

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

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**In the Matter of**

**Distribution of the  
2013 Cable Royalty Funds**

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**Docket No. 14-CRB-0010-CD (2013)**

**COMMENTS OF ASCAP, BMI AND SESAC ON THE EXISTENCE OF  
CONTROVERSIES**

The Copyright Royalty Judges (“Judges”) have requested comments pursuant to their notice of December 9, 2014 whether controversies exist among claimants to the 2013 cable royalty funds regarding the distribution of such funds. 79 Fed. Reg. 76,396 (December 22, 2014). The American Society of Composers, Authors and Publishers (“ASCAP”), Broadcast Music, Inc. (“BMI”) and SESAC, Inc. (“SESAC”)<sup>1</sup> submit these comments to report on the status of both Phase I and Phase II controversies in the Music Claimant category with regard to the 2013 cable royalty funds.

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<sup>1</sup> BMI, ASCAP and SESAC collectively represent hundreds of thousands of composer, lyricist, songwriter, and publisher members and affiliates with combined repertoires of millions of copyrighted musical works. On behalf of their members and affiliates, ASCAP, BMI and SESAC license the public performance rights granted to their respective members and affiliates as copyright owners under Section 106(4) of the Copyright Act (17 U.S.C. § 106(4)). BMI and ASCAP are also affiliated with about ninety foreign performing rights societies around the world and license the repertoires of those societies in the United States. BMI, ASCAP, and SESAC have historically -- and for the purposes of this filing -- been known as the “Music Claimants” and individually each a “Music Claimant Party”.

## PHASE I

The Music Claimants have not reached a settlement with any other Phase I claimant group regarding the distribution of any portion of the 2013 cable royalty funds. Accordingly, a Phase I controversy exists regarding the distribution of the Music Claimant share of such funds.

## PHASE II

No individual Music Claimant Party has reached a settlement with any other Music Claimant Party regarding the distribution of any portion of the 2013 cable royalty funds. Accordingly, a Phase II controversy regarding the distribution of such funds currently exists between each of ASCAP, BMI and SESAC. The Settling Music Claimants are unaware of any other Phase II controversies in the Music Claimant category. If an unanticipated Phase II claim to 2013 cable royalty funds is made in the Music Claimant category, a Phase II controversy would exist with regards to the claim filed by such party.

Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I hereby certify that on this 21st day of January, 2015, a copy of the foregoing Comments of ASCAP, BMI and SESAC on the Existence of Controversies was sent by FedEx overnight delivery to the following:

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