

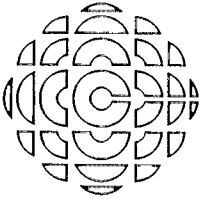
Canadian  
Broadcasting  
Corporation

Société  
Radio-  
Canada

ORIGINAL

2 March 1981

Honorable Clarence L. James, jr.  
Chairman  
Copyright Royalty Tribunal  
1111 20th Street NW  
Washington, DC 20036



Dear Mr. James,

Re: COPYRIGHT ROYALTY TRIBUNAL  
Partial Distribution of Cable  
Royalties for 1978 - Docket 79-1

This letter refers to a notice by the Copyright Royalty Tribunal in the Federal Register for February 23, 1981 (46 FR 13544) - Partial Distribution of 1978 Cable Royalty Fund.

It is the view of the Canadian Broadcasting Corporation that no distribution, partial or complete, of the 1978 Cable Royalty Fund should be undertaken at this time. The following reasons are advanced in support of this position:

- (a) A number of claimants have appealed the final determination of CRT<sup>1</sup> with respect to the distribution of 1978 Cable Royalties. Briefs have been filed with the US Court of Appeals, and it is not unreasonable to assume that the appeals will be heard, and a judgement published, before summer recess.
- (b) Some copyright owners who have claimed in accordance with statute<sup>2</sup> and the rules of CRT have been denied any share of the royalty fund. Some of the claimants for a share of the 1978 Cable Royalty Fund may find that their entitlement is increased or decreased as a consequence of the appeal court's judgement, and appropriate financial adjustments will be required. The Cable Royalty Fund is in the nature of a trust fund, and should not be distributed while there is reasonable doubt with respect to entitlement.

Yours truly,

  
D.E. Lytle  
Director  
Corporate Program Services

P.O. Box 8478  
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1 45 FR 63026 of September 23, 1980  
2 17 USC 111 (d) (4)

CERTIFICATE OF SERVICE

I hereby certify that, on this 5th day of March, 1981, copies of the attached document were served upon the parties to this proceeding by first class mail, postage prepaid addressed to each of the following:

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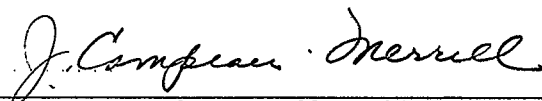
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**American Society of Composers, Authors and Publishers**  
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**Bernard Korman**  
General Counsel

EXPRESS MAIL

March 5, 1981

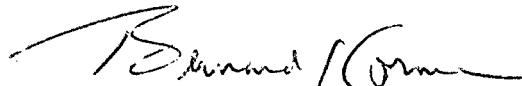
Hon. Clarence L. James, Jr.  
Copyright Royalty Tribunal  
1111 20th Street, N.W.  
Washington, D.C. 20036

Re: Partial Distribution of  
1978 Cable Royalty Fund  
(Docket No. CRT 79-1)

Dear Chairman James:

Enclosed are fifteen copies of ASCAP's memorandum in  
the above matter.

Sincerely,

  
Bernard Korman

BK:ia

enclosure

cc: All parties (see attached list)

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