

Before the  
COPYRIGHT ROYALTY JUDGES  
Washington, D.C.

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In the Matter of )  
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Distribution of the )  
)  
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2000, 2001, 2002 and 2003 )  
)  
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Cable Royalty Funds )  
\_\_\_\_\_ )

Docket No. 2008-2 CRB CD 2000-2003  
(Phase II)

MPAA-REPRESENTED PROGRAM SUPPLIERS'

NOVEMBER 13, 2012 PRELIMINARY HEARING EXHIBIT BINDER

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November 2, 2012

*Attorneys for MPAA-Represented  
Program Suppliers*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2nd day of November, 2012, a copy of the foregoing Redacted Exhibit Binder of MPAA-Represented Program Suppliers was sent by either Federal Express overnight mail or hand delivery to the parties listed on the attached service list.

*Lucy Holmes Plovnick*  
Lucy Holmes Plovnick

**SERVICE LIST**

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*Via Hand Delivery*

**In the Matter of Distribution of the 2000, 2001, 2002 and 2003 Cable Royalty Funds  
Docket No. 2008-2 CRB CD 2000-2003 (Phase II)  
MPAA-Represented Program Suppliers' Exhibit Binder Index**

<b>EXHIBIT NUMBER</b>	<b>DESCRIPTION (e.g., date, author or source, title)</b>	<b>OBJECTIONS (Y/N)</b>
301.	Certified Copy of Order, Docket No. 2002-2 CARP CD 93-97 (June 22, 2000)	
302.	Certified Copy of Order, Docket No. 2000-2 CARP CD 93-97 (Sept. 22, 2000)	
303.	Order, Docket No. 2002-2 CARP CD 93-97 (Dec. 28, 2000)	
304.	REDACTED	
305.	Certified Copy of Phase II Cable Royalty Distribution Report (CARP Report), REDACTED PUBLIC VERSION, Docket No. 2000-2 CARP CD 93-97 (Apr. 16, 2001)	
306.	Order, Docket No. 2000-2 CARP CD 93-97, Copyright Office, Library of Congress, Distribution of 1993, 1994, 1995, 1996, and 1997 Cable Royalty Funds, 66 Fed. Reg. 66433-55 (Dec. 26, 2001)	
307.	Notice of Termination of Proceeding, Docket No. 2000-2 CARP CD 93-97, Copyright Office, Library of Congress, Distribution of 1993, 1994, 1995, 1996 and 1997 Cable Royalty Funds, 69 Fed. Reg. 23821 (Apr. 30, 2004)	
308.	Certified Copy of Joint Notice of Intent to Participate, Docket No. 2002-8 CARP CD 2000 (filed Sept. 19, 2002) (submitted by Fintage Publishing and Collection B.V.)	
309.	Certified Copy of Joint Notice of Intent to Participate and Comments on the Existence of Controversies, Docket No. 2002-8 CARP CD 2000 (filed Sept. 30, 2002) (submitted by attorney Edward Hammerman on behalf of Adler Media, Inc., O. Atlas Enterprises, Inc., Sandra Carter Productions, Inc., and Ward Productions, Inc.)	
310.	Certified Copy of Joint Notice of Intent to Participate and Comments on the Existence of Controversies, Docket No. 2003-2 CARP CD 2001 (filed Sept. 12, 2003) (submitted by attorney Edward Hammerman on behalf of O. Atlas Enterprises, Inc., Phil Slater Associates, Sandra Carter Productions, Inc., SGI Worldwide Television and Film, Inc., and Ward Productions, Inc.)	
311.	Certified Copy of Copyright Office, Final List of Cable Claims Filed for 2000 Royalty Year	

REDACTED PUBLIC COPY

EXHIBIT NUMBER	DESCRIPTION (e.g., date, author or source, title)	OBJECTIONS (Y/N)
312.	Certified Copy of Copyright Office, Final List of Cable Claims Filed for 2001 Royalty Year	
313.	Certified Copy of Copyright Office, Final List of Cable Claims Filed for 2002 Royalty Year	
314.	Certified Copy of Copyright Office, Final List of Cable Claims Filed for 2003	
315.	Register of Copyrights, Victim Impact Statement, United States v. Raul Galaz, Criminal No. 02-230 (Sept. 13, 2002)	
316.	Certified Copy of Plea Agreement, U.S. v. Galaz, Criminal No. 02-230 (May 30, 2002)	
317.	Certified Copy of Criminal Information, U.S. v. Galaz, Criminal No. 02-230 (May 30, 2002)	
318.	Certified Copy of Defendant's Motion for Clarification on Ruling Or, Alternatively, Modification of Judgment, U.S. v. Galaz, Criminal No. 02-230-01 (HHK) (November 10, 2005)	
319.	Artist Collections Group d/b/a Worldwide Subsidy Group, Joint Claim for 2000 Cable Retransmission Royalties (filed July 31, 2001) (submitted by Marian Oshita)	
320.	Worldwide Subsidy Group, d/b/a Independent Producers Group, Joint Claim for 2000 Cable Retransmission Royalties (filed July 31, 2001) (submitted by Marian Oshita)	
321.	Artist Collections Group d/b/a Worldwide Subsidy Group, Joint Claim for 2001 Cable Retransmission Royalties (filed July 31, 2002) (submitted by Marian Oshita)	
322.	Worldwide Subsidy Group d/b/a Independent Producers Group, Joint Claim for 2001 Cable Retransmission Royalties (filed July 31, 2002) (submitted by Marian Oshita)	
323.	Worldwide Subsidy Group, LLC, Joint Claim for 2002 Cable Retransmission Royalties (filed July 15, 2003) (submitted by Marian Oshita)	
324.	Independent Producers Group, Joint Claim for 2002 Cable Retransmission Royalties (filed July 15, 2003) (submitted by Marian Oshita)	
325.	Worldwide Subsidy Group, LLC, Joint Claim for 2003 Cable Retransmission Royalties (filed Aug. 2, 2004) (submitted by Marian Oshita)	

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<b>EXHIBIT NUMBER</b>	<b>DESCRIPTION (e.g., date, author or source, title)</b>	<b>OBJECTIONS (Y/N)</b>
326.	Independent Producers Group, Joint Claim for 2003 Cable Retransmission Royalties (filed August 2, 2004) (submitted by Marian Oshita)	
327.	Canadian Claimants Group, Joint Claim for 2000 Cable Retransmission Royalties (filed July 26, 2001) (submitted by L. Kendall Satterfield on behalf of Canadian Claimants Group)	
328.	REDACTED	
329.	REDACTED	
330.	REDACTED	
331.	REDACTED	
332.	REDACTED	
333.	REDACTED	
334.	REDACTED	
335.	REDACTED	

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EXHIBIT NUMBER	DESCRIPTION (e.g., date, author or source, title)	OBJECTIONS (Y/N)
336.	REDACTED	
337.	REDACTED	
338.	REDACTED	
339.	Facsimile from Wayne Rooks to Raul Galaz, dated March 22, 2000, attaching a series of title registrations for various programs owned by Gabriel Associates that aired in 1999	
340.	REDACTED	
341.	REDACTED	
342.	REDACTED	
343.	REDACTED	
344.	REDACTED	
345.	REDACTED	
346.	REDACTED	
347.	REDACTED	

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EXHIBIT NUMBER	DESCRIPTION (e.g., date, author or source, title)	OBJECTIONS (Y/N)
348.	REDACTED	
349.	REDACTED	
350.	REDACTED	
351.	REDACTED	
352.	REDACTED	
353.	REDACTED	



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EXHIBIT NUMBER	DESCRIPTION (e.g., date, author or source, title)	OBJECTIONS (Y/N)
354.	REDACTED	
355.	REDACTED	
356.	Excerpts of Deposition Transcript (Raul Galaz), <i>Worldwide Subsidy Group v. Motion Picture Association of America</i> , Case No. 389895, 27:2-22, 63:3-25; 64:1-3	
357.	Excerpts of Deposition Transcript (Denise Vernon), <i>Worldwide Subsidy Group v. Motion Picture Association of America</i> , Case No. 389895, 7:21-25, 8:1-24, 35:22-25, 36:1-7, 61:6-12	

COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

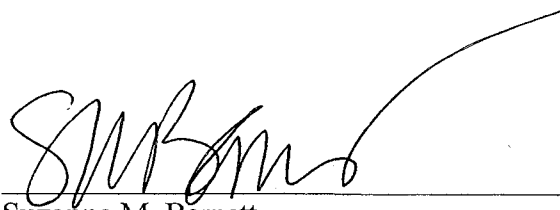
**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

1. 2008-2 CARP CD 2000 - Joint Notice of Intent to Participate and Comments on the Existence of Controversies (9/30/2002)
2. 2002-8 CARP CD 2000 – Notice of Intent to Participate Fintage Publishing (9/19/2002)
3. 2003-2 CARP CD 2001 – Joint Notice of Intent to Participate and Comments on the Existence of Controversies
4. 2002-2 CARP CD 93-97 – Phase II Cable Royalty Distribution Report, Redacted Public Version (4/16/2001)
5. 2000-2 CARP CD 93-97 - ORDER (6/22/2000)
6. 2000-2 CARP CD 93-97 – ORDER (9/22/2000)
7. 2000 Cable Copyright Claims Final List
8. 2001 Cable Copyright Claims Final List
9. 2002 Cable Copyright Claims Final List
10. 2003 Cable Copyright Claims Final List
11. Cable Royalty Distribution Report dated April 6, 2001 (Redacted).

The CRB has a file copy of the unredacted, Confidential Phase II Cable Royalty Distribution Report (Confidential) dated April 16, 2001. The Confidential Report is subject to a General Protective Order and the Judges will not release or distribute a copy of this Report except on motion of the requesting party, with due notice to all parties bound by the General Protective Order and an opportunity for response regarding disclosure of the Report and its contents.

SIGNED this 26<sup>th</sup> day of October, 2012.

A handwritten signature in black ink, appearing to read 'SMBarnett', written over a horizontal line.

Suzanne M. Barnett  
Chief Copyright Royalty Judge



In the Matter of

Distribution of the 1993, 1994, 1995,  
1996 and 1997 Cable Royalty Funds

Docket No. 2000-2 CARP CD 93-97

LIBRARY  
OF  
CONGRESS

**ORDER**

COPYRIGHT  
OFFICE

This Order addresses two motions filed by the parties in this Phase II cable royalty distribution proceeding. The first, a motion filed by MPAA-represented Program Suppliers' ("PS"), seeks dismissal of the claim filed by Independent Producer's Group ("IPG"). The second is IPG's motion to dismiss certain portions of Program Suppliers' written direct case.

**I. Program Suppliers' Motion to Dismiss**

Copyright  
Arbitration  
Royalty  
Panels

Program Suppliers move to dismiss the Phase II claim filed by IPG against the syndicated program category. Program Suppliers allege that IPG's claim (marked as No. 176 by the Copyright Office) does not satisfy the Office's rules and regulations, that none of the entities claimed by IPG are listed in claim No. 176 or filed their own individual claims, and that the documents authorizing IPG to represent the claimants it has listed in its direct case are signed after the deadline for filing 1997 claims and thus convey no rights to seek 1997 royalties. In addition, Program Suppliers allege that many of the program titles listed by IPG as belonging to its claimants actually belong to Program Suppliers' claimants.

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D.C. 20024

IPG filed an opposition to Program Suppliers' motion, and Program Suppliers replied. Because Program Suppliers' motion, if granted in all respects, would obviate the need for this proceeding, the Library is addressing it first and will resolve pending discovery motions at a later date.

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**Discussion**

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*Background*

Program Suppliers' motion invites the Library to wade into the turbid waters of representation and ownership of copyrighted syndicated programs and toss out the red herrings prior to the convening of the CARP. In this instance, Program Suppliers allege that the entire ocean, or at least IPG's portion of it, is full of nothing but red herrings. Before even contemplating such a task, the Library examines the law regarding the filing of claims to cable royalties, and the regulation it has promulgated.

The Copyright Act identifies who is eligible for collecting section 111 compulsory license fees, and generally what they must do to claim royalties. Section 111(d)(3) of the Copyright Act provides that section 111 royalty fees shall "be distributed to those among



the following **copyright owners** who claim their works were the subject of secondary transmissions by cable systems during the relevant semiannual period." 17 U.S.C. 111(d)(3) (emphasis added). The copyright owners specified in the subsection are the owners of nonnetwork programs contained on distant signals retransmitted by cable systems.

Section 111(d)(4)(A) describes what must be done to claim royalties under section 111:

During the month of July in each year, every person claiming to be entitled to statutory license fees for secondary transmissions shall file a claim with the Librarian of Congress, in accordance with requirements that the Librarian of Congress shall prescribe by regulation. Notwithstanding any provisions of the antitrust laws, for purposes of this clause any claimants may agree among themselves as to the proportionate division of statutory licensing fees among them, may lump their claims together and file them jointly or as a single claim, or may designate a common agent to receive payment on their behalf.

17 U.S.C. 111(d)(4)(A). This is all the Copyright Act has to say about the filing of cable claims. The Copyright Royalty Tribunal ("CRT"), where cable claims were filed and resolved prior to the Library assuming the task in 1993, adopted regulations governing the filing of cable claims. Section 302.7(a) of the Tribunal's regulations provided:

During the month of July of each year, every person claiming to be entitled to compulsory license fees for secondary transmissions during the preceding calendar year shall file a claim to such fees in the office of the Copyright Royalty Tribunal. No royalty fees shall be distributed to copyright owners for secondary transmissions during the specified period unless such owner has filed a claim to such fees during the following calendar month of July. For purposes of this clause claimants may file claims jointly or as a single claim. Such filing shall include such information as the Copyright Royalty Tribunal may require. A joint claim shall include a concise statement of the authorization for the filing of the joint claim. A performing rights society shall not be required to obtain from its members or affiliates separate authorizations, apart from their standard agreements, for purposes of this filing and fee distribution.

37 C.F.R. 302.7(a) (1993). Subsection (b) of that regulation required the full name and address of the "person or entity claiming compulsory license fees," along with identification of at least one secondary transmission of that person's or entity's program by a cable system.

The purpose of the Tribunal's regulations governing the filing of cable claims is evident: identify who the claimants are to the royalty pool, and assure that they have asserted a prima facie claim for section 111 royalties. While the regulation states that "every person claiming to be entitled to compulsory license fees" may file a claim, the regulation further states that "[n]o royalty fees shall be distributed to copyright owners for secondary transmissions during the specified period unless such owner has filed a claim to such fees during the following calendar month of July." 37 C.F.R. 302.7(a) (1993).

When the Tribunal's responsibilities were assumed by the Library, the Library proposed changes to the regulations for filing cable claims. Proposed new section 252.2 read:

During the month of July each year, any party claiming to be entitled to cable compulsory license royalty fees for secondary transmissions of one or more of its works during the preceding calendar year shall file a claim to such fees with the Copyright Office. No royalty fees shall be distributed to a party for secondary transmissions during the specified period unless such party has timely filed a claim to such fees. Claimants may file claims jointly or as a single claim.

59 FR 2550, 2564 (January 18, 1994). The Library did not state why it changed slightly the wording of the former Tribunal's regulation, but did propose a new section 252.3 which incorporated some of the same principles. Section 252.3(a)(3) stated that "[i]f the claim is a joint claim, a concise statement of the authorization for the filing of the joint claim [is required]. For this purpose a performing rights society shall not be required to obtain from its members or affiliates separate authorizations, apart from their standard agreements." 59 FR at 2565. The Library also proposed section 252.3(e) which stated that "[a]ll claimants filing a joint claim shall make available to the Copyright Office, other claimants, and, where applicable, a Copyright Arbitration Royalty Panel, a list of all individual claimants covered by the joint claim." 59 FR at 2565.

One commentator to the Notice of Proposed Rulemaking ("NPRM"), the Public Broadcasting Service ("PBS"), raised concerns about section 252.3(e), wondering if, in the case of a joint claim, each claimant was required to identify at least one secondary transmission. The Library responded:

We acknowledge that § 252.3 as proposed in the NPRM muddies the waters for the filing of cable royalty claims, and of satellite royalty claims as well. We are troubled, however, by changing what had been a longstanding requirement at the Tribunal for obliging *all* claimants to identify at least one secondary transmission of their copyrighted works. While such requirement does undoubtably add to the time and expense burdens of joint claimants such as PBS, it is not without purpose. The law states plainly that cable compulsory license royalties are only to be distributed to "copyright owners who claim that their works were the subject of secondary transmissions by cable systems during the relevant semiannual period." 17 U.S.C. 111(d)(3). To support such a claim, each claimant may reasonably be asked to identify at least one secondary transmission of his or her work, thus permitting the Copyright Office to screen the claims and dismiss any claimants who are clearly not eligible for royalty fees. The requirement will also help to reduce time spent by a CARP determining which claimants have a valid claim: if only one secondary transmission is identified for one of the joint claimants, then it could not readily be determined if the other claimants were even eligible for cable royalties.

In an effort to end this confusion we are deleting subsection (e) with its requirement that joint claimants submit a list identifying all the claimants. Instead, we are amending subsection (a)(4) to require that each claimant to a joint claim, other than a joint claim filed by a performing rights society on behalf of its members or affiliates, must identify at least one secondary transmission of his or her works.

59 FR 23964, 23979 (May 9, 1994).

A hail of protest followed the Library's change of the joint claims rule. Several copyright owner groups, including Program Suppliers, argued that a requirement that each joint claimant submit evidence of a secondary transmission was unnecessary and expensive and was not a practice observed by the CRT. Program Suppliers went further and argued that the Copyright Office should refrain from any examination or screening of claims as a regular practice, and leave such activities and eligibility issues to the claimants to raise through motions either to the Librarian or the CARPs. 59 FR 63025, 63027 (December 7, 1994).

On reconsideration, the Library dropped the requirement that each joint claimant identify a secondary transmission. We went on to note that “[t]he amended rule, however, does require each joint claim to identify all claimants participating in the joint claim. Those who are not identified in the joint claim may not be added to it after the filing period.” *Id.* at 63028.<sup>1</sup> The amended section 252.3(a)(3) of the rules, which is the current rule and was in force in 1997, reads in pertinent part: “If the claim is a joint claim, a concise statement of the authorization for the filing of the joint claim, and the name of each claimant to the joint claim [is required].” *Id.* at 63042.

### *Analysis*

As the above discussion reveals, the requirements of section 252 of the rules for the filing of cable claims are critical to the process of distributing royalties collected under the cable compulsory license. When a joint claim is filed, it must identify each of the claimants that are a part of the claim at the time the claim is filed. Parties may not be added to the joint claim after the fact because no royalty fees will be distributed to a party that has not filed a timely claim.

The Library has examined claim No. 176, received by the Copyright Office on July 20, 1998. The claim states that Artists Collections Group, Ltd. filed the claim on behalf of itself and Worldwide Subsidy Group, although the claim is signed by the President of Worldwide Subsidy Group. The claim identifies the nature of the copyrighted works as motion pictures and identifies two programs, “Unsolved Mysteries” and “Garfield and Friends,” as being subject to secondary transmissions by cable systems during 1997. IPG states in its written direct case that Artists Collection Group has withdrawn its claim because it did not represent any copyright owners whose programs were retransmitted by cable systems during 1997. IPG Direct Case at 3, n.2. This leaves Worldwide Subsidy Group as the sole identified claimant.

It is clear from IPG’s pleadings that Worldwide Subsidy Group is not a copyright owner, but is “either the transferee or agent of copyright owners for purposes of this proceeding.” IPG Opposition at 4. The question arises whether, under the Library’s rules, a noncopyright owner party can file a claim to cable royalties. The Tribunal’s old rules could be read as permitting only copyright owners and performing rights societies to file royalty claims. See 37 C.F.R. 302.7(a) (1993) (“No royalties shall be distributed to copyright owners ... unless such owner has filed a claim to such fees during the following calendar month of July,” but performing rights societies are not required to obtain separate authorizations from members or affiliates). The Library’s rules, however, state that “any party claiming to be entitled to cable compulsory license royalty fees” may file a claim.

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<sup>1</sup> An exception to this requirement was made for performing rights societies, such as ASCAP and BMI. That exception, however, has no application in this proceeding.



37 C.F.R. 252.2. The rule is broad enough to allow noncopyright holders, who are acting as agents or representatives of copyright owners of nonnetwork programming retransmitted by cable systems, to file a claim. It was permissible, therefore, for Worldwide Subsidy Group to file a claim. However, that does not answer the question whether Worldwide Subsidy Group had to identify the copyright owners on whose behalf it was filing the claim.

Section 252.3(a)(3) requires that all claimants to a joint claim must be identified. As discussed above, this is required to assure that royalties are not distributed to copyright owners that have not filed a timely claim. With the dismissal of Artists Collections Group, the only named claimant on claim No. 176 is Worldwide Subsidy Group. However, in exhibit D of its written direct case, IPG, the representative of Worldwide Subsidy Group, lists the programs and copyright owners or distributors which it alleges comprise its claim. These owners and distributors are: Abrams Gentile Entertainment; Beacon Communications; Cosgrove-Meurer Productions; Flying Tomato Films; Funimation; Golden Films; Jay Ward Productions; Lacey Entertainment; Litton Syndications; Mainframe Entertainment; Paws, Inc.; Raycom Sports; Sandra Carter Productions; Scholastic Productions; Tide Group d/b/a Psychic Reader's Network; and the United Negro College Fund. None of these parties are listed on claim No. 176. Furthermore, only one of these, Lacey Entertainment, filed a claim with the Copyright Office.

IPG asserts that it was not required to list these copyright owners and distributors because it did not file a joint claim. Rather, IPG submits that claim No. 176 is a single claim with Worldwide Subsidy Group acting as agent or transferee<sup>2</sup> for all the copyright owners and distributors identified in exhibit D. IPG argues that filing a claim in this fashion is permissible. We do not agree. The law is clear that only those parties whose works were the subject of secondary transmissions are entitled to a distribution of royalties, and it is only those parties on whose behalf a claim may be filed. 17 U.S.C. 111(d)(3), (d)(4)(A). The Library rules permit the filing of joint claims, provided that the individual claimants are identified to assure that they have indeed filed timely claims. But the rules do not permit the filing of a single claim by a party that purports to represent a list of unidentified copyright owners. If IPG's position were accepted, the requirement of a timely-filed claim would be flouted. In that instance, a single party claiming to represent a myriad of unidentified copyright holders and distributors could file a single claim and then, at a future date, claim that the filing covered these unidentified parties. A copyright owner would never have to worry about submitting a cable claim so long as the owner aligned itself with one of the representative parties (such as Worldwide Subsidy Group)

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<sup>2</sup> IPG asserts that it is the transferee of the right to collect cable royalties in certain instances, but does not assert that it is the transferee of one or more of the 17 U.S.C. 106 exclusive rights granted by copyright. If IPG were the transferee of the relevant exclusive rights, it would have standing to submit a claim on its own behalf.

prior to the filing of the written direct cases. As we said in the preamble to our final rules on the filing of joint cable claims, a joint claim cannot be amended after the July filing period to add new parties, because those parties have not filed a timely claim. 59 FR at 63028. IPG's interpretation would render this language, and the law, meaningless because it would never be possible to determine whether a copyright owner or distributor filed a timely cable claim.

Because Worldwide Subsidy Group appears not to be a claimant in its own right and purports to have filed a claim on behalf of many other claimants, claim No. 176 must be considered a joint claim in this proceeding to have validity. However, Worldwide Subsidy Group did not comply with the rules for the filing of joint claims. Because of this failure, IPG's case could be dismissed. Nevertheless, the Library cannot say with certainty that all previous claims filed in cable royalty proceedings have listed all joint claimants. It is sometimes the case that the Copyright Office will receive a single claim filed by a production company that does not identify any joint claimants. Whether this production company owns all or some of the copyrights represented by the claim, or is just a representative of unidentified copyright owners, is unknown to the Office. To the Library's knowledge, these claims have not been challenged in the past, and this is a case of first impression. Consequently, the Library is not inclined without prior warning to strictly enforce the requirement that all owners and distributors be identified in a joint claim. However, what is clear, and what the law requires, is a factual determination as to which of the owners and distributors identified by IPG in exhibit D of its written direct case were in fact represented by Worldwide Subsidy Group at the close of the filing period for 1997 cable claims. Any party listed in exhibit D (with the exception of Lacey Entertainment, which filed its own claim) that was not represented by Worldwide Subsidy Group before August 1998 cannot be said to have filed a timely claim, and therefore testimony contained in IPG's written direct case regarding such party must be stricken.

Both Program Suppliers and IPG have offered information and argument as to the status of representation of the exhibit D parties. The status of each of these parties is a factual inquiry and is best resolved by the CARP. In designating this matter to the CARP, we offer some decisional guidelines. First, because Worldwide Subsidy Group did not list any joint claimants, IPG has the burden of proving that it represented each of the exhibit D parties for distribution of 1997 cable royalties on or before July 31, 1998. Second, IPG must submit written proof of representation for each exhibit D party. Written proof is required because claim No. 176 does not identify any of the exhibit D parties, and because testimonial evidence alone will not preserve the integrity of the law and the regulations which prohibit adding parties to a joint claim after the fact. Proof must be in the form of written agreements of representation between IPG and each of the exhibit D parties executed on or before July 31, 1998. Finally, if the CARP determines that one or more of the exhibit D parties were not validly represented by Worldwide Subsidy Group for distribution of 1997 cable royalties on or before July 31, 1998, the CARP must strike that portion of IPG's written direct case related to that party or parties.

## II. IPG's Motion to Strike

IPG moves to strike reference to certain claimants and programs in Program Suppliers' written direct case. IPG submits that Program Suppliers "signed up" for representation Lacey Entertainment and General Mills, Inc. after the September 28, 1999, deadline for filing Notices of Intent to Participate and that because these parties did not file their own timely Notices, they are no longer parties to this proceeding. IPG also reserves the right to challenge other claimants represented by Program Suppliers if evidence reveals that they did not engage Program Suppliers to represent them until after the deadline.<sup>3</sup> Program Suppliers oppose IPG's motion.

### Discussion

The cable royalty distribution process is a straightforward one. As described above in the discussion regarding Program Suppliers' motion, all parties claiming to be entitled to a distribution of cable royalties must submit a timely-filed claim. This is a statutory requirement. The statute says nothing more about how the proceeding is run after that point (other than describing the creation and operation of a CARP), and leaves these matters to the Library. 17 U.S.C. 111(d)(4)(B). We have established rules as to what must be done prior to the convocation of the CARP. Any claimant wishing to appear before the CARP and present evidence must file a Notice of Intent to Participate. 37 C.F.R. 251.45(a). As we have said on numerous occasions, failure to file a timely Notice may result in a dismissal of the claim. See, e.g. 64 FR 41473 (July 30, 1999)(this proceeding); 61 FR 49799 (September 23, 1996)(1993 and 1994 cable Phase I); 62 FR 48894 (September 17, 1997)(1995 cable Phase I). Certainly not all claimants appearing on the claims list must file their own Notice. These parties may be represented by a party that files a Notice on their behalf and represents them throughout the course of the proceeding. The question presented by IPG's motion is: what happens when a claimant is not represented by someone else at the time Notices of Intent to Participate are due, and then later seeks representation from one of the parties that has filed a timely Notice?

IPG submits that Lacey Entertainment's and General Mills' failure to file a timely Notice of Intent to Participate has the same effect as failing to timely file a claim. We disagree. Timely submission of a claim is a statutory requirement—we lack the authority to waive the requirement. A timely Notice of Intent to Participate is a regulatory requirement, and it is a well-established practice that a party wishing to file an untimely Notice may move for leave to do so. Such motions are evaluated under a two-part test: 1) the disruption to the proceeding caused by allowing the moving party to participate; and 2) good cause for accepting the late-filed Notice. Order in Docket No. 99-6 CARP

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<sup>3</sup> Production of documents relating to Program Suppliers' representation of its claimants is the subject of a pending discovery motion.

DTRA (November 30, 1999)(accepting late-filed Notices of Intent to Participate from seven different parties); Order in Docket No. 99-6 CARP DTRA (December 22, 1999); Order in Docket No. 99-3 CARP DD 95-98 (August 5, 1999). Program Suppliers recognize this and assert that representation of a claimant after the date for Notices of Intent to Participate is not a problem, particularly where "Program Suppliers have a good faith belief as to the composition of their group and the potential controversies at the filing date for Notices of Intent, regardless of whether all potential claimants to their group have actually signed representation agreements with MPAA by that time." Program Suppliers' Opposition at 3.

Although the importance of the Notice of Intent to Participate requirement is not on par with the filing of claims requirement, the question remains as to what happens when a party that submits a Notice on behalf of a claimant does not in fact represent the claimant at the time the Notice is filed, but does represent the claimant prior to the filing of the written direct cases. We note that the rule requires that "parties wishing to participate in the proceeding" must file a Notice. 37 C.F.R. 251.45(a). Unlike the filing requirements for joint claims, the rule does not require that the Notice identify all claimants on whose behalf the Notice is filed. Some parties, in both royalty distribution and rate adjustment proceedings, do as a matter of practice identify the entities on whose behalf the Notice is filed. Others do not. The current regulation is not a model of clarity, and the Library is reluctant to decide the fate of the claims of Lacey Entertainment and General Mills (or other claims Program Suppliers seeks to represent) based on a ruling, in a case of first impression, on the meaning of an imprecise regulation.

Fortunately, this motion can be resolved without answering that difficult question. As already noted, on several occasions the Library has received late-filed Notices of Intent to Participate from parties that did not file their own separate Notices and were not identified as being encompassed by a timely-filed Notice. We have traditionally accepted these late-filed Notices, provided that they satisfy the two-part test referred to above.

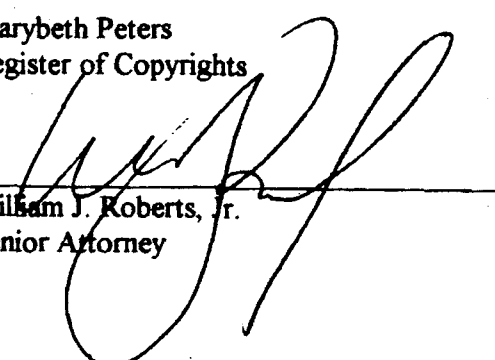
Because the Library has authority to grant late-filed Notices of Intent to Participate--authority it does not have with respect to late-filed cable royalty claims--the appropriate resolution to this dispute is to permit General Mills and Lacey Entertainment the opportunity to submit motions to accept late-filed Notices. In addition, any other claimants that were not represented by Program Suppliers on the date that Notices of Intent to Participate were due in this proceeding should also be given the opportunity to file motions to accept their late-filed Notices. All such motions must be submitted to the Library on or before June 30, 2000. The Library will consider these motions consistent with the two-part test for sufficiency most recently articulated in the above-described Orders in Docket No. 99-6 CARP DTRA.

Wherefore, **IT IS ORDERED** that Program Suppliers' motion to dismiss IPG's case is designated to the CARP for resolution consistent with the terms of this Order. **IT IS FURTHER ORDERED** that IPG's motion to strike Lacey Entertainment's and General Mills' claims from Program Suppliers' written direct case **IS DENIED** without prejudice, and that Lacy Entertainment, General Mills and any other claimant not represented by Program Suppliers at the time Notices of Intent to Participate were due in this proceeding may file motions to accept late-filed Notices no later than June 30, 2000. Following the disposition of those motions, IPG may renew its motion if and to the extent that it is not encompassed in or precluded by the rulings on those motions.

**SO ORDERED.**

Marybeth Peters  
Register of Copyrights

BY:

  
\_\_\_\_\_  
William J. Roberts, Jr.  
Senior Attorney

DATED: June 22, 2000

COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

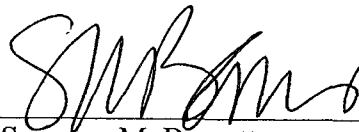
**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

1. 2008-2 CARP CD 2000 - Joint Notice of Intent to Participate and Comments on the Existence of Controversies (9/30/2002)
2. 2002-8 CARP CD 2000 – Notice of Intent to Participate Fintage Publishing (9/19/2002)
3. 2003-2 CARP CD 2001 – Joint Notice of Intent to Participate and Comments on the Existence of Controversies
4. 2002-2 CARP CD 93-97 – Phase II Cable Royalty Distribution Report, Redacted Public Version (4/16/2001)
5. 2000-2 CARP CD 93-97 - ORDER (6/22/2000)
6. 2000-2 CARP CD 93-97 – ORDER (9/22/2000)
7. 2000 Cable Copyright Claims Final List
8. 2001 Cable Copyright Claims Final List
9. 2002 Cable Copyright Claims Final List
10. 2003 Cable Copyright Claims Final List
11. Cable Royalty Distribution Report dated April 6, 2001 (Redacted).

