

**BEFORE THE
COPYRIGHT ROYALTY BOARD
LIBRARY OF CONGRESS
WASHINGTON, D.C.**

IN THE MATTER OF:

**DETERMINATION OF ROYALTY
RATES FOR NEW SUBSCRIPTION
SERVICES FOR DIGITAL
PERFORMANCE RIGHT IN SOUND
RECORDINGS AND EPHEMERAL
RECORDINGS**

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) **Docket No. 14-CRB-0002-NSR (2016-2020)**
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**THE NATIONAL MUSIC PUBLISHERS' ASSOCIATION
PETITION TO PARTICIPATE**

Pursuant to 17 U.S.C. § 803(b)(1)(B), Section 351.1(b) of the Copyright Royalty Judges' Rules and Procedures (37 C.F.R. § 351.1(b)), and the Copyright Royalty Board's January 3, 2014 Federal Register notice (79 Fed. Reg. 410), the National Music Publishers Association ("NMPA") hereby petitions to participate in the above-captioned proceeding to determine the reasonable rates and terms for the digital performance of sound recordings and ephemeral recordings by new subscription services (the "Proceeding").

Founded in 1917, NMPA is the principal trade association of music publishers in the United States. Its members own or control the majority of musical compositions available for licensing in the United States, and digital services that license under 17 U.S.C. §114 are also licensed by NMPA music publisher members. NMPA has a significant interest in the subject matter of this Proceeding because (i) any determination in this Proceeding regarding the scope of the non-interactivity versus interactivity of digital services under 17 U.S.C. §114 directly implicates and affects the license and royalty rate paid by digital services to music publishers under 17 U.S.C. §115, and (ii) the

royalty rates determined in the above-captioned proceeding will directly impact the royalties available to be paid by digital services to music publishers for performance of the underlying musical work.

The NMPA's contact information is as follows:

National Music Publishers' Association
975 F Street, NW, Suite 375
Washington, D.C. 20004

The requisite \$150 filing fee is enclosed herewith.

Dated: February 3, 2014

Respectfully submitted,

NATIONAL MUSIC PUBLISHERS' ASSOCIATION

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