



# ANNOUNCEMENT

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

PUBLICATION OF THE 1997 CARP ARBITRATION LIST

NEW

COPYRIGHT ARBITRATION ROYALTY PANELS; LIST OF ARBITRATORS

The following excerpt is taken from Volume 62, Number 1 of the  
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## LIBRARY OF CONGRESS

Copyright Office

[Docket No. 96-9 CARP]

Copyright Arbitration Royalty Panels;  
List of Arbitrators

AGENCY: Copyright Office, Library of  
Congress.

ACTION: Publication of the 1997 CARP  
Arbitration List.

**SUMMARY:** The Copyright Office is publishing the list of arbitrators eligible for selection to a Copyright Arbitration Royalty Panel (CARP) during 1997. This list will be used to select arbitrators who shall serve on panels initiated during 1997 for determining the distribution of royalty fees or the adjustment of royalty rates.

**EFFECTIVE DATE:** January 2, 1997.

**FOR FURTHER INFORMATION CONTACT:** Marilyn J. Kretsinger, Acting General Counsel, or Tanya M. Sandros, Attorney-Advisor, Copyright Arbitration Royalty Panel, P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

**SUPPLEMENTARY INFORMATION:**

Background

For royalty rate adjustments and distributions that are in controversy, the Copyright Act requires the selection of a Copyright Arbitration Royalty Panel (CARP) consisting of three arbitrators from "lists provided by professional

arbitration associations." 17 U.S.C. 802(b). The Librarian selects two of the arbitrators for a CARP from a list of nominated arbitrators; those selected then choose a third person who serves as chairperson of the panel.

Under the CARP regulations, as amended, the Library of Congress shall publish in the *Federal Register* after January 1, 1998, and every two years thereafter, a list of between 30 and 75 names of those individuals who were nominated. The list must contain nominees from at least three professional arbitration associations or organizations. 61 FR 63715 (December 2, 1996). The change to a two-year list was implemented to reduce the cost associated with generating an annual list of arbitrators, most of whom would have no opportunity to serve on a CARP during the relevant year. In so amending the rule, the Office decided to use the 1996 list for any CARP proceeding initiated during 1997. Therefore, the Office is republishing the 1996 list of nominees to serve as the 1997 list of arbitrators.

The information submitted by the arbitration association with respect to each person listed is available for copying and inspection at the Licensing Division of the Copyright Office. The Licensing Division of the Copyright Office is located in the Library of Congress, James Madison Building, Room 458, 101 Independence Avenue, S.E., Washington, D.C. 20540.

Publication of today's list triggers the requirement in 37 CFR 251.32 that each listed person file a confidential financial disclosure statement. The Librarian of Congress will use the financial disclosure statement to determine what conflicts of

interest, if any, may preclude the person from serving as an arbitrator in a CARP proceeding. Since each of these nominees has already filed a financial disclosure form, he or she need not file an updated form unless the Library of Congress selects that individual for service on a CARP.

**The 1997 CARP Arbitration List**

Howard B. Abrams, Esq. - American Arbitration Association  
Miles J. Alexander, Esq. - Center for Public Resources Inc.  
Richard Bennett, Esq. - American Arbitration Association  
The Honorable John W. Cooley - JAMS/Endispute  
Robert A. Creo, Esq. - JAMS/Endispute  
Joel Davidow, Esq. - American Arbitration Association  
Edward Dreyfus, Esq. - American Arbitration Association  
Corydon B. Dunham, Esq. - American Arbitration Association  
The Honorable Lenore G. Ehrig - American Arbitration Association & Judicate, Inc.  
The Honorable Jesse Etelson - Judicate, Inc.  
John B. Farmakides, Esq. - American Arbitration Association  
The Honorable Thomas A. Fortkort - Center for Litigation Alternatives  
Richard G. Green, Esq. - American Arbitration Association  
Joseph A. Greenwald, Esq. - American Arbitration Association  
The Honorable Lewis Hall Griffith - Center for Litigation Alternatives  
The Honorable Jeffrey S. Gulin, Esq. - Judicate, Inc.  
Professor Hugh C. Hansen - Center for Litigation Alternatives