The CRB has a file copy of the unredacted, Confidential Phase II Cable Royalty Distribution Report (Confidential) dated April 16, 2001. The Confidential Report is subject to a General Protective Order and the Judges will not release or distribute a copy of this Report except on motion of the requesting party, with due notice to all parties bound by the General Protective Order and an opportunity for response regarding disclosure of the Report and its contents.

SIGNED this 26<sup>th</sup> day of October, 2012.



---

Suzanne M. Barnett  
Chief Copyright Royalty Judge



LIBRARY  
OF  
CONGRESS

<p><b>In the Matter of</b></p> <p><b>Distribution of 1993, 1994, 1995, 1996 and 1997 Cable Royalty Funds</b></p>	<p>}</p> <p>}</p> <p>}</p> <p>}</p> <p>}</p>	<p><b>Docket No. 2000-2 CARP CD 93-97</b></p>
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**ORDER**

COPYRIGHT  
OFFICE

Copyright  
Arbitration  
Royalty  
Panels

Independent Producer's Group (IPG) has filed a motion requesting the Library to amend its June 22, 2000, Order in this proceeding. *See* Order in Docket No. 2000-2 CARP CD 93-97 (June 22, 2000). In that Order, the Library addressed the sufficiency of a joint claim filed by Worldwide Subsidy Group<sup>1</sup> which purported to cover all of the copyright owners and distributors currently identified in exhibit D of IPG's written direct case. IPG argued Worldwide Subsidy Group's joint claim was in reality a single claim with Worldwide Subsidy Group acting as agent or transferee for all copyright owners and distributors identified in exhibit D.

The Library disagreed, stating:

The law is clear that only those parties whose works were the subject of secondary transmissions are entitled to a distribution of royalties, and it is only those parties on whose behalf a claim may be filed. (citations omitted). The Library rules permit the filing of joint claims, provided that the individual claimants are identified to assure that they have indeed filed timely claims. But the rules do not permit the filing of a single claim by a party that purports to represent a list of unidentified copyright owners.

June 22 Order at 6. We did not dismiss Worldwide Subsidy Group's claim altogether, despite its procedural infirmity. Instead, we designated the following issue to the CARP for resolution.

Both Program Suppliers and IPG have offered information and argument as to the status of representation of the exhibit D parties. The status of each of these parties is a factual inquiry and is best resolved by the CARP. In designating this matter to the CARP, we offer some decisional guidelines. First, because Worldwide Subsidy Group did not list any joint claimants, IPG has the burden of

<sup>1</sup> That claim also identified Artist Collections Group, Ltd. as a claimant, but Artist Collections Group, Ltd. has since withdrawn its claim.

Box 70977  
west  
Washington  
D.C. 20024

Telephone:  
(202)707-8380

Facsimile:  
(202)252-3423





proving that it represented each of the exhibit D parties for distribution of 1997 cable royalties on or before July 31, 1998. Second, IPG must submit written proof of representation for each exhibit D party. Written proof is required because claim No. 176 does not identify any of the exhibit D parties, and because testimonial evidence alone will not preserve the integrity of the law and the regulations which prohibit adding parties to a joint claim after the fact. Proof must be in the form of written agreements of representation between IPG and each of the exhibit D parties executed on or before July 31, 1998. Finally, if the CARP determines that one or more of the exhibit D parties were not validly represented by Worldwide Subsidy Group for distribution of 1997 cable royalties on or before July 31, 1998, the CARP must strike that portion of IPG's written direct case related to that party or parties.

*Id.* at 7.

IPG now submits that "under common law, and consistent with both the Copyright Act and CARP rules, the existence of a writing is probative, but not dispositive, of whether IPG in fact represented, on or before July 31, 1998, each of the claimants in exhibit D of its written direct case." IPG Motion at 3. IPG notes that courts have determined that written proof of an agency relationship is not required where there is not a transfer of ownership, and that the Library "should not require a writing to validate a representation agreement." *Id.* at 4.

If the Library does require a writing, IPG posits that it must give informal notes, memos, and affidavits confirming an earlier oral agreement the same effect as a contemporaneous written contract so as to avoid the taint of retroactive rulemaking. "While the [Library] is certainly entitled to compel evidence that IPG was timely authorized by each claimant and is entitled to adopt procedures that protect the integrity of its rules, it may not simultaneously impose its own version of a statute of frauds retroactively. The Copyright Act and the caselaw both support admitting other forms of evidence for the purpose of establishing timely representation." *Id.* at 5. And, according to IPG, if the written submissions to the CARP do not definitively resolve the matter of agency, the Library should "designate for hearing [before the CARP] any genuine issues of representation that cannot be resolved by review of written submissions." *Id.* at 7.

Program Suppliers oppose IPG's motion.

## *Discussion*

IPG's protestations concerning the requirement of written proof of representation of the exhibit D claimants on or before July 31, 1998, misses the point of the June 22 Order. The issue presented in that Order is the sufficiency of the claim filed by IPG — specifically, claim No. 176 submitted by Worldwide Subsidy Group. We determined that claim No. 176 was not a properly filed joint claim that covered the exhibit D claimants, and that "IPG's case could be dismissed." Order at 7. However, we were persuaded not to strictly enforce the requirement that all copyright owners and distributors be listed in the joint claim, even though section 252.3(a)(3) requires it, because this was the first time the failure to list all claimants was challenged, and we were not completely certain that other parties in prior cable proceedings had not filed joint claims in a similar fashion to No. 176. We therefore did not want to invoke the harsh result of dismissing IPG's claim altogether when others may have filed in the same way and still collected royalties on their claims. In the future, however, we will not hesitate to dismiss a claim like No. 176 that purported to cover multiple, unidentified claimants.

Although the Library has refrained from dismissing IPG's case, we nonetheless take the timely filing of cable claims quite seriously. As we stated in the June 22 Order, the law requires that cable royalties be distributed only to those who have timely filed claims, and there must be proof that a claim has been filed. Order at 6. We are willing, in this one instance, to allow a representation agreement executed by an exhibit D claimant that was entered into on or before July 31, 1998, to stand in the place of that claimant's name appearing on claim No. 176. This is the only way to preserve the integrity of the law which prohibits the filing of claims to 1997 cable royalties after July 31, 1998. However, just as there must be a writing in the form of a cable claim submitted on or before July 31, 1998, there must be a writing executed before July 31, 1998, confirming the existence of a representational agreement between IPG and each of the claimants identified in exhibit D.

The Library rejects IPG's arguments that anecdotal evidence, affidavits and oral testimony should be allowed as proof of a representational agreement between IPG and the exhibit D claimants. These after-the-fact submissions do not, in our view, satisfy the requirement of section 111 of the Copyright Act that all claimants to the 1997 cable royalties identify themselves by July 31, 1998.

The Library stated in the June 22 Order that proof of a representational arrangement "must be in the form of written agreements of representation between IPG and each of the exhibit D parties executed on or before July 31, 1998." Order at 7. IPG apparently has a standard representational agreement form which it uses with most, if not all, of its clients, and fully executed copies of these forms is certainly written proof of representation. IPG complains, however, that it did not know at the time these agreements were being executed that they would constitute the proof, and the only proof,

of the existence of a representational agreement, and that the June 22 Order's acceptance of only these documents amounts to retroactive rulemaking. IPG submits that at a minimum other documents, such as memoranda or letters of understanding, are just as sufficient as proof of the existence of a representational arrangement as are executed copies of the standard representational form.

The June 22 Order's requirement that proof of representation "must be in the form of written agreements" does not mean that IPG's standard representational agreement form is the only acceptable document that proves timely representation. Other documents signed or initialed by an exhibit D claimant can serve as written proof of representation, provided that 1) they clearly and unambiguously provide that a representational agreement has been reached between IPG and the exhibit D claimant; and 2) the document existed on or before July 31, 1998. Once again, documents that did not exist on or before July 31, 1998, are not acceptable. The CARP shall make the factual determination as to whether these conditions have been satisfied.

Finally, the Library strongly disagrees with IPG's assertion that the requirement for a writing imposed by the June 22 Order amounts to retroactive rulemaking. As the June 22 Order states, "IPG's case could be dismissed" for failure to properly file a joint claim that listed the exhibit D claimants as part of the joint claim. Order at 7. We have offered IPG an opportunity to avoid this result by allowing, in this one instance, documentary evidence that a written agreement existed between IPG and the exhibit D claimants prior to the close of the filing period for 1997 cable claims. We are requiring written agreements signed or initialed by each of the exhibit D claimants because our regulations require a signed claim, *see* 37 C.F.R. 252.3(b) ("Claims shall bear the original signature of the claimant or of a duly authorized representative of the claimant"), and will, in this one instance, give these agreements the legal equivalency of a properly filed joint cable claim. Consequently, there is no retroactive rulemaking.

**SO ORDERED.**

Marybeth Peters  
Register of Copyrights

BY: \_\_\_\_\_

  
William J. Roberts, Jr.  
Senior Attorney

DATED: September 22, 2000

12-28-00

**COPYRIGHT ARBITRATION ROYALTY PANEL**

**In the Matter of**

**Distribution of 1993, 1994, 1995, 1996**

**and 1997 Cable Royalty Funds**

**Docket No. 2000-2  
CARP CD 93-97**

**ORDER**

This Order addresses Independent Producers Group's ("IPG") Motion for Partial Reconsideration of Order on MPAA Motion to Dismiss issued by the CARP on November 15, 2000. Motion Picture Association of America ("MPAA") had requested the dismissal of the Phase II claim (No. 176) filed by IPG. MPAA raised the issue of IPG's authorization to represent the claimants and programs listed on exhibit D of IPG's direct case filed April 3, 2000.

MPAA filed an Opposition on December 8, 2000 and IPG filed a Reply on December 15th.

MPAA's Motion to Reconsider the CARP Order of November 15, 2000 has been previously addressed in a separate Order.

***Status of the proceedings***

IPG filed a claim for royalties in connection with Phase II of the 1997 Copyright Royalty Distribution Proceeding in the Program Suppliers category. It listed sixteen entities which it represented in Exhibit D of its Written Direct Case. These 16 parties are referred to as "the Exhibit D Parties".

The validity of IPG's claim of representation and the eligibility of the Exhibit D Parties themselves has been continuously challenged by MPAA. The Library of Congress ("Library") issued two Orders (June 22, 2000 and September 22, 2000) outlining the procedure to be followed by IPG to prove the eligibility of its sixteen Exhibit D Parties to the CARP. One of the first items of business of the CARP after its impaneling on October 1, 2000 was determining the eligibility of the Exhibit D Parties. The CARP issued its ruling on November 15, 2000 striking four claimants.

IPG seeks a partial reconsideration of that November 15, 2000 Order. MPAA's request for a Reconsideration of the same Order was addressed in the CARP's Order of December 21, 2000.

### ***Background***

The background of the eligibility of claimants was addressed in detail in the CARP's *Order of November 15, 2000* and *Order of December 21, 2000*. The decisions embodied in these Rulings were based on the Register of Copyrights' detailed decisional guidelines for the CARP to follow in its *Order of June 22, 2000* and *Order of September 22, 2000* which established the Criteria for the CARP to follow in analyzing IPG's representation. In particular, the *Order of June 22, 2000* goes into great detail concerning the history of the Library's procedure for identification of eligible claimants.

As a result of the application of these Criteria to the 16 Exhibit D Parties, the CARP ruled that twelve IPG represented claimants were judged to have met the Criteria and thus qualified as Valid Joint Claimants and were permitted to participate in the royalty distribution proceedings.

In the same Order, the CARP applied the Criteria to four other Exhibit D Parties and found them unqualified and ordered the portions of IPG's Written Direct Case relating to these four Unqualified Claimants stricken. *see CARP Order of November 15, 2000*.

The CARP ruled that the representation agreements submitted by IPG to bolster the claims of Lacey Entertainment ("Lacey"), Jay Ward Productions ("Jay Ward"), and Mainframe Entertainment Inc. ("Mainframe"), were signed after the July 31, 1998 deadline and thus failed to meet the dating requirement of the Orders of June 22, 2000 and September 22, 2000. Scholastic Entertainment was stricken for lack of any representation agreement.

***Summary of Arguments:***

IPG argues that it has been denied the opportunity to submit background information in explanation of the documents it submitted on October 10, 2000.

IPG also argues that it met its burden of proof for Lacey, Jay Ward, and Mainframe; and thus the CARP's ruling was in error.

Each issue shall be analyzed in turn.

**FORM OF PROOF**

At the heart of this controversy is the issue of the identity of the claimants. A close review of the *Order of June 22, 2000* and *Order of September 22, 2000* issued by the Library of Congress ("the Library") establishes the reasoning behind the Criteria to be used by the CARP.

The essential points of 17 U.S.C. 111(d)(4)(A) and 37 C.F.R. §252 are:

1. Statutory license fees for secondary distant cable transmissions are collected by the Copyright Office annually from cable systems across the country.
2. Copyright holders are entitled to share in these compulsory retransmission fees.
3. Claimants must file in July of the calendar year following the retransmission.

4. Claimants may file individually or jointly, or designate a common agent.
5. All claimants must be identified at the time of filing whether they file individually or jointly.
6. A joint claim cannot be amended to add new parties after the July 31 filing deadline.

Because the Library had never been faced with the situation of a challenge to the listing of joint claimants; it refused to strictly enforce the requirement that all owners and distributors be identified in a joint claim without prior warning. This is a one time exception.

... In the future, however, we will not hesitate to dismiss a claim like No. 176 that purported to cover multiple, unidentified claimants.

... We are willing, in this one instance, to allow a representation agreement executed by an exhibit D claimant that was entered into on or before July 31, 1998, to stand in the place of that claimant's name appearing on claim No. 176.

*Order of September 22, 2000 at 3*

The Library assigned the CARP the task of a factual determination of which owners and distributors identified in IPG's Exhibit D of its direct written case ("the Exhibit D parties"). The Library laid out the Criteria and ordered IPG to provide written proof of representation of each Exhibit D party. In fact, the Library clearly stated :

First because Worldwide Subsidy Group did not list any joint claimants, IPG has the burden of proving that it represented each of the exhibit D parties for distribution of 1997 cable royalties on or before July 31, 1998. Second, IPG must submit written proof of representation for each exhibit D party. Written proof is required because claim No. 176 does not identify any of the exhibit D parties, and because testimonial evidence alone will not preserve the integrity of the law and the regulations which prohibit adding parties to a joint claim after the fact. Proof must be

in the form of written agreements of representation between IPG and each of the exhibit D parties executed on or before July 31, 1998. Finally, if the CARP determines that one or more of the exhibit D parties were not validly represented by Worldwide Subsidy Group for distribution of 1997 cable royalties on or before July 31, 1998, the CARP must strike that portion of IPG's written direct case related to that party or parties.

*Order of June 22, 2000 at page 7  
emphasis added*

The Criteria were further defined in the *Order of September 22, 2000* permitting IPG to submit additional written documents to satisfy the required proof:

Other documents signed or initialed by an exhibit D claimant can serve as written proof of representation, provided that 1) they clearly and unambiguously provide that a representational agreement has been reached between IPG and the exhibit D claimant; and 2) the document existed on or before July 31, 1998. Once again, documents that did not exist on or before July 31, 1998, are not acceptable. The CARP shall make the factual determination as to whether these conditions have been satisfied.

*Order of September 22, 2000 at page 4  
emphasis added*

Nowhere in either *Order* does the Library permit the introduction of non-documentary evidence as proof of representation. The logic is clear. If on July 31, 1998 the Library asked IPG who it represented, their representation agreements would have been available. If there was a valid written representation agreement in place on or before July 31, 1998; then IPG's joint claim will not be considered untimely. Any other proffered non-documentary evidence cannot be reliable because of the danger of a claim being used as a "placeholder" on July 31 with additional time for the claimant to add parties.

These after-the-fact submissions do not, in our view, satisfy the requirement of Section 111 of the Copyright Act



that all claimants to the 1997 cable royalties identify themselves by July 31, 1998.

*Order of September 22, 2000 at page 3*

**Conclusion:**

The CARP will not permit IPG to proffer additional testimony on the issue of its representation of joint claimants as of July 31, 1998.

**LACEY ENTERTAINMENT**

Lacey has the unique position of being an exception to an exception. In short, because Lacey filed its own claim, it is not caught up in the morass of whether IPG included it as an unidentified joint claimant in claim No. 176.

Lacey has a valid independent claim, and may proceed as a full participant in the Phase II procedure. The CARP did not intend to have its November 15 Order interpreted otherwise. Lacey is not a Qualified Joint Claimant, but a fully qualified individual claimant.

At this point, the matter of a timely filed Notice of Intent to Participate under 37 C.F.R. 251.45(a) comes to the fore. The *Order of June 22, 2000* permitted Lacey until June 30, 2000 the opportunity to submit a motion for acceptance of a late-filed Notice.

As of this date, Lacey has not filed a motion for the Library to accept a late-filed Notice of Intent to Participate; has not appeared; and has not indicated its intent in any way.

On February 18, 1999, Lacey executed a representation agreement with IPG enabling IPG to represent Lacey individually in this Phase II proceeding. IPG did include Lacey in its direct written case. MPAA also lists Lacey in Exhibit 1 of its direct case as one of its claimants.

**Conclusion:**

Both IPG and MPAA claim to represent Lacey in their written direct cases. As to the question of who currently represents Lacey, or if Lacey will act on its own, the CARP awaits clarification at the hearing.

**JAY WARD PRODUCTIONS**

To analyze the CARP's thinking on this claimant, we must look again to the *Order of September 22, 2000* permitting IPG to submit additional written documents to satisfy the required proof:

Other documents signed or initialed by an exhibit D claimant can serve as written proof of representation, provided that 1) they clearly and unambiguously provide that a representational agreement has been reached between IPG and the exhibit D claimant; and 2) the document existed on or before July 31, 1998. Once again, documents that did not exist on or before July 31, 1998, are not acceptable. The CARP shall make the factual determination as to whether these conditions have been satisfied.

*Order of September 22, 2000 at page 4  
emphasis added*

Here we are faced with what IPG says are two representation agreements, one dated as of July 31, 1998; the other dated November 2, 1999. IPG states that the November 2, 1999 contract is a revised and amended version of the prior representation agreement and cites the changes in language and addition of several paragraphs to bolster its argument.

The November 2, 1999 contract makes no mention of a prior contract, either as an amendment or addendum or revision of IPG's July 1998 representation agreement.

Documents provided by IPG on October 10, 2000 include correspondence between Worldvision and Worldwide Subsidy Group. This documentation is unpersuasive for two reasons. First the *Order of September 22, 2000* requires a signature or initials of the represented party (not Mr. Galaz); and Worldvision informed IPG that it was the exclusive representative of Jay Ward for cable royalty claims, thus precluding other representation.

Apparently different signatures on the July 1998 and November 2, 1999 contracts raise other issues. It is not necessary for the CARP to enter into that field as long as it relies on the *Order of September 22, 2000* requirement that the document be clear and unambiguous.

***Conclusion:***

With IPG barred from the opportunity to present additional testimony by the Library's Orders; the multiple contracts, the varying signatures and the exchange of faxes with Worldvision make it impossible for the CARP to determine that the presented documents "clearly and unambiguously provide that a representational agreement had been reached . . . on or before July 31, 1998".

**MAINFRAME ENTERTAINMENT**

IPG's representation agreement with Mainframe Entertainment Inc. was signed on October 10, 1998. IPG submits as proof of the existence of its authority to represent Mainframe for 1997 cable retransmission royalties, a fax from Helen Chapman dated July 13, 1998. IPG argues that Mainframe's disclosure of proprietary information is a confirmation of the existence of a contract.

An examination of the fax discloses two important pieces of information; first the attachment is a Foreign Distribution Sales Summary, secondly, the entry for the United States contains no clear and unambiguous information.

It reads:

Licensee	Territory	Media	Term
Syndicated through Cluster	USA	?	N/A

With no information about media, term or its US licensee, it appears that Mainframe was listing its foreign distribution only.

**Conclusion:**

The CARP does not consider the July 13, 1998 fax from Mainframe clear and unambiguous proof that IPG had a representational agreement with Mainframe on or before July 31, 1998.

**FOR THE REASONS STATED ABOVE, IT IS :**

**ORDERED** that IPG is not permitted to proffer additional testimony on the issue of its representation of joint claimants as of July 31, 1998.

**IT IS FURTHER ORDERED** that IPG's Motion for Partial Reconsideration of Order on that portion of the CARP's Order of November 15, 2000 striking the claim of Lacey Entertainment is hereby taken under advisement pending the introduction of additional documentary evidence by MPAA and IPG regarding Lacey's representation.

**IT IS FURTHER ORDERED** that IPG's Motion for Reconsideration of the CARP's Order of November 15, 2000 striking the claims of Jay Ward Productions and Mainframe Entertainment Inc. is hereby denied.

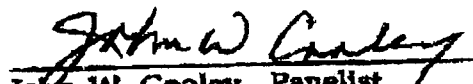
12/28/00 14:29 FAX 615 385 2891  
12/28/2000 12:56 8478641366


DK CAMPBELL  
COOLEY

011  
PAGE 02/02

Ordered this 28th day of December, 2000

  
Dorothy K. Campbell, Chair

  
John W. Cooley, Panelist

  
Mark J. Davis, Panelist

CARP Order page 10

12/28/00 14:20 TX/RX NO.2665 P.002



File

The Register of Copyrights  
of the  
United States of America

# FAX

## Transmittal Sheet

Phone: 202-707-8350

FAX: 202-707-8366

page 1 of 11 pages (incl. cover)

DATE: December 28, 2000

TO: Gregory Olaniran, Esq.

FAX # (202) 785-9163 PH # (202) 785-9100

FROM: OGC

SUBJECT: Order

FYI       Urgent       As you requested       Response requested

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
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**REDACTED**

COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

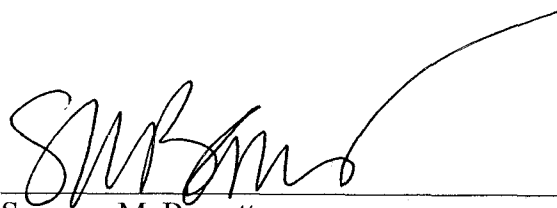
I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

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2. 2002-8 CARP CD 2000 – Notice of Intent to Participate Fintage Publishing (9/19/2002)
3. 2003-2 CARP CD 2001 – Joint Notice of Intent to Participate and Comments on the Existence of Controversies
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8. 2001 Cable Copyright Claims Final List
9. 2002 Cable Copyright Claims Final List
10. 2003 Cable Copyright Claims Final List
11. Cable Royalty Distribution Report dated April 6, 2001 (Redacted).



The CRB has a file copy of the unredacted, Confidential Phase II Cable Royalty Distribution Report (Confidential) dated April 16, 2001. The Confidential Report is subject to a General Protective Order and the Judges will not release or distribute a copy of this Report except on motion of the requesting party, with due notice to all parties bound by the General Protective Order and an opportunity for response regarding disclosure of the Report and its contents.

SIGNED this 26<sup>th</sup> day of October, 2012.

A handwritten signature in black ink, appearing to read 'SMBarnett', written over a horizontal line.

Suzanne M. Barnett  
Chief Copyright Royalty Judge

COPYRIGHT ARBITRATION ROYALTY PANEL

In the Matter of

Distribution of 1993, 1994, 1995, 1996

and 1997 Cable Royalty Funds

}  
}  
} Docket No. 2000-2  
CARP CD 93-97

PHASE II CABLE ROYALTY DISTRIBUTION REPORT

Redacted  
Public Version

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PHASE II CABLE ROYALTY DISTRIBUTION REPORT

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**COPYRIGHT ARBITRATION ROYALTY PANEL**

<b>In the Matter of</b>	}	
	}	
<b>Distribution of 1993, 1994, 1995, 1996</b>	}	<b>Docket No. 2000-2</b>
	}	<b>CARP CD 93-97</b>
<b><u>and 1997 Cable Royalty Funds</u></b>	}	

**PHASE II CABLE ROYALTY DISTRIBUTION REPORT**

**STATEMENT OF THE CASE AND PROCEEDINGS**

This is a Phase II proceeding before the Copyright Arbitration Royalty Panel ("CARP" or "the Panel"), convened under 17 U.S.C. §803 for the purpose of distributing cable television royalty fees deposited with the Register of Copyrights by cable systems in compliance with the compulsory license provisions of 17 U.S.C. §111 for the right to effect carriage of certain television signals comprising secondary transmissions. Acting pursuant to 17 U.S.C. §802(c) on a fully documented written record, prior decisions of the Copyright Royalty Tribunal, prior Copyright Arbitration Royalty Panel determinations, rulings by the Librarian of Congress under 17 U.S.C. §801(c), prior decisions of the U.S. Court of Appeals for the District of Columbia and the U.S. Court of Appeals for the Second Circuit, the CARP now presents to the Librarian of Congress its Report setting forth the facts that the Panel found relevant to determining the distribution of cable royalties in this Phase II proceeding.

**THE PARTIES**

The Motion Picture Association of America, Inc., ("MPAA") appears in this proceeding as a representative of member companies, and other producers and/or distributors of syndicated movies, series and specials broadcast by television stations ("MPAA-represented Program Suppliers" or "Program Suppliers"). More specifically, these Program Suppliers are producers and syndicators of non-network series, specials

and movies broadcast by television stations and retransmitted by cable systems during 1997.<sup>1</sup> Each of the 112 Program Suppliers filed a timely claim in July 1998 for a share of the 1997 cable retransmission royalty pool.<sup>2</sup> MPAA has represented program suppliers in domestic cable and satellite royalty distributions since the first proceeding before the Copyright Royalty Tribunal ("CRT") to resolve cable television royalties in 1978.<sup>3</sup>

Independent Producers Group ("IPG")<sup>4</sup> was created in 1999 to develop a cable royalty distribution methodology as an alternative to that used by MPAA.<sup>5</sup> IPG appeared in these Phase II proceedings as a representative of, originally, 43 television program owners or distributors that have engaged Worldwide Subsidy Group ("WSG") to collect cable retransmission royalties attributable to their programming in 1997.<sup>6</sup> Only one of the owners and distributors of television programming that purport to be represented by IPG (Lacey Entertainment) filed a claim in its own behalf in the Copyright Office in July of 1998 for a share of the 1997 cable retransmission royalty pool.<sup>7</sup> Artist Collections Group, a California limited liability company ("ACG") and Worldwide Subsidy Group, a then unregistered fictitious business name for ACG filed a "joint claim" in July 1998 purporting to represent the interests of certain programs.<sup>8</sup> In these proceedings IPG has variously purported to represent the interests of WSG.

### CHRONOLOGY OF PROCEEDINGS

By way of background, the Copyright Office's cable royalty distribution program is divided into two phases, called Phase I and Phase II.<sup>9</sup> Virtually since the inception of the royalty distribution program, Phase I claimants to cable retransmission royalties have been divided into eight groups: Program Suppliers, Joint Sports Claimants, U.S. Broadcaster Claimants, Public Broadcasting Service, Canadian Claimants, Devotional Broadcasters, Music, and National Public Radio. The allocation of Phase I shares of the royalty fund to these eight claimant groups is determined either via settlement among the parties or by arbitration. With respect to the 1997 cable royalty fund, on September 29, 1999, Phase I

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- 1 MPAA Ex. 1; Kessler Direct Testimony at 3
  - 2 Kessler Direct Testimony at 3; MPAA Proposed Findings (FF.) and Conclusions at 10
  - 3 Tr. (Kessler) at 173
  - 4 In actuality, Independent Producers Group is an assumed business name or d/b/a for Worldwide Subsidy Group, a limited liability company registered in the State of Texas. Tr. (Galaz) at 987
  - 5 Galaz Direct Testimony at 2
  - 6 Galaz Direct Testimony at 5-6; Ex. D to Galaz Direct Testimony.
  - 7 June 22, 2000 Order at 6
  - 8 MPAA Ex. 4X
  - 9 For a detailed chronology of events in this Phase II proceeding, refer to Appendix A



participants by motion notified the Librarian that the eight parties had reached a confidential settlement regarding the overall percentage allocation of the fund to the eight categories. Relative to 1997, the Phase II syndicated program category consisted of six parties: MPAA-Represented Program Suppliers, Home Shopping Network, KNLJ-TV, Tyrone Productions Limited, National Association of Broadcasters (NAB), and IPG. The six parties reached confidential settlements of royalty distribution issues except as between MPAA and IPG. The current Phase II proceedings before the CARP address the allocation of program funds between MPAA and IPG.<sup>10</sup> A complete chronology of the Phase II proceedings is included as Appendix A to this Report.

On January 12, 2000, the Copyright Office issued an Order consolidating the 1993-97 royalty years into one Phase II proceeding and setting a schedule for the proceeding. By Order dated March 1, 2000, the Copyright Office suspended the previously set March 6 deadline for filing the direct cases, and on March 8, 2000, the Copyright Office entered an order resetting the filing date for the Direct Cases to April 3, 2000. Both MPAA and IPG filed their Direct Cases on April 3, 2000. On May 8, 2000, the Copyright Office entered an order granting a motion for full distribution of 1993-96 cable royalty fund and for a partial distribution of 75% of the 1997 cable royalty fund.<sup>11</sup>

## **MOTIONS AND RULINGS BEFORE THE COPYRIGHT OFFICE**

The early Phase II proceedings before the Copyright Office were marked by unusual litigiousness. Both Parties filed motions directed to the content of the other's Direct Cases; IPG filed a Motion to compel production of documents and to strike portions of MPAA's direct case. On May 17, 2000 MPAA filed a motion to dismiss IPG's Phase II claim.

### **June, 2000 Orders of the Copyright Office**

The written motions, objections, oppositions, and replies were so numerous and time consuming to process and decide that on June 16, 2000, the Copyright Office entered an order postponing the initiation of the 180-day period previously scheduled to begin on June 26, 2000.

### **June 22, 2000 Order**

The Copyright Office entered an Order on June 22, 2000 deciding MPAA's fully briefed Motion to Dismiss and IPG's fully briefed Motion to Strike. In ruling on MPAA's Motion to Dismiss, the Copyright Office noted that "Worldwide Subsidy

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<sup>10</sup> Kessler Direct Testimony at 2-3; Galaz Direct Testimony at 3

<sup>11</sup> Appendix A at 2; Galaz Direct Testimony at 4

Group did not comply with the rules for filing joint claims" and because of this failure, "IPG's case could be dismissed".<sup>12</sup> Because the Copyright Office could not "say with certainty that all previous claims filed in cable royalty proceedings have listed all joint claimants", the Copyright Office decided not to dismiss IPG's case.<sup>13</sup> It concluded that "a factual determination [had to be made] as to which of the owners and distributors identified by IPG in exhibit D of its written direct case were in fact represented by Worldwide Subsidy Group at the close of the filing period for 1997 cable claims."<sup>14</sup> In addition, the Copyright Office designated to the CARP the task of determining the pre-August 1998 status of representation by WSG of the exhibit D parties.<sup>15</sup> It further offered some decisional guidelines for the CARP that are explained in more detail later in this Report.

