAL DISTRIBUTION OF
1999 CABLE ROYALTIES
Independent Producers Group
Settling Devotional Claimants
July 13, 2017**

Devotional Category	Principal	Interest Earned Thru 7/13/2017	Total Available for Distribution 7/13/2017
Independent Producers Group (IPG)	\$ 361,396.90	\$ 116,587.04	\$ 477,983.94
Settling Devotional Claimants (SDC)	\$ 293,091.21	\$ 59,743.72	\$ 352,834.93
Total	\$ 654,488.11	\$ 176,330.76	\$ 830,818.87

DEVOTIONAL CLAIMANTS DISTRIBUTION BASE

Cable Year For the Period of		1999 Cable 01/01/99-07/13/17
Royalty fees deposited		\$113,131,115.18
Addition(s) to deposits		\$360,747.66
Deduction(s) from deposits		\$5,331,756.30
Net royalty fees for distribution		<u>\$108,160,106.54</u>
Fund Total		\$108,160,106.54
National Public Radio		\$217,284.70
Total Funds Available to Other Claimants		\$107,942,821.84
Breakdown of Funds:		
Basic	90.71700%	\$97,922,489.69
3.75%	9.21800%	\$9,950,169.32
Syndex	0.06500%	\$70,162.83
	100.00000%	\$107,942,821.84
Basic Fund Devotional Claimants	1.193750%	\$1,168,949.72
3.75% Fund Devotional Claimants	0.907250%	\$90,272.91
Syndex Fund Devotional Claimants		\$0.00
Total Devotional Claimants		\$1,259,222.63

Independent Producers Group Base	28.700000%	\$361,396.90
Settling Devotional Claimants Base	71.300000%	\$897,825.74
Total Devotional Claimants Base		<u>\$1,259,222.63</u>

ATTACHMENT B



In the Matter of

Distribution of the 1998-1999 Cable
Royalty Funds

}
}
} Docket No. 2001-8 CARP CD 98-99
}
}

LIBRARY
OF
CONGRESS

ORDER

On November 14, 2003, The Christian Broadcasting Network, Inc., Crystal Cathedral Ministries, Inc., Coral Ridge Ministries Media, Inc., Oral Roberts Evangelistic Association, Liberty Broadcasting Network, Inc., Jimmy Swaggart Ministries, In Touch Ministries, Inc., Independent Producers Group, and National Association of Broadcasters (hereinafter "Devotional Claimants"), by their counsel, filed a notice of settlement with respect to 1998 Phase II Devotional Claims¹ and a joint motion for final distribution of all remaining 1998 cable royalty fees due the Devotional Claimants.

COPYRIGHT
OFFICE

Copyright
Arbitration
Royalty
Panels

Section 111(d)(4)(C) of the Copyright Act, title 17 of the United States Code, authorizes distributions of royalty fees to the copyright owners entitled to receive them, provided that the amounts distributed are not in controversy. See, e.g., Order, Docket No. 2000-6 CARP CD 98 (October 12, 2000) and Order, Docket No. 2001-6 CARP CD 99 (October 17, 2001). Because all Phase II controversies concerning the distribution of the 1998 cable royalty fees have been settled and no other controversies exist regarding the distribution of the royalty fees in this category, the Register determines that it is appropriate to make a final distribution of the remaining funds allocated to the Devotional category pursuant to the Notice of Settlement.

P.O. Box 70977
Southwest
Station
Washington
D.C. 20024

Wherefore, **IT IS ORDERED** that the Devotional Claimants' motion for a final distribution is **GRANTED**. The Devotional Claimants shall receive the remainder of the 1998 cable royalty fees on or after December 4, 2003, provided that the Devotional Claimants submit all pertinent information to the Licensing Division of the Copyright Office no later than one week prior to the scheduled distribution.

Telephone:
(202)707-8380

SO ORDERED.

Facsimile:
(202)252-3423

Marybeth Peters

Marybeth Peters
Register of Copyrights

DATED: November 19, 2003

¹ On November 15, 2002, the Devotional Claimants filed a stipulation of settlement, informing the Office that the Devotional Claimants had reached a settlement with all other Phase I Claimants with respect to the 1998 and 1999 cable royalty fees. In accordance with that agreement, the Phase I Claimants stipulated and agreed that Devotional Claimants shall receive 1.19375% of the Basic Funds and 0.90725% of the 3.75% Funds of the 1998 and 1999 cable royalty fees after adjusting for National Public Radio's agreed-upon share of 0.18% of the entire fund.

