



# ANNOUNCEMENT

from the Copyright Office, Library of Congress, Washington, D.C. 20559-6000

## NOTICE WITH REQUEST FOR COMMENTS.

### ASCERTAINMENT OF CONTROVERSY FOR 1992, 1993, 1994 AND 1995 SATELLITE ROYALTY FUNDS

The following excerpt is taken from Volume 62, Number 21 of the *Federal Register* for Friday, January 31, 1997 (pp. 4814)

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#### LIBRARY OF CONGRESS

##### Copyright Office

[Docket No. 97-1 CARP SD 92-95]

##### Ascertainment of Controversy for 1992, 1993, 1994 and 1995 Satellite Royalty Funds

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Notice with request for comments.

**SUMMARY:** The Copyright Office of the Library of Congress directs all claimants to royalty fees collected for the retransmission of television broadcast signals by satellite carriers in 1992, 1993, 1994, and 1995 to submit Notices of Intent to Participate and comments as to whether Phase I and/or Phase II controversies exist as to the distribution of these funds. The Office also requests comments as to whether it should consolidate the proceedings to distribute the royalties for these years into a single or multiple proceedings.

**DATE:** Comments and Notices of Intent to Participate are due by March 3, 1997.

**ADDRESSES:** If sent by mail, an original and five copies of written comments and Notices of Intent to Participate should be addressed to: Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington D.C. 20024. If hand

delivered, an original and five copies of written comments and Notices of Intent to Participate should be brought to: Office of the Copyright General Counsel, James Madison Memorial Building, Room 403, First and Independence Avenues, S.E., Washington, D.C. 20540.

#### FOR FURTHER INFORMATION

**CONTACT:** William Roberts, Senior Attorney, or Tanya Sandros, Attorney Advisor, Copyright Arbitration Royalty Panels, P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone (202) 707-8380. Telefax (202) 707 8366.

#### SUPPLEMENTARY INFORMATION:

Each year, satellite carriers submit royalties to the U.S. Copyright Office for a statutory license to retransmit television broadcast signals to their subscribers. 17 U.S.C. 119. If no controversies exist, these royalties are, in turn, distributed to copyright owners by the Librarian; or alternatively, if the parties are unable to negotiate a settlement, by means of an ad hoc Copyright Arbitration Royalty Panel (CARP) administered by the Librarian of Congress and the Copyright Office.

Before commencing a distribution proceeding, the Librarian of Congress must first ascertain whether a controversy exists among the copyright claimants to the fund or funds eligible for distribution. 17 U.S.C. 803(c). Therefore, the Copyright Office of the Library of Congress is requesting comments on the existence of controversies as to the distribution of the

1992, 1993, 1994, and 1995 satellite royalty funds. Additionally, the Office seeks comment on whether to consolidate the distribution of the 1992-95 royalties into a single Phase I proceeding, or to conduct multiple Phase I proceedings.

Finally, the Office requests that those claimants intending to participate in the distribution of the 1992-95 royalties file a Notice of Intent to Participate. The Notice of Intent to Participate should articulate each year of participation (1992, 1993, etc.) and the level of participation for each year. i.e. Phase I, Phase II, or both. Specifically for Phase II, each claimant must state each program category in which he or she has an interest that has not been satisfied by private agreement.

Participants must advise the Office of any particular controversy, Phase I and/or Phase II, by the end of the comment period. The Office will not consider controversies which are brought to its attention after the close of the comment period.

DATED: January 24, 1997

Marybeth Peters,

Register of Copyrights.

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