The Copyright Office decided IPG's Motion to Strike in the same June 22, 2000 ruling. IPG had moved to strike references to certain claimants and programs in Program Suppliers' written direct case on the grounds that MPAA "signed up" Lacey Entertainment and General Mills, Inc. for representation after the September 28, 1999 deadline for filing Notices of Intent to Participate. IPG urged that because these parties did not file their own timely Notices, they should be deemed by the Copyright Office not to be parties to the Phase II proceeding.<sup>16</sup> The Copyright Office ruled that although the Library did not have authority to allow late-filed cable royalty claims, it did have the authority to grant late-filed Notices of Intent to Participate. The Copyright Office therefore permitted General Mills and Lacey Entertainment -- and "any other claimants that were not represented by Program Suppliers on the date that Notices of Intent to Participate were due in this proceeding" -- the opportunity to submit motions to accept late-filed Notices prior to June 30, 2000.<sup>17</sup> MPAA filed a motion requesting acceptance of late-filed Notice of Intent to Participate on June 30, 2000, IPG filed an opposition, MPAA replied, and the Copyright Office granted MPAA's motion on August 1, 2000.

#### June 28, 2000 Order

In its June 28, 2000 Order, the Copyright Office addressed fully briefed motions to compel production of documents filed by MPAA and IPG. In ruling on the specific

<sup>12</sup> June 22, 2000 Order at 7

<sup>13</sup> Id.

<sup>14</sup> Id.

<sup>15</sup> Id.

<sup>16</sup> Id. at 9

<sup>17</sup> Id.

discovery requests in MPAA's motion, the Copyright Office gave various directions to the CARP relating to subsequent discovery requests and motions of the Parties. The following directions are of particular relevance:

- Galaz asserted that there were no documents supporting his written direct testimony that "IPG currently represents only the claims presented by Worldwide Subsidy Group". The Copyright Office ruled that with respect to the CARP's resolving the representational issues designated to it in the Copyright Office's June 22, 2000 Order, IPG was precluded from introducing any such documents into the record of this proceeding.<sup>18</sup>
- The Copyright Office also directed IPG to deliver its representational agreements to the CARP upon its convocation, so that the CARP could determine which portions, if any, of the agreements should be redacted.<sup>19</sup>
- The Copyright Office designated to the CARP the issue of deciding which, if any, of the exhibit D parties were part of IPG's joint claim. The Copyright Office again rejected IPG's assertion that its claim was not a joint claim, but rather an individual claim filed by IPG as representative of a number of copyright owners and distributors entitled to 1997 cable royalties.<sup>20</sup>

In ruling on the specific discovery requests in IPG's motion to compel, the Copyright Office gave various directions to the CARP relating to subsequent discovery requests and motions of the Parties. The following guidelines are of particular relevance:

- In denying IPG's motion to compel production of documents underlying prior records and testimony designated by MPAA, the Copyright Office directed the CARP to take into account that no cross-examination has taken place in weighing the significance of prior testimony.<sup>21</sup>
- The Copyright Office ruled that the CARP may choose to allocate percentages (rather than dollar amounts) of the 1997 cable royalty fund to MPAA and IPG; but it allowed the CARP to award dollar figures instead. It required MPAA to reveal to IPG the amount

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18 June 28, 2000 Order at 2

19 Id.

20 Id. at 3-4

21 Id. at 5

allocated to the 1997 syndicated program category; but it declined to require MPAA to produce the settlement agreements to other Phase I claimants, or any other documents related to that amount.<sup>22</sup>

### August, 2000 Orders of the Copyright Office

#### August 11, 2000 Order

MPAA petitioned the Library for an opportunity to conduct additional discovery concerning the representational status of IPG. Specifically, MPAA sought any correspondence between IPG and each of the exhibit D parties related to the WSG representation agreements, any telephone company data, voice records, or documents relating to communications between IPG and Exhibit D parties. On August 11, 2000, the Copyright Office dismissed MPAA's motion without prejudice to renewing the motion before the CARP. The Copyright Office noted that MPAA's motion was premature in that the issue of the status of the Exhibit D parties and their representation agreements was designated to the CARP for resolution and that the CARP would be in the best position to determine whether additional discovery was needed.<sup>23</sup>

#### August 31, 2000 Order

MPAA also filed a motion seeking reconsideration of a ruling contained in the Copyright Office's June 28, 2000 Order. MPAA requested that the Copyright Office rescind that ruling to the extent that it directed MPAA to reveal to IPG the amount allocated to the 1997 syndicated program category. In an Order dated August 31, 2000, the Copyright Office directed that MPAA and IPG negotiate the terms of a protective order to preserve the confidentiality of the amount allocated to the 1997 syndicated program category when MPAA disclosed it to IPG. Second, it directed that the protective order provide that the amount of 1997 funds revealed to IPG not be revealed to any third parties, including the Copyright Office or the Library of Congress. Third, it directed that the amount not be disclosed to the CARP unless one of two circumstances occurred: (1) the CARP expressly requested the amount be disclosed as essential to its deliberations; or (2) either IPG or MPAA petitioned the CARP, and upon a showing of good cause, the CARP granted the motion. Finally, the August 31, 2000 Order directed that if the CARP obtained information as to the amount of the 1997 syndicated program

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<sup>22</sup> Id.

<sup>23</sup> August 11, 2000 Order at 1-2

funds, the CARP should take the necessary steps to preserve the confidentiality of the information. It directed that hearings be closed to the public as necessary and that the CARP redact the amount from the CARP's decision and any interim orders unless the CARP determined that revealing the amount was essential to an understanding of the basis of its decision.<sup>24</sup>

### September, 2000 Orders of the Copyright Office

#### September 13, 2000 Order

In an Order dated September 13, 2000, the Copyright Office ruled on IPG's and MPAA's fully briefed cross-motions to strike testimony from each other's written direct cases for failure to produce underlying documentation. With respect to IPG's Motion to Strike, the Copyright Office noted that of the 23 separate discovery requests presented by IPG, the Library had previously granted 16. IPG argued that MPAA did not produce documents as required by the Copyright Office's June 28, 2000 Order. In its September 13, 2000 Order, the Copyright Office directed that IPG and MPAA complete negotiations on the terms of a protective order and to submit the protective order to the Library no later than September 20, 2000. It further directed MPAA to produce documents, as directed by the June 28 Order, to counsel for IPG by September 21, 2000 and that the nondisclosure of underlying documents by that date would result in the striking of the corresponding testimony from MPAA's written direct case. The Copyright Office also stated that the protective order could contain a provision creating a "highly confidential" status for certain documents produced under the June 28 Order, which would permit only Mr. Galaz's counsel to view documents so designated. It further designated to CARP the task of determining, on IPG's petition, whether documents are indeed "highly confidential". The September 13, 2000 Order also directed MPAA to produce to IPG prior to September 21, 2000 any correspondence and/or other documents discussing the TVData logs. With respect to Nielsen CD-ROM information, the Copyright Office stated that it was MPAA's responsibility to assure that documentation it produced was in a readable format and accessible to IPG. Finally, the Copyright Office noted that if IPG had not been afforded complete access to the Nielsen data by September 21, 2000, the Library would entertain motions to strike the testimony in MPAA's written direct case corresponding to that data.<sup>25</sup>

<sup>24</sup> August 31, 2000 Order at 4-6

<sup>25</sup> September 13, 2000 Order at 2-3

In that same September 13, 2000 Order, the Copyright Office also addressed MPAA's Motion to Strike. MPAA charged that IPG had failed to comply with the June 28 Order's direction to IPG to produce documents underlying the "99 Sample Station" survey. The Copyright Office denied the motion, finding that IPG had produced the documents responsive to the "99 Sample Station" survey and had provided the identity and city of license of the 67 stations not used in the survey. It further noted that if a party failed, pursuant to 37 C.F.R. §251.48 of the rules to submit studies and surveys in their written direct cases to provide accompanying explanations of the parameters and methodologies used to create the study or survey, the CARP could determine what, if any, evidentiary weight to accord the study or survey in the face of a party's challenges.<sup>26</sup>

#### September 22, 2000 Order

On September 14, 2000, the Copyright Office entered an Order accepting and adopting a Special Protective Order to govern disclosure to IPG of the 1997 royalty fund amount allocated to the syndicated program category. On September 21, 2000, the Copyright Office entered an Order accepting and adopting the Parties' agreed General Protective Order to govern disclosure of confidential and highly confidential information in the case.

On September 22, 2000, the Copyright Office entered an Order deciding IPG's fully briefed motion requesting the Library to amend its June 22, 2000 Order. IPG argued, essentially, that the Library should not require a writing to validate a representation agreement. IPG further argued that if a writing were required by the Copyright Office, apart from the representation agreements, it should be allowed to submit to the CARP for review other related supporting written proof, such as memoranda or letters of understanding.<sup>27</sup> In its September 22, 2000 Order, the Copyright Office clarified its June 22, 2000 Order as follows:

The June 22, Order's requirement that proof of representation "must be in the form of written agreements" does not mean that IPG's standard representational agreement form is the only acceptable document that proves timely representation. Other documents signed or initialed by an Exhibit D claimant can serve as written proof of representation, provided that 1) they clearly and unambiguously provide that a representational agreement has been

<sup>26</sup> September 13, 2000 Order at 3-4

<sup>27</sup> September 22, 2000 Order at 3-4

reached between IPG and the Exhibit D claimant; and 2) the document existed on or before July 31, 1998. Once again, documents that did not exist on or before July 31, 1998 are not acceptable. The CARP shall make the factual determination as to whether these conditions have been satisfied.<sup>28</sup>

### **October, 2000 Order of the Copyright Office**

As the October 17, 2000 CARP initiation date approached, the Library, in its October 10, 2000 Order, took the final steps to resolve discovery-related matters. At issue in the October 10 Order were two motions filed by IPG both involving certain discs containing the TVData logs and the Nielsen CD-ROM that were ordered produced in the June 28, 2000 Order of the Copyright Office. IPG argued in its first motion that IPG had accessed the disc containing the MPAA-produced TVData logs but still had not been able to access the Nielsen CD-ROM. IPG requested that the Library establish a time period for follow-up requests for underlying documents for the TVData logs and the Nielsen CD-ROM. In its second motion, IPG sought production of all documents that explained or described the column headings and the data entries for the information contained in the TVData logs and Nielsen discs. In addition, IPG sought by that second motion, MPAA documents related to the 1997 representation agreements, 1996 MPAA program certification forms, and the 1997 MPAA program titles from the CDC database. IPG sought documents described in a total of ten follow-up requests involving these four items that had already been produced by MPAA.

With respect to the first motion, the Copyright Office ruled that because of statements made by MPAA in a series of conference calls between the Library and the Parties to the effect that no further documents underlie or exist to explain the TVData logs, IPG's motion with respect to the TVData logs was denied.

As to the second motion, the Copyright Office directed MPAA to produce any existing documents responsive to IPG's follow-up requests 1, 2, 3, 4, and 9. The Copyright Office denied the second motion as to follow-up requests 5 through 8 and 10, since it determined that there were no responsive documents to these requests that remained to be produced.<sup>29</sup>

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<sup>28</sup> September 22, 2000 Order at 4

<sup>29</sup> October 10, 2000 Order at 4-5

## MOTIONS AND RULINGS BEFORE THE CARP

The CARP held its initial meeting with the Parties on October 17, 2000. After consulting with the Parties and their counsel, the CARP entered its Scheduling Order on October 23, 2000.

### November, 2000 CARP Orders

On November 15, 2000, the CARP entered three Orders ruling on fully briefed motions pending before it. The first order addressed MPAA's fully briefed motion seeking dismissal of IPG's Phase II claim (No. 176) on the grounds that IPG was not authorized to represent the claimants and programs listed on Exhibit D of IPG's Direct Case which had been filed on April 3, 2000. On the basis of the evidence then before it, the CARP determined that the following claimants listed by IPG had satisfied the criteria established by the Copyright Office and thus qualified as valid joint claimants represented by IPG:

1. Abrams/Gentile Entertainment
2. Beacon Communications
3. Cosgrove Meurer Productions
4. Flying Tomato Films
5. Funimation Productions
6. Golden Films Finance Corporation IV and American Film Investment Corporation II
7. Litton Syndications, Inc.
8. Mendelson/PAWS
9. Raycom Sports
10. Sandra Carter Productions
11. Tide Group, Inc. d/b/a Psychic Readers Networks
12. United Negro College Fund

In addition, on the basis of the evidence then before it, the CARP determined that the following claimants listed by IPG had not provided the required proof and thus had not satisfied the criteria established by the Copyright Office and thus did not qualify as valid joint claimants:

1. Jay Ward Productions
2. Lacey Entertainment
3. Mainframe Entertainment, Inc.
4. Scholastic Entertainment



The Carp further ordered that the portions of IPG's Written Direct Case relating to the four unqualified claimants to be stricken.<sup>30</sup>

In its second Order entered on November 15, 2000, the CARP addressed MPAA's fully briefed Motion to Obtain Documents Submitted by Independent Producers Group, Under Seal, to the CARP on October 10, 2000 and Request to Expedite Ruling. For the reasons stated in the second Order, the CARP granted MPAA's motion, directed the Copyright Office to provide both the CARP-redacted IPG representation agreements (the July 31 documents) and the CARP-redacted October 10 documents to the Parties under seal for use by them under the terms of the existing General Protective Order.<sup>31</sup>

In its third Order entered on November 15, 2000, the CARP addressed IPG's fully briefed Motion to Remove "Highly Confidential" Designation and Related Relief. For the reasons stated in the third Order, the CARP granted IPG's motion and directed that the "Highly Confidential" designation of the General Protective Order be removed from and not apply in these proceedings to: (1) representation agreements executed by the MPAA and various claimants; (2) Certification Forms identifying programs claimed by MPAA-represented claimants; and (3) a 1997 Alphabetical List of programs, owners and viewing hours attributed to those programs by MPAA ("1997 Alpha List"). The CARP further directed MPAA to answer any questions IPG may have about linking particular IPG document requests to documents that MPAA produced in response to the June 28 and October 10 Orders of the Copyright Office.<sup>32</sup>

#### **December, 2000 CARP Orders**

The CARP entered an Order on December 1, 2000 setting the time and agenda for oral arguments on pending motions scheduled for December 11 and 12, 2000.

#### **December 21, 2000 CARP Order**

In its December 21, 2000 Order, the CARP addressed IPG's fully briefed Motion to Strike Testimony and Preclude Introduction of Evidence. The CARP reserved ruling on this motion pending a final opportunity for MPAA to produce documents specified in the CARP's December 21 Order to IPG. The CARP's discussion, analysis and ruling on this motion appears below in this Report.

#### **December 22, 2000 CARP Order**

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<sup>30</sup> CARP November 15, 2000 Order (No. 1) at 4-5

<sup>31</sup> CARP November 15, 2000 Order (No. 2) at 5

<sup>32</sup> CARP November 15, 2000 Order (No. 3) at 5

On December 22, 2000, the CARP addressed IPG's fully briefed Motion to Dismiss Claims of Certain MPAA-Represented Claimants. For the reasons stated in that Order, the CARP denied IPG's motion to dismiss the claims of Jeopardy Productions and American First Run Studios. The CARP reserved ruling on IPG's motion to dismiss the claims of Atlantis Communications, Inc., and Big Ticket Television, Inc. subject to MPAA's production<sup>33</sup> of an affidavit and/or testimony verifying MPAA's assertion that as a result of acquisition and/or other ownership changes following the filing of their claims with the Copyright Office, such claims have been subsumed into valid claims of other MPAA-represented claimants.<sup>34</sup> The CARP further denied IPG's motion to dismiss as it related to claims of Cinetel Films, Inc., Major League Baseball Properties, Inc., Alliance International Releasing Ireland, Ltd., All American Goodson, All American Television, MOSO Productions, Goldwyn Films, Inc., CPT Holdings, Inc., Overview Productions, Inc., Professional Golfers' Association of America, and PGA Tour, Inc.<sup>35</sup>

#### **December 28, 2000 CARP Order**

In its December 28, 2000 Order, the CARP addressed IPG's Motion for Partial Reconsideration of Order on MPAA Motion to Dismiss issued by the CARP on November 15, 2000 (No. 1). For the reasons stated in that Order, the CARP declared that IPG would not be permitted to proffer additional testimony on the issue of its representation of joint claimants as of July 31, 1998. The CARP took under advisement IPG's Motion for Partial Reconsideration of the November 15, 2000 Order striking the claim of Lacey Entertainment pending introduction of additional documentary evidence by MPAA and IPG regarding Lacey's representation.<sup>36</sup> Finally, the CARP denied IPG's Motion for Reconsideration of the CARP's November 15 Order striking the claims of Jay Ward Productions and Mainframe Entertainment.<sup>37</sup>

#### **January, 2001 CARP Orders**

On January 2, 2001, the CARP entered two Orders. The first addressed MPAA's fully briefed Third Motion Requesting Opportunity to Conduct Additional Discovery. For the reasons stated in that Order, the CARP granted MPAA's motion for additional

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<sup>33</sup> See Tr. p. 964

<sup>34</sup> See discussion below

<sup>35</sup> CARP December 22, 2000 Order at 5-6

<sup>36</sup> See discussion below

<sup>37</sup> CARP December 28, 2000 Order at 9

discovery. The CARP further directed that any response by IPG to MPAA discovery requests relating to the relationship between Independent Producers Group, Artist Collections Group, and Worldwide Subsidy Group should include documents evidencing incorporation, instruments certifying the alleged fictitious name status of Worldwide Subsidy Group, and good standing certificates certifying the good standing of the corporation at the time the corporation filed such claim and currently.<sup>38</sup>

The second Order entered on January 2, 2001 addressed MPAA's fully briefed Renewed Motion Requesting Opportunity to Conduct Additional Discovery. For the reasons stated in that Order, the CARP granted MPAA's renewed motion and directed IPG to provide any additional supporting documentation related to the IPG Representation Agreements, specifically regarding the following IPG Exhibit D claimants: Sandra Carter Production, Raycom Sports, Flying Tomato Films, Funimation Productions, and Abrams/Gentile Entertainment. It further ordered that if IPG asserted that no such documents exist, then IPG could not present any such documents for the purpose of supporting its case in any manner, nor could it present such documents with regard to any testimony or related issue regarding the distribution of the 1997 royalty funds.<sup>39</sup>

#### **February, 2001 CARP Orders**

##### **February 2, 2001 CARP Order**

On February 2, 2001, the CARP entered an Order on its own motion, pursuant to 37 C.F.R. §251.46(d), directing the Parties to present witnesses on February 6, 2001 from Nielsen Media Research and Cable Data Corporation to aid the CARP's better understanding of each Party's claim and to permit full and fair evaluation of the issues before the Panel. The CARP directed that the testimony of these witnesses would be related to prior testimony of the Parties' witnesses in their direct cases. The CARP further directed that counsel for each Party would have the opportunity to examine the Nielsen and CDC representatives following the CARP's examination. The Panel stated that it would recommend to the Copyright Office that the cost of producing these witnesses to appear and testify be borne by the Parties in direct proportion to their

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<sup>38</sup> CARP January 2, 2001 Order (No. 1) at 3

<sup>39</sup> CARP January 2, 2001 Order (No. 2) at 2

share of the distribution, in the same manner as is prescribed for costs of the proceedings under §251.54(a)(2) of the CARP rules.<sup>40</sup>

#### February 9, 2001 CARP Orders

On February 9, 2001, the CARP entered two Orders. The first consisted of rulings on objections made by the Parties to discovery requests of the other.<sup>41</sup> The second directed MPAA and IPG to supply the CARP with electronic data relating to specified exhibits.<sup>42</sup>

#### March, 2001 CARP Orders

After final oral arguments on the Parties' proposed findings of fact and conclusions of law, on March 23, 2001, MPAA filed a Motion to Waive Rules, Reopen Record, and Strike Testimony ("Motion to Waive"). The motion related to information critical to the CARP's decision on the then outstanding Lacey Entertainment issue. Facing a deadline of April 16, 2001 for issuance of its final report, on March 27, 2001 the CARP found it appropriate to expedite the pleading cycle pertaining to the Motion to Waive. It directed IPG to file its Opposition memorandum by March 30, 2001 and directed MPAA to reply by April 4, 2001. The CARP's discussion, analysis, and ruling on the Motion to Waive appears below.

#### EVIDENTIARY HEARING BEFORE THE CARP

The evidentiary hearing before the CARP began on January 8, 2001. In its Direct Case, MPAA sought 99.99% of the portion of the 1997 syndicated program allocation to be divided between its represented Program Suppliers and IPG. At the close of its Direct Case, MPAA revised its claim to 99.9698%<sup>43</sup> of the fund. In its Proposed Findings, MPAA sought 99.9871%<sup>44</sup> of the fund pending consideration of two contested titles and urged that IPG take nothing.

IPG's original Direct Case sought 1.73% of the fund.<sup>45</sup> After CARP rulings, IPG re-adjusted their claimed percentage to 0.788%.<sup>46</sup> In its Rebuttal Case, IPG asked for a

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40 CARP February 2, 2001 Order at 2  
41 CARP February 9, 2001 Order (No. 1)  
42 CARP February 9, 2001 Order (No. 2)  
43 MPAA Direct Case at p. 9 Revised  
44 MPAA FF. at p. 73  
45 Tr. 796

minimum of 0.881% of the fund and argued that its share be increased to 1.4%<sup>47</sup> in light of allegations of extensive reductions in the number of claimants and programs represented by MPAA. IPG's Proposed Findings sought an increase to 2.0%<sup>48</sup> of the allocation for appropriate reimbursement of fees and expenses associated with discovery violations engaged in by MPAA.

#### WITNESSES

Five witnesses testified during the course of the proceedings. MPAA presented Marsha E. Kessler and David E. Farbman. Raul Galaz testified on behalf of IPG. Paul Lindstrom of Nielsen Media Research and Thomas Larson of Cable Data Corporation testified pursuant to the Panel's request of MPAA under 37 C.F.R. §251.46(d) to adduce additional evidence. A listing of all Exhibits proffered by the Parties appears in Appendix B. In addition, MPAA designated prior testimony (and related exhibits) of Paul Lindstrom, Leonard Kalcheim, James Von Schilling, Marsha Kessler, and Allen Cooper.

**Marsha E. Kessler** is vice president retransmission royalty distribution for MPAA. For over 18 years, she has been directly responsible for receiving and distributing cable television and, more recently, satellite retransmission royalties. She previously has testified in proceedings before the CRT, the CARP, the Canadian Copyright Board, and the House Intellectual Property Subcommittee (on satellite carrier rates). She also has participated on a limited basis in royalty collection efforts in Europe. Prior to joining MPAA, Ms. Kessler was employed at the Copyright Office in the Library of Congress, for five years. She served on the first-ever staff of the Copyright Office's Licensing Division, the division responsible for processing compulsory license payments. She worked in the area of cable and jukebox compulsory licenses. Ms. Kessler routinely examined documents filed by cable systems and the accompanying royalty payments under the cable compulsory license, Section 111 of the Copyright Act. There she gained her basic education and primary experience concerning compulsory licenses.<sup>49</sup>

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46 IPG Amended Direct Case at p. 15; Tr. 796-798

47 IPG Rebuttal at p. 38

48 IPG FF. at p. 56

49 Kessler Direct Testimony at 1; Tr. (Kessler) 121-25

David E. Farbman is staff supervisor for the last 9 years of the anti-piracy office of the MPAA, specializing in investigating copyright violations and other threats to the revenues and good will of its member companies. Mr. Farbman spent 23 years as a New York City police officer, retiring as a lieutenant. He then managed investigations for Pinkerton Investigations, coordinated and instructed at the agency's training academy.<sup>50</sup>

Raul C. Galaz is the President, founder and authorized representative of Independent Producers Group ("IPG"). Prior to forming IPG and after graduation from Stanford Law School, he served as an attorney, both in private practice and in-house, specializing in entertainment law and representing independent television producers, foreign film distributors and individual artists.

Paul Lindstrom is Vice President of Nielsen Media Research where he has worked for 23 years, most of that time in Nielsen home video index division, which specializes in cable television and new technologies. He is responsible for all national custom research, all custom research for local cable, and design of research methodology for Nielsen clients.<sup>51</sup>

Thomas Larson is the founder and owner of Cable Data Corporation, and has been compiling, on a subscription basis to MPAA and other entities, data about the carriage of particular television stations by cable systems since 1980. He has been instrumental in the development of certain cable royalty distribution methodologies for MPAA.<sup>52</sup>

MPAA additionally designated the following testimony and exhibits<sup>53</sup> introduced as evidence in prior CARP proceedings:

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- 50 Farbman Rebuttal Testimony at 1; Tr. (Farbman) at 1787  
51 Designated Lindstrom Testimony, 97-1 CARP SD 2-95, Ph. I (PS)  
January 8, 1999; Tr. (Lindstrom) at 1263  
52 Tr. (Larson) 1590-92  
53 MPAA Direct Case, Attachment A, at 3

**From Docket No. 97-1 CARP SD 92-95 (Distribution of 1992, through 1995 Satellite Royalty Funds):** Direct testimony and exhibits introduced on January 8, 1999 with respect to: Paul Lindstrom, Leonard Kalcheim, and James Von Schilling.

**From Docket No. CRT 91-2-89 CD (1989 Cable Royalty Distribution Proceeding):** Direct and rebuttal testimony and exhibits of each of the following witnesses filed on August 16, 1991 and November 19, 1991, respectively, as well as the referenced oral testimony including cross-examination exhibits P.S. Exhibits 1X-47X and 1RX -14RX:

<u>Witness</u>	<u>Transcript Reference</u>	
Marsha Kessler	Tr. 85-207	(9-12-91)
	Tr. 239-306	(9-13-91)
	Tr. 5176-5250	(12-13-91)
Allen Cooper	Tr. 307-369	(9-13-91)
	Tr. 376-521	(9-17-91)
	Tr. 535-689	(9-19-91)
	Tr. 697-790	(9-20-91)
	Tr. 5465-5544	(12-17-91)
Paul Lindstrom	Tr. 5550-5783	(1-14-92)

#### HEARINGS and ORAL ARGUMENTS BEFORE THE CARP

The chart below describes the schedule of hearings and oral arguments held before the CARP:

October 17, 2000	Initial meeting of Parties and Panel
December 11, 2000	Oral arguments on pending motions
December 12, 2000	Oral arguments on pending motions
January 8, 2001	MPAA Direct Case: Marsha Kessler
January 9, 2001	MPAA Direct Case: Marsha Kessler
January 10, 2001	MPAA Direct Case: Marsha Kessler (Confidential)
January 11, 2001	MPAA Direct Case: Marsha Kessler (Confidential)
January 12, 2001	MPAA Direct Case: Marsha Kessler

January 12, 2001	IPG Direct Case: Raul Galaz
February 6, 2001	Examination by Panel and Parties: Paul Lindstrom
February 7, 2001	Examination by Panel and Parties: (Confidential)
February 20, 2001	Oral arguments on discovery matters MPAA Rebuttal Case: David Farbman and Marsha Kessler
February 21, 2001	MPAA Rebuttal Case: Marsha Kessler IPG Rebuttal Case: Raul Galaz
March 16, 2001	Oral arguments on MPAA's Motion to Dismiss
April 4, 2001	Parties' Closing Arguments CARP Record closed

During the course of the hearing, MPAA filed a written motion to dismiss IPG's case and IPG orally moved to Strike Testimony of Marsha Kessler. These motions were taken with the case and are addressed and decided below. After the conclusion of the final oral arguments, MPAA filed a Motion to Waive Rules, Reopen Record, and Strike Testimony. This fully briefed motion is addressed and decided below.

### MPAA'S MOTION TO DISMISS

At the close of the testimony on the Parties' direct cases on January 12, 2001, the Motion Picture Association of America-represented Program Suppliers orally moved to dismiss the Independent Producers Group's Case on the grounds that IPG was not a proper party to these proceedings because, in effect, it represented no proper claimant -- individual or entity. The CARP directed MPAA to submit its motion in writing and on February 14, 2001, MPAA filed its written Motion to Dismiss Independent Producer Group's case ("Motion to Dismiss"). Pursuant to the CARP's order, IPG filed a response in Opposition to MPAA's Motion to Dismiss on March 5, 2001 and, on March 15, 2001, MPAA filed its reply. The CARP determined that the MPAA's Motion to Dismiss should be taken under advisement and decided with the merits of the Phase II proceeding. Therefore on March 16, 2001, the CARP heard oral arguments on this Motion together with the oral arguments on the Parties' proposed findings and



conclusions in this Phase II cable royalty fund distribution case. For the reasons stated below, the CARP denies MPAA's Motion to Dismiss.

### Overview

MPAA presents three principal arguments in support of its Motion to Dismiss. It argues that the Panel must dismiss IPG's case because: (1) the underlying claim of Artist Collections Group, Ltd. ("ACG") was defective and IPG sought to obscure the defect; (2) the ACG cable royalty claim No. 176 was an improper "placeholder" claim; and (3) the Copyright Office in these proceedings has already held that the underlying claim of ACG was withdrawn. We separately describe these arguments and IPG's responses to them below.

### Defect in the underlying claim

MPAA argues that on or about July 11, 1998, ACG filed a claim for a share of the 1997 cable royalty fund in the Copyright Office.<sup>54</sup> The claim listed a single entity, "Artist Collections Group, Ltd.", as the claimant and provided one example of a distant secondary transmission; a retransmission of the program *Unsolved Mysteries* broadcast by KCNC Denver, on November 13, 1997. Raul Galaz signed the claim as President of Artist Collections Group.<sup>55</sup> The Copyright Office staff found the claim faulty and advised Mr. Galaz by telephone and letter that, as a *joint* claim, the Artist Collections Group claim required "a concise statement of the authorization for the filing of a joint claim and the name of each claimant to the joint claim".<sup>56</sup> Within the time period allowed by the Copyright Office, Mr. Galaz re-filed the claim (No. 176), again as a *joint* claim, but this time listing *two* claimants, Artist Collections Group, Ltd. and Worldwide Subsidy Group. He also listed two secondary retransmissions; the prior one and a retransmission of the program *Garfield and Friends* broadcast by KTTV Los Angeles on November 8, 1997. Mr. Galaz signed this claim as president of Worldwide Subsidy Group. The claim then *appeared* to list *two* claimants so as to satisfy the Copyright Office's rules for joint claims. In the Phase II hearing, Mr. Galaz testified that Worldwide Subsidy Group was a fictitious name used by ACG.<sup>57</sup> So, in truth, the claim was never a valid joint claim, but rather a claim for ACG, a single entity. According to MPAA, Mr. Galaz continued to obscure and confuse the

<sup>54</sup> MPAA Ex. 21X

<sup>55</sup> MPAA Ex. 21X

<sup>56</sup> MPAA Ex. 21X (emphasis in original)

<sup>57</sup> Tr. 843

nature of the claimant entities in these Phase II proceedings.<sup>58</sup> In his testimony Mr. Galaz revealed that IPG is an unregistered assumed name of Worldwide Subsidy Group, LLC, a Texas limited liability company.<sup>59</sup> He further testified that at the time that Claim No. 176 was filed, Worldwide Subsidy Group had not filed a fictitious name statement for ACG in California.<sup>60</sup>

IPG responds generally that MPAA's motion is puzzling because it noticeably fails to explain what difference would have existed if Claim No. 176 had been postured as a "single" claim only in the name of "Artist Collections Group", rather than a "joint" claim identifying "Artist Collections Group" and "Worldwide Subsidy Group". No explanation exists, IPG argues, because no consequence would have resulted: i.e., the Parties would be in the identical procedural position as they are in today. IPG had no benefit to gain from any alleged deception. At any time, if necessary, IPG could have corrected this situation by amending Claim No. 176 with an attachment listing the names of the 16 program suppliers identified in Exhibit D to IPG's direct case. To the extent that Claim No. 176 was characterized as a "joint claim", IPG explains, it was only because the signatory to the claim realized that contracts with the underlying rights holders would eventually be produced in the course of these proceedings, and that some underlying rights holders executed contracts identifying "Artist Collections Group" as the signatory, and others executed contracts with "Worldwide Subsidy Group" as the signatory, despite their legal indistinctiveness.

MPAA replies that whatever ACG *might* have done, ACG elected to resubmit the claim as a joint claim of ACG and WSG. Because WSG was a fictitious (then unregistered) name for ACG; ACG in fact made no change in the claim that had been questioned by the Copyright Office. The amended claim was no less defective than the first. It just appeared proper, and the Copyright Office seeing a facially correct claim was fooled.

