

**Before the  
COPYRIGHT ROYALTY JUDGES  
Washington, DC**

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**In the Matter of**

**Distribution of 2010, 2011,  
2012 Satellite Royalty Funds**

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) **Docket No. 14-CRB-0008-SD**  
) **(2010-2012)**  
)  
)

**SESAC INC.'S PETITION TO PARTICIPATE**

SESAC, Inc. ("SESAC"), pursuant to 17 U.S.C. § 119 ("Section 119") and 37 C.F.R. § 351.1(b), and in response to the Copyright Royalty Judges' Notice announcing commencement of distribution proceedings regarding 2010, 2011, and 2012 satellite royalty funds (79 Fed. Reg. 76396 (December 22, 2014)), hereby submits its Petition to Participate in the above-referenced matter on behalf of its affiliated songwriters, composers, and music publishers whose works are publicly performed pursuant to the Section 119 satellite carrier statutory license.

SESAC is a joint claimant in each of the referenced claim years, having filed joint claims for 2010 (no Claim No. assigned—copy of claim stamped received by Copyright Office 7/29/11 attached hereto), 2011 (Claim No. 149), and 2012 (Claim No. 220). SESAC is one of three identified Phase II claimants within the Phase I Music Claimants category to which Section 119 satellite royalties have been allocated in prior satellite distribution proceedings, and this Petition covers both Phase I and Phase II proceedings.

Undersigned counsel hereby certifies that, as of the date of submission of this Petition, he has the authority and consent of SESAC, on behalf of its affiliated songwriters, composers, and music publishers, to represent it in this proceeding.

Respectfully submitted,

SESAC, Inc.

A handwritten signature in blue ink, appearing to read "John C. Beiter", is written over a horizontal line.

John C. Beiter

TN Bar No. 12564

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Dated: January 20, 2015

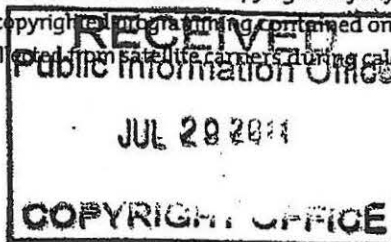


United States Copyright Royalty Board

## Joint Claim for Satellite Retransmission Royalty Fees — 2010

**IMPORTANT:** To be effective, this form must be filed *during* July 2011. See 17 USC 119(b)(4)(A), 37 CFR 360.11, 360.13. Do not file before July 1 or after August 1, 2011. Claims must be submitted on this form only. Replicas of this form will NOT be accepted.

In accordance with section 119 of the Copyright Act, 17 USC, and Subpart B of Part 360 of the Copyright Royalty Board regulations, 37 CFR 360.10–360.15 the copyright owner claimants named herein file with the Copyright Royalty Board a claim to royalty payments collected from satellite carriers retransmitting copyrighted programming contained on over-the-air television broadcast signals. This joint claim to royalties is for fees collected from satellite carriers during calendar year 2010.



You must provide the requested information for each item on this form.

### FILER AND COPYRIGHT OWNERS

**FILER FULL NAME AND ADDRESS:** Below, provide the full legal name and address (including specific number and street name or rural route), of the person or entity filing the joint claim.

SESAC, INC.

152 West 57th Street, 57th Floor

New York, NY 10019

Telephone number of the person or entity filing the claim: (212) 586-3450

Facsimile number, if any, of the person or entity filing the claim: (212) 489-5699

Email address, if any, of the person or entity filing the claim: \_\_\_\_\_

**CONTACT PERSON:** Include name, phone, fax, if any, and email, if any:

John C. Beiter, Esq., Shackelford, Zumwalt & Hayes, PLLC

1014 16th Ave South, Nashville, TN 37212; (615) 256-7200;

Fax (615) 256-7106; Email: jbeiter@shacklaw.net

**LIST OF COPYRIGHT OWNERS:** Below, provide the full legal names and addresses of the copyright owners entitled to claim the joint royalty fees who have duly authorized the representative named herein to file this claim on their behalf. If the filer is also a joint copyright owner to this claim, the filer's name and address must appear in this section. You may attach a list of names and addresses of the copyright owners to the joint claim in lieu of listing them below. *Do not include names of subsidiaries, parent companies, etc., if they are not a copyright owner entitled to royalties.* **NOTE:** Performing rights organizations do not have to list the names of their members and affiliates.

SESAC, INC., a performing rights organization, files on

behalf of songwriters, composers, and music publishers

affiliated with it pursuant to written affiliation agreements.

### CLAIM INFORMATION

**GENERAL STATEMENT:** Below, provide the nature of the copyright owners' works (i.e., motion pictures, syndicated television series, sports broadcasts, music, news, and other station-produced programming).

Public performance rights in non-dramatic musical works.

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**EXAMPLE(S):** Below, provide at least one example of a secondary retransmission of either a nonmusic (Example A) or music (Example B) work by filling in the blanks.

