

UNITED STATES COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

**DETERMINATION OF ROYALTY RATES AND
TERMS FOR EPHEMERAL RECORDING AND
DIGITAL PERFORMANCE OF SOUND
RECORDINGS (*WEB IV*)**

**Docket No. 14-CRB-0001-WR
(2016-2020)**

NOTICE OF FURTHER PROCEEDINGS

On February 19, 2014, the Copyright Royalty Judges (“Judges”) issued a *Notice of Participants, Commencement of Voluntary Negotiation Period, and Case Scheduling Order* (“Notice and Order”) in the captioned proceeding. The Judges attached to the *Notice and Order* as “Exhibit B” a list of parties that had filed timely Petitions to Participate. The Judges subsequently struck the Petitions to Participate filed by Music Reports, Inc., the National Music Publishers’ Association, Inc. (“NMPA”), and Triton Digital, Inc. The Judges accept all of the remaining Petitions to Participate listed in Exhibit B of the *Notice and Order*.

Pursuant to the *Notice and Order*, the Judges received status of negotiation notices from the following participants: Digital Media Association, National Public Radio, Inc., Sirius XM Radio Inc., Pandora Media, Inc., Clear Channel Communications Inc., David W. Rahn for Custom Channels, GEO Music Group, Beats Music, LLC., Amazon.com, Inc., and Rhapsody International, Inc. None of these named participants had reached a settlement within the voluntary negotiation period.

The Judges, therefore Judges hereby ORDER the remaining participants to propose a joint discovery schedule no later than **July 11, 2014**. Pursuant to Section 803(b)(5) of the Copyright Act, any participant may file a motion to proceed on a paper record only at any time, but no later than October 6, 2014. All participants shall file written direct statements, pursuant to the schedule set forth in “Exhibit A” to the *Notice and Order* (appended to the current order) **no later than October 6, 2014**.¹

IT IS SO ORDERED.

DATED: July 1, 2014


Suzanne M. Barnett
Chief Copyright Royalty Judge

¹ Pursuant to Section 803(b)(5) of the Copyright Act, any participant may file a motion to proceed on a paper record only at any time, but no later than October 6, 2014.

EXHIBIT A

Rates and Terms Determination

Case event	Date
Initiation (publication in FR)	January 3, 2014
Deadline for petition to participate	February 3, 2014
Commencement of Voluntary Negotiation Period	February 21, 2014
End of Voluntary Negotiation Period	May 22, 2014
Parties' Notice of Settlement	May 29, 2014
Publication in Federal Register for Comment	June 9, 2014
Deadline for Comments	July 8, 2014
Publication of Revised Regulations reflecting settlement	August 7, 2014
IF PARTIES DO NOT SETTLE or if the Judges decline to adopt the settlement	
Order for Further Proceedings	June 5, 2014
Parties file Written Direct Statements	
Commencement of Discovery Period	October 6, 2014
End of Discovery Period	December 5, 2014
Deadline to file Amended Written Direct Statement	
Commencement of Settlement Conference Period	December 22, 2014
End of Settlement Conference Period	January 12, 2015
Deadline for Joint Settlement Conference Report	January 19, 2015
IF PARTIES DO NOT SETTLE	
Initial Hearing ²	commencing on March 23, 2015
Deadline to file Written Rebuttal Statement	May 7, 2015
Rebuttal Hearing	commencing on May 26, 2015
Closing Argument	June 25, 2015
Initial Determination	not later than December 15, 2015

² During this interval, the Judges may schedule a prehearing conference. *See* 37 C.F.R. § 351.8.