#### **Placeholder claim**

Next, MPAA argues that Mr. Galaz attempted to do precisely what the claim filing rules were designed to prevent: the filing of a "placeholder" claim. Specifically, MPAA argues that Mr. Galaz filed a claim as a single party in some representative capacity of some unidentified parties. According to MPAA, he then could (and did)

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58 MPAA-Represented Program Suppliers' Motion to Dismiss  
Independent Producer Group's Case, pp. 6-14

59 Tr. 987-88

60 Tr. 995

later contend that the claim covered parties unidentified in the original filing. He had the ability to add parties until the filing of his written direct case.

IPG responds that MPAA took advantage of several prior opportunities to address the "placeholder" claim issue and has lost each time. IPG contends that MPAA is hypocritical in raising this placeholder claim issue with respect to IPG. IPG notes that as of September 29, 1999, subsequent to filing its "Notice of Intent to Participate" in these proceedings, and subsequent to its request for distribution of 1997 cable retransmission royalties attributable to the syndicated programming category, the MPAA had not entered into any agreement to represent any party in these proceedings. Based on the statements of MPAA and other parties that they represented Phase I interests, the Copyright Office subsequently distributed 75% of the 1997 cable retransmission royalties to them. IPG, based upon prior rulings, estimates that the amount allocable to the syndicated programming category reasonably exceeds tens of millions of dollars. Thus, IPG argues, MPAA petitioned for and received tens of millions of dollars on the unsupported basis that it represented the claimants in these proceedings.

MPAA replies that ACG added WSG to make the claim appear to be a joint claim because ACG had a larger incentive to refrain from listing claimants. That incentive was to preserve its ability to add claimants after July 31, 1998, which ACG has attempted to do. IPG's failure to inform the Copyright Office that WSG was only a fictitious name for ACG was not "inconsequential" as IPG contends.

Furthermore, IPG's allusion to MPAA's "placeholder" Notice of Intent is irrelevant. The conduct of ACG, not of MPAA, is at issue. The rules concerning content of royalty claims are clear; the rules regarding notices of intent do not prescribe the contents of the notice.

#### **Copyright Office's position on the withdrawal of ACG's claim**

Finally, MPAA argues that in its written direct case, Mr. Galaz asserted that "ACG's claim was voluntarily withdrawn".<sup>61</sup> MPAA further argues that the Copyright Office accepted this representation, concluding that Worldwide Subsidy Group was the "sole identified claimant".<sup>62</sup> The withdrawal of ACG's claim, MPAA argues, necessarily meant the withdrawal of all claims in IPG's case because WSG was not a separate entity,

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<sup>61</sup> IPG Direct Case at 3, n. 2

<sup>62</sup> June 22, 2000 Order at 5

but merely a fictitious name for ACG. With no underlying claim, IPG has nothing to represent. MPAA also questioned whether ACG had dissolved as a corporate entity.

IPG responds that the basis for MPAA's assertion that IPG withdrew its claim is a passing phrase in the footnote of IPG's direct case and is ambiguous at best as to the viability of ACG as a claimant. MPAA uses language out of the June 22, 2000 Order that inaccurately attempts a paraphrase of the footnoted language, a paraphrase going to an issue that was not briefed or in issue. A mistaken paraphrase cannot reasonably be a legitimate basis for an argument that ACG's claim has been withdrawn.

IPG further responds that although on November 2, 2000 during the course of these proceedings, Artist Collections Group filed a Certificate of Dissolution with the California Secretary of State; the filing did not perfect dissolution. Tax-related filings and certificates issued by the California Franchise Tax Board are required as additional steps, and these filings were not made. Moreover, ACG's own Articles of Organization allows ACG to continue for 90 days post-dissolution. Finally, on January 17, 2001, ACG filed a Certificate of Continuation with the California Secretary of State nullifying the Certificate of Dissolution filing previously made.<sup>63</sup> On March 9, 2001, the Secretary of State of California issued a Certificate in Good Standing stating in part that Artist Collections Group, LLC, "is authorized to exercise all its powers, rights and privileges and is in good legal standing in the State of California."<sup>64</sup>

MPAA replies that regardless of the viability of ACG as a legal entity, IPG expressly stated to the Copyright Office in a pleading the "ACG's claim was voluntarily withdrawn".<sup>65</sup> The withdrawal of ACG's claim was part of a ruse employed by ACG and IPG to maintain the misimpression that ACG and WSG were separate and distinct claimants. IPG should not be permitted to benefit by its deception. The Panel should find ACG's claim legally insufficient when filed or when subsequently withdrawn and dismiss IPG's case.

### **Discussion, Analysis and Ruling**

The elusive nature of the legal identity and actual existence of the Party on the IPG side of this case have haunted these proceedings in the pre-hearing, hearing, and post-hearing stages and even up through the issuance of the CARP's Report. We begin

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<sup>63</sup> IPG Ex. 13R

<sup>64</sup> Attachment to the March 13, 2001 letter of Arnold Lutzker, counsel for IPG, to the CARP, on file in the Copyright Office

<sup>65</sup> IPG's May 26, 2000 Opposition to MPAA's Motion to Dismiss, p. 3

our analysis of this "proper party" issue by initially noting that the Register of Copyrights has addressed and ruled in IPG's favor earlier in these proceedings on a very similar Motion to Dismiss brought by MPAA challenging the propriety of IPG and/or its related entities to be or to represent claimants in this Phase II cable royalty distribution proceeding. The Copyright Office rulings of particular relevance are its June 22, June 28 and September 22, 2000 Orders. Secondly, we note that the formal Phase II hearing has developed substantial additional evidence regarding IPG and its related entities, including written and oral representations of IPG's counsel and testimony of IPG's principal, Raul Galaz, that was not known to the Register of Copyrights at the time these Orders were issued. Thus, we first present below a chronology of the use of names by IPG, developed on the basis of the hearing evidence. Second, we review relevant Copyright Office Orders to help explain our reasoning in reaching our decision to deny MPAA's Motion to Dismiss.

### Discussion

#### *Representations and evidence in the formal proceedings*

The partial chronology below shows the use of names by IPG beginning with the initial filing of claim for cable royalties through the formal hearing.

<b>Date</b>	<b>Exhibit, Transcript or Pleading Reference</b>	<b>Use of Name/Entity</b>
5-12-98	MPAA Ex. 5X	Raul Galaz files Articles of Organization for "Artist Collections Group, LLC" in the State of California
7-11-98	MPAA Ex. 21X Initial claim	"Artist Collections Group, Ltd. on its own behalf and on behalf of others does hereby file jointly claims..." Full address of claimants' place of business: c/o Worldwide Subsidy Group.
7-20-98	MPAA Ex. 4X	Full legal names of ... entities: "Artist Collections Group, Ltd." "Worldwide Subsidy Group" Full address of claimants' place of business: "c/o Worldwide Subsidy Group"

3-29-99	MPAA Ex. 3X	Raul Galaz files Articles of Organization of Worldwide Subsidy Group, LLC in the State of Texas
9-20-99	MPAA Ex. 12X	Artist Collections Group, LLC files Fictitious Business Name Statement as "Worldwide Subsidy Group" in California. (Los Angeles County)
4-3-00	IPG Direct Case, at 3, n. 2	Galaz states that the Artist Collections Group LLC claim was voluntarily withdrawn (i.e. "only WSG represents programs entitled [sic] 1997 cable retransmission royalties".
5-26-00	IPG Opposition to PS Motion to Dismiss Phase II Claim, p. 3	IPG states that "ACG's Claim was voluntarily withdrawn"
5-26-00	MPAA Ex. 13X p. 6	"... WSG's claim is made in its own name..."
5-26-00	MPAA Ex. 13X p. 9	" 'Worldwide Subsidy Group' that made claim in July 1998... is not a Texas entity, but a separate legal entity organized in California since early 1998."
11-2-00	MPAA Ex. 6X	Filing date. Raul Galaz certifies that "Artist Collections Group LLC" "is dissolved". Signature date: 5-20-00.
1-12-01	Tr. 987	Galaz: Independent Producers Group is a fictitious or assumed name, a d/b/a for Worldwide Subsidy Group, LLC, a Texas limited liability company;
1-12-01	Tr. 987-88	Galaz: Neither he nor WSG Texas have ever filed an assumed name certificate with respect to IPG with the Secretary of State

1-12-01	Tr. 989	Galaz: WSG Texas, either as itself or under the assumed name of IPG, did not file a claim for 1997 cable television royalties
1-12-01	Tr. 989	Galaz: No fictitious name or d/b/a notice was ever filed for IPG in California
1-17-01	IPG 13R	Raul Galaz files with the California Secretary of State a "Limited Liability Company Certificate of Continuation" stating as grounds, that the "limited liability company (Artist Collections Group, LLC) was not, in fact dissolved."
3-12-01	Letter from IPG Counsel and attached certificate	3-9-01 California Secretary of State issues Certificate of Good Standing for "Artist Collections Group, LLC"

From this partial chronology, it can be concluded that at the time that the Copyright Office issued its June 22, June 28 and September 22, 2000 Orders on MPAA's original Motion to Dismiss, these circumstances existed:

- Artist Collections Group, LLC and Worldwide Subsidy Group had filed a "joint claim" with the Copyright Office.
- Artist Collections Group, LLC had withdrawn its claim.
- Worldwide Subsidy Group was a registered fictitious business name for Artist Collections Group, LLC, a company which had withdrawn its claim in this proceeding.
- Worldwide Subsidy Group LLC, Texas, d/b/a IPG was a legal entity in existence, but made no claim to 1997 cable royalties.<sup>66</sup>

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<sup>66</sup> Tr. at 2416 IPG is the assumed name for Worldwide Subsidy Group, LLC, a Texas limited liability company ... distinguished from Worldwide Subsidy Group, a fictitious name for ACG.

### *June 22, 2000 Order of the Copyright Office*

In its June 22 Order, the Copyright Office ruled on MPAA's motion which sought to dismiss the claim (No. 176) filed by IPG. MPAA alleged, among other things, that IPG's claim did not satisfy the Office's rules and regulations and that none of the entities claimed by IPG were listed in claim No. 176 or filed their own individual claims. Relevant excerpts from the June 22 Order (pp. 5-7) are excerpted immediately below, with emphasis added:

As the above discussion reveals, the requirements of Section 252 of the rules for the filing of cable claims are critical to the process of distributing royalties collected under the cable compulsory license. When a joint claim is filed, it must identify each of the claimants that are part of the claim at the time the claim is filed. Parties may not be added to the joint claim after the fact because no royalty fees will be distributed to a party that has not filed a timely claim.

The Library has examined claim No. 176, received by the Copyright Office on July 20, 1998. The claim states that Artist Collections Group, Ltd. filed the claim on behalf of itself and Worldwide Subsidy Group, *although the claim is signed by the President of Worldwide Subsidy Group.* ... IPG states in its written direct case that Artists Collection Group has withdrawn its claim because it did not represent any copyright owners whose programs were retransmitted by cable systems during 1997.<sup>67</sup> *This leaves Worldwide Subsidy Group as the sole identified claimant.*

It is clear from IPG's pleadings that Worldwide Subsidy Group is not a copyright owner, but is "either the transferee or agent of copyright owners for purposes of this proceeding."<sup>68</sup> The question arises whether, under the Library rules, a non-copyright owner party can file a claim to cable royalties. The Tribunal's old rules could be read as permitting only copyright owners and performing rights societies to file royalty claims. ... The Library's rules, however, state that "any party claiming to be entitled to cable compulsory license royalty fees" may file a claim. 37 C.F.R. §252.2. The rule is broad enough to allow non-copyright holders, who are acting as agents or representatives of copyright owners of non-network programming retransmitted by cable systems, to file a claim. It was permissible, therefore, for Worldwide Subsidy Group

<sup>67</sup> IPG Direct Case at 3, n. 2

<sup>68</sup> IPG Opposition at 4



to file a claim. However, that does not answer the question whether Worldwide Subsidy Group had to identify the copyright owners on whose behalf it was filing a claim.

Section 252.3(a)(3) requires that all claimants to a joint claim must be identified. ... *With the dismissal of Artists Collections Group, the only named claimant on claim No. 176 is Worldwide Subsidy Group. However, in exhibit D of its written direct case, IPG, the representative of Worldwide Subsidy Group, lists the programs and copyright owners or distributors which it alleges comprise its claim. ...*

IPG asserts that it was not required to list these copyright owners and distributors because it did not file a joint claim. Rather, *IPG submits that claim No. 176 is a single claim with Worldwide Subsidy Group acting as agent or transferred for all the copyright owners and distributors identified in exhibit D. IPG argues that filing a claim in this fashion is permissible. We do not agree. ...*

Because Worldwide Subsidy Group appears not to be a claimant in its own right and purports to have filed a claim on behalf of many other claimants, claim No. 176 must be considered a joint claim in this proceeding to have validity. However, Worldwide Subsidy Group did not comply with the rules for the filing of joint claims. Because of this failure, IPG's case could be dismissed. Nevertheless, the Library cannot say with certainty that all previous claims filed in cable royalty proceedings have listed all joint claimants. ... To the Library's knowledge, these claims have not been challenged in the past, and *this is a case of first impression*. Consequently, the Library is not inclined without prior warning to strictly enforce the requirement that all owners and distributors be identified in a joint claim. *However, what is clear, and what the law requires, is a factual determination as to which of the owners and distributors identified by IPG in exhibit D of its written direct case were in fact represented by Worldwide Subsidy Group at the close of the filing period for 1997 claims ...*

#### *June 28, 2000 Order of the Copyright Office*

In its ruling on discovery requests, the Copyright Office, in its June 28, 2000 Order, stated at p. 1 (emphasis added):

1. Raul Galaz ("Galaz") states in his testimony that *IPG is a separate entity from Worldwide Subsidy Group, which filed the claim in this*

*proceeding.*<sup>69</sup> Program Suppliers seek all documents that show the corporate structure of IPG. IPG asserts that there are no such documents because *IPG is the fictitious name for Worldwide Subsidy Group*. Program Suppliers withdraw their request.

The CARP notes that at the time the June 28 Order was entered, IPG was the unregistered fictitious name for Worldwide Subsidy Group, LLC, Texas -- which company made no claim for 1997 cable royalties in this proceeding.

*September 22, 2000 Order of the Copyright Office*

In ruling on IPG's motion seeking to amend the Copyright Office's June 22 Order, the Copyright Office in its September 22, 2000 Order stated at pp. 1 and 3 (emphasis added):

Independent Producer's Group (IPG) has filed a motion requesting the Library to amend its June 22, 2000 Order in this proceeding. ... In that Order, the Library addressed the sufficiency of a joint claim filed by Worldwide Subsidy Group. {Footnote 1: *That claim also identified Artist Collections Group, Ltd. as a claimant, but Artist Collections Group, Ltd. has since withdrawn its claim.*}

\* \* \*

*Although the Library has refrained from dismissing IPG's case, we nonetheless take the timely filing of cable claims quite seriously. As we stated in the June 22 Order, the law requires that cable royalties be distributed only to those who have timely filed claims, and there must be proof that a claim has been filed.<sup>70</sup> ... We are willing, in this one instance, to allow a representation agreement executed by an exhibit D claimant that was entered into on or before July 31, 1998, to stand in the place of that claimant's name appearing on claim No. 176. This is the only way to preserve the integrity of the law which prohibits the filing of claims to 1997 cable royalties after July 31, 1998. However, just as there must be a writing in the form of a cable claim submitted on or before July 31, 1998, there must be a writing executed before July 31, 1998, confirming the existence of a representational agreement between IPG and each of the claimants identified in exhibit D.*

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<sup>69</sup> IPG Written Direct Case at 3

<sup>70</sup> September 22, 2000 Order at 6

## Analysis and Ruling

We first think it helpful to summarize the evidence related to the status of entities/fictitious names at this endpoint of the formal Phase II proceeding as we undertake the task of deciding MPAA's Motion to Dismiss -- a motion very similar to the one that was the subject of the Copyright Office's June 22, 2000 Order. These facts currently exist (*refer to Appendix C and Appendix D to this Report for a more complete listing of the transcript and Exhibit references relevant to our decision on the Motion to Dismiss*).

- IPG is not a corporation;<sup>71</sup>
- IPG is not a registered fictitious or registered assumed name;<sup>72</sup>
- Independent Producers Group ("IPG") is a fictitious or assumed name, a d/b/a, for Worldwide Subsidy Group LLC ("WSG-Texas"), a Texas limited liability company;<sup>73</sup>
- WSG-Texas was formed on March 29, 1999;<sup>74</sup>
- WSG-Texas, neither in its own behalf nor under the assumed name of IPG filed a claim for 1997 cable television royalties;<sup>75</sup>
- IPG currently represents only the claims presented by Worldwide Subsidy Group ("WSG")<sup>76</sup> and WSG's claim is made in its own name;<sup>77</sup>
- Worldwide Subsidy Group ("WSG") is a fictitious name for Artist Collections Group, a limited liability company (LLC) in California ("ACG");<sup>78</sup>
- ACG was legally formed in California on May 12, 1998;<sup>79</sup>
- ACG withdrew its claim for 1997 cable royalties early in these Phase II proceedings;<sup>80</sup>
- ACG voluntarily dissolved on November 2, 2000;<sup>81</sup>

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71 Tr. 983  
72 Tr. 987-89  
73 Tr. 987  
74 MPAA Ex. 3X  
75 Tr. 987  
76 IPG's Direct Case at 3  
77 MPAA Ex. 13X, p. 6  
78 Tr. 843; 992  
79 MPAA Ex. 5X  
80 IPG Direct Case, p. 3, n.2; 5-26-00  
Opposition to MPAA Motion to Dismiss, p. 3;  
June 22, 2000 Order, p. 5;  
September 22 Order, p. 1, n.1

- ACG filed an LLC Certificate of Continuation in California on January 17, 2001; <sup>82</sup>
- California issued ACG a Certificate in Good Standing on March 9, 2001; <sup>83</sup>
- In May, 2000 all assets and obligations of ACG doing business as Worldwide Subsidy Group were transferred to Worldwide Subsidy Group (Texas) doing business as IPG <sup>84</sup>

Having stated the facts on the various entities/fictitious names as we perceive them, we now turn to addressing the Parties' arguments on the Motion to Dismiss. With respect to those arguments as summarized, above, we think that MPAA prevails on each of the three points it has advanced. However, we disagree with MPAA's conclusion that this Phase II proceeding along with IPG and all its represented claimants should be dismissed.

A careful review of the evidence of record and pertinent Copyright Office orders as quoted above reasonably leads to the conclusions, as MPAA contends, that: (1) because in July, 1998, WSG was a fictitious (then unregistered) name for ACG, the originally named party, the addition of WSG as a "joint claimant" did not cure the defect in the filing as pointed out by the Copyright Office in its July 23, 1998 letter; (2) ACG (and later WSG), as alluded to even in the Copyright Office's orders, was seeking a type of placeholder claim status that was not permitted by the rules; and (3) despite IPG's new contention in its instant Opposition pleading to the contrary, at least two written representations of IPG and two Orders of the Copyright Office unequivocally confirm that ACG withdrew its claim to 1997 cable royalties prior to the Copyright Office's June 22, 2000 Order. The question then becomes, what is the appropriate resolution MPAA's Motion to Dismiss that would be fair to all concerned?

A strict application of the Copyright Office's rules and regulations would weigh in favor of dismissal of IPG's case. Mr. Galaz, testifying for IPG, stated under oath that he never advised the Copyright Office that WSG, as added to his amended claim No. 176, was, in fact, no more than a fictitious name for ACG.<sup>85</sup> In fairness to IPG, we note

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81 MPAA Ex. 6X  
 82 IPG 13R  
 83 3-12-01 Letter to the CARP from IPG's counsel  
 84 Tr. 845  
 85 Tr. 1102

that it argued in an opposition brief filed with the Copyright Office on MPAA's original Motion to Dismiss that his labeled "joint claim" embodied by claim No. 176 was actually a single claim - IPG recognizing that ACG and WSG were one and the same entity.<sup>86</sup> This single corporate identity, known to IPG, was never directly communicated to the Copyright Office. Technically speaking, we think that the Librarian would be acting well within its statutory authority to strictly construe and apply the claim filing rules and to dismiss IPG's case for ACG's and WSG's conscious noncompliance with and less-than-candid attempt to manipulate the Copyright Office's rules in its favor. We also note that our review of the evidence leads us to conclude that the programs listed in the original and amended claim No. 176 have been deemed by the CARP not to have been validly claimed (see discussion of *Unsolved Mysteries* and *Garfield and Friends* below).

A more liberal application of the rules, however, in this situation - which the Copyright Office has already described as a case of first impression - would safeguard the rights of program suppliers who thought that ACG d/b/a WSG<sup>87</sup> was their proper and legal representative for claiming royalties and would avoid the ludicrous result that an extremely complex, expensive, six-month hearing process occurred for naught. We say this while pointing out that MPAA did not file the instant Motion to Dismiss until February 14, 2001 - immediately before the Parties' rebuttal testimony - and the Motion was not fully briefed until the day before closing arguments on the entire case. In this situation, there may be good reasons for the Librarian again to carve out an exception for IPG. In actuality, the circumstances before the CARP are little different than those before the Copyright Office when it denied MPAA's Motion to Dismiss in the June 22, 2000 Order. There, the Copyright Office clearly could have dismissed IPG's case. At page 7 of its June 22 Order, the Copyright Office stated:

However, Worldwide Subsidy Group did not comply with the rules for the filing of joint claims. Because of this failure, IPG's case could be dismissed.

Similarly, here, we are still dealing with a technically dismissable "joint claim" with a "procedural infirmity" as interpreted by the Copyright Office,<sup>88</sup> and we have before us, as did the Copyright Office, a single royalty agent (WSG, as represented by IPG). Moreover, the CARP has, pursuant to the June 22 and September 22 Orders,

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<sup>86</sup> Tr. 1109

<sup>87</sup> IPG Ex. RX5 All qualified representation agreements were signed with WSG (California) except Lacey Entertainment who signed with WSG (Texas)

<sup>88</sup> September 22, 2000 Order, p. 1

reviewed the evidence and made determinations relating to the clients with which WSG had representation agreements on or before July 31, 1998. Thus, the question becomes, under a more liberal approach to the claim filing rules as already taken by the Copyright Office in these Phase II proceedings, how should the CARP interpret the rules to do justice while preserving the rules' integrity?

In their pleadings on the instant Motion to Dismiss<sup>89</sup> the Parties apparently agree that Claim No. 176 could have been properly amended if the amended claim would have listed the multiple claims "presented" by Artist Collections Group d/b/a Worldwide Subsidy Group on behalf of entities that had "engaged" Worldwide Subsidy Group. Certainly, this type of claim statement and listing would satisfy the spirit of the Copyright Office's June 22, 2000 Order that the "Library is not inclined without prior warning to strictly enforce the requirement that all owners and distributors be identified in a joint claim". We note that the record here supports a finding that ACG is a limited liability company currently in good standing in California,<sup>90</sup> with a registered fictitious name of Worldwide Subsidy Group.<sup>91</sup>

In conclusion, the CARP recognizes that in these proceedings, IPG representatives on behalf of WSG (California) have made a number of unrealistic assertions about names of parties, companies, and organization names, and royalty claimant status. In reaching our decisions here, the CARP wishes to emphasize that we do not condone such conduct. Nor, under ordinary circumstances, would we tolerate it. The Panel, however, in denying the Motion to Dismiss is attempting to accommodate the Copyright Office's previously created, one-time exception to the strict enforcement of the Copyright Office's claim filing rules, while aspiring to achieve fairness for all affected claimants.

## IPG'S MOTION TO STRIKE EVIDENCE AND PRECLUDE INTRODUCTION OF EVIDENCE and IPG'S MOTION TO STRIKE TESTIMONY OF MARSHA E. KESSLER

### Overview

At the conclusion of MPAA's Direct Case, IPG orally moved to renew its Motion to Strike Evidence and Preclude Introduction of Evidence.<sup>92</sup>

<sup>89</sup> IPG Opposition, p. 4; MPAA Reply, p. 14

<sup>90</sup> Attachment to March 13, 2001 letter of IPG's counsel to the CARP

<sup>91</sup> MPAA Ex. 12X

<sup>92</sup> Tr. 756

After receiving what it termed "nominal" document production by the MPAA pursuant to orders issued by the Copyright Office, on November 20, 2000 IPG filed with the CARP a Motion to Strike Evidence and Preclude Introduction of Evidence ("Motion to Strike"). The motion was fully briefed and thereafter orally argued before the CARP on December 12, 2000. The documents that IPG contended were not produced or not produced completely by MPAA fell into four categories:

- (1) TVData logs;
- (2) Representation Agreements and Attachments;
- (3) the Nielsen Special Study; and
- (4) the MPAA Viewer Study.

The CARP reserved ruling on the Motion to Strike pending a final opportunity for MPAA to produce specified documents to IPG. The Panel determined that MPAA had consciously defied several prior discovery production rulings of the Copyright Office - conduct which we find unjustifiable. We therefore ordered all categories of IPG-requested documents be produced including "a complete and comprehensive copy of the Nielsen Special Study along with all of the underlying sources of information" and "a complete and comprehensive copy of the MPAA Viewer Study along with information described by IPG as "the data link" and by MPAA as "intermediary electronic data" or "interpolated viewing data".<sup>93</sup> Pursuant to this CARP order, and shortly prior to the beginning of testimony in the direct cases, MPAA produced massive amounts of electronic and hard copy information to IPG. Despite this extensive document production, IPG complained to the CARP that it was incapable of determining the basic mathematical accuracy of MPAA's claim to the number of viewing hours under the MPAA methodology.

Following the close of the MPAA direct case, IPG renewed the Motion to Strike Evidence and orally moved to strike the testimony of Marsha Kessler "regarding the introduction of any evidence drawn from Nielsen data, or Larson interpolated data ...".<sup>94</sup> The Parties had full opportunity to argue the motion on the record.<sup>95</sup> Specifically, IPG moved to strike MPAA Exhibit 3, Revised Exhibit 3, 3a and 3b, 4, and 5 for MPAA's failure to have a supporting witness who prepared the data.<sup>96</sup> IPG's motion was based on IPG's view that MPAA had failed to produce a witness in its direct case that could competently describe the MPAA distribution methodology. The

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93 CARP December 21, 2000 Order

94 Tr. 759

95 See generally, Tr. 746-84

96 Tr. 763-64

Panel deferred decision on IPG's oral motion and directed the proceedings to continue.<sup>97</sup> After the close of IPG's direct case, the Panel requested, pursuant to 37 C.F.R. §251.46(d) of the CARP Rules and Procedures; that MPAA produce additional testimony through representatives of Nielsen Media Research and Cable Data Corporation. MPAA presented Paul Lindstrom of Nielsen Media Research and Tom Larson of Cable Data Corporation for examination by the Panel. The Panel permitted counsel for the Parties also to question these witnesses.

IPG now contends in its Proposed Findings and Conclusions<sup>98</sup> that during the course of Mr. Larson's testimony, he described at least two significant databases of information and documents in his possession and control that were never produced to IPG. Specifically this information consists of: (1) twelve monthly booklets of information from Nielsen Media Research which identify daypart ratings information utilized in the MPAA viewer study in order to estimate ratings for programs for the 6 to 8 months that are not measured by Nielsen diaries during the "sweeps" periods; and (2) the Cable Data Corporation information database, which includes a title database, a program database, an owner file, and company codes, all of which were used in connection with the MPAA viewer study.<sup>99</sup> In its Reply Proposed Findings and Conclusions,<sup>100</sup> MPAA describes at length the extensive information that it produced to IPG so that IPG could adequately prepare its case. In the MPAA Reply Findings and Conclusions,<sup>101</sup> MPAA asserts that on several occasions during the course of the proceedings, Mr. Galaz and Mr. Lutzker consulted with and received assistance from CDC concerning data provided to IPG.<sup>102</sup>

#### **Discussion, Analysis and Ruling**

Having reviewed IPG's original Motion to Strike and related memoranda and the Parties' Proposed Findings of Fact and Conclusions of Law and Replies, the Panel is satisfied that MPAA substantially complied with the Panel's December 21, 2000 Order directing additional discovery, including the production of underlying documents and sources of information. The Panel, in part, sought testimony of Nielsen Media Research and Cable Data Corporation so that IPG and the Panel could determine whether there

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97 Tr. 792

98 IPG FF. at 13

99 Tr. 1612; 1664

100 pp. 40-42

101 p. 41

102 Tr. 22-25; 32-33



was additional information that was needed to arrive at a fair resolution of the issues in this case. If IPG believed that it needed additional documents from Mr. Larson, it could have asked him to produce the documents during the course of Mr. Larson's testimony. IPG could have also requested the Panel to issue an order directing the production of specified documents or information. IPG made no such requests of Mr. Larson or this Panel, and therefore the Panel concludes that IPG was not unduly prejudiced and had sufficient information to adequately present its case.

The Panel therefore denies IPG's original written Motion To Strike Evidence and Preclude Introduction of Evidence and IPG's related similar oral motions to strike made during the course of these proceedings.

For the same reasons stated above, IPG's oral Motion to Strike the Testimony of Marsha E. Kessler and Related Exhibits is also denied.

### **MPAA MOTION TO WAIVE RULES, REOPEN RECORD, and STRIKE TESTIMONY**

#### **Overview**

On March 23, 2001, one week after final oral arguments in this case, MPAA filed a Motion to Waive Rules, Reopen Record, and Strike Testimony ("Motion to Waive"). The motion was responsive to this Panel's encouragement at the conclusion of the final oral arguments on March 16, 2001 to the Parties to settle or resolve the issue of which Party represented Lacey Entertainment.<sup>103</sup> In its Motion to Waive, MPAA represented that on March 21, 2001, MPAA received copies of a letter and related correspondence from counsel for Lacey Entertainment (Ivan Saperstein of Shukat Arrow Hafer & Weber, L.L.P. in New York City). MPAA interpreted these documents to confirm that it (MPAA) represented the interests of Lacey Entertainment ("Lacey") in these proceedings, not IPG. MPAA further represented in its Motion that it provided copies of this letter and related correspondence to counsel for IPG and sought a stipulation to the effect that MPAA represented Lacey before the CARP. MPAA asserted in its Motion to Waive that IPG refused to so stipulate. MPAA's Motion requested, pursuant to 37 C.F.R. §251.42, that the Panel waive §251.51 of the CARP Rules and Procedures, and reopen the record for the limited purpose of entertaining the Motion, and to strike all testimony and exhibits submitted by IPG with respect to its representation of Lacey.

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<sup>103</sup> Tr. 2783-84

On March 27, 2001, this Panel entered an Order clarifying that the record had not been closed on March 16, 2001 and setting a briefing schedule on the Motion to Waive. After reviewing the fully briefed Motion to Waive, we grant it in part and deny it in part.

Three letters were attached as exhibits to MPAA's Motion to Waive. They may be described as follows:

- February 26, 2001 letter from Attorney Saperstein to Mr. Galaz stating in part that his firm represented Lacey with respect to a February 11, 2001 letter from Mr. Galaz to Brian Lacey, President of Lacey. Attorney Saperstein's letter further stated to Mr. Galaz that "Lacey notified you on July 1, 1999 ... that Worldwide's rights were for international markets and did not include the United States and Canada."
- March 13, 2001 letter from Mr. Galaz to Attorney Saperstein stating, in part, that he did not have the July 1 letter from Brian Lacey in his files and did not recall ever receiving such a letter.
- March 14, 2001 letter from Attorney Saperstein to Mr. Galaz attaching the July 1, 1999 letter of Brian Lacey and further stating: "... Mr. Lacey informs me that in all of his discussions with you and others [sic] representatives of Worldwide he always made it clear that any rights granted to Worldwide were exclusive of the United States and Canada." The attached July 1, 1999 letter from Brian Lacey to Mr. Galaz stated in pertinent part: "... I hereby attach the program titles ... for the three series that we have assigned to Worldwide Subsidy for international retransmission royalties. These are *Mega Man*, *Shelly T. Turtle* and *America's Dumbest Criminals*. I wish to remind you that these rights are granted for international markets and do not include the United States and Canada. Moreover, we do not have the rights to collect these royalties in the US for the *Dumbest Criminals* series, as Worldvision represents this series in US syndication. Thus, you need to revise exhibit A and make the necessary change in the agreement."

