



# ANNOUNCEMENT

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

## NOTICE WITH REQUEST FOR COMMENTS

### ASCERTAINMENT OF CONTROVERSY FOR 1993 AND 1994 CABLE ROYALTY FUNDS

The following excerpt is taken from Volume 61, Number 185 of the *Federal Register* for Monday, September 23, 1996 (pp. 49799)

#### LIBRARY OF CONGRESS

##### Copyright Office

[Docket No. 96-7 CARP CD 93-94]

#### Ascertainment of Controversy for 1993 and 1994 Cable 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 secondary transmission by cable systems in 1993 and 1994 to submit comments as to whether a Phase I or a Phase II controversy exists as to the distribution of these funds. The Office also requests comments as to whether it should consolidate the distribution of the 1993 cable royalties with the distribution of the 1994 cable royalties.

**DATES:** Comments are due November 1, 1996.

**ADDRESSES:** If sent by mail, an original and five copies of written comments and a Notice 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 a Notice of Intent to Participate should be brought to: Office of the Copyright General Counsel, James Madison Memorial Building, Room 407, First and

Independence Avenue, S.E., Washington, D.C. 20540.

#### FOR FURTHER INFORMATION CONTACT:

William Roberts, Senior Attorney, or Tanya M. Sandros, CARP Specialist, 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, cable systems submit royalties to the U.S. Copyright Office for a statutory license to retransmit broadcast signals to their subscribers. 17 U.S.C. 111. These royalties are, in turn, distributed to the copyright owners 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 as to the distribution of the funds. 17 U.S.C. 803(c). Therefore, the Copyright Office is requesting comment on the existence of controversies as to the distribution of 1993 and 1994 cable royalties. Additionally, the Office seeks comment on whether to consolidate the proceedings for distributing the 1993 cable royalties with the proceeding for distributing the 1994 cable royalties.

Finally, the Office requests that those claimants intending to participate in the 1993, 1994, or a consolidated distribution proceeding file a Notice of Intent to Participate, noting whether participation will be for 1993, 1994 or both; 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 which by the end of the comment period has not yet been satisfied by private agreement.

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

Dated: September 17, 1996

Marybeth Peters,  
*Register of Copyrights.*

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[Billing Code: 1410-33]