**Example A (Nonmusic):**

The copyrighted broadcast program \_\_\_\_\_,  
which is owned by \_\_\_\_\_,  
was the subject of a primary transmission made by broadcast station \_\_\_\_\_,  
which is licensed to the city of \_\_\_\_\_, located in the state of \_\_\_\_\_,  
on \_\_\_\_\_, 2010, and was retransmitted by satellite carrier \_\_\_\_\_  
to subscribers located outside the station's local market.

**Optional example (Nonmusic):** *Although not required, you may provide an additional example of a secondary retransmission below.*

The copyrighted broadcast program \_\_\_\_\_,  
which is owned by \_\_\_\_\_,  
was the subject of a primary transmission made by broadcast station \_\_\_\_\_,  
which is licensed to the city of \_\_\_\_\_, located in the state of \_\_\_\_\_,  
on \_\_\_\_\_, 2010, and was retransmitted by satellite carrier \_\_\_\_\_  
to subscribers located outside the station's local market.

**Example B (Music):**

The musical composition See attached.  
composed by \_\_\_\_\_,  
published by \_\_\_\_\_,  
was performed in the program \_\_\_\_\_,  
which was the subject of a primary transmission made by broadcast station \_\_\_\_\_,  
which is licensed to the city of \_\_\_\_\_, located in the state of \_\_\_\_\_,  
on \_\_\_\_\_, 2010, and was retransmitted by satellite carrier \_\_\_\_\_  
to subscribers located outside the station's local market.

**Optional example (Music):** *Although not required, you may provide an additional example of a secondary retransmission below.*

The musical composition \_\_\_\_\_,  
composed by \_\_\_\_\_,  
published by \_\_\_\_\_,  
was performed in the program \_\_\_\_\_,  
which was the subject of a primary transmission made by broadcast station \_\_\_\_\_,  
which is licensed to the city of \_\_\_\_\_, located in the state of \_\_\_\_\_,  
on \_\_\_\_\_, 2010, and was retransmitted by satellite carrier \_\_\_\_\_  
to subscribers located outside the station's local market.

**DECLARATION**

*The undersigned declares under penalty of law that he or she is duly authorized by the copyright owners identified herein to make this filing on their behalf and further declares under penalty of law that all statements contained herein are true, complete, and correct to the best of the undersigned's knowledge, information, and belief, and are made in good faith. [18 USC 1001].*

Pat Collins/President and COO

(TYPED OR PRINTED NAME)

(SIGNATURE)

(DATE)

7/28/11

The musical composition Don't Tell Mark, composed by Danny Scott Lux and Matthew J. Mariano, published by 500 South Songs, was performed in the program Grey's Anatomy, which was the subject of a primary transmission made by broadcast station KABC-TV, which is licensed to the city and state of Los Angeles, CA on February 11, 2010, and was retransmitted by satellite carrier Direct TV to subscribers located outside that station's local market.

The musical composition Gotta Get A Job Here, composed by John Charles Edward Swihart, published by Songfair Inc., was performed in the program Accidentally On Purpose, which was the subject of a primary transmission made by broadcast station KCBS-TV, which is licensed to the city and state of Los Angeles, CA on April 14, 2010, and was retransmitted by satellite carrier Direct TV to subscribers located outside that station's local market.

The musical composition Todd Tumbles, composed by Todd Christopher Burns, published by Jillian DVG Music, was performed in the program Dateline NBC, which was the subject of a primary transmission made by broadcast station KNBC-TV, which is licensed to the city and state of Los Angeles, CA on June 4, 2010, and was retransmitted by satellite carrier Direct TV to subscribers located outside that station's local market.

The musical composition Building Wake Up, composed by Danny Scott Lux and John Brandon Carta, published by And Syndicated Productions, Inc., was performed in the program Bachelor Pad, which was the subject of a primary transmission made by broadcast station WABC-TV, which is licensed to the city and state of New York, NY on August 16, 2010, and was retransmitted by satellite carrier Direct TV to subscribers located outside that station's local market.

The musical composition Sooner Than Later, composed by Paul Martin Buckley, published by Warner-Hollywood Music, LLC., was performed in the program \$..! My Dad Says, which was the subject of a primary transmission made by broadcast station WCBS-TV, which is licensed to the city and state of New York, NY on October 7, 2010, and was retransmitted by satellite carrier Direct TV to subscribers located outside that station's local market.

The musical composition Sweet Caroline, composed by Neil Leslie Diamond, published by Stonebridge Music, was performed in the program Chase, which was the subject of a primary transmission made by broadcast station WNBC-TV, which is licensed to the city and state of New York, NY on December 4, 2010, and was retransmitted by satellite carrier Direct TV to subscribers located outside that station's local market.

## CERTIFICATE OF SERVICE

I hereby certify that on this 21<sup>st</sup> day of January, 2015, a copy of the foregoing Petition to Participate of SESAC, Inc. was sent by FedEx to the individuals listed below:

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