In response to MPAA's Motion to Waive, IPG argues: (1) MPAA had no knowledge-witness to support its argument against IPG; (2) for purposes of the MPAA motion, MPAA and Lacey must be viewed as the same, hence there is no pretense to diligence in submitting evidence; (3) letters of attorneys have no significance in this proceeding because Lacey's contract with WSG cannot be terminated unilaterally; and

(4) the newly discovered evidence is redundant of prior claims of the MPAA. Because we find no merit in any of IPG's responsive arguments, we do not set forth MPAA's detailed reply to them here.

### Discussion, Analysis and Ruling

Therefore, IPG's argument that the above-described correspondence should be rejected because MPAA failed to produce Brian Lacey or anyone with actual knowledge of the Lacey claim in this proceeding is unconvincing. The argument sidesteps the fact that it was as much IPG's obligation to present such a witness since IPG also purported to represent Lacey's interests in these proceedings. In addition, the Panel, hoping that the Parties could resolve the Lacey matter, specifically requested information regarding the Lacey representation. MPAA sought to satisfy the Panel's request for relevant information. The Panel finds it curious that IPG did not itself bring this correspondence to the attention of the CARP at the final oral arguments on March 16, 2001, since this correspondence occurred prior to that date.

IPG's second argument is that both Lacey and MPAA were not diligent in bringing this correspondence to the attention of the CARP. Parenthetically we note that Lacey filed a program certification with MPAA on October 10, 2000.<sup>104</sup> The simple response to this argument therefore, is that the record in this case did not close until April 4, 2001. IPG had from February 26, 2001 until April 4, 2001 to obtain a letter or affidavit from Brian Lacey to contradict the correspondence now being submitted to the CARP by MPAA. IPG failed to do this. IPG cannot reasonably cry foul.

Third, IPG argues that the exchange of letters between Lacey's counsel and Mr. Galaz cannot constitute a legal termination of a representation agreement because such termination is unilateral. The simple answer is that the correspondence does not constitute a termination of a representation agreement, but rather clarifies the issue of whether WSG ever had any rights to represent Lacey with respect to cable royalty claims in the United States or Canada. Again, IPG could have easily resolved this representation issue had it obtained a current affidavit from Brian Lacey contradicting the representations of Lacey's counsel in the February 26, 2001 letter.

Finally, IPG argues that the correspondence is redundant of prior claims of the MPAA. We view the evidence differently. Prior to receipt of this evidence the CARP had already reached the conclusion, based on the evidence before it, that MPAA properly represented the claim of Lacey Entertainment in these proceedings. This

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<sup>104</sup> IPG Ex. 7XR pp. 138, 139

additional correspondence merely corroborates that conclusion and confirms our findings, discussed in more detail below in this Report, that MPAA, for purposes of the 1997 cable royalty distribution, represents Lacey Entertainment. We also note that under §251.48(a) of the Rules and Procedures of the CARP, evidence that is not unduly repetitious or cumulative and is relevant and material shall be admissible. We find the submitted correspondence highly relevant and material to an important representational issue in the case and not unduly repetitious or cumulative.

At this juncture of the proceedings, we see no valid reason to strike any of IPG's testimonial or documentary evidence related to the issue of IPG's alleged representation of Lacey Entertainment in these proceedings.

Therefore, MPAA's Motion is granted to the extent that it requests the CARP to receive the above described correspondence into the record, and the Motion is denied insofar as it requests the CARP to strike any of IPG's evidence related to the issue of IPG's alleged representation of Lacey Entertainment in these proceedings.

#### ELIGIBILITY OF CLAIMANTS

**This Portion of the Report Has Been Redacted**

## DESCRIPTION AND HISTORY OF LICENSE PROCEDURE

The compulsory license embodied in 17 U.S.C. §111 exists in part because of a perception that it would be costly and economically unfeasible for each cable television system that retransmits distant signals to make separate licenses for the broadcast of television programs in its market.

### Section 111. Secondary Transmissions

After extensive consideration of the Senate bill, the arguments made during and after the hearings, and of the issues involved, this Committee has also concluded that there is no simple answer to the cable-copyright controversy. . . . In general, the Committee believes that cable systems are commercial enterprises whose basic retransmission operations are based on the carriage of copyrighted program material and that copyright royalties should be paid by cable operators to the creators of such programs. The Committee recognizes, however, that it would be impractical and unduly burdensome to require every cable system to negotiate with every copyright owner whose work was retransmitted by a cable system. <sup>105</sup>

A succinct explanation of the compulsory licensing process was made by Judge Starr in *National Association of Broadcasters v. Copyright Royalty Tribunal* (1985) 772 F.2d 922 at 926:

Suffice it to say that in determining the manner in which owners of copyrighted programs would be compensated for cable retransmission of their programming, Congress elected to require cable operators periodically to pay royalties into a central fund, from which the Tribunal distributes the allocated amounts to copyright owners-claimants in annual proceedings. . . . A royalty determination is scarcely a typical agency adjudication. When claimants cannot agree among themselves on the appropriate distribution of the fund, they present their cases to the CRT, which resolves the dispute. Any particular royalty percentage established by the Tribunal is, moreover, doomed to be somewhat artificial; that is, it may well appear that it would have been as reasonable for the Tribunal to have fixed the percentage a little higher or a little lower. As we have previously suggested, mathematical exactitude

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<sup>105</sup> House Report on the Copyright Act of 1976 122 Cong. Rec. H 10727-8 (daily ed. Sept. 21, 1976)

is these matters appears well nigh impossible, *NAB v. CRT*, 675 F.2d at 373; rough justice in dividing up the royalty pie seems to be the inevitable result of the process that Congress ordained.

Congress has deliberately remained silent as to what guidelines the CARP should follow in striving for "rough justice".

The Committee recognizes that the bill does not include specific provisions to guide the Copyright Royalty Commission in determining the appropriate division among competing copyright owners of the royalty fees collected from cable systems under Section 111. The Committee concluded that it would not be appropriate to specify particular, limiting standards for distribution. Rather, the Committee believes that the Copyright Royalty Commission should consider all pertinent data and considerations by the claimants.<sup>106</sup>

We find hints of the criteria that the CARP should follow in the House Report:

...the retransmission of distant non-network programming by cable operators causes damage to the copyright owner by distributing the program in an area beyond which it has been licensed. Such retransmission adversely affects the ability of the copyright owner to exploit the work in the distant market. It is also of direct benefit to the cable system by enhancing its ability to attract subscribers and increase revenues.<sup>107</sup>

The first Copyright Royalty Tribunal in the 1978 Cable Royalty Distribution Determination took account of a variety of factors:<sup>108</sup>

Primary factors:

- the harm caused to copyright owners by secondary transmission of copyrighted works by cable systems
- the benefit derived by cable systems by secondary transmission of certain copyrighted works
- the marketplace value of the works transmitted

Secondary factors:

- quality of copyrighted program material

<sup>106</sup> House Report *supra* at 97

<sup>107</sup> House Report *supra* at 90

<sup>108</sup> *Notice of Final Determination*, Docket No. 79-1, 45 Fed. Reg. 63026, 63035 (September 23, 1980)

- time-related considerations

A detailed analysis of the case law and legislative history follows in Section XVIII, below.

### COMPARISON OF FORMULAS

Both Parties to this Phase II proceeding take divergent views as to which formulas should be used for the allocation of royalties for retransmission. As would be expected, application of the MPAA formula yields a higher percentage of the fund for MPAA claimants, and the application of the IPG formula yields a higher percentage for its claimants. Although the ultimate goal of each formula is the same, i.e. the fair and proportionate distribution of the royalties, each group of claimants takes a quite different path to answering the question "what is distant cable retransmission worth?".

### MPAA PHILOSOPHY OF DISTRIBUTION

MPAA represented claimants account for the overwhelming majority of motion pictures and syndicated programming retransmitted by distant cable signal in 1997. Their valuation philosophy is outlined in their Suggested Findings of Fact:

One way to evaluate the entitlement of any claimant to cable royalties is to examine the distant viewing of that claimant's programming relative to the viewing of other programs in the same category. The value of television programming is determined in an open, competitive marketplace that depends ultimately on the viewing audience. This marketplace is self-policing in that comparatively lower-viewed programming quickly loses advertising, broadcasting and production support, while highly-viewed programming commands greater compensation at each level. ... It is the viewers who determine whether a program is successful and, by choosing to watch in sufficiently large numbers, how successful the program will be. The audience is, has been, and always will be the real driving force, the currency, of television. The entire programming industry is driven by audience delivery. Programming has value only so long as it can attract viewers. The ability to attract viewers will entice stations and cable networks to license programming. <sup>109</sup>

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<sup>109</sup> MPAA FF. 50

As a result, the MPAA formula stresses estimated actual viewing as the best way to establish the marketplace value of the retransmitted works, thus fulfilling one of the primary criteria. The plethora of MPAA represented programs account for virtually all of the syndicated product on the air in 1997, thus constituting virtually all the marketplace value in the syndicated program category.<sup>110</sup>

#### MPAA Formula in Detail

The pertinent source elements of the calculation of viewing hours are (a) the TVData Station logs for the 82 stations in MPAA's sample; (b) the special study of the 82 stations in MPAA's sample for the sweeps period conducted by Nielsen Media Research; (c) program ownership data as such data exists in the CDC database; and (d) the weighting factors used by CDC to interpolate viewing for those months for non-sweep months when Nielsen data is not available.<sup>111</sup>

MPAA selects 82 of the most heavily carried stations retransmitted as a distant signal by Form 3 system operators.<sup>112</sup> Form 3 systems subscribers comprise the largest group of cable subscribers – 89% and their gross receipts represent the largest portion – 96.5% – of the 1997 cable royalty fund.<sup>113</sup>

The program schedules of these stations are acquired from TV Data. The program information is matched to viewing data provided by Nielsen Media Research ("Nielsen"). In particular, Nielsen provides the number of quarter hour segments (QH) each program aired on the station and the average number of cable subscribers who viewed each program on that station on a distant basis.<sup>114</sup>

For each station in the MPAA sample, Nielsen goes into the diary database of approximately 150,000 homes for each sweep, eliminates diaries in local area of the station (as supplied by MPAA), sums the weights by quarter hour for each diary and generates estimated projections on quarter-hour-by-quarter hour basis.<sup>115</sup>

MPAA then calculates the household viewing hours (HHVH) for each series and motion picture in the study. Household viewing hours for every program (claimed and

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110 MPAA FF. 109  
111 MPAA FF. 76 & 84  
112 MPAA FF. 46  
113 MPAA FF. 47  
114 MPAA FF. 57  
115 MPAA FF. 59



unclaimed) is calculated for each program using the Nielsen data and interpolated audience data for non-sweeps periods.<sup>116</sup>

After reconciling programs with broadcast times, MPAA then calculates the household viewing hours (HHVH) for each series and motion picture in the study using the Nielsen data and interpolated audience data.<sup>117</sup>

The HHVH formula is:  $(\_QH/4) * DCHH = HHVH$ . The formula may be stated as follows: Add the total number of QH segments a program is broadcast in a particular time slot on a particular station. The sum is divided by four to get an hourly measure. The result is multiplied by the average number of distant cable households (DCHH) that actually watched the program on that station during the time period.<sup>118</sup>

#### **Result of Application of MPAA Formula**

The determination of MPAA's share of Phase II royalties then was derived from a comparison of aggregated viewing hours for MPAA-represented claimants to the total viewing hours for all MPAA-represented programming and IPG programming.<sup>119</sup>

MPAA has determined the relative shares of distant signal viewing for the MPAA and IPG claims. Programming represented by MPAA received 99.9292% of total distant signal viewing - 3,474,810,364 viewing hours out of 3,477,272,694 total viewing hours.<sup>120</sup>

#### **IPG'S Criticism of MPAA Methodology**

IPG has listed many criticisms of MPAA's formula. The main arguments are listed and briefly discussed below.

#### **Use of Nielsen ratings to determine value**

IPG states that according to the MPAA, Nielsen ratings data reflects advertising value, and advertising value reflects the marketplace value of programming that would exist in the absence of the Section 111 compulsory licensing provisions. Prior retransmission royalty proceedings, concluded that specific demographics ratings

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116 MPAA FF. 77

117 MPAA FF. 61 & 77

118 MPAA FF. 78

119 MPAA FF. 80

120 MPAA FF. 55

information is more relevant to determining the advertising value of programming than general ratings information.<sup>121</sup>

MPAA presents cable distant signal viewing as a "proxy" for the marketplace. This is completely consistent with the role of the Panel in determining the allocation of royalties. As the CRT stated:

The Tribunal attempts to simulate a marketplace - the importation by cable operators of distant broadcast signals - which, by virtue of the compulsory license, does not exist.<sup>122</sup>

Ultimately, the question is, what would the cable system operators have had to pay in an open market for the sports, movies, and other categories of programming...<sup>123</sup>

Certainly, viewing is a significant factor in value. Cable networks and broadcast stations, which together provide all of the programming for cable systems, use Nielsen ratings in pricing their programs to cable systems and advertisers... It is disingenuous to say that the cable system is interested only in attracting subscribers but is totally unconcerned with whether or not the subscriber, in fact, watches the programming.<sup>124</sup>

As observed in a Phase II proceeding in 1990:

The Tribunal has traditionally looked to the special Nielsen study as its starting off point when it has considered controversies in Phase I and in the Program Suppliers category... and our conclusion continues to hold that the special Nielsen study in this record provided the most relevant evidence, because it included viewership.<sup>125</sup>

#### Nielsen's method of valuation

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121 IPG FF. 52

122 *Notice of Final Determination (1985 Cable Royalty Distribution)*,  
Docket No. CRT 87-2-85 CD, 53 Fed. Reg. 7132, 7136 (March 4, 1988)

123 *CARP Majority Report (1990-92 Cable Royalty Distribution)*  
(June 3, 1996) at 24 hereinafter cited as *90-92 CARP Report*

124 *90-92 CARP Report* at 24

125 *Notice of Final Determination of Devotional Claimants Controversy*  
Docket No. CRT 89-2-87 CD; 55 Fed.Reg. 5647 (Feb. 16, 1990) at 8  
(hereinafter cited as *1990 Devotional Determination*)

IPG cites the 1990-92 CARP decision where the Panel questioned "the strength of the correlation between viewing and market value". The 1990-92 CARP concluded that the value of the Program Supplier's content is not viewing but volume.<sup>126</sup> In the 1987 Cable Royalty Distribution decision, the CRT reviewed "mathematical indicia in the record" and concluded:

Time plus fee generation has some relevance and could enter the record as part of the mix of evidence indicating the proper allocation. In Phase II, its use has had more relevance because like programming is being compared and the potential for gross marketplace distortion is less... Here, too, the formula complements the other findings as to instances of carriage and subscriber reach. Together, a picture is formed of the actual marketplace in 1987 which is supported equally by all the indicia.<sup>127</sup>

In prior proceedings, the CRT took into account all the indicia shown by the claimants - the Nielsen study, the instances of carriage, the subscriber reach and the time plus fee generation formula - in making its award determination.<sup>128</sup>

MPAA responds that in contrast to methodologies that look to time and fees generated, the Nielsen viewing study has been found more probative of program value. As stated by the CRT in 1990:

What relevance the time plus fee generation formula has in Tribunal proceedings has been argued many times in the past. The Tribunal has clearly rejected it as a mechanistic formula because it distorts marketplace analysis. The formula assigns equal value to all programming based on time, regardless of popularity and demand, so that a program scheduled at three in the morning is assigned equal value to a prime time program. And it is based on an assumption that the cable operator values all programming equally when, to the contrary, the Tribunal has received convincing evidence that cable operators have strongly different preferences. The Nielsen study, on the other hand, provides the necessary weighting of the programs - the actual viewing - which makes it the more relevant evidence.<sup>129</sup>

MPAA relies on the 1996 CARP's acceptance of "the Nielsen data for what it purports to be, a survey of actual conduct with adequate accuracy for larger claimant groups in particular. We cannot quantify the Nielsen statistics as evidence of market value other than to say that actual viewing is very significant when weighed with all

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126 IPG FF. 110 & 111

127 55 Fed. Reg. 5647; IPG FF. 112

128 IPG FF. 113

129 1990 *Devotional Determination* at 8

other factors." The theoretical underpinning of the Nielsen viewing study is sound and its reliability and probative value well-established in applicable precedent.<sup>130</sup>

#### **Foundation for the MPAA viewer study**

IPG argues that Ms. Kessler did not design the MPAA viewer study, and has no background in statistics or the design of studies sufficient to opine upon the validity or adequacy of the MPAA viewer study. Moreover, Ms. Kessler did not review the Nielsen data upon which the MPAA viewer study substantially relied, and did not review any of the other data integrated by Cable Data Corporation in order to produce the MPAA viewer study.<sup>131</sup>

MPAA responds that IPG ignored the role of Marsha Kessler in providing program ownership information, and that her instructions to Nielsen as to which counties are to be considered as local counties for purposes of its analysis are based on her application of two versions of the so-called "must carry" rules of the Federal Communications Commission that determine under the Copyright Act whether a signal is local or distant.<sup>132</sup> Notably, this is an area where Ms. Kessler has extensive knowledge and experience.<sup>133</sup>

#### **Number of stations in sample**

IPG states that for purposes of the 1997 Nielsen "special study", the MPAA instructed Nielsen to estimate viewing for 82 commercial television stations. In prior years, the MPAA had instructed Nielsen to study a substantially greater number of commercial stations, specifically 101 commercial stations in 1983, 113 commercial stations in 1986, and 127 commercial stations in 1989. The increase of studied stations from 1983 to 1989 was specifically in response to a criticism levied at the MPAA in the 1983 proceedings for its failure to have studied a greater number of television stations. It follows, therefore, that the MPAA's significant reduction in the number of stations surveyed as part of the Nielsen "special study" (and the MPAA viewer study) subjects the MPAA viewer study to a significantly larger margin of error. In light of such significant deviation from the criteria, including exclusion of stations with 125,000 distant subscribers and inclusion of stations with fewer than 3,000 distant subscribers,

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130 90-92 *CARP Report* at 44

131 IPG FF. 57

132 Tr. (Lindstrom) at 1276

133 Tr. (Kessler) at 160-166

the Panel should find that the MPAA made material and unexplained deviations from its own stated criteria in choosing stations for its study.<sup>134</sup>

MPAA responds that the sample size has shrunk because the carriage of distant signals has become less important to cable operators and has dropped over time.<sup>135</sup> Consequently, the marginal benefit of additional stations is too insignificant to justify the cost of adding additional stations. Indeed, the record confirms that in terms of subscriber coverage, fees generated, and distant viewing (HHVH), the marginal increase from adding additional stations is negligible.<sup>136</sup> Therefore, IPG's criticism of the size of MPAA's station sample is unwarranted and irrelevant.

#### **Basis for selecting sampled stations**

IPG argues that MPAA did not strictly employ its "90,000 distant cable subscriber" criteria, as the MPAA viewer study failed to include several stations with more than 125,000 distant cable subscribers, and further included a station with only 3,000 distant cable subscribers.<sup>137</sup>

IPG contends that MPAA excluded Form 1 and 2 systems which account for more than 11% of the distant subscribers (almost 6 million homes).<sup>138</sup>

MPAA counters that the sample size has shrunk because the carriage of distant signals has become less important to cable operators and has dropped over time. Consequently, the marginal benefit of additional stations is too insignificant to justify the cost of adding additional stations. Indeed, the record confirms that in terms of subscriber coverage, fees generated, and distant viewing (HHVH), the marginal increase from adding additional stations is negligible.<sup>139</sup>

#### **Zero viewing instances**

IPG's review of the Nielsen "special study" has revealed that 68% of the quarter hours measured by Nielsen were attributed with "zero" viewing. Factoring in broadcasts occurring between 2:00-6:00 am for which the MPAA methodology automatically attributes a "zero" value, a total of 73% of the quarter-hour broadcasts

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134 IPG FF. 55 & 72

135 Tr. (Kessler) at 439-449

136 MPAA Rebuttal Ex. 9, 10, and 11

137 IPG FF. 74, IPG Reply 46

138 MPAA Direct Case, Ex. 2, IPG Reply 47

139 IPG FF. 55, 70; Tr. (Kessler) at 439-449, MPAA Rebuttal Ex. 9, 10, 11

occurring on such stations during such measurement period were attributed with "zero" viewing.<sup>140</sup>

On the stand, Mr. Lindstrom of Nielsen clarified that attribution of "zero" viewing does not mean that no persons were watching, only that no diaries recorded viewing, and that any suggestion to the Panel that no viewing occurred would reflect a misunderstanding of the data. IPG contends that the "zero" viewing is, in large part, a result of MPAA-imposed limitations.<sup>141</sup>

With one exception, each station has a significant percentage of measured quarter-hour broadcasts accorded with "zero" viewing, ranging from 26% to 96%. Sixty-four of the television stations measured by the Nielsen "special study" recorded no viewing in excess of 50% of the measured broadcasts, a figure that increases to 74 of the television stations when "zero" viewing for the 2:00-6:00 am daypart is factored in. Eight stations, including the New York affiliate of CBS, WCBS-TV, were credited with "zero" viewing during more than 90% of their measured broadcasts.<sup>142</sup>

MPAA responds that there are a number of reasons why the zero entries are no cause for concern in terms of the reliability of the Nielsen data. Zero viewing could result from the assignment of distant viewing of network programs to the local affiliate when the cable system was providing under network or syndicated non-duplication protection under FCC rules which could affect as much as 75 per cent of the schedule. Also you must look at the overall aggregation of data in the survey, not just specific entries.<sup>143</sup> IPG counters that no factual data exists to support this explanation.<sup>144</sup>

### Nielsen diaries

The Nielsen "special study" ascribed viewing to 8,132 different programs, across more than 1.2 Million quarter-hour broadcasts. In prior proceedings, Nielsen data has been considered in the context of valuing only eight aggregated categories. In this Phase II proceeding, where value is attempted to be asserted on a program-by-program basis for several thousand programs, Mr. Lindstrom asserts that we are "looking at a disaggregate database" and that "it's impossible to look at and say whether it makes sense without aggregating it up." That is, in its current disaggregate state, it is unclear

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140 IPG FF. 76

141 IPG FF. 78, IPG Reply 66

142 IPG FF. 79

143 MPAA FF. 66-73

144 IPG Reply 68-73

whether the Nielsen data has any value for purposes of valuing programs on a program-by-program basis. The Nielsen "special study" relied on by the MPAA is a study which reports estimated distant signal viewing, i.e., projected viewing not actual viewing. Furthermore, the MPAA's claim of 3.4 billion viewing hours should read "estimated viewing" and cannot be verified independently, relying solely on the testimony of Ms. Kessler.<sup>145</sup>

#### **Number of diaries measuring viewing**

According to Mr. Lindstrom, the Nielsen "special study" relies on 130,000 "in-tab" diaries during each of the "sweeps" periods that are measured, an average of approximately 33,000 during each week of the "sweeps". From a pragmatic standpoint, because only 65% of the households have cable-delivered programming, only 65% of the diaries are considered, i.e., approximately 21,000 diaries at any given time. IPG argues that these figures show that an extraordinarily few number of useable diaries exist detailing viewing for distant retransmitted programming.<sup>146</sup>

MPAA maintains that it instructed Nielsen to count only distant viewing, i.e., to exclude diaries for any one station in the area where that station is considered a local station under the Copyright Act and still yield enough data for an accurate sampling.<sup>147</sup> This has been one reason that the Nielsen study has enjoyed ongoing credibility over the years.<sup>148</sup>

The number of diaries excluded for any one station is not only necessary but very minimal in terms of the total sample.<sup>149</sup> The fact that viewing in non-cable as well as cable households was measured has no adverse effect on the reliability of the survey results.<sup>150</sup>

#### **No viewing data for 2:00-6:00 a.m.**

IPG states that Nielsen began measuring viewing 24-hours a day in November 1996. Nevertheless, the MPAA did not secure 2:00-6:00 am data from Nielsen. Instead

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<sup>145</sup> IPG FF. 54, 59 & 85 IPG Reply 54, 60

<sup>146</sup> IPG FF. 87, 88 & 89, IPG Reply 59

<sup>147</sup> IPG FF. 61; MPAA FF. 59-60, 63

<sup>148</sup> *Notice of Final Determination* 1979 Cable Royalty Distribution, Docket No. CRT 80-4, 47 Fed. Reg. 9879, 9881 (March 8, 1982) hereinafter cited as *1979 Cable Distribution*

<sup>149</sup> Tr. (Lindstrom) at 1522

<sup>150</sup> Tr. (Lindstrom) at 1395-1403

the MPAA simply opted to accord a "zero" value to any program broadcast during this daypart. No reasonable explanation has been provided as to why programs broadcast during such daypart have been excluded from the MPAA viewer study.<sup>151</sup>

MPAA agrees that IPG's one legitimate criticism of the MPAA viewing analysis is its lack of data for the 2 a.m. to 6 a.m. time period. However, the effect on the ultimate result of excluding the heart of the overnight viewing period is marginal at worst. It involved no effort to bias the sample against IPG programming that is broadcast in that time period. IPG has made no showing of the extent to which any of its programs have been under-measured. Therefore, the Panel has no basis in the record to adjust the Nielsen viewing result to account for the exclusion of viewing in the 2 a.m. to 6 a.m. overnight period.

#### Superstations in the MPAA viewer study

IPG claims that WTBS is the only station with negligible instances of zero viewing. As a result, WTBS is the only station in the MPAA viewer study that has virtually all of its broadcasts credited in the MPAA analysis. WTBS had only 0.5% zero viewer instances, whereas all other stations in the Nielsen "special study" had between 26-96%.<sup>152</sup>

IPG's analysis of the MPAA's 12-month HHVH data ascribes 76% of all viewing to programs on WTBS. According to the MPAA summary of 4 and 6 month sweep data, WTBS accounted for almost 1.291 billion HHVH of 1.689 billion HHVH or 76.4%. Even though WTBS accounts for approximately 50% of the distant subscribers and fees generated, HHVH to WTBS-carried programming qualifies for more than 76% of the Phase II share according to the MPAA.<sup>153</sup>

WTBS is clearly the most significant cable retransmitted television station during 1997, but such factor does not solely account for the small number of "zero" viewing instances because other television stations with significant distant cable subscribers were nonetheless credited with large percentages of "zero" viewing. Of note, for example, is WGN-TV, the second most retransmitted station with an average of 28 Million distant cable subscribers during 1997. Despite its substantial distant subscribership, WGN-TV was credited with "zero" viewing in 52% of its measured

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151 IPG FF. 90 & 91

152 IPG FF. 92, IPG Reply 81-82

153 IPG FF. 93



broadcasts. Three other "superstations" were credited with "zero" viewing ranging between 26% and 62% of their measured broadcasts.<sup>154</sup>

MPAA relies on Mr. Lindstrom's testimony and expertise

I feel comfortable in saying from the data that there's no doubt in my mind that the majority of distant cable viewing done by the stations in the sample were done to TBS. Whether that's a fault of the study or not is not something that I can't comment on. It is an accurate reflection in my mind of the viewing to those stations, and the fact that TBS has high ratings and a high subscriber base is going to make it a situation by de facto will be very large.<sup>155</sup>

#### Interpolation of missing data for non-sweeps periods

IPG states that according to Mr. Larson of CDC, in order to develop viewing data for programs broadcast during the 6-8 months of non-sweeps periods, Cable Data Corporation obtains meter ratings data published by Nielsen and appearing in twelve special reports prepared by Nielsen and referred to as the Nielsen Television Index Monthly Cable TV Status Report.<sup>156</sup>

Cable Data Corporation utilizes this daypart ratings data as the basis for what it describes as "straightline", "forward" and "backward" interpolations analysis of ratings data to particular time periods throughout the broadcast day. The resulting interpolations are then applied to time periods and a viewing value is ascribed to any non-sweeps broadcast occurring during such time period.<sup>157</sup>

The HHVH totals are derived from a combination of 4-6 months of projected (i.e., estimated) household viewing, and 6-8 months of daypart viewing measures that are neither program specific or even specific to the syndicated programming category. According to prior CRT rulings, data that is not specific to programs is unreliable in determining actual viewing to specific programs.<sup>158</sup>

The resulting interpolation weightings are not program specific, and the viewing value ascribed to a program broadcast during a non-sweeps period might be based on the estimated viewing ascribed to altogether different programs occurring during the

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154 IPG FF. 80

155 Tr. (Lindstrom) at 1501, 1511; MPAA FF. 81-82

156 IPG FF. 67

157 IPG FF. 68

158 IPG FF. 97 & 99

same time period, but broadcast during the Nielsen diary-measured "sweeps" periods. The suggestion that "viewing hours" can be calculated for programs based on interpolated data is fallacious.<sup>159</sup>

MPAA responds that the interpolation was its effort to make the distribution as inclusive as possible so that programs that were broadcast by stations and retransmitted on a distant basis would get recognition in the distribution process.<sup>160</sup>

### **Mixing of diary and meter viewing results**

IPG argues that the only witness with sufficient familiarity, Paul Lindstrom, has set down one clear edict both in his prior testimony, designated by the MPAA, and in his testimony in these proceedings - do not mix the results of Nielsen meter and diary measurements. Mr. Lindstrom explained that mixing diary methodology and meter methodology is inappropriate and breaches basic statistical validity.<sup>161</sup> This latter process is the exact same process utilized by the MPAA in the 1989 Cable Proceedings and specifically criticized by the CRT therein, a criticism ignored by the MPAA.<sup>162</sup>

MPAA argues that the impact of the meter data on the MPAA viewing projections is very limited. The interpolations use the meter data only to adjust the existing diary ratings derived from the same time periods in sweep months. In no way do they involve projecting viewing from a sample consisting of both metered homes and diary homes. Nor do they involve mixing meter data from one month with diary data from another. And while the MPAA interpolations are not necessarily program specific, they are based on cable viewing and to only distant cable viewing at least with respect to independent stations (i.e., stations not affiliated with ABC, CBS, and NBC). Moreover, the use of interpolations by MPAA reflects the fact that diary information is not available and responds to the very legitimate need to include programs that otherwise would be excluded.

### **Relative error rates**

IPG maintains that according to Paul Lindstrom, for any given program within a given week, within a given station, there are going to be very large relative errors,

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159 IPG FF. 69, IPG Reply 76-80

160 Tr. (Kessler) at 661-662

161 IPG FF. 102 & 103

162 IPG FF. 102

probably approaching one-hundred percent (100%). A relative error rate is significant relative to the aggregate claim of the Parties. In this case, where IPG claims a small portion of the retransmitted HHVH, a small error rate may be larger than its entire claim.<sup>163</sup>

Mr. Lindstrom has previously prepared a chart identifying the existence of relative errors, and noting a relative error factor of up to 89% for projected viewing of 5,000 households, such relative error being affected by the number of instances in which the measured program is actually measured.<sup>164</sup>

MPAA counters that based on Mr. Lindstrom's testimony, the relative errors of the final MPAA viewing study would be very small due to summation of the individual bits of data. "Again, as you aggregate these pieces, your standard errors go down, and your overall estimates across the aggregated part become more and more accurate. The more you can put together, the more accurate the data will be";<sup>165</sup> and "Once the data is aggregated, the sampling errors go down and go down substantially".<sup>166</sup>

MPAA makes the point that the Panel is not looking at the viewing of individual broadcasts but the shares of royalties allocable to MPAA on the one hand and IPG on the other. Therefore, the degree of viewing data aggregation is massive, the resultant relative errors quite small, and the results very, very accurate.

#### **Local programs and the syndicated program category**

IPG argues that certain programs which MPAA designated as "syndicated" for Phase II purposes, should really be categorized as "local", thus decreasing the number of MPAA represented programming in this proceeding. Where programs are not offered on a market-by-market basis, but are available to one and only one station, no syndication occurs. Claimed programs that run on one station and have national exclusivity should be treated differently than programs sold on a market-by-market basis. Such nationally exclusive shows have been withdrawn from the syndication marketplace, and thereby have been compensated for cable retransmission purposes.

