

ORIGINAL

COPYRIGHT ROYALTY BOARD

In the Matter of }
 }
Distribution of the 2002, 2003 and 2004 }
Digital Audio Recording Funds }
_____ }

Docket No. 2006-5 CRB DD 2002-2004

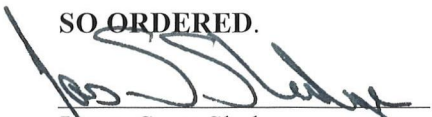
ORDER GRANTING DISTRIBUTION OF 95%
OF THE MUSICAL WORKS FUNDS

On September 27, 2006, the Copyright Royalty Board (“Board”) held a hearing on the motion for distribution of 95% of the 2002, 2003 and 2004 DART Musical Works Funds filed jointly by Broadcast Music, Inc., the American Society of Composers, Authors and Publishers, SESAC, Inc., and the Harry Fox Agency, Inc. (collectively, the “Settling Parties”). The Settling Parties seek the distribution under 17 U.S.C. 801(b)(3)(A) which provides that royalty fees not subject to controversy may be distributed by the Board. After hearing the views of the claimants participating in the hearing, including the objection to the motion of Trudy Borset a/k/a Lisa Fisher, the Board determines that retention of 5% of the 2002, 2003 and 2004 DART Musical Works Funds is sufficient to resolve any potential controversies as to the distribution of royalties. Consequently, the Board is granting the Settling Parties’ motion.

The Board also determines that it is appropriate to begin a proceeding to resolve any existing controversies as to the remaining 5% of the 2002, 2003 and 2004 DART Musical Works Funds. Claimants to these funds are hereby put on notice that the Board will soon publish a notice in the **Federal Register** initiating a distribution proceeding, requesting comments on the existence of controversies, and requesting petitions to participate.

Wherefore, **IT IS ORDERED** that the motion of the Settling Parties for distribution of 95% of the 2002, 2003 and 2004 DART Musical Works Funds **IS GRANTED**. **IT IS FURTHER ORDERED** that such royalties will be distributed on or after October 19, 2006, provided that the Settling Parties submit to the Licensing Division of the Copyright Office all pertinent information to effect the transfer of funds no later than 7 days before the date of distribution.

SO ORDERED.


James Scott Sledge,
Chief Copyright Royalty Judge.

DATED: October 2, 2006