

Edward S. Hammerman, Esq. Founder & Managing Member T 202.686.2887 | F 202.318.5633 ted@copyrightroyalties.com

July 6, 2015

Via Hand Delivery Copyright Royalty Board U.S. Copyright Office Library of Congress 101 Independence Avenue, S.E. Washington, D.C. 20559-6000

# Re: In the Matter of Distribution of the 2013 Cable and Satellite Royalty Funds Docket Nos. 2014-CRB-0010 CD (2013); and 2014-CRB-0011 SD (2013)

Dear Sir or Madam:

On behalf of Arena Football One, LLC, the purpose of this letter is to submit one (1) original, five (5) paper copies and one (1) electronic copy of each file on CD in PDF or Microsoft Excel formats to the Copyright Royalty Board to file Comments on the existence of Phase II controversies in the above-noted satellite-related-portion of the proceeding only.

I would appreciate if you would date-stamp the attached copy of this cover letter and the file copy of the Comments, and return them to my Firm via courier. Should you have any questions related to this filing, please contact the undersigned.

Sincerely yours,

INTERMEDIARY COPYRIGHT ROYALTY SERVICES

Attorneys for ARENA FOOTBALL ONE, LLC

By: merman, Esq.

Enclosures

cc: Wesley Friedman, Esq.

| HAMMERMAN PLLC   | 7-216-520 1.355                    |
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ORIGINAL

Before the COPYRIGHT ROYALTY BOARD Washington, D.C.

In the Matter of

Distribution of the 2013 Cable Royalty Funds Docket No. 14-CRB-0010-CD (2013)

In the Matter of

Distribution of the 2013 Satellite Royalty Funds Docket No. 14-CRB-0011-SD (2013)

## PETITION TO PARTICIPATE

Pursuant to 17 U.S.C. §§ 801(b)(3) and 804(b)(8) and 37 CFR § 351.1(b)(2), Arena Football One, LLC ("Petitioner") submits its Petition to Participate in the proceeding of the Copyright Royalty Judges to determine the Phase I and II distributions of 2013 royalties collected under the satellite statutory licenses only.

Pursuant to Section 351.1(b)(2)(i)(A)-(C), the following information is provided:

(A) The full name, address, telephone number, facsimile number, and e-mail address of the Petitioner:

Arena Football One, LLC 640 North LaSalle Street, Suite 557 Chicago, IL 60654 Telephone: 312-465-2200 Facsimile: 312-496-3055 E-mail: wfriedman@arenafootball.com (B) In a cable or satellite royalty distribution proceeding, identification of whether the petition covers a Phase I proceeding (the initial part of a distribution proceeding where royalties are divided among the categories or groups of copyright owners), a Phase II proceeding (where the money allotted to each category is subdivided among the various copyright owners within that category), or both:

This Petition covers the Phase II satellite distribution proceedings for 2013.

# (C) A description of the Petitioner's significant interest in the subject matter of the proceeding:

Petitioner produces live sporting events, owns the copyright in that programming, and has submitted claims for statutory royalties from the respective satellite royalty funds. Petitioner is a Phase II claimant for satellite royalties within the Joint Sports Claimant category. Petitioner understands that there are other claimants seeking a share of the Joint Sports Claimant category allocations, but it has not reached settlement with any other potential Phase II Joint Sports Claimants. Based on discussions to date, while Petitioner remains optimistic that it will reach a Phase II settlement with the other Phase II parties, it is possible that a Phase II proceeding will be necessary to resolve these disputes. Therefore, Petitioner has a significant interest in the subject matter of the Phase II distribution proceeding.

The undersigned hereby certifies that, as of the date of submission of this Petition, I have the authority and consent of Petitioner to represent it in this royalty distribution proceeding. A check in the amount of \$150 accompanies this Petition to cover the satellite-related filing fee.

Respectfully submitted,

ARENA FOOTBALL ONE, LLC

Edward S Hammerman, Esq. (D.C. Bar No. 460506) Hammerman PLLC d/b/a Intermediary Copyright Royalty Services 5335 Wisconsin Avenue, N.W., Suite 440 Washington, DC 20015-2054 Telephone: 202-6868-2887 Facsimile: 202-318-5633 E-Mail: ted@copyrightroyalties.com

Counsel for Petitioner

July 6, 2015

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 6th day of July, 2015, a copy of the foregoing Petition to Participate was sent by Federal Express standard overnight delivery to the parties listed below:

## **BROADCASTER CLAIMANTS GROUP**

John I. Stewart, Jr. CROWELL & MORING LLP 1001 Pennsylvania Avenue, N.W. Washington, D.C. 20004

#### **CERTAIN DEVOTIONAL CLAIMANTS**

Clifford H. Harrington PILLSBURY WINTHROP SHAW PITTMAN LLP 1200 17<sup>th</sup> Street, N.W. Washington, D.C. 20036

### INDEPENDENT PRODUCERS GROUP

Brian D. Boydston PICK & BOYDSTON LLP 10786 Le Conte Avenue Los Angeles, CA 90024

# JOINT SPORTS CLAIMANTS

Robert A. Garrett ARNOLD & PORTER LLP 555 Twelfth Street, N.W. Washington, D.C. 20004-1206

Thomas J. Osterag OFFICE OF THE COMMISSIONER OF BASEBALL 245 Park Avenue New York, NY 10167

## MPAA-REPRESENTED PROGRAM SUPPLIERS

Gregory O. Olaniran Lucy Holmes Plovnick MITCHELL SILBERBERG & KNUPP LLP 1818 N Street, N.W., 8<sup>th</sup> Floor Washington, D.C. 20036

## SHOPPING CLAIMANTS

Arnold P. Lutzker Lutzker & Lutzker LLP 1233 20<sup>th</sup> Street, N.W., Suite 703 Washington, D.C. 20036

Edward S. Hammerman

| Satellite Royalties    | Claim Year | Claim       | Claim | Phase I       |
|------------------------|------------|-------------|-------|---------------|
| Claimant               |            | Number<br>9 | Туре  | Category<br>2 |
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