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163 IPG FF. 86, IPG Reply 67

164 IPG FF. 107

165 Tr. (Lindstrom) at 1505

166 Tr. (Lindstrom) at 1409; MPAA FF. 67

The program supplier was actually and directly compensated for retransmissions to cable companies before this proceeding began.<sup>167</sup>

MPAA states that in every proceeding since the 1978 cable royalty distribution royalties attributable to motion pictures have been awarded within the program supplier category, not the local programming category. In fact, it is called the "motion picture and syndicated program suppliers" category in Phase I.<sup>168</sup>

### Problems noted in prior rulings

IPG cites the many criticisms of the MPAA viewer study noted in the 1989 CRT Order and the 1990-92 CARP decision. In this proceeding, the MPAA has failed to address many of the criticisms, and retreats from changes specifically implemented in order to rectify past problems. In particular the 1989 CRT noted many of the same deficiencies in the MPAA formula, namely the number of stations in the sample, mixing meter viewing and diary viewing, use of partial sweeps data, a "multitude of errors" that can occur in diary-keeping.<sup>169</sup>

### IPG PHILOSOPHY OF DISTRIBUTION

IPG takes a different tack from MPAA and seeks to develop a method which compensates each and every broadcast occurring on the television stations studied by IPG. According to IPG, the statutory requirement that retransmitted signals must be carried in full, without editing or selection of the programming most desired by the cable system operator, requires compensation for each program appearing on a retransmitted station signal. Carriage, not viewing, is the only prerequisite to establishing entitlement to royalties under Section 111.<sup>170</sup>

Instead of focusing on viewership as the main valuation method, IPG looks to availability of programming to subscribers and the benefits to the cable system operator who retransmits. They explain that the decision of a free-to-air broadcaster to transmit a single program to the exclusion of all other programs will be predominantly driven by the desire for viewer ratings, whereas the decision of a cable system operator to

<sup>167</sup> IPG Reply 47, 1986 CRT Advisory Opinion, IPG Ex. 12X

<sup>168</sup> Kessler Rebuttal Testimony at 13-14, MPAA FF. 48,  
*Notice of Final Determination (1979 Cable Royalty  
Distribution Determination)*, 47 Fed. Reg. 9879 (March 8, 1982)

<sup>169</sup> IPG FF. 109

<sup>170</sup> IPG direct case, Galaz test. at 6, IPG FF. 42

retransmit a particular signal along with multiple other signals and direct-to-cable programming is based on the desire of the cable system operator to secure the greatest number of subscribers to the cable system.<sup>171</sup>

### IPG Formula in Detail

The IPG methodology attempts to place a value on each and every broadcast based on the following factors: (a) the number of distant cable subscribers capable of receiving the program broadcast during 1997, (b) the distant retransmission royalties generated during 1997 that are attributable to stations broadcasting a particular program, (c) the time placement of the broadcast, and (d) the length of the particular broadcast.<sup>172</sup>

The IPG formula relies on data secured from TV Data, Cable Data Corporation and publicly available published reports from Nielsen Media Research in order to satisfy the following criteria previously considered as relevant by the Copyright Royalty Tribunal and the Copyright Office: (a) value to cable system operator, (b) harm to syndicator, (c) market value of the program, and (d) time.<sup>173</sup>

IPG rejects MPAA's use of viewer ratings on a program by program basis because the determination by a cable system operator to retransmit a particular television station will be based on the "overall appeal" of the retransmitted station and its ability to generate additional cable system subscribers, not the ratings of a particular program appearing on the retransmitted station.<sup>174</sup>

IPG expanded MPAA's station sample to 99 television stations, including only those with a combined percentage of distant cable subscribers and "fees gen." significantly greater than the original selection. The added stations were heavily retransmitted according to distant subscribership data for Form 1, Form 2 and Form 3 cable systems.<sup>175</sup>

IPG secured data from TV Data reflecting all programs broadcast on the 99 Sample Stations, 24 hours a day, for the entire year of 1997 and segregated programming compensable in the syndicated programming category.<sup>176</sup>

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171 IPG Reply 47

172 IPG FF. 43

173 IPG FF. 44, *1989 CRT Order*, 57 Fed. Reg. at 15286, 15288; *1990-92 CARP Order* at 19-22

174 IPG FF. 45

175 IPG FF. 46

176 IPG FF. 47

IPG accorded a "Station Weight Factor" to each and every compensable broadcast blending of (i) the average percentage of distant cable subscribers capable of viewing the station of broadcast and (ii) the average percentage of "fees gen." attributable to the station of broadcast, as compared to the other 99 Sample Stations.<sup>177</sup>

IPG then accorded a "Time Period Weight Factor" based on the time period or daypart of the program broadcast, weighted according to data derived from the "1998 Report on Television" published by Nielsen Media Research, and factored in the length of each such broadcast.<sup>178</sup>

### **Result of Application of IPG Formula**

As a final step, IPG summed the resulting value for (i) IPG-controlled programs, and (ii) all other programs, and accorded a "Sum Weighted Value" to both of these categories of programs.<sup>179</sup> Prior to the filing of its direct case, IPG was unaware of which programs the MPAA intended to claim in these proceedings.<sup>180</sup> Subsequent to the presentation of each Party's direct case, and after the MPAA's identification of its claimed programs, IPG revised the Sum Weighted Value to be accorded to IPG-controlled programs and MPAA-controlled programs, and determined that IPG-controlled programs account for 0.881% of the aggregate Sum Weighted Value of all programs claimed in these proceedings.<sup>181</sup>

### **MPAA's Criticism of IPG Methodology**

#### **Effect of using a 99 station sample**

MPAA argues that IPG can't live up to its goal of compensating every retransmitted program based on a 99 station sample will not compensate every program.<sup>182</sup> The 82 stations in the MPAA sample account for 92.5% of aggregated subscriber instances. They account for 88.2% of aggregated fees generated. The effect of adding the 19 additional stations in the IPG sample would be an increase to 88.9% of aggregated fees generated and to 93.6% of subscriber instances, a negligible improvement at best.<sup>183</sup>

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177 IPG FF. 48

178 IPG FF. 49, 50 Ex. P

179 IPG direct case, Galaz test., at 13-14; Transcript of proceedings, at 899:8-11(Galaz)

180 IPG direct case, Galaz test., at 4

181 IPG FF. 51

182 MPAA FF. 240, 241

183 MPAA FF. 56

IPG responds that MPAA's assertion that IPG's formula will not compensate every program is intended to refer to programs not carried on any of the 99 station sample. In other words, unlike the MPAA methodology, which accords no value to 76% of the quarter hours on the 82 station Nielsen viewing study, the IPG accords value to every quarter hour on the 99 stations in the IPG study. However, a program not measured on any of these stations is outside the study and thus given no value by IPG. By simply applying the math, by measuring 99 stations instead of 82, and considering programming for all 24 hours, not just 20 hours a day, the IPG study is 45% larger than the MPAA sample.<sup>184</sup>

### **Station weight factor**

MPAA avers that the formula's quirks skew the station weight factor. First, the station weight factor is based on two variables, subscribers and fees generated, both of which are functions of the number of distant subscribers to cable systems that carry the station in question.<sup>185</sup> Both the Form 1, Form 2, and Form 3 cable systems fees generated figure and the subscriber figure are a function of the number of subscribers.<sup>186</sup> This essentially skews the station weight factor in favor of subscriber counts as opposed to the fees paid by cable systems, which, of course, are the source of the royalties to be distributed by the Panel.

IPG replies that all methodologies, including the MPAA's "HHVH", rely on "artificial constructs".<sup>187</sup>

### **Daypart data**

MPAA argues that IPG's methodology fails to separately identify the discrete Saturday and Sunday dayparts, and, IPG included the hours associated with those two dayparts in the "All Other" category. The result is that the "All Other" category is overstated. Nearly one-third of the IPG titles aired in the time periods for which the "All Other" weighting was applied.<sup>188</sup>

MPAA maintains that the Nielsen table reflects estimated viewing not just to distant broadcast station signals on cable systems. It also encompasses viewing to local broadcast stations over-the-air and on cable, cable networks, and VCR recording of programming.<sup>189</sup>

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184 IPG Reply 240-270

185 MPAA FF. 250

186 MPAA FF. 249, 250

187 IPG Reply 248

188 MPAA FF. 251 - 256

189 MPAA FF. 268

IPG counters that the primary function of the daypart data is to recognize the CARP criteria of "benefit to the cable operator." In other words, cable operators, who must carry programming in its entirety, select signals, less based on the rating of a specific program and more on the value of a signal in its entirety.<sup>190</sup> As noted in IPG testimony, cable operators cannot know all the programs that a signal will retransmit prior to the decision to carry. The placement of programs throughout a broadcast day, is reflective of the general audience levels as measured by Nielsen, thus constitutes a portion of the valuation for a particular program.

### Early fringe and overnight viewing

The daypart weighting used by IPG (1) ignores variations in viewing within dayparts; and (2) overstates weighting of programming in the overnight (1 a.m. - 7 a.m.) time periods; and (3) understates the weighting of programming during such periods as "early fringe" (4 p.m. - 7 p.m. EST) when many stations broadcast popular syndicated programs because the same weight is assigned to every program broadcast between 4 p.m. and 8 p.m. when viewing nearly doubles between 4 p.m. and 8 p.m.<sup>191</sup>

The IPG time period weight factor assigns the same weight to every program broadcast between 1 a.m. and 7 a.m. - the weight applicable to "all other" time periods when viewing falls to its lowest levels. This could inflate a claim as much as 30% if a program was retransmitted during this time period, as are many of IPG's programs.<sup>192</sup>

IPG responds that a comparison of the total daypart data from the MPAA viewer study and the IPG viewing figures shows some differences, but they are not as extreme as the MPAA Findings would suggest. As Mr. Galaz acknowledged, the late night daypart valuation is overstated by IPG, but it is materially understated by the MPAA.<sup>193</sup> Even the MPAA's rebuttal exhibits evaluating the IPG daypart ratings figures, show many instances in which the IPG calculations very closely approximate PUT/HUT data.<sup>194</sup>

### Overall appeal of the programs

In assessing the "overall appeal" of stations carried, IPG misses the point of the process. The Panel is not empowered to award royalties to stations; it must award

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190 IPG Direct Case, Galaz test. at 7

191 MPAA FF. 257, 258, 259

192 MPAA FF. 260- 265

193 IPG Ex. 8R, Tr. 2409-2411

194 MPAA Rebuttal Ex. 8



royalties to the copyright owners of programs.<sup>195</sup> Mr. Galaz admitted that nothing in his testimony would provide any indication of the value of any individual program.<sup>196</sup>

IPG counters that the record establishes, Mr. Galaz believes the useful criteria is the "overall appeal of a terrestrial station to reach niches within a cable system operator's subscriber base."<sup>197</sup> Mr. Galaz's stated opinion that the "overall appeal" of a station to the public is based on program popularity is therefore an irrelevant statement asserted in order to confuse the issue at hand, a position clarified within Mr. Galaz's testimony.<sup>198</sup>

### Compensation of stations versus programs

MPAA argues that efforts to place value on broadcast signals as opposed to programming in royalty distributions have been rebuffed by the Copyright Royalty Tribunal and the courts. As recognized by the CRT and affirmed by the court, "Cable systems are interested in the programs on a distant signal which induce persons to subscribe, not in the scheduling and promotion."<sup>199</sup> Attractiveness or appeal of a station depends on the popularity of programs broadcast by the station.<sup>200</sup>

IPG argues that the MPAA Finding suggesting that IPG's case does not provide a program-by-program valuation (not unlike the MPAA Direct Case) failed to take into account that as part of the rebuttal proceedings, IPG in fact provided a program-by-program valuation of its programming.<sup>201</sup>

### Unpopular programs

MPAA states because a cable system has to carry every program on a signal, the cable system will be saddled with unpopular programming as well as popular programming on the signal.<sup>202</sup> Thus, programming that has little or no value, if accorded value by a formula that is based on the overall appeal of a station, will gain

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195 17 U.S.C. §111(d)(3)

196 MPAA FF. 244

197 IPG Direct Case at 7

198 Tr. at 1015-1016, IPG Reply 242-243

199 *National Association of Broadcasters et al. v. CRT*, 772 F. 2d 922, 934 (D.C. Cir. 1985),  
citing 1980 Cable Royalty Distribution, 48 Fed. Reg. 9552, 9566 (March 7, 1983)

200 MPAA FF. 243

201 IPG Ex. 12-R, IPG Reply 244

202 MPAA FF. 245

reward improperly because the overall appeal of the station derives from the value of the more attractive programming on the station.

IPG cites its original philosophy that every program that is retransmitted on a distant cable signal should be compensated.<sup>203</sup>

#### Time period weight factor

MPAA states that IPG's formula also is similarly flawed in that it places a value on programming by way of a time period weight factor that bears no relation to the actual programs broadcast by the station. The time period weight factor weights every program in the same daypart on the same basis.<sup>204</sup> For example, within any daypart, the time period weight factor is constant. It is the same at 4 p.m. as it is at 7:30 p.m., despite an increase in households using television from 31.9% to 57.8% between 4 p.m. and 8 p.m.<sup>205</sup> This illustrates starkly the conceptual difficulty with looking only to broad daypart categories - the value or popularity of individual programs within that time period is blurred into oblivion. This broad brush approach lacks the conceptual precision necessary to assess the value of programming to distant cable subscribers.<sup>206</sup>

IPG responds that by positioning a program in one daypart as opposed to another, the transmitting station has made a crucial decision regarding the worth of a program, in the context of the totality of its station programming lineup. That is the measure the IPG viewing component approximates.<sup>207</sup>

### THE PANEL'S OBSERVATIONS

The Panel is faced with the difficult task of placing a value on an artificially constructed system simulating the distant cable retransmission marketplace. As did prior CARPs, this Panel will use the Nielsen survey and the CDC databases as a starting point. Since it is impossible to catalogue viewing for every hour of every day of every distantly retransmitted station, any analysis requires a sample and extrapolation.

<sup>203</sup> IPG direct case, Galaz test. at 6, IPG FF. 42

<sup>204</sup> MPAA FF. 257

<sup>205</sup> MPAA Rebuttal Ex. 8; MPAA FF. 259; MPAA acknowledges that the HUT level data is based on all television viewing not just distant cable viewing. But this permits a more direct comparison to IPG's time period weight factor, which also is not limited to distant cable viewing.

<sup>206</sup> The CRT has criticized reliance on factors that place the same value on programs of obviously disparate value. *1990 Devotional Determination* at 8

<sup>207</sup> IPG Reply 255-266; Tr. at 1030

We believe that the MPAA Viewer Study was done to justify the claim of MPAA's clients in Phase I. The CARP has no control over internal distributions of represented claimant groups; they may agree to any distribution method they choose.<sup>208</sup> However, it is our position that the Nielsen Viewer Study is being stretched to cover more ground and answer more questions than it was originally designed to do.

The CARP agrees with several of the stated criticisms of the MPAA approach, namely:

- MPAA's direct testimony did not sufficiently lay the foundation for the survey or explain its results.
- The Panel was forced to call its own witnesses, Mr. Lindstrom from Nielsen, and Mr. Larson from Cable Data Corporation to explain their methods of data acquisition and reporting.
- The number of sampled stations has declined without adequate explanation.
- Station selection criteria excluded Form 1 and Form 2 cable systems.
- The number of "zero" viewing hours shows the flaw in attempting to use the Nielsen data as a proxy for the retransmission market especially since Nielsen had 24 hour sampling capability in 1997.
- There are unanswered technical questions regarding relative error rates and mixing diary and meter data.
- The method of interpolation of non-sweep month estimated viewing needs statistical validation.
- There is an overvaluation of WTBS and under-valuation of the other Superstations in the survey.

The IPG formula was not without its valid criticisms:

- A mathematically sound basis for the creation and application of the station weight factor and time period weight factor should have been presented by a statistician.
- Daypart data was misapplied thus overstating "all other" viewing.
- It doesn't directly address the marketplace value of the works transmitted, a primary criteria.

Like the CRT and other CARP's before us, we shall recognize the strengths and weaknesses of the Nielsen Viewer Study, the CDC 82 station database, the IPG 99

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208 MPAA Direct Case Ex. 26

station database, the elements of HHVH, the number of programs and their broadcast times, the value of viewing and of opportunity to view, the compulsory license's harm to copyright owners, its benefits to retransmitting systems, and the marketplace value of programs. The Panel used these factors to outline reasonable parameters to achieve "rough justice" in distribution of the fund to qualified claimants.

### CONTROLLING LAW FOR DISTRIBUTIONS

Historically, the Phase II controversies have involved parties favoring MPAA's Nielsen-based methodology and parties critical of such methodology. The CARP, like Tribunals in the past, must "simulate a marketplace -- the importation by cable operators of distant broadcast signals -- which, by virtue of the compulsory license, does not exist."<sup>209</sup> Consequently, the CARP, like prior Tribunals, must reason by analogy.

The marketplace relationship between the cable operators and the cable subscribers -- i.e., whether the individual will choose to become a subscriber of a system -- is critical to the distribution process. Knowledge of subscriber viewing habits, therefore, aids the CARP's analysis of the instant case and its relationship within the "simulated marketplace" that the Panel must consider when allocating royalties.<sup>210</sup>

The cable industry has evolved since the early days of the Tribunal and its distribution of Section 111 royalties. Initially, the cable industry did not rely heavily on advertising. Hence, the Tribunal found that diversity of television offerings, as an incentive to subscribers, might be more valuable to the cable operators than actual viewing achieved by individual programs.<sup>211</sup> Today's cable landscape, however, includes a bounty of advertisements and infomercials. One of the claims herein actually involves retransmitted infomercials.<sup>212</sup> Consequently, the CARP finds that advertising issues have become a standard feature of the cable television marketplace and, likewise, viewership has become vital when evaluating cable marketplace issues.

Similar to the Tribunal's function, under 17 USC §801, Congress charges the CARP with the responsibility of distributing the Section 111 royalties when such distribution is in controversy. As the United States Court of Appeals noted in *NAB v.*

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209 53 Fed. Reg. 7132, at 7136

210 Ibid.

211 Id.

212 Tr. 1059-1060

*Librarian of Congress and Register of Copyrights*,<sup>213</sup> "[t]he Congress did not, however, prescribe the criteria or procedures according to which the Tribunal should assess a claim for royalties." The 1976 House Report at 97 indicated that "the Committee believes that the Copyright Royalty (Tribunal) should consider all pertinent data and considerations presented by the claimants."

In the same opinion, the Court of Appeals stated that its past decisions made it "clear that the Congress delegated to the Tribunal (and now to the Librarian, the Register and the Panel) responsibility for developing the criteria by which claims are to be assessed." The Court cited *Christian Broadcasting Network, Inc., v. CRT*, 720 F.2d 1295, (D.C. Cir. 1983) at 1313, recognizing that "we have affirmed the Tribunal's five allocative factors as a reasonable interpretation of legislation by the agency charged by Congress with its enforcement." Citing *NAB I*, 675 F.2d at 373, those factors were described by the Court as three primary criteria:

- the harm caused to copyright owners by secondary transmission of copyrighted works by cable systems
- the benefit derived by cable systems by secondary transmission of certain copyrighted works
- the marketplace value of the works transmitted

and two secondary factors:

- quality of copyrighted program material
- time-related considerations

The Court of Appeals has also upheld a Panel's and the Librarian's decision to eliminate the harm criterion in a particular case because "the Panel explained that the harm criterion was in fact simply a different expression of diminution in market value that the evidence did not provide for any meaningful way to distinguish among the parties."<sup>214</sup> The Court held that, under such circumstances, the harm criterion was properly rejected.

The CARP, being neither arbitrary nor capricious, is to make its royalty distribution awards decision within a "zone of reasonableness",<sup>215</sup> rationally, and

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<sup>213</sup> 146 F.3d 907 (D.C. Cir. 1998), 1998 US App. LEXIS 13692, at \*56

<sup>214</sup> *NAB v. Librarian*, et al., Id.

<sup>215</sup> Ibid., citing *CBN*, 720 F.2d 1295 at 1304;  
see also *NAB v. CRT*, 772 F.2d 922, (D.C. Cir. 1985) at 926

supported by the record evidence.<sup>216</sup> When simulating the marketplace during its decision-making process, the CARP must recognize that as the marketplace has changed over the years, the weight of the five allocative factors has also changed. Resolution of the instant case must be based on the record evidence before the CARP and analyzed accordingly. The Panel must weigh the criteria and reasonably, rationally, and neutrally determine the allocation of royalties for this Phase II proceeding.

In making its determination, the CARP has studied the record evidence, case and legislative history, and the analysis accorded in past Phase II proceedings. As the record shows, some "claimants" involved in the proceedings when the CARP was convened have been removed by the CARP for failure to qualify as claimants. Other "claimants" have been withdrawn by IPG.

Following close of the record evidence, the CARP realized that certain "claimants" had not satisfied the criteria for asserting their claims and certain programs were not qualified. The Panel did not award any royalty allocation for such unqualified "claimants" nor did it award any royalty allocation for unqualified programs.

In addition, following close of the record evidence, the CARP confirmed that the representation of certain claimants was different than that originally reported when the Direct Cases were filed with the Librarian. The CARP made adjustments accordingly when final allocations were determined.

Such adjustments and re-positioning of parties and programs altered the methodology analysis presented by the parties. Consistent with past history of Section 111 royalty distribution proceedings, although each methodology presented offered some provocative points, the CARP's Phase II allocation can not be made solely on the basis of a single formula. Neither formula offered by the parties reflects a position that presents a neutral, replicative methodology that can be rationally, reasonably, and fully accepted by the CARP.

Both Parties relied, to some extent on Nielsen information. As has been noted in prior Phase II proceedings, Nielsen information bears weight and is considered a standard in the industry. Nonetheless, sampling methodology presented by the Parties does not provide a true, neutral, consistent measure of the entire "simulated marketplace."

The CARP realizes that the simulated or virtual marketplace approach of distribution presents a difficult task. Nonetheless, the case, legislative, and prior

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<sup>216</sup> See also 17 U.S.C. §802

distribution history offer a framework within which the Panel may evaluate the record evidence and, ultimately, determine a royalty allocation that is fair, reasonable, and rational with regard to the case evidence.

### CONCLUSION

For the reasons stated above:

It is Ordered that:

- MPAA's Motion to Dismiss Independent Producer Group's Case is denied;
- IPG's Motion to Strike Evidence and Preclude Introduction of Evidence is denied;
- IPG's Motion to Strike the Testimony of Marsha E. Kessler and Related Exhibits is denied;
- MPAA's Motion to Waive Rules, Reopen Record, and Strike Testimony is granted in part and denied in part.

The CARP has studied the range of distribution percentages claimed by the Parties as detailed in Section VI. Weighing the entire record, the testimony and all evidence regarding conflicting claims and titles and applying the criteria affirmed by the Court as described in Section XVIII, the CARP awards royalty allocations from the gross Program Suppliers Phase II fund to the Parties as follows:

To the IPG represented group of claimants:	0.50%
To the MPAA represented group of claimants:	<u>99.50 %</u>
Total	100.00%

Due to lack of jurisdiction and the Panel's finding the IPG was not unduly prejudiced; the CARP did not adjust the royalty allocations for MPAA's alleged discovery abuse.

Costs, including costs of the witnesses Mr. Lindstrom and Mr. Larson, are to be borne in equal proportion to the stated allocations according to the provisions of 37 CFR §251.54(a)(2).

**CERTIFICATION**

**Appendix A Docket Sheet**

**Appendix B Exhibits**

**Appendix C Testimony and Pleadings Relevant to MPAA's Motion to Dismiss**

**Appendix D Exhibits Relevant to MPAA's Motion to Dismiss**



Subject Firm	Location	Date received at Governor's Office	Petition No.	Articles Produced
Midland Steel Products (Co.)	Janesville, WI	12/05/2001	NAFTA-5,616	steel.
Electronic Assembly Corp. (Wkrs)	Neenak, WI	12/04/2001	NAFTA-5,617	electronic products.
Cherry Automotive (Wkrs)	Pleasant Prairie, WI	11/13/2001	NAFTA-5,618	electronic products.
Graham Tech (Co.)	Cochranon, PA	12/07/2001	NAFTA-5,619	gaging.
EM Solutions (Wkrs)	Longmont, CO	12/06/2001	NAFTA-5,620	
Biltwell Clothing—Rector Sportwear (Co.)	Rector, AZ	12/05/2001	NAFTA/05/2001	men's tailored pants and slacks.
Lexmark International (Co.)	Lexington, KY	12/05/2001	NAFT-5,622	inkjet printers and cartridges.
Protel, Inc. (Wkrs)	Lakeland, FL	12/03/2001	NAFTA-5,623	pay phones.
AVX Corporation (Wkrs)	Vancouver, WA	12/04/2001	NAFTA-5,624	electronic capacitor.
Alcatel USA Marketing	Andover, MA	11/30/3001	NAFTA-5,625	router.
Milwaukee Electric (Wkrs)	Blytterville, AR	12/05/2001	NAFTA-5,626	electric power tools.
Freightliner PMP (Wkrs)	Gastonia, NC	12/04/2001	NAFTA-5,627	trucks and parts.
Cooper Bussman (Wkrs)	Goldsboro, NC	12/05/2001	NAFTA-5,628	fuses & fuseholders.
ASARCO (Co.)	Strawberry Plains, TN	12/05/2001	NAFTA-5,629	zinc.
Meridian Automotive Systems (UAW)	Controlia, IL	11/30/2001	NAFTA-5,630	fixtures, water jets, heat shield molds.
VF Jeanswear Limited Partnership (Wkrs)	Shenandoah, VA	12/05/2001	NAFTA-5,631	men's and women's bluejeans & casualwear.
VF Jeanswear Limited Partnership (Wkrs)	El Paso, TX	12/07/2001	NAFTA-5,632	men's and women's pants.
Evergreen Wholesale Florist (Wkrs)	Seattle, WA	12/10/2001	NAFTA-5,633	florist—flower arrangement.

[FR Doc. 01-31633 Filed 12-26-01; 8:45 am]  
BILLING CODE 4510-30-M

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[NAFTA-5254]

##### Fashion Works, Inc. Dallas, TX; Notice of Termination of Investigation

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182) concerning transitional adjustment assistance, hereinafter called NAFTA-TAA and in accordance with section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2331), an investigation was initiated on August 23, 2001, in response to a petition filed by the company on behalf of workers at Fashion Works, Inc., Dallas, Texas.

The petitioner requests the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC this 10th day of December, 2001.

**Edward A. Tomchick,**  
Director, Division of Trade Adjustment Assistance.

[FR Doc. 01-31630 Filed 12-21-01; 8:45 am]

BILLING CODE 4510-30-M

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[NAFTA-005302]

##### Tyco Electronics, TDI Division, Romeoville, Illinois; Notice of Termination

Pursuant to Title V of the North American Free Trade Agreement Implementation Act Pub. L. 103-1 concerning transitional adjustment assistance, hereinafter called NAFTA-TAA and in accordance with section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended. (19 U.S.C. 2331), an investigation was initiated on September 4, 2001, in response to a petition filed on behalf of workers at Tyco Electronics, TDI Division, Romeoville, Illinois. Workers produced battery packs.

An active certification covering the petitioning group of workers remains in effect (NAFTA-004168). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC this 11th day of December, 2001.

**Linda G. Poole,**  
Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01-31627 Filed 12-21-01; 8:45 am]

BILLING CODE 4510-30-M

#### LIBRARY OF CONGRESS

##### Copyright Office

[Docket No. 2000-2 CARP CD 93-97]

##### Distribution of 1993, 1994, 1995, 1996 and 1997 Cable Royalty Funds

AGENCY: Copyright Office, Library of Congress.

ACTION: Order.

**SUMMARY:** The Librarian of Congress, upon the recommendation of the Register of Copyrights, announces his rejection of the initial and revised reports of the Copyright Arbitration Royalty Panel ("CARP") in the Phase II proceeding in the syndicated programming category for distribution of the 1997 cable royalty funds, and remands the case for a new proceeding before a new CARP.

**EFFECTIVE DATE:** December 26, 2001.

**ADDRESSES:** The full text of the CARP's initial report and revised report to the Librarian of Congress are available for inspection and copying during normal business hours in the Office of the Copyright General Counsel, James Madison Memorial Building, Room LM-403, First and Independence Avenue, SE, Washington, DC 20559-6000.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or William J. Roberts, Jr., Senior Attorney for Compulsory Licenses, Copyright Arbitration Royalty Panel ("CARP"), P.O. Box 70977, Southwest Station, Washington, DC 20024-0400. Telephone (202) 707-8380. Telefax: (202) 252-3423.

## SUPPLEMENTARY INFORMATION:

## Background

Each year, cable systems in the United States submit royalties to the Copyright Office under a statutory license which allows cable systems to retransmit over-the-air television and radio broadcast signals to their subscribers. 17 U.S.C. 111. These royalties are, in turn, distributed in one of two ways to copyright owners whose works were included in the cable retransmissions of over-the-air television and radio broadcast signals and who timely filed a claim for royalties with the Copyright Office. The copyright owners may either negotiate a settlement agreement amongst themselves as to the distribution of the royalty fees or, if they cannot agree, the Librarian of Congress may convene one or more Copyright Arbitration Royalty Panels ("CARPs") to determine the distribution of the royalty fees which remain in controversy. See 17 U.S.C. chapter 8.

Cable royalty distribution proceedings are conducted by the Librarian under the CARP system in two phases. In a Phase I proceeding, the total cable royalty pool for a given year or years is divided among different categories of copyrighted programming that typically appear on broadcast programming. These categories are movies and syndicated programming, sports programming, devotional or religious programming, musical programming, commercial and noncommercial broadcast programming, and Canadian programming. Once the royalty pool is divided into these categories, the Librarian conducts one or more proceedings at Phase II to resolve disputes within a particular category as to the division of the royalties. Today's royalty distribution determination is a Phase II proceeding in the movie and syndicated programming category (often referred to collectively as the "program supplier" category).

The litigants in this Phase II proceeding in the program supplier category are the Motion Picture Association of America, Inc. ("MPAA"), which represents the majority of copyright owners who filed claims for a distribution of 1997 cable royalties, and the Independent Producers Group ("IPG"), which represents the remaining copyright owners who filed claims for a cable royalty distribution. The Librarian was required to convene a CARP to resolve this Phase II proceeding because MPAA and IPG could not agree as to the division of royalties in the program supplier category.

After a protracted discovery period, the Librarian convened the CARP in this

proceeding on October 17, 2000. As provided by section 802(e) of title 17, United States Code, the CARP had six months to hear the evidentiary presentations and arguments of MPAA and IPG and to render a decision. The CARP delivered its initial report to the Librarian on April 16, 2001, awarding IPG 0.5% of the royalty pool and the remainder to MPAA. After review, the Librarian returned the case to the CARP. By Order dated June 5, 2001, the Librarian dismissed all of the claimants comprising IPG's case except for Litton Syndications, Inc. and directed the CARP to adjust its award to IPG and MPAA to account for the dismissal. In addition, the Librarian directed the CARP to articulate the methodology it was using to assign the new distribution percentages and to detail the application of the methodology to the facts before it. See Order in Docket No. 2000-2 CARP CD 93-97 (June 5, 2001). The Librarian fully explains his reasoning for rejecting the initial determination of the CARP in this Order.

On June 20, 2001, the CARP returned a new determination. It awarded IPG 0.212% of the royalty funds, with the remaining 99.788% to MPAA. The Librarian permitted IPG and MPAA an additional round of petitions to modify the CARP's determination and replies. The Register now makes her recommendation to the Librarian following her review of the CARP's determination.

## Part One—Decisions of the CARP

*The Initial CARP Report*

The 108-page initial report of the CARP has three essential parts. The first part deals with the validity of the royalty claim filed with the Copyright Office in July 1998 under 17 U.S.C. 111(d)(4) that forms the basis for IPG's participation in this proceeding. The second part addresses and ascribes the proper representation of specific television programs as between MPAA and IPG. The third part of the report resolves the division of the royalties in the program supplier category between MPAA and IPG. The Panel awarded MPAA 99.50% of the royalties and 0.50% to IPG.

