

COPYRIGHT ROYALTY TRIBUNAL

Cable Royalty Distribution Proceeding

December 15, 1979.

In accordance with 17 USC 801(b)(3), the Copyright Royalty Tribunal directs interested parties in the matter of cable royalty distribution to submit not later than January 31, 1980 a pre-hearing memorandum on the following subjects:

1. Recommendations concerning the form and timing of submissions by claimants of the written statement of their direct cases.
2. The amount of time, number of witnesses and general identification of studies or other exhibits to be required in the presentation of claimants' cases.
3. Identification of matters requiring the production of additional information or claim justification from other claimants.
4. Recommendations concerning the conduct of the evidentiary hearing, including possible division of the hearing into specific phases.
5. Identification of any subjects that require determination by the Tribunal prior to the commencement of the evidentiary hearing.

Notice is hereby given that on February 14, 1980 at 10:00 a.m. there will be a conference of claimants or their representatives to consider the above matters, such additional subjects as may be presented by claimants in the pre-hearing memorandum, and the specific procedures of the evidentiary hearing. The location of the conference will be announced at a later time.

The pre-hearing memorandum shall be submitted in accordance with the following:

1. The Copyright Act does not provide for the payment of cable royalty fees to broadcaster claimants for the secondary transmission of the broadcast day as a compilation.

2. The Copyright Act does not provide for the payment of cable royalty fees to broadcaster claimants who have acquired rights to syndicated programming in a market, which rights are exclusive against other broadcasters in that market, when the syndicated programming is included in distant broadcasts which are retransmitted into the broadcaster's market.

3. The Copyright Act provides for the distribution of cable royalty fees to performing rights organizations.

4. The Copyright Act provides that cable royalty fees awarded for the secondary transmission of certain sporting events shall be distributed to the sports claimants except when contractual arrangements specifically provide that such royalties shall be distributed to broadcaster claimants.

The Tribunal directs that claimants shall file 10 copies of any items submitted. Any items mailed shall be addressed to Chairman, Copyright Royalty Tribunal, 1111 20th St., NW., Rm. 450, Washington, D.C. 20036.

Mary Lou Burg,

Chairman, Copyright Royalty Tribunal.

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