

UNITED STATES COPYRIGHT ROYALTY JUDGES

In the Matter of)

Distribution of 2011 DART Sound)
Recordings Fund/Copyright Owners)
Subfund)

) Docket No. 2012-3 CRB DD 2011 (SRF)

ORDER TO SHOW CAUSE

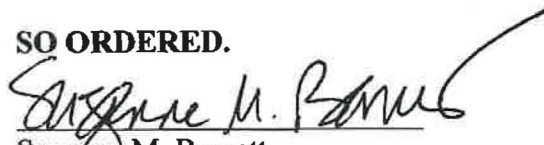
On April 27, 2012, the Alliance of Artists and Recording Companies (“AARC”) filed a motion seeking the dismissal of a claim to the 2011 Digital Audio Recording Technology (“DART”) royalties in the Sound Recordings Funds/Copyright Owners Subfund filed by Pramod Kesav Narayana Pillai. AARC contends that Mr. Pillai “failed to list a title of a sound recording embodied in a digital or analog musical recording, lawfully made under the Copyright Act, that has been distributed between January 1 and December 31, 2011,” as required by 37 C.F.R. § 360.22(b)(6) of the Copyright Royalty Judges’ regulations. *See Motion of the Alliance of Artists and Recording Companies to Dismiss the Pillai 2011 DART Sound Recordings Fund/Copyright Owners Subfund Claim*, at 2 (April 27, 2012). AARC states that the work listed by Mr. Pillai, “Quality Engineering In Setting Content Bench Mark and Tools,” is not a valid sound recording title but rather is a title for print material, which is not compensable under the Audio Home Recording Act of 1992. *Id.* at 3, 6-7; *see also* Exhibit C to motion. Mr. Pillai has not responded to the motion.¹

Dismissing a claim to royalties is not an action to be taken lightly and is one that necessitates affording the adversely affected party every reasonable opportunity to defend the claim.

Therefore, **the Judges ORDER** Mr. Pillai to show cause no later than August 8, 2012, why his claim should not be dismissed for failure to establish a basis for his claim to the 2011 DART royalties in the Sound Recordings Funds/Copyright Owners Subfund.

The Judges **FURTHER ORDER** that Mr. Pillai file his response electronically to crb@loc.gov and serve his response on AARC electronically to the e-mail address listed on AARC’s claim, lbocchi@aarcroyalties.com, by the August 8, 2012, deadline.

SO ORDERED.


Suzanne M. Barnett
Chief Copyright Royalty Judge

DATED: July 31, 2012

¹ AARC notes that Mr. Pillai “refused to discuss anything regarding his claim” when contacted by AARC. *See AARC Motion to Dismiss*, at 3 n.1 (April 27, 2012).