## 1. IPG's Claim

The validity of IPG's claim was hotly contested in this proceeding. The first challenge was raised in the precontroversy discovery period when MPAA moved to dismiss IPG's Phase II case on the grounds that IPG's claim (marked as No. 176 by the Copyright Office) did not comply with the Office's rules and regulations. MPAA asserted

that none of the entities listed in exhibit D of IPG's written direct case, which forms the basis of IPG's claim for royalties, appeared on claim No. 176 as required by § 252.2 of the rules. 37 CFR 252.2. According to MPAA, IPG entered into representation agreements with the exhibit D parties after July 31, 1998 (the closing date for filing cable royalty claims with the Office for calendar year 1997), thereby circumventing the requirement of § 252.2 that all claimants to a joint claim be identified on the claim as filed with the Office.

IPG's compliance with § 252.2 was questionable. Stylized as a "joint claim," IPG identified only one claimant—Artists Collection Group ("ACG"). After the Copyright Office questioned the claim in July of 1998, IPG amended the claim to include ACG and Worldwide Subsidy Group ("WSG"). This amendment appeared, on its face, to satisfy the requirements of § 252.2, and the Office did not pursue the matter further. However, when IPG filed a written direct case identifying 16 other parties as claimants, the Library considered MPAA's motion for possible violation of the rule.

In an Order dated June 22, 2000, the Library determined that the prudent course of action was to designate the matter of MPAA's motion to the CARP for further factual findings and final resolution. The Library did this after consideration of IPG's objections to MPAA's motion to dismiss, the language of § 252.2, and the provisions of the Copyright Act related to filing cable royalty claims. The Library rejected IPG's argument that it was acceptable for ACG to file a single claim on behalf of 16 other parties and chastised IPG for not listing the 16 in its joint claim as provided in § 252.2. However, the Library declined to dismiss IPG's case and designated the MPAA motion to the CARP because:

[T]he Library cannot say with certainty that all previous claims filed in cable royalty proceedings have listed all joint claimants. It is sometimes the case that the Copyright Office will receive a single claim filed by a production company that does not identify any joint claimants. Whether this production company owns all or some of the copyrights represented by the claim, or is just a representative of unidentified copyright owners, is unknown to the Office. To the Library's knowledge, these claims have not been challenged in the past, and this is a case of first impression. Consequently, the Library is not inclined without prior warning to strictly enforce the requirement that all owners and distributors be identified in a joint claim. However, what is clear, and what the law requires, is a factual determination as to which of the owners and distributors identified by IPG in exhibit D of its written

direct case were in fact represented by Worldwide Subsidy Group<sup>1</sup> at the close of the filing period for 1997 cable claims. Any party listed in exhibit D (with the exception of Lacey Entertainment, which filed its own claim) that was not represented by Worldwide Subsidy Group before August 1998 cannot be said to have filed a timely claim, and therefore testimony contained in IPG's written direct case regarding such party must be stricken.

Order in Docket No. 2000-2 CARP CD 93-97 at 7 (June 22, 2000). The Library directed the CARP to make factual determinations as to whether there existed written agreements between WSG and each of the exhibit D claimants dated on or before July 31, 1998, the close of the cable royalty claim filing period. IPG submitted, as directed by the Library, copies of the representation agreements between WSG and the exhibit D claimants, along with additional corroborating documents to prove the existence of a representation arrangement on or before July 31, 1998.<sup>2</sup>

Upon its convocation, the CARP turned to the task of examining the representation agreements and supporting documents to determine which, if any, of IPG's exhibit D claimants would be allowed to remain in the proceeding. The representation agreements are standard form contracts for representation by WSG in collecting (among other things) cable compulsory license royalties. The contract is effective upon the date identified in the lead paragraph of the contract, which provides that "as of (date)," WSG and the identified party have entered into the agreement. With only two exceptions, none of the signature pages in the representation agreements bore a date indicating when the agreement was signed and executed. Some of the additional documents provided by IPG (copies of letters and faxes) provided context to some of the representation agreements to indicate the time period in which they were signed and executed.

In its report, the CARP examined the documents for each of the exhibit D claimants and decided which claimants had a signed agreement with WSG on or before July 31, 1998, and which did not. The CARP determined that a valid representation agreement existed for the following: Abrams/Gentile Entertainment; Raycom Sports; Flying Tomato Films; Funimation Productions;

Golden Films Finance Corporation IV and American Film Investment Corporation II; Litton Syndications, Inc.; Sandra Carter Productions; and The Tide Group d/b/a Psychic Readers Network. The CARP found that while there may have existed a valid representation agreement between WSG and Mendelson/PAWS, WSG's claim of representation was trumped by General Mills, a claimant ascribed to MPAA's claim. The CARP dismissed the United Negro College Fund from IPG's case because it determined that a representation agreement did not exist until sometime in November of 1998, well after the July 31, 1998, deadline.

## 2. IPG's Programs

As provided in the section 111 cable license, copyrighted works that are retransmitted by cable systems on a distant basis are entitled to royalties collected from cable systems. In the program supplier category, which is the subject of this proceeding, these works are movies and syndicated television programs.

After resolving the matter of which IPG claimants remained in the proceeding, the CARP turned to the task of determining which of the programs claimed by IPG claimants were entitled to a royalty distribution.<sup>3</sup> Some programs were claimed by both IPG and MPAA. The following is a summary of the programs that the CARP credited to IPG's claimants.

a. *Abrams/Gentile Entertainment*. The CARP awarded all five programs claimed by IPG—*Dragon Flyz*; *Happy Ness*, *Secret of the Loch*; *Jelly Bean Jungle*; *Sky Dancers*; and *Van Pires*—to IPG. MPAA asserted that *Jelly Bean Jungle* belonged to Audio Visual Copyright Society d/b/a Screenrights, rather than Abrams/Gentile, but the CARP determined that "Audio Visual Copyright Society's own 1997 [program] Certification [did] not list such program in its claim." CARP Report at 53.

b. *Raycom Sports*. The CARP awarded all four programs claimed by IPG—*Elvis*, *His Life and Times*; *Journey of the African American Athlete*; *More Than a Game*; *Our Holiday Memories*—to IPG, finding that the MPAA did not contest any of these titles. CARP Report at 53-54.

c. *Flying Tomato Films*. The CARP did not credit the one program, *Just Imagine*, to Flying Tomato Films, because it determined that Litton

Syndications held the syndication rights to the program. CARP Report at 54-55.

d. *Funimation Productions*. The CARP identified only one program belonging to Funimation Productions: *Dragon Ball Z*. The CARP determined that Fox Family Worldwide, not Funimation Productions, was the proper syndicator for *Dragon Ball Z*, and therefore IPG was not entitled to a distribution for this program. CARP Report at 55-56.

e. *Golden Films Finance Corporation IV and American Film Investment Corporation II*. Two programs were claimed by IPG for these companies: *Enchanted Tales* and *Thumbelina*. The CARP determined that *Enchanted Tales* is a series of videos, one of which is *Thumbelina*, and that the syndication rights to these programs belong to Eyemark Entertainment and Summit Media, not Golden Films and American Films. CARP Report at 58. Further, the CARP determined that both *Enchanted Tales* and *Thumbelina* were not retransmitted by cable systems during 1997. *Id.* Consequently, the CARP did not give credit to IPG for these programs.

f. *Litton Syndications, Inc.* IPG identified thirteen programs belonging to Litton in its written direct case: *Algo's Factory*; *Jack Hanna's Animal Adventures*; *Dramatic Moments in Black Sports History*; *Dream Big*; *Harvey Penick's Golf Lessons*; *Shaka Zulu*; *Story of a People*; *Mom USA*; *Nprint*; *Critter Gitters*; *Sophisticated Gents*; *The Sports Bar*; and *Bloopy's Buddies*. The CARP eliminated *Shaka Zulu* and *Story of a People* from IPG's claim, finding that syndication rights to *Shaka Zulu* were properly held by Harmony Gold USA, not Litton, and that the proper syndicator for *Story of a People* was unknown. CARP Report at 60-61. The CARP also eliminated *Dream Big*, determining that Warner Brothers, not Litton, was the syndicator of that program. *Id.* at 62. Although both IPG and MPAA claimed *Dramatic Moments in Black Sports History*, the CARP determined that Litton was indeed the syndicator and credited IPG's claim with this program. *Id.* The remaining programs were credited to IPG.

g. *Mendelson/PAWS*. The single program claimed by Mendelson/PAWS, *Garfield and Friends*, was claimed by both MPAA and IPG. MPAA supplied documentary evidence from General Mills indicating that it was the syndicator of *Garfield and Friends*, even though Mendelson/PAWS produced the program. The CARP did not credit IPG with *Garfield and Friends*, determining that Mendelson/PAWS resolved the

<sup>1</sup> IPG by this time had informed the Library that ACG had withdrawn its claim and that WSG was the sole claimant remaining for claim No. 176.

<sup>2</sup> The Library amended its regulations after the June 22, 2000 Order to prevent future confusion as to the filing of single and joint claims. See 66 FR 29700 (June 1, 2001).

<sup>3</sup> Because all remaining monies in the 1997 program supplier category automatically belonged to MPAA's claimants once IPG's claim was determined, the CARP focused its attention only on IPG's programs.

dispute by removing its claim. CARP Report at 64–65.

h. *Sandra Carter Productions*. IPG identified five programs belonging to Sandra Carter: *Bottom Line*; *By River*, *By Rail*; *Flex*; *Parenting in the 90's*; *Til Earth and Heaven Ring*. MPAA asserted that *Parenting in the 90's* belonged to Audio Visual Copyright Society d/b/a/ Screenrights, but the CARP determined that Screenrights did not list that program in their certification to MPAA and credited it to IPG. CARP Report at 66. The CARP determined that *Bottom Line*; *By River*, *By Rail*; and *Til Earth and Heaven Ring* appeared on television station WBAL-TV, Baltimore, Maryland, and was not subject to a distant retransmission by a cable system. These programs were removed from IPG's claim. *Id.* at 66–67. Finally, the CARP credited *Flex* to IPG.

i. *The Tide Group d/b/a Psychic Readers Network*. IPG claimed several programs for the Tide Group that had multiple titles. The CARP credited IPG with *Alcatraz* as one program, *Kenny Kingston* as one program, and *Psychic Readers* (with its alternate title *Psychic Readers Network*) as one program. CARP Report at 68.

j. *United Negro College Fund*. IPG claimed one program for the United Negro College Fund: *Lou Rawls Parade of Stars*. However, the CARP determined that the United Negro College Fund did not have a valid representation agreement with WSG by July 31, 1998. Consequently, IPG did not receive credit for *Lou Rawls Parade of Stars*. CARP Report at 69–70.

k. *Lacey Entertainment*. Both MPAA and IPG claimed credit for Lacey Entertainment's two programs: *America's Dumbest Criminals* and *Mega Man*. The CARP found that Lacey confirmed that MPAA was its representative for section 111 royalties for *Mega Man* and that Lacey was not the U.S. distributor for *America's Dumbest Criminals*. Consequently, the CARP did not credit IPG with these programs. CARP Report at 71–72.

### 3. The Distribution Percentages

The third part of the CARP's report, which awards IPG 0.5% of the royalties and MPAA 99.5%, is the most troubling portion. After leveling a number of criticisms at both MPAA's and IPG's proposed distribution methodologies, the CARP failed to articulate the method it settled upon in assigning the 0.5% and 99.5% awards.

Both MPAA and IPG proposed detailed methodologies for determining the royalty awards in this proceeding. MPAA's methodology is based upon viewership analysis of movies and

syndicated television programs retransmitted by cable systems in 1997 on a distant signal basis. The underlying premise of the MPAA formula is that actual viewing of movies and syndicated television programs by cable subscribers is the best way to determine the marketplace value of the programming. The source elements for determining actual viewership are: (1) TVData station logs, which show the programs broadcast by the stations and the date and time of their broadcast, for the 82 television stations used by MPAA in its sample survey; (2) a special study of the same 82 stations for the sweeps period conducted by Nielsen Media Research; (3) program ownership data (i.e. which claimants to the 1997 cable royalties own which programs) as contained in the Cable Data Corporation ("CDC") database; and (4) the weighting factors used by CDC to interpolate viewing for non-sweeps months when data from Nielsen is not available. CARP Report at 81.

The CARP described the details of MPAA's distribution methodology as follows:

MPAA selects 82 of the most heavily carried stations retransmitted as a distant signal by Form 3 system operators. Form 3 systems subscribers comprise the largest group of cable subscribers—89% and their gross receipts represent the largest portion—96.5%—of the 1997 cable royalty fund.

The program schedules of these stations are acquired from TVData. The program information is matched to viewing data provided by Nielsen Media Research ("Nielsen"). In particular, Nielsen provides the number of quarter hour segments (QH) each program aired on the station and the average number of cable subscribers who viewed each program on that station on a distant basis.

For each station in the MPAA sample, Nielsen goes into the diary database of approximately 150,000 homes for each sweep, eliminates diaries in local area of the station (as supplied by MPAA), sums the weights by quarter hour for each diary and generates estimated projections on quarter-hour-by-quarter-hour basis.

MPAA then calculates the household viewing hours (HHVH) for each series and motion picture in the study. Household viewing hours for every program (claimed and unclaimed) is [sic] calculated for each program using the Nielsen data and interpolated audience data for non-sweeps periods.

After reconciling programs with broadcast times, MPAA then calculates the household viewing hours (HHVH) for each series and motion picture in the study using the Nielsen data and interpolated audience data.

The HHVH formula is:  $(\Sigma QH/4) \times DCHH = HHVH$ . The formula may be stated as follows: Add the total number of QH segments a program is broadcast in a particular time slot on a particular station. The sum is divided by four to get an hourly measure. The result

is multiplied by the average number of distant cable households (DCHH) that actually watched the program on that station during the time period.

CARP Report at 81–82 (footnotes omitted). Applying MPAA's formula to the 1997 data yields, according to MPAA, a determination that programming represented by MPAA received 99.9292% of the total distant viewing—3,474,810,364 viewing hours out of 3,477,272,694 total viewing hours. MPAA therefore asked for 99.9292% of the 1997 cable royalties. MPAA Findings of Fact at 20, ¶ 55.

IPG proposed a different distribution methodology which yields a greater distribution percentage to IPG. Instead of focusing on viewership as the main valuation method, IPG's methodology operates from the premise that it is best to look at the availability of programming offered to subscribers and the benefits received by the cable operators who retransmit that programming. IPG submits that while the decision of a television station to transmit a particular program is driven by a desire for viewership ratings, cable systems are not concerned with viewership of a particular program, but rather are concerned with attracting and holding the greatest number of subscribers by offering multiple programming choices. IPG attempts to place a value on each and every broadcast using the following data: (1) The number of distant cable subscribers capable of receiving the program broadcast during 1997; (2) the distant retransmission royalties generated during 1997 that are attributable to stations broadcasting a particular program; (3) the time placement of the broadcast; and (4) the length of the particular broadcast. CARP Report at 95.

The CARP described IPG's distribution methodology as follows:

IPG expanded MPAA's station sample to 99 television stations, including only those with a combined percentage of distant cable subscribers and "fees gen." (fees generated) significantly greater than the original selection. The added stations were heavily retransmitted according to distant subscribership data for Form 1, Form 2, and Form 3 cable systems.

IPG secured data from TVData reflecting all programs broadcast on the 99 Sample Stations, 24 hours a day, for the entire year of 1997 and segregated programming compensable in the syndicated programming category.

IPG accorded a "Station Weight Factor" to each and every compensable broadcast blending of (i) the average percentage of distant cable subscribers capable of viewing the station of broadcast and (ii) the average percentage of "fees gen." attributable to the station of broadcast, as compared to the other 99 Sample Stations.

IPG then accorded a "Time Period Weight Factor" based on the time period or daypart of the program broadcast, weighted according to data derived from the "1998 Report on Television" published by Nielsen Media Research, and factored in the length of each such broadcast.

CARP Report at 96 (footnotes omitted; parenthetical not in original). Applying IPG's methodology to its data yields, according to IPG, a determination that 0.881% of the aggregate Sum Weighted Value of all programs claimed in this proceeding belongs to IPG. IPG Findings of Fact at 16-17, ¶ 51.

Both MPAA and IPG leveled criticisms at each other's methodologies, and the CARP details those criticisms. See CARP Report at 82-94 (IPG); 97-102 (MPAA). The CARP accepted the following criticisms of MPAA's approach:

- MPAA's direct testimony did not sufficiently lay the foundation for the survey or explain its results.
  - The Panel was forced to call its own witnesses, Mr. Lindstrom from Nielsen, and Mr. Larson from Cable Data Corporation to explain their methods of data acquisition and reporting.
  - The number of sampled stations [in MPAA's station survey] has declined without adequate explanation.
  - Station selection criteria was excluded Form 1 and Form 2 cable systems.
  - The number of "zero" viewing hours shows the flaw in attempting to use the Nielsen data as a proxy for the retransmission market especially since Nielsen had 24 hour sampling capability in 1997.
  - There are unanswered technical questions regarding relative error rates and mixing diary and meter data.
  - The method of interpolation of non-sweep month estimated viewing needs statistical validation.
  - There is an overvaluation of WTBS and under-valuation of the other Superstations in the survey.
- Id.* at 102-103.

The CARP found the following criticisms of IPG's methodology:

- A mathematically sound basis for the creation and application of the station weight factor and time period weight factor should have been presented by a statistician.
- Daypart data was misapplied thus overstating "all other" viewing.
- It doesn't directly address the marketplace value of the works transmitted, a primary criteria.

*Id.* at 103.

After stating that it was "recogniz[ing] the strengths and weaknesses" of

MPAA's and IPG's approaches, the Panel proceeded to summarily award IPG 0.5% of the 1997 cable fund and the remaining 99.5% to MPAA. The CARP did observe that "certain 'claimants' had not satisfied the criteria for asserting their claims and certain programs were not qualified. The Panel did not award any royalty allocation for such unqualified 'claimants' nor did it award any royalty allocation for unqualified programs." *Id.* at 106.

#### Standard of Review

Section 802(f) of the Copyright Act directs that, upon the recommendation of the Register of Copyrights, the Librarian shall adopt the report of the CARP "unless the Librarian finds that the determination is arbitrary or contrary to the applicable provisions of this title." The narrow scope of review has been discussed in great detail in prior decisions which have concluded that the use of the term "arbitrary" in this provision is no different than the "arbitrary" standard described in the Administrative Procedure Act, 5 U.S.C. 706(2)(A). See 63 FR 49823 (September 18, 1998); 63 FR 25394 (May 8, 1998); 62 FR 55742 (October 28, 1997); 62 FR 6558 (February 12, 1997); 61 FR 55653 (October 28, 1996). Thus, the standard of review adopted by the Librarian is narrow and provides that the Librarian will not reject the determination of a CARP unless its decision falls outside the "zone of reasonableness" that had been used by the courts to review decisions of the Copyright Royalty Tribunal ("CRT"). See *National Cable Television Ass'n. v. Copyright Royalty Tribunal*, 724 F.2d 176, 182 (D.C. Cir. 1983). Moreover, based on a determination by the Register and the Librarian that the Panel's decision is neither arbitrary nor contrary to law, the Librarian will adopt the CARP's determination even if the Register and the Librarian would have reached conclusions different from the conclusions reached by the CARP.

The U.S. Court of Appeals for the District of Columbia Circuit has stated, however, that the Librarian would act arbitrarily if "without explanation or adjustment, he adopted an award proposed by the Panel that was not supported by any evidence or that was based on evidence which could not reasonably be interpreted to support the award." See *National Ass'n of Broadcasters v. Librarian of Congress*, 146 F.3d 907, 923 (D.C. Cir. 1998).

For this reason, the Panel must provide a detailed rational analysis of its decision, setting forth specific findings of fact and conclusions of law. See *National Cable Television Ass'n. v.*

*Copyright Royalty Tribunal*, 689 F.2d 1077, 1091 (D.C. Cir. 1992) (requiring CRT to weigh all relevant considerations and set out its conclusions in a form that permits the court to determine whether it has exercised its responsibilities lawfully).

It is then the task of the Register of Copyrights to review the Panel's report and make her recommendation to the Librarian as to whether it is arbitrary or contrary to the provisions of the Copyright Act and, if so, whether and in what manner the Librarian should substitute his own determination.

#### Remand to the CARP

After receiving the CARP's initial determination, the Register of Copyrights recommended, and the Librarian accepted, that the Report be rejected and remanded to the CARP for further consideration. It was apparent from reviewing the Report that the CARP had acted arbitrarily in three instances: (1) The CARP misapprehended the intent of the June 22, 2000, Order designating consideration of the circumstances of IPG's representation agreements with its exhibit D claimants; (2) the CARP awarded programs to an IPG claimant when there was no introduction of evidence as to the value of the program and assigned another program to IPG without adequate explanation of its decision; and (3) the CARP failed to articulate the reasoning it used in arriving at a distribution percentage of 0.5% for IPG and 99.5% for MPAA. See Order, Docket No. 2000-2 CARP CD 93-97 (June 5, 2001).

#### 1. Dismissal of Additional IPG Claimants

As discussed above, the status of IPG's claim No. 176 has been a focal point of this proceeding. MPAA has moved to dismiss IPG's entire claim no less than three times, claiming that claim No. 176 flouts the Copyright Office's rules and the statute, and is a fraud on the Library. The CARP appears to agree with MPAA's contentions, but stops short of dismissing most if not all of IPG's exhibit D claimants, noting that it "is attempting to accommodate the Copyright Office's previously created, one-time exception to the strict enforcement of the Copyright Office's claim filing rules, while aspiring to achieve fairness for all affected claimants." CARP Report at 42.

The Register concludes that the CARP did not follow the direction and intent of the June 22, 2000, Order directing it to consider the status of IPG's representation of the exhibit D

claimants. The rule and intent of that Order are as follows.

Section 111(d)(3) of the Copyright Act states that royalties collected from cable systems under the cable statutory license may only be distributed to copyright owners "who claim that their works were the subject of secondary transmissions by cable systems during the relevant semiannual period." 17 U.S.C. 111(d)(3). This means that it is copyright owners—individuals or entities that own one or more of the exclusive rights granted by section 106 of the Copyright Act—that are entitled to royalty fees, not those who represent them in CARP proceedings. The statute also provides that royalty fees may only be distributed to "claimants" that file a claim with the Copyright Office during the month of July for royalties collected in the previous calendar year. 17 U.S.C. 111(d)(4)(A). Further, the statute states that claims filed with the Copyright Office shall be submitted "in accordance with requirements that the Librarian of Congress shall prescribe by regulation." *Id.*

The Librarian adopted such regulations, which are found at part 252 of 37 CFR. Section 252.3 of the rules prescribes the content of a cable claim, distinguishing between "individual claims" and "joint claims." An "individual claim" involves royalties that are being sought by a single "claimant," whereas a "joint claim" involves two or more "claimants." The requirements for an "individual claim" are "a general statement of the nature of the claimant's copyrighted works and identification of at least one secondary transmission by a cable system of such works establishing a basis for the claim." 37 CFR 252.3(a)(4). "Joint claims" have an additional requirement. If the claim is a "joint claim," there must be "a concise statement of the authorization for the filing of the joint claim, and the name of each claimant to the joint claim." 37 CFR 252.3(a)(3). Additionally, the "joint claim" must have "a general statement of the nature of the joint claimants' copyrighted works and identification of at least one secondary transmission of one of the joint claimants' copyrighted works by a cable system establishing a basis for the joint claim." 37 CFR 252.3(a)(4).<sup>4</sup>

The June 22, 2000, Order recounts the history of § 252.3, and it will not be repeated here. See June 22 Order at 2–5. The importance about § 252.3 in the context of this proceeding is that it uses the word "claimant" in the text, as opposed to the terms "copyright owner" or "holder of one or more of the

exclusive rights granted by section 106 of the Copyright Act." IPG argued to the Library in response to MPAA's initial motion to dismiss its claim that it was acceptable for Artists Collection Group ("ACG") to file an individual claim, even though it represented several copyright owners, because it was the only "claimant" submitting a claim. June 22 Order at 5. If § 252.3 had used the term "copyright owner" instead of "claimant," then this clearly would not be a permissible interpretation of the rule. The Library disagreed with IPG's interpretation of § 252.3, concluding instead that what ACG had filed was in reality a joint claim, because it was representing only a group of copyright owners who would ultimately be entitled, under 17 U.S.C. 111(d)(3), to the royalties. *Id.* at 6. However, ACG did not list the exhibit D claimants it represented on the claim, as required by § 252.3(a)(3) for joint claims, other than to list Worldwide Subsidy Group ("WSG") which, as was revealed in the proceedings before the CARP, was nothing more than an unregistered, fictitious business name for ACG. CARP Report at 35. The Library did not take the harsh step of dismissing IPG's claim for ACG's failure to list the exhibit D claimants on claim No. 176. Instead, the Library made a one-time exception to the requirement by affording IPG the opportunity to prove that ACG/WSG had entered into valid written representation agreements with each of the exhibit D claimants on or before July 31, 1998, the last day for filing claims to 1997 cable royalties. The Library did this because it could not

say with certainty that all previous claims filed in cable royalty proceedings have listed all joint claimants. It is sometimes the case that the Copyright Office will receive a single claim filed by a production company that does not identify any joint claimants.

Whether this production company owns all or some of the copyrights represented by the claim, or is just a representative of unidentified copyright owners, is unknown to the Office. To the Library's knowledge, these claims have not been challenged in the past, and this is a case of first impression. Consequently, the Library is not inclined without prior warning to strictly enforce the requirement that all owners and distributors be identified in a joint claim.

June 22 Order at 7.

In designating to the CARP for factual determination the status of ACG/WSG as representatives of the exhibit D claimants, the Library offered some decisional guidelines:

First, because Worldwide Subsidy Group did not list any joint claimants, IPG has the burden of proving that it represented each of the exhibit D parties for distribution of 1997 cable royalties on or before July 31, 1998.

Second, IPG must submit written proof of representation for each exhibit D party. Written proof is required because claim No. 176 does not identify any of the exhibit D parties, and because testimonial evidence alone will not preserve the integrity of the law and the regulations which prohibit adding parties to a joint claim after the fact. *Proof must be in the form of written agreements of representation between IPG and each of the exhibit D parties executed on or before July 31, 1998. Finally, if the CARP determines that one or more of the exhibit D parties were not validly represented by Worldwide Subsidy Group for distribution of 1997 cable royalties on or before July 31, 1998, the CARP must strike that portion of IPG's written direct case related to that party or parties.*

June 22 Order at 7

After issuance of the June 22 Order, IPG petitioned the Library for reconsideration, asserting that it had written material in addition to the standard form contract entered into between WSG and the exhibit D claimants that clarified that a representational arrangement existed on or before July 31, 1998. The Library clarified that the "June 22 Order's requirement that proof of representation "must be in the form of written agreements" does not mean that IPG's standard representational agreement form is the only acceptable document that proves timely representation." Order in Docket No. 2002–2 CARP CD 93–97 at 4 (September 22, 2000). The Library allowed IPG to submit additional documentation, but did not permit the introduction of testimonial evidence. IPG submitted the additional documents, which consisted of letters and faxes discussing the representational contracts submitted earlier by IPG, on October 10, 2000 (these documents are hereinafter referred to as the "October 10 documents").

The Library has reviewed the representational contracts and the October 10 documents for all sixteen of the exhibit D claimants. Several things are evident from this examination. First, with the exception of two of the contracts, they do not contain any dates of execution of the signature page.<sup>5</sup> Rather, the contract bears a provision, in the lead paragraph, that it is effective "as of" a certain date. In all instances this date is on or before July 31, 1998. Second, it is apparent from the October 10 documents that the "as of" date in the contract is not the date of execution

<sup>5</sup> The contract with Jay Ward Productions was dated "11/02/99." IPG, however, voluntarily withdrew Jay Ward Productions from its case. Likewise, Mainframe Entertainment's contract was dated October 8, 1998, and IPG also withdrew Mainframe from its case.

<sup>4</sup> See footnote 2, *supra*.

of the contract. Rather, it was the practice of WSG to send a copy of its contract to a potential client during negotiations for representation and type in the "as of" date at that time. The contract may not have been signed and executed for weeks, or even months, after the "as of" date. Third, there are not October 10 documents for all of the exhibit D parties. For some, the only document evidencing representation is the contract itself bearing the "as of" date.

In each instance, with the exception of the United Negro College Fund, the CARP accepted the "as of" date on the representational contracts as evidence that a representational agreement existed on that date. The Register determines that that decision is arbitrary because it runs contrary to the evidence presented to the CARP. The Register also determines that the Panel's decision on this point countervails the June 22 Order. Pursuant to the terms of that Order, the burden was squarely on IPG to demonstrate through documentary evidence that a valid representational arrangement existed on or before July 31, 1998. The "as of" date is not evidence of such an arrangement, because it is clear from the October 10 documents that the contracts were signed sometime after the "as of" date. In those circumstances where there is documentary evidence that the contract was signed on or before July 31, 1998, IPG has met its burden of proving a representational arrangement.

For Raycom Sports, Abrams/Gentile Entertainment, Funimation Productions, and Sandra Carter Productions, the only documents supplied by IPG are the representational contracts. Because the "as of" dates on these contracts do not prove the dates of their execution, it cannot be determined whether they were signed, and a valid representational arrangement existed, on or before July 31, 1998. Consequently, these parties are dismissed from this proceeding.

There are October 10 documents for The Tide Group d/b/a Psychic Readers Network, but they do not prove that the representational contract had been signed or that a valid representational arrangement had been reached on or before July 31, 1998. Consequently, this party is dismissed.

The CARP dismissed the United Negro College Fund because the October 10 documents suggested that the representational contract was not signed on or before July 31, 1998. The contract bears no date on the signature page, and an "as of" date of July 30, 1998, is handwritten in the first paragraph. There are October 10 documents

discussing entering into a representational agreement in November of 1998, which led the CARP to conclude that a representational arrangement did not exist as of July 30, 1998. IPG has not met its burden of demonstrating that a representational arrangement existed on or before July 31, 1998. Consequently, the Register accepts the CARP's determination to dismiss the United Negro College Fund.

The only exhibit D party for which IPG has met its burden is Litton Syndications.<sup>6</sup> While there is no date of execution on the Litton/WSG contract, there is a June 16, 1998, letter from Peter Sniderman of Litton to Raul Galaz of WSG stating that "enclosed are four copies of the executed Litton Syndications, Inc.—Worldwide Subsidy Group agreement." In addition, there is a June 18, 1998, letter from Galaz to Sniderman stating that "enclosed herein please find two (2) fully executed originals of the above-referenced agreement." It is clear from these documents that a valid representational arrangement existed between Litton and WSG prior to July 31, 1998. IPG has therefore met its burden as provided in the June 22 Order.

## 2. The Status of ACG, WSG and IPG

After the extended discussion and analysis of claim No. 176 in the June 22 Order and above, one might believe that the validity of claim No. 176 is definitively resolved. This is not so, because of issues surrounding the names—ACG and WSG—that appeared on the claim. The Library must therefore resolve whether claim No. 176 was a deliberately perpetrated fraud on the Copyright Office and the section 111 filing system.

The CARP Report devotes a considerable amount of discussion to the identity and status of ACG, WSG, and IPG. It is a complicated discussion. When claim No. 176 was originally filed with the Copyright Office on July 11, 1998, it listed ACG as the sole claimant. ACG was incorporated in May of 1998 in the state of California by Raul Galaz, its principal, for the apparent purpose of

<sup>6</sup> The remainder of the exhibit D parties have been either withdrawn from the proceeding, or their programs have been credited to another. The programs of Beacon Communications Corp., Cosgrove-Meurer Productions, Jay Ward Productions, Mainframe Entertainment, and Scholastic Entertainment were withdrawn by IPG. Flying Tomato Films' program was credited to Litton. CARP Report at 55. Mendelson/PAWS, Inc.'s programs were credited to MPAA. *Id.* at 64. The CARP determined that Golden Films Finance Corporation IV and American Film Corporation II were not entitled to a distribution because their programs were not retransmitted by a cable system on a distant basis. *Id.* at 58. Lacey Entertainment's programs were credited to MPAA. *Id.* at 71-72.

representing claimants before the Library for cable and satellite television royalties. Although ACG was the only claimant on claim No. 176, the claim stated that it was a joint claim being filed on behalf of ACG and "on behalf of others." Claim No. 176. Mr. Galaz signed the claim. When Mr. Galaz was informed by the Copyright Office that in order for claim No. 176 to be a joint claim it must identify at least one other claimant, he amended claim No. 176 to include WSG. At that time, WSG was nothing more than an unregistered, fictitious business name for ACG. The following year, Mr. Galaz moved from California to Texas, whereupon he filed articles of incorporation for WSG in Texas. Before leaving California, Mr. Galaz also registered the name WSG in California as a fictitious business name for WSG.

