

Before the  
Copyright Royalty Board  
United States Copyright Office  
Washington, D.C. 20540



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In the Matter of )  
 )  
Distribution of DART Sound Recordings )  
Fund/Copyright Owners Subfund Royalties For )  
2012 )  
\_\_\_\_\_ )

Docket No. 2013-4 CRB DD 2012(SRF)

**NOTICE OF SETTLEMENT AND REQUEST FOR DISTRIBUTION OF THE 2012 DART  
SOUND RECORDINGS FUND/COPYRIGHT OWNERS SUBFUND ROYALTIES**

The Alliance of Artists and Recording Companies (“AARC”), on behalf of itself, Jim McColloch/Jimmy Mac Music Company and Jeffrey E. Jacobson Claims: Kosmic Daydream and The Workers (collectively referred to as the “Copyright Owner Claimants”), submits this notice reporting that the 2012 Audio Home Recording Act of 1992 (“AHRA”) DART Sound Recordings Fund/Copyright Owners Subfund (“2012 DART Copyright Owners Subfund”) Distribution proceeding is universally settled.<sup>1</sup> Therefore, the Copyright Owner Claimants request distribution of the entire 2012 DART Copyright Owners Subfund, as follows:

**Status of Settlement**

AARC pursued and obtained universal settlement with two (2) Copyright Owner Claimants<sup>2</sup>, as listed below:

<sup>1</sup> 17 U.S.C. §§ 1001-1010 (2012).

<sup>2</sup> Although there were initially six individual claimants in addition to AARC, claimant Thomas Darcy Welch withdrew his 2012 DART Sound Recordings Fund/Copyright Owners Subfund claim on April 20, 2013. On June 6, 2013, AARC filed a Motion to Dismiss the 2012 DART Sound Recordings Fund/Copyright Owners Subfund claims for Eric N. Burns, Bruce James Harvey, and Henri Jordan, which was granted by the CRB on July 30, 2013. *Order Granting Motion to Dismiss Claims* at 3 (July 30, 2013).

## Copyright Owner Claimants

Alliance of Artists and Recording Companies

\*Jim McColloch/Jimmy Mac Music Company

\*\*Jeffrey E. Jacobson Claims: Kosmic Daydream and The Workers

\* Claimant is signed up with AARC. Therefore, AARC represents him in the current and all future AHRA Sound Recordings Fund proceedings.

\*\*Claimant settled with AARC only with regard to the 2012 DART Copyright Owners Subfund proceeding.

Pursuant to AHRA, distribution of 2012 DART Copyright Owners Subfund royalties is warranted because these royalties are not in controversy.<sup>3</sup> The Copyright Owner Claimants have agreed that the 2012 DART Copyright Owners Subfund royalties should be distributed to a single agent – AARC, for further distribution pursuant to the settlement agreements. Agreements as to the proportionate allocation of royalties and designation of a common agent to receive payment on behalf of Copyright Owner Claimants are permitted by Section 1007. 17 U.S.C. § 1007 (a)(2).

### Conclusion

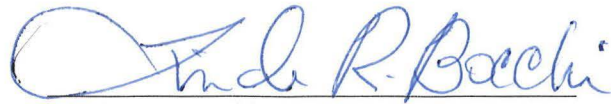
The Copyright Owner Claimants agree that settlements were reached in an attempt to minimize the costs of the 2012 DART Copyright Owners Subfund distribution proceeding. Consequently, the Copyright Owner Claimants have agreed that the terms of the settlement agreements have no precedential effect on any future AHRA proceedings.

WHEREFORE, for the reasons set forth above, the Copyright Owner Claimants respectfully request that the Copyright Royalty Board make a prompt distribution of the 2012 DART Copyright Owners Subfund royalties to AARC, as agent for the Copyright Owner Claimants.

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<sup>3</sup> See 17 U.S.C. § 1007(b).

Respectfully submitted,  
On Behalf of Copyright Owner Claimants




Linda R. Bocchi, Esq.  
DC BAR # 338012  
VA BAR # 77599  
Executive Director  
Alliance of Artists and Recording Companies  
700 N. Fairfax Street, Suite 601  
Alexandria, VA 22314  
(703) 535-8101 (phone)  
(703) 535-8105 (facsimile)

August 1, 2013

**CERTIFICATE OF SERVICE**

I, Sarah Koons, Royalty Administrator of the Alliance of Artists and Recording Companies, certify that on this August 1, 2013, a copy of the foregoing "Notice of Settlement and Request for Distribution of the 2012 DART Sound Recordings Fund/Copyright Owners Subfund Royalties" was served, by the designated delivery method, on the following parties:

  
Sarah Koons

**SETTLING PARTIES BY STANDARD MAIL:**

Jeffrey E. Jacobson Claims: Kosmic Daydream  
and The Workers

347 Fifth Avenue  
8<sup>th</sup> Floor  
New York, NY 10016

Jim McColloch/Jimmy Mac Music Company  
5315 Baylor Pl.  
Bartlesville, OK 74006