

**UNITED STATES COPYRIGHT ROYALTY JUDGES**  
**The Library of Congress**

*In re*

Digital Performance Right in Sound  
Recordings and Ephemeral Recordings

Docket No. 2009-1 CRB  
(Webcasting III)

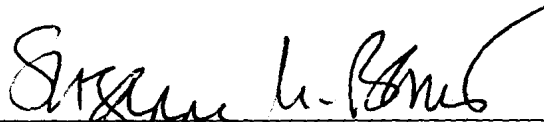
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**ORDER FOLLOWING NOTICE OF INTENTION TO CONDUCT  
PAPER PROCEEDING ON REMAND**

On September 17, 2013, the Copyright Royalty Judges (Judges) gave notice of their intention to proceed on remand with paper proceedings. That notice afforded all parties to the captioned proceeding an opportunity to comment on the Judges' intention.

The Judges received comments from SoundExchange, Intercollegiate Broadcasting System, Inc. (IBS), and College Broadcasters, Inc. (CBI). In their comments, each party repeated its respective position regarding the remand procedure.

The Copyright Act and the Judges' procedural regulations permit the Judges to conduct proceedings on the papers alone, without any evidentiary hearing. 17 U.S.C. § 803(b)(5); 37 C.F.R. § 351.3(c). In accordance with that authority, therefore, the Judges shall proceed with their consideration *de novo* on the existing record. The Judges will accept no further submissions.



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Suzanne M. Barnett  
Chief Copyright Royalty Judge

DATED: October 22, 2013