Once in Texas, Mr. Galaz took steps in 2000 to dissolve ACG by filing articles of dissolution in California for ACG. This left WSG as a Texas corporation. Mr. Galaz then adopted an unregistered, fictitious business name for WSG in Texas: IPG. When MPAA moved to dismiss claim No. 176 in June of 2000, IPG informed the Library in a footnote of its opposition to the motion that ACG had voluntarily withdrawn its claim from the proceeding, leaving WSG Texas/IPG as the sole claimant in this proceeding.

The first question is whether these various changes in identity were an attempt to perpetrate a fraud on the Copyright Office by hiding from the Office the real claimants in this proceeding. In other words, did IPG deliberately refrain from listing its exhibit D claimants in claim No. 176 (Litton, Flying Tomato Films, et al.) because it was hiding something from the Office? Assuming that listing only ACG and WSG (California) on claim No. 176 was not an honest mistake, as IPG vigorously claims that it was, the only reason the Library can divine for not listing the exhibit D claimants was that ACG/WSG did not then represent some or all of those claimants or, in the alternative, ACG/WSG did not want to preclude the possibility of signing up additional claimants after the July 31, 1998, deadline.

Whether or not this was ACG/WSG's true motivation is unknown, although the CARP at least suggests a sinister element in Mr. Galaz's actions. CARP Report at 42. In any event, the Register believes that the Library has satisfactorily dealt with the status of IPG's representation of the exhibit D claimants in the June 22, 2000, Order and the above discussion. It is apparent that WSG—i.e., Mr. Galaz—had a valid

representation arrangement with Litton Syndications in July of 1998 before the close of the cable claim filing period. The Library need not make any determination as to whether Litton's agreement was with ACG/WSG California, WSG Texas, or IPG. Any attempt to do so would necessarily involve questions of state law with respect to the effect of incorporation of a company and use of fictitious business names. Such determinations are beyond the jurisdiction of the Library and are unnecessary in this proceeding. Mr. Galaz/WSG had a valid representation agreement with Litton in July of 1998, and Litton affirms this relationship by allowing IPG to represent it in this proceeding. Because the Library has agreed—this one time<sup>7</sup>—that it was acceptable that Litton did not appear on claim No. 176, *supra*, Litton has a valid claim in this proceeding.

The second question surrounds ACG's voluntary withdrawal from this proceeding. MPAA contends that when ACG withdrew its claim that left only WSG California on claim No. 176, and WSG California was nothing more than a fictitious business name for ACG. MPAA Petition to Modify CARP Report at 33. Litton's representation agreement is with WSG Texas, which is not a claimant in this proceeding, and therefore claim No. 176 must be dismissed. IPG responds that it was counsel's mistake to inform the Library that ACG had withdrawn its claim and that such mistake should be discounted because it appeared in a footnote to an opposition to MPAA's motion to dismiss. IPG Reply to MPAA Petition to Modify CARP Report at 27–29.

Once again, the legal status of ACG, WSG California, WSG Texas, and IPG involve questions of state law beyond the jurisdiction of the Library. While it is true that IPG did state that the claims of ACG were withdrawn, it is illogical to assume that IPG was effectively ending its case by rendering claim No. 176 void. Rather, it is apparent that IPG believed that it held all rights of ACG when it sought to dissolve ACG in California, particularly since Mr. Galaz was the principal for both organizations. It would work a serious injustice to deny Litton royalties based upon a determination that Mr. Galaz made a technical error in assuming that all rights of ACG were held by IPG before ACG withdrew from the proceeding. Indeed, while IPG stated that it was withdrawing ACG's claim, the Library did not enter any order to that effect, leaving the status of ACG in this proceeding unresolved. Certainly, the

actions of Mr. Galaz are not to be condoned and should serve as a warning to future claimants to make sure that proper transfers of rights between corporations are effected prior to seeking dismissal or dissolution of a claimant. However, the Library has determined that a valid representation arrangement existed for Litton and that, in this instance, it is appropriate that Litton's claim be allowed to go forward.

Finally, there is the question of the programs listed on claim No. 176. Section 252.3(d)(4) requires that for joint claims there must be an "identification of at least one secondary transmission of one of the joint claimants' copyrighted works by a cable system establishing a basis for the joint claim." 37 CFR 252.3(a)(4). ACG listed two programs on claim No. 176, *Unsolved Mysteries* and *Garfield and Friends*, neither of which was ultimately credited to IPG. *Unsolved Mysteries* was dropped from IPG's case because it was determined that it was a network program not eligible for section 111 cable royalties. Both IPG and MPAA claimed *Garfield and Friends*, and the CARP ultimately determined that it was properly credited to MPAA. This means that ACG did not identify a secondary transmission on claim No. 176 that belonged to one or more of its joint claimants.

The purpose of requiring identification of at least one secondary transmission by a cable system is to permit the Copyright Office to determine if the claim is facially valid. In other words, if a claimant lists a network program, or a program that was not retransmitted in the calendar year for which royalties are sought, the Office can take immediate action either to request further information, or to dismiss the claim. The Office has contemplated amending its rules to require claimants to identify all the programs that comprise their claim, but is aware that there is considerable opposition among copyright claimants to adopting such a requirement. If the program listed on a claim appears facially valid, the Office does not attempt to resolve its ownership status and the claim is allowed to go forward. In this case, it is apparent that IPG had a colorable claim to *Garfield and Friends*, believing that it had a valid representation agreement with Mendelson/PAWS, the producer of the *Garfield* programs. The CARP determined, however, that MPAA had a stronger claim, ruling that General Mills held the syndication rights to the programs. Consequently, this is not a

case where IPG had no realistic claim to *Garfield and Friends*.<sup>8</sup>

Given the dispute over ownership rights of *Garfield and Friends*, the Register determines that it would be unjust to invalidate all of the claims covered by claim No. 176 because it was ultimately determined that MPAA held the superior claim to the program. Were we to rule the other way, it would make § 252.3(a)(4) a trap for unwary joint claimants. Since the rule requires identification of only one secondary transmission, hundreds of joint claims could potentially be invalidated if a single program is identified that, after litigation before a CARP, is determined to have a superior claimant. There is also the question of what might happen if the joint claimant with the single identified program withdraws its claim or changes representation in the proceeding. Such gamesmanship could potentially wipe out many otherwise valid claims from the proceeding. Because IPG had a colorable claim to *Garfield and Friends* at the start of this proceeding, it would be unjust to invalidate claim No. 176 because the program was ultimately awarded to MPAA.

In sum, the Register concludes that claim No. 176 is sufficiently valid to allow the claim of Litton, as described below, to go forward in this proceeding and receive a distribution of royalties.

### 3. Programs Credited to Litton

During proceedings before the CARP, IPG claimed thirteen programs for Litton: *Algo's Factory*; *Jack Hanna's Animal Adventures*; *Dramatic Moments in Black Sports History*; *Dream Big*; *Harvey Penick's Private Golf Lessons*; *MomUSA*; *Nprint*; *Critter Gitters*; *Shaka Zulu*; *Sophisticated Gents*; *The Sports Bar*; *Bloopy's Buddies* and *Story of a People*. The CARP did not credit IPG with *Shaka Zulu*, finding that the program properly belonged to Harmony Gold USA, and determined that *Story of a People* was an unclaimed program. The CARP also did not credit IPG with *Dream Big*, determining that it was properly claimed by Warner Bros. as the syndicator of the program. The remaining programs were credited to IPG.

In its petition to modify the initial decision of the CARP, MPAA challenges

<sup>8</sup> The same cannot be said for *Unsolved Mysteries*. *Unsolved Mysteries* is a network program which can never be eligible for section 111 royalties. See 17 U.S.C. 111(d)(3)(A) (only nonnetwork programs are eligible for distributions). ACG should have known that *Unsolved Mysteries* failed to satisfy the requirements of 37 CFR 252.3(a)(4). If this had been the only program that ACG listed in claim No. 176, there would be solid grounds for dismissal of the claim.

<sup>7</sup> See footnote 2, *supra*.



the CARP's determination to credit Litton with *Dramatic Moments in Black Sports History*, *Critter Gitters*, and *Bloopy's Buddies*. The CARP credited *Critter Gitters* and *Bloopy's Buddies* to Litton because these programs appeared on Litton's representation agreement with WSG. CARP Report at 59. Both MPAA and IPG claimed *Dramatic Moments in Black Sports History*. After allowing evidentiary supplements to IPG's and MPAA's claim on this program, the CARP stated that "[i]n view of the entire supplemented record, therefore, the CARP finds that *Dramatic Moments in Black Sports History* is represented under the IPG rather than the MPAA claim." *Id.* at 61-62.

With respect to *Critter Gitters* and *Bloopy's Buddies*, MPAA asserts that "IPG made no claim for either program" and "presented no evidence of their value." MPAA Petition to Modify CARP Report at 44. Further, MPAA asserts that the CARP "cites no evidence that either program was broadcast in the United States." *Id.* With respect to *Dramatic Moments in Black Sports History*, MPAA argues that:

The program is listed in MPAA's list of claimed programs. The claimant—New Line Cinema Corporation—appears on MPAA's list of claimants. It appears on the alpha list as owned by New Line Cinema. New Line has certified its entitlement to royalties for *Dramatic Moments in Black Sports History*. The record, therefore, only will support a conclusion that MPAA represents New Line. *Id.* at 43-44 (footnotes omitted).

In response to MPAA's challenge of *Critter Gitters* and *Bloopy's Buddies*, IPG acknowledges that it made no claim in these programs and did not present any evidence of their value "because both programs appear to have been broadcast exclusively on non-commercial television stations." IPG Reply to MPAA Petition to Modify CARP Report at 34. IPG "does not challenge modification of the Panel Report to reflect that such programs were not claimed by IPG." *Id.* IPG does assert, however, that there was evidence supporting its claim to *Dramatic Moments in Black Sports History*, stating that the program is "expressly identified in the contract between Litton and WSG" and was therefore properly credited to IPG. *Id.*

It is apparent that the CARP acted arbitrarily in crediting IPG with *Critter Gitters* and *Bloopy's Buddies*, and the Register recommends rejecting this determination and removing the programs from Litton's list. With respect to *Dramatic Moments in Black Sports History*, the CARP offered no reasons or explanation as to why it was awarding the program to IPG rather than MPAA, other than to state that such result was

obtained "[i]n view of the entire supplemented record." CARP Report at 61-62. Unexplained decisionmaking is the hallmark of arbitrary action. The Register therefore recommends rejection of the CARP's award of *Dramatic Moments in Black Sports History* to IPG. The June 5, 2001, Order directed the CARP to explain its reasoning for awarding *Dramatic Moments in Black Sports History* to IPG.

In sum, the June 5, 2001, Order directed the Panel to credit the following programs to Litton: *Algo's Factory*; *Jack Hanna's Animal Adventures*; *Harvey Penick's Private Golf Lessons*; *Mom USA*; *Nprint*; *Sophisticated Gents*; *The Sports Bar*; and *Just Imagine*.<sup>9</sup> The Order also directed the CARP to explain its reasons for crediting *Dramatic Moments in Black Sports History* to IPG and, if it continued to believe that it made the correct determination, to credit IPG with that program.

#### 4. The Royalty Awards

The CARP awarded IPG 0.5% of the program supplier category funds, and the remaining 99.5% to MPAA. The CARP, however, failed to explain its reasoning or its methodology for bestowing these awards. Because unexplained decisionmaking by a CARP is arbitrary, the CARP's awards must be rejected. The June 5, 2001, Order remanded the matter to the CARP to determine new awards for IPG and MPAA, in light of the decision announced in that Order to dismiss additional IPG claimants and programs, and to explain the reasoning for the new awards.

The CARP's failure to articulate any reasons for the 0.5% and 99.5% awards, and the methodology it used to produce these numbers, is puzzling. The CARP began its analysis in an appropriate fashion, fully detailing in its report the distribution methodologies proposed by IPG and MPAA. As discussed above, IPG's and MPAA's methodologies were premised on fundamentally different principles. MPAA addressed the marketplace value of the programs it represented by attempting to evaluate the amount of viewership they received, while IPG examined the value of the programs to cable operators who retransmitted them. IPG's methodology accorded the programs it represented a higher award—0.881%—than if the MPAA's methodology were applied to the same programs—0.0708%. The

<sup>9</sup>The CARP determined that *Just Imagine* was properly credited to Litton, and not to Flying Tomato Films. Both of these parties are represented by IPG. No challenge to the CARP's determination on this matter was made.

CARP then analyzed each side's criticisms of the other's methodology and concluded that a number of the criticisms were valid. It found the following shortcomings for MPAA's methodology:

- MPAA's direct testimony did not sufficiently lay the foundation for the survey or explain its results.
  - The Panel was forced to call its own witnesses, Mr. Lindstrom from Nielsen, and Mr. Larson from Cable Data Corporation to explain their methods of data acquisition and reporting.
  - The number of sampled stations [in MPAA's station survey] has declined without adequate explanation.
  - Station selection criteria excluded Form 1 and Form 2 cable systems.
  - The number of "zero" viewing hours shows the flaw in attempting to use the Nielsen data as a proxy for the retransmission market especially since Nielsen had 24 hour sampling capability in 1997.
  - The method of interpolation of non-sweep month estimated viewing needs statistical validation.
  - There is an overvaluation of WTBS and under-valuation of the other Superstations in the survey.
- CARP Report at 102-103. For IPG, the CARP found the following criticisms:
- A mathematically sound basis for the creation and application of the station weight factor and time period weight factor should have been presented by a statistician.
  - Daypart data was misapplied thus overstating "all other" viewing.
  - It doesn't directly address the marketplace value of the works transmitted, a primary criteria.

*Id.* at 103. The Register has reviewed the record evidence in this proceeding and finds that there is ample support for these criticisms. They are not arbitrary. What is arbitrary, however, is what the CARP did next. Rather than address these criticisms in the context of its decision making process, the CARP immediately awarded the 0.5 and 99.5 percentages without any explanation as to how they arrived at these numbers. Since no reasoning was provided for these numbers, they must be rejected. *National Ass'n of Broadcasters v. Librarian of Congress*, 146 F.3d 907, 923 (D.C. Cir. 1998)(royalty distribution award arbitrary if rendered without explanation). The June 5, 2001, Order directed the CARP to provide a full explanation of the approach it was using in adopting new distribution awards.<sup>10</sup>

<sup>10</sup>In explaining their final numbers, CARP's have flexibility in the methodologies or approaches they

### The Revised CARP Report

On June 20, 2001, the CARP delivered its revised report. The revised report assigns new distribution percentages to IPG and MPAA and explains the CARP's reasoning for both its initial awards and the revised awards.

As directed by the June 5, 2001 Order, the CARP only credited IPG with programs belonging to Litton Syndications. The programs are: *Algo's Factory*, *Jack Hanna's Animal Adventures*, *Harvey Pennick's Private Golf Lessons*, *MomUSA*, *Nprint*, *Sophisticated Gents*, *The Sports Bar* and *Just Imagine*. The CARP did not credit IPG with *Dramatic Moments in Black Sports History*, reversing its earlier determination that Litton was the syndicator of the program. See Initial report at 62; Revised report at 2. The CARP determined that "[a]lthough both parties claim this program, New Line Cinema's program certification with MPAA indicates that it claims the program as syndicator." Revised report at 2.

With respect to awards, the CARP modified its initial determination by reducing IPG's award from 0.5% to 0.212%, and increasing MPAA's award from 99.5% to 99.788%. The CARP then explained how it determined the initial 0.5% and 99.5% awards, and then modified them in light of the June 5, 2001, Order to produce the new percentages.

Although the CARP was presented with disparate methodologies for calculating the royalty awards—MPAA's methodology based on Nielsen household viewing hours and IPG's methodology based on value of the programming to cable operators—the CARP did find two elements of these competing methodologies in common. MPAA based its methodology upon a database obtained from CDC that contained 82 commercial television broadcast stations that were

use. The courts have recognized that there is a considerable "zone of reasonableness" when awarding a particular distribution percentage. See, e.g. *National Cable Television Ass'n v. Copyright Royalty Tribunal*, 724 F.2d 176, 182 (D.C. Cir. 1983). In other words, there are no magical formulas that produce precise results. In this proceeding, the CARP could have chosen either IPG's or MPAA's formulas, adjusted the chosen formula to account for the CARP's criticisms of it, and used that process to yield the final numbers. Or, the CARP could have chosen a combination of both formulas, taking into account the criticisms of both, to arrive at the final numbers. Or, the CARP could have adopted its own distribution methodology or formula, using the data in the record of the proceeding to achieve the final results. Each of these approaches is acceptable provided that the CARP articulates the reasons for its choice, explains how it applied its choice to produce its final determination, and the determination itself is reasonable.

retransmitted by large (Form 3) cable systems on a distant basis during 1997. IPG based its methodology upon a CDC database that contained 99 commercial television broadcast stations (which included the same 82 stations used by MPAA) that were retransmitted by small, medium, and large (Form 1, 2, and 3) cable systems on a distant basis during 1997. Both of these databases have two overlapping categories: "Rebroadcasts," the number of times a particular program was retransmitted; and "Airtime," the length of the program multiplied by the number of times it was rebroadcast. The CARP stated that the purpose of examining the two databases was two-fold: "First to verify the accuracy of the numbers presented in the testimony and exhibits; and secondly to give the CARP a sense of the relative positions of MPAA and IPG represented claimants in the 1997 marketplace by comparing the only two categories included in both databases, Rebroadcasts and Airtime." Revised report at 18.

Appendix A of the revised CARP report compares the Rebroadcasts of the eight programs credited to Litton (as directed by the June 5, 2001 Order) for both the IPG and MPAA databases. For the IPG database, these programs accounted for 0.4394782365% of the total number of program titles Rebroadcast in 1997. For the MPAA database, the eight programs account for 0.2811997603% of the total number of program titles Rebroadcast in 1997.

Appendix B of the revised CARP report compares the Airtime of the eight programs credited to Litton for both the IPG and MPAA databases. For the IPG database, these programs accounted for 0.3494840195% of total Airtime of all programs retransmitted in 1997. For the MPAA database, the programs accounted for 0.2171099164% of the total Airtime of all programs retransmitted in 1997.

The numbers described in Appendices A and B provide a range of comparison as to the amount of time that Litton's eight programs were available on distant broadcast signals retransmitted by cable systems. But this range did not account for how much these programs were watched, or the value ascribed to these programs by cable operators. To account for this, the CARP turned to MPAA's and IPG's methodologies and applied its criticisms of the evidence presented for each methodology, assessing penalties (percentage deductions from the total award yielded by the methodology) for each criticism depending upon the severity of the criticism. The eight criticisms of MPAA's methodology and

the three criticisms of IPG's methodology, and their accompanying deductions, are described in Appendix D of the CARP's revised report. As a result of the eight criticisms, MPAA suffered a 0.450% reduction in the awards yielded by its methodology, and IPG suffered a 0.375% reduction in the awards yielded by its methodology.

As with its comparison of IPG and MPAA databases, the revised IPG and MPAA methodologies (i.e. after the penalty reductions) yielded yet another range of numbers. For IPG, the revised MPAA methodology gave it an award of 0.462% of the 1997 royalty funds, while revision of its own methodology yielded an award of 0.731%. See Appendix D. According to the CARP, it is this range of numbers that yielded the 0.5% award to IPG in the initial report. Revised report at 18.

Because the June 5, 2001, Order eliminated programs credited to IPG under both MPAA's and IPG's methodologies, the CARP needed a way to adjust downward IPG's award, and increase MPAA's award, to reflect the eliminated programs. It did this by examining the reduction in the percentages of Rebroadcasts and Airtime credited to IPG for its original claim and derived a median change of minus 57.673%. Appendix C. The minus 57.673% figure represents the median change from the original amount of Rebroadcasts and Airtime credited to IPG. According to the CARP, "[e]liminating all claimants except Litton, means that on average, IPG now represents only 42.322% of the Rebroadcasts and Airtime that they did before." Revised report at 20. This meant that "IPG is entitled to 42.322% of the Original Award" of 0.5%. *Id.* Consequently, the CARP awarded IPG 0.212% of the 1997 royalty funds in the syndicated program category, and the remaining 99.788% to MPAA.

### Petitions to Modify the CARP's Revised Report

Both MPAA and IPG level a number of criticisms at the conclusions reached by the CARP in the revised report, all of which they charge rise to the level of arbitrary action as a matter of law. MPAA submits that the CARP's award of 0.212% of one percent of the royalty funds to IPG is excessive and must be reduced. IPG counters that the methodology used by the CARP is fundamentally flawed and that its award must be increased.

MPAA charges that the CARP made mathematical, methodological, and evidentiary errors in both the initial and revised reports. The principal mathematical error, according to MPAA,

concerns the CARP's use of IPG's requested royalty distribution percentage of 0.881%. In appendix D to the revised report, the CARP used the 0.881% distribution percentage offered by IPG and adjusted it downward by 0.375% to reflect its three criticisms of IPG's evidentiary presentation. MPAA states that 0.881% is the wrong starting percentage because it reflects all the programs originally claimed by IPG and does not take into account the programs that the CARP eliminated from IPG's claim. Using IPG's valuations for each of its claimed programs, MPAA asserts that the CARP should have adjusted the 0.881% claim of IPG downward to 0.332%, since only 37.68% of the programs originally claimed by IPG were credited by the CARP in its initial report. MPAA Petition to Modify Revised Report at 5. Deducting 0.375% for the three criticisms of IPG's evidentiary presentation from 0.332% yields a negative distribution percentage for IPG.

MPAA challenges the methodology employed by the CARP; in particular the use of Rebroadcasts and Airtime for IPG's and MPAA's represented programming. MPAA asserts that this approach unduly relies upon time considerations (i.e. time on the air) and ignores the marketplace value of the programming in contravention of prior CARP precedent. CARP Report in Docket No. 94-3 CARP CD 90-92 at 19-20 (June 3, 1996). These considerations aside, MPAA also questions the usefulness of comparing Rebroadcasts and Airtime from both MPAA's and IPG's sample surveys, since MPAA's 82 station sample survey contains more rebroadcasts and more hours of airtime than IPG's 99 station survey. The inherent illogic of this result should have, according to MPAA, indicated to the CARP that reliance solely on these numbers is flawed.<sup>11</sup>

MPAA also makes numerous challenges to the CARP's treatment of the evidence presented in this proceeding. In particular, MPAA asserts that the CARP's five criticisms of various aspects of MPAA's evidentiary presentation, that resulted in a 0.450% upward adjustment to IPG's share of the royalties as identified by MPAA, are baseless. First, MPAA argues that the 82 station sample survey it put forth was

statistically sound since it "very nearly reflects the entire universe of distant signal carriage, accounting for 92.5 per cent of aggregate subscribers instances. Therefore, the possibility of a margin for error that is in any way significant is nil." MPAA Petition to Modify Revised Report at 12.

Second, MPAA argues that there is no record evidence that demonstrates that exclusion of Form 1 and Form 2 cable systems from the total instances of distant cable carriage of syndicated programming negatively impacts the results of its 82 station sample survey, since the Form 3 cable systems used in the survey account for 89% of all cable subscribers to distant broadcast stations. Third, MPAA argues that the CARP had no grounds to criticize the number of zero viewing instances reported in the Nielsen household viewing hours used in the MPAA survey, especially since Paul Lindstrom, the only qualified expert in economics and statistics testifying in the proceeding, asserted that they did not have a significant bearing on the statistical validity of the survey.

Fourth, MPAA charges that it was inappropriate and unfair for the CARP to criticize MPAA for not presenting relative error figures with respect to its methodology components and for mixing Nielsen diary data with Nielsen meter data. Finally, MPAA charges that it was groundless for the CARP to penalize MPAA 0.10% for its interpolation of data for time periods not measured by Nielsen (i.e. non sweeps periods) and only accord IPG a 0.075% penalty for a similar criticism.

IPG also asserts that the CARP made a series of errors in fashioning both the original awards and the revised awards. IPG asserts that the CARP erroneously assigned two programs—*Dream Big* and *Dramatic Moments in Black Sports History*—to MPAA. *Dream Big* was credited to MPAA in the CARP's original report because it identified Warner Bros. as the syndicator of the program. With respect to *Dramatic Moments in Black Sports History*, the CARP originally assigned it to IPG (as claimed by Litton) but was directed by the Librarian's June 5, 2001, Order to provide an explanation for this decision. In the revised report, the CARP changed its mind and assigned *Dramatic Moments in Black Sports History* to MPAA because it concluded that New Line Cinema was the syndicator of the program, not Litton. IPG submits that if the Librarian does not restore these two programs to Litton's claim, then he should "place the funds for the[se] program[s] \* \* \* in escrow until the

proper recipient is determined." IPG Petition to Modify Revised Report at 4.

Like MPAA, IPG criticizes the CARP's reliance upon the number of Rebroadcasts and Airtime in fashioning its awards, noting that undue reliance on time considerations is contrary to precedent of the CRT and is not reflective of the value of the programming. IPG states that it provided the CARP with the unit value for each of its claimed programs (utilizing IPG's methodology), thereby giving the CARP the opportunity to derive an award based on the programs it credited to IPG. The eight programs credited to Litton amount to 79.074% of the original award to IPG of 0.5%, meaning that the CARP should have adjusted the original 0.5% award downward to 0.3958%. Such an award would, according to IPG, reflect the true value of the Litton programs.

With respect to the CARP's criticisms of MPAA's methodology, IPG argues that the CARP did not go far enough. IPG asserts that the CARP never verified the number of household viewing hours attributed to MPAA in its study, noting that MPAA received credit for appreciable numbers of programs not claimed by MPAA or certified by its members. Further, IPG asserts that the CARP should have penalized MPAA for having to call Paul Lindstrom and Thomas Larson as witnesses to provide additional support for MPAA's methodology. And IPG submits that the CARP should have penalized MPAA more than it did for reducing the number of stations in its station sample survey and for the large amount of zero viewing instances of programming contained in the Nielsen data presented by MPAA.

Finally, IPG asserts that certain of the CARP's criticisms of IPG's methodology are not valid. With respect to the CARP's critique that IPG misapplied its daypart data thereby overstating its weighted viewing factor, IPG asserts that no evidence was presented to demonstrate that such misapplication provided any benefit to IPG. And, with respect to the CARP's criticism that IPG's methodology attempted to demonstrate the overall appeal of broadcast stations to cable operators, as opposed to the overall appeal of the programming to cable operators, IPG argues that the CARP simply mischaracterized its summary reference of "overall station appeal" by ignoring the elements that comprised this aspect of IPG's methodology.

#### *Rejection of the Revised Report*

The Register makes her recommendation as to whether the

<sup>11</sup> IPG counters this argument by noting that MPAA's 82 station data includes all broadcasts, irrespective of whether the program falls in the syndicated programming category or another category (such as sports, local programming, etc.) and irrespective of whether the program is claimed by IPG, MPAA or no party. IPG's 99 station data makes these distinctions, resulting in fewer measured broadcasts and broadcast hours.

revised royalty awards to IPG and MPAA should be adopted by the Librarian of Congress, or whether they are arbitrary or contrary to the provisions of the Copyright Act, title 17, United States Code. In making this recommendation, the Register has reviewed both the initial report of the CARP and the revised report, including the petitions to modify both reports filed by the parties. For the reasons stated below, the Register concludes that both the initial report and the revised report are arbitrary and must be rejected.

Review of the initial report and the revised report reveals a number of arbitrary actions by the CARP. These include: (1) Failure to adequately explain the evidence supporting the CARP's reversal of its award of Dramatic Moments in Black Sports History from IPG to MPAA; (2) failure of the CARP in its initial report to adjust downward IPG's requested distribution percentage after the CARP eliminated a number of IPG's claimed programs; (3) failure of the CARP in its initial report to adjust upward MPAA's requested distribution for IPG given the number of programs which the CARP credited IPG; (4) failure of the CARP in the revised report to adjust both IPG's and MPAA's requested distributions in light of the final programs credited to IPG; (5) failure of the CARP to base any of its downward deductions to both IPG's and MPAA's methodologies (based on the CARP's criticisms) on record evidence; and (6) adoption by the CARP of a distribution methodology that arguably has little relationship to the marketplace value of the programs. In recommending rejection of the CARP's determination, the Register focuses her discussion on the second failure described above—the lack of downward adjustment to IPG's requested distribution in light of the programs credited—because it created a fundamental flaw in the CARP's approach that invalidates the distribution awards granted IPG in both the initial and the revised reports.

The CARP's distribution methodology, articulated only in the revised report, is fully discussed above. Briefly recapped, it is the product of two "ranges." First, the CARP utilized the Rebroadcast and Airtime data—the only data categories common to both methodologies—to give the CARP "a sense of the relative positions of MPAA and IPG represented claimants in the 1997 marketplace." Revised Report at 18. This produced the first range for locating the CARP's final awards. Then, the CARP utilized "the parties competing requests for allocations and the formulas presented advocating their

averred distribution percentages," adjusting them by applying deductions reflective of the CARP's criticisms of the respective methodologies. This produced the second range for locating the CARP's final awards. The second range appears to be the one actually used by the CARP to settle upon its original award of 0.5% to IPG. *Id.*

A critical flaw occurs with the inputs for the second prong of the CARP's methodology. The CARP started with IPG's requested distribution percentage of 0.881%, drawn from IPG's proposed findings of fact and conclusions of law. The 0.881% is an inflated percentage, however, because it was based upon inclusion of all programs originally claimed by IPG. Earlier in the CARP's initial report, it spent considerable time discussing the validity of IPG's claimed programs and found a number of the claims invalid. *See*, Initial Report at 72–74 (royalty allocation for *Dragon Ball Z* to MPAA; no royalty allocation for *Enchanted Tales* and *Thumbelina*; royalty allocation for *Dream Big* to MPAA; no royalty allocation for *Bottom Line*, *By River By Rail*, *Til Earth and Heaven Ring*; no royalty allocation for *Lou Rawls Parade of Stars*; no royalty allocation for *Psychic Friends*, *Psychic Friends Network*, *Psychic Revival Network*, *Psychic Solution*, *Psychic Talk*, *Psychic Talk 2*, *Psychic Talk USA*, *Psychic Talk Thirty*). These programs were included in IPG's 0.881% request. It was therefore arbitrary for the CARP to accept the 0.881% figure as a starting point because it had eliminated many of the programs that produced this number.

Likewise, the CARP made the same error when it looked at the distribution percentage for IPG yielded by MPAA's methodology. MPAA's distribution percentage of 0.012% was based on only seven programs credited to IPG. However, in its initial award, the CARP credited IPG with far more than just seven programs. It was therefore arbitrary for the CARP to use the 0.012% figure as a starting point for its application of MPAA's methodology.

In sum, the faulty inputs to the second prong of the CARP's methodology make the range generated by that prong wholly inaccurate, thereby rendering the initial award erroneous. The revised report, since it merely takes the original award to IPG and makes a median change to it based upon the reduction in programs credited to IPG, is likewise erroneous. Although there are other serious flaws in the CARP's approach, as described above, the Register need go no further. The CARP's determination must be rejected, and the

Librarian must substitute his own determination.

#### Part Two—Recommendation of the Register

This is not the first time that the Register of Copyrights has recommended, and the Librarian of Congress has accepted, a rejection of a decision of a CARP. In most of those cases, the Register has recommended that only portions of a CARP's decision be rejected, *see*, e.g., 61 FR 55653 (October 28, 1996)(cable distribution); 62 FR 55742 (October 28, 1997)(satellite rate adjustment). In one case, the Register recommended that the Librarian reject the royalty rate established by the CARP, and substitute his