

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

)	
In the Matter of)	
Distribution of the 2010, 2011 and 2012)	Docket No. 14-CRB-0007-CD (2010-12)
Cable Royalty Funds)	
)	

**PETITION TO PARTICIPATE AND
COMMENTS OF THE CANADIAN CLAIMANTS GROUP**

The Canadian Claimants Group, represented by the Canadian Broadcasting Corporation, submits this Petition to Participate in response to the notice published at 79 Fed. Reg. 76396 (December 22, 2014) ("Notice"). The Canadian Claimants Group intends to fully participate in the 2010-2012 Phase I and Phase II cable royalty proceedings. The Canadian Claimants Group also submits a filing fee of \$150.00.

The Canadian Claimants Group has existed as a Phase I claimant group throughout most of the history of these cable royalty distribution proceedings and collects and distributes royalties to its members for non-American programming broadcast on Canadian television stations that were secondarily transmitted by cable systems in the United States pursuant to the cable compulsory license.¹ 17 U.S.C. 111. The Canadian Claimants Group represents the majority of the programming on distantly retransmitted Canadian television stations during 2010 through 2012 and thus has a significant interest in the royalty funds at issue.

¹ The Canadian Claimants Group claims on behalf of Canadian television stations and copyright owners for all programs broadcast on Canadian television stations, except (1) live telecasts of Major League Baseball, National Hockey League, and U.S. college team sports, and (2) other programs owned by U.S. copyright owners.

The Canadian Claimants Group includes members who filed joint claims to the 2010-2012 cable royalties and members who filed individual royalty claims but have entered into agreements to be members of the Canadian Claimants Group. The joint claims and the membership agreements designate the Canadian Broadcasting Corporation as the authorized representative of the Canadian Claimants Group and the undersigned has been designated as counsel for the Group. In accordance with 37 C.F.R. § 351(b)(2)(ii)(B), a list of the 2010-2012 members is attached hereto as Exhibit A.²

The Notice requested that each Petition to Participate be accompanied by a Microsoft Excel spreadsheet characterizing each claimant's claim by type and Phase I category. Some members of the Canadian Claimants may also be eligible to collect royalties from other Phase I claimant groups because their programming was broadcast on distant U.S. commercial or U.S. public television stations, but the Canadian Claimants Group does not represent those members in Phase II proceedings. With the exception of the Canadian Broadcasting Corporation/Radio-Canada, the Canadian Claimants Group is unable to provide categorization of its constituent claimants' entitlement to make claims in other program categories. The CBC/Radio-Canada has designated Phase II claims in the Program Supplier, PTV and Public Radio Categories.

With respect to Phase II, the Canadian Claimants Group is currently aware that a controversy may exist within its Phase I category for 2010-2012. In response to prior notices for comment on partial distributions from the 2010, 2011, and 2012 cable royalty funds, the Independent Producers Group informed the Copyright Office of its position that a Phase II controversy exists between the Independent Producers Group and the Canadian Claimants Group.

² The Canadian Claimant Group reserves the right to expand the list of claimants entitled to receive compensation from the Canadian Claimants Phase I share to add claimants who filed claims with the copyright office and would fall within the Canadian Claimants Group's category but have not yet been identified.


The Canadian Claimant Group intends to participate in the resolution of that controversy before the Copyright Royalty Board, as well as any other Phase II controversies involving its Phase I category for the 2010-2012 cable royalty years.

Pursuant to 37 C.F.R. § 351.1(b)(2)(ii)(E) the undersigned hereby certify that they have the authority and consent of the members to represent them in these proceedings.

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Respectfully submitted,

Dated: January 21, 2015


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