

**UNITED STATES COPYRIGHT ROYALTY JUDGES**  
**The Library of Congress**

*In re*

**Rulemaking regarding Notice and  
Recordkeeping for Use of  
Sound Recordings Under Statutory  
License**

**Docket No. 14-CRB-0005 (RM)**

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**ORDER GRANTING NAB MOTION FOR EXTENSION OF TIME FOR  
COMMENTING IN THE COPYRIGHT ROYALTY JUDGES' NOTICE AND  
RECORDKEEPING RULEMAKING**

On May 2, 2014, the Copyright Royalty Judges (Judges) published a Notice of Proposed Rulemaking (NPRM) in the Federal Register seeking comments on proposed changes to the regulations concerning notice and recordkeeping for the use of sound recordings under the statutory licenses in 17 U.S.C. §§ 114 and 112. *See* 79 Fed. Reg. 25038 (May 2, 2014). These changes had been proposed to the Judges in petitions from (a) SoundExchange and (b) College Broadcasters, Inc. (CBI), American Council on Education and Intercollegiate Broadcasting Systems, Inc. (collectively, the petitioners). The due date for initial comments is June 2, 2014 and the due date for reply comments is June 16, 2014.

On May 20, 2014, the National Association of Broadcasters (NAB) filed a motion with the Judges requesting a 21-day extension of time to file initial comments and a 21-day extension of time to file reply comments. NAB cited as reasons for its request (1) the magnitude of the task of gathering information to comment fully on the more than 30 proposed revisions to the regulations; (2) the asymmetry between the time available to the petitioners and those wishing to respond to the NPRM; (3) the lack of an urgent need to complete this rulemaking process; and (4) prior Copyright Office practice.

The Judges note that it is inherent in the rulemaking process that parties who petition an agency for regulatory changes will always have more time to formulate their proposal than other interested parties will have to comment on it. Nonetheless, the Judges find NAB's other arguments persuasive and, therefore, **GRANT** NAB's motion for an extension, with the following modifications: The due date for filing initial comments is extended by four weeks to **June 30, 2014**; the time for preparing and filing reply comments is expanded by four weeks, making the due date for reply comments **August 11, 2014**. Any interested party that has already filed an initial comment may

supplement its comment by June 30. A notice to this effect shall be published in the **Federal Register** and on the Copyright Royalty Board website.

**SO ORDERED.**



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David Strickler  
Copyright Royalty Judge

DATED: May 22, 2014