

**Before the  
UNITED STATES COPYRIGHT ROYALTY JUDGES  
Washington, D.C.**

In the Matter of:

Determination of Royalty Rates and Terms  
for Making Ephemeral Copies of Sound  
Recordings for Transmission to Business  
Establishments (Business Establishments III)

Docket No. 17–CRB–0001–BER  
(2019–2023)

**PETITION TO PARTICIPATE**

Pursuant to 37 C.F.R. § 351.1(b)(ii), SoundExchange, Inc. (“SoundExchange”), on behalf of itself and the copyright owners and artists on whose behalf it collects and distributes statutory royalties, respectfully submits this Petition to Participate in response to the Copyright Royalty Judges’ Notice announcing the commencement of the above-captioned proceeding. 82 Fed. Reg. 143 (Jan. 3, 2017).

SoundExchange is a nonprofit organization incorporated in the State of Delaware and jointly controlled by representatives of sound recording copyright owners and artists through an 18-member Board of Directors. Its Board of Directors includes recording artist representatives, as well as representatives from the major record companies, independent record companies, the American Association of Independent Music, the American Federation of Musicians, SAG-AFTRA, and others. The Copyright Royalty Judges have previously designated SoundExchange as the Collective to receive and distribute Section 112 and 114 royalties. SoundExchange has collected and distributed billions of dollars in statutory royalties for tens of thousands of copyright owners and artists, and continues to do so. SoundExchange thus represents the interest of sound recording copyright owners and featured artists who are entitled to a portion of the

royalties paid by services claiming the benefits of the statutory licenses. Accordingly, SoundExchange, on its own behalf and on behalf of sound recording copyright owners and artists, has a significant interest in the royalty rates and terms that are the subject of this proceeding.

Pursuant to 37 C.F.R. § 351.1(b)(1), SoundExchange provides the following contact information:

C. Colin Rushing, General Counsel  
Bradley E. Prendergast, Senior Counsel  
SoundExchange, Inc.  
733 10th Street, NW, 10th Floor  
Washington, DC 20001  
(202)640-5858 (phone)  
(202)640-5883 (fax)  
crushing@soundexchange.com  
bprendergast@soundexchange.com

Pursuant to 37 C.F.R. § 351.1(b)(4), SoundExchange is submitting a filing fee of \$150 in connection with this Petition to Participate.

Respectfully submitted,



By \_\_\_\_\_  
David A. Handzo (DC Bar 384023)  
Steven R. Englund (DC Bar 425613)  
Jared O. Freedman (DC Bar 469679)  
JENNER & BLOCK LLP  
1099 New York Ave., N.W., Suite 900  
Washington, D.C. 20001  
(v) 202-639-6000  
(f) 202-639-6066  
dhandzo@jenner.com  
senglund@jenner.com  
jfreedman@jenner.com

*Counsel for SoundExchange, Inc.*

Dated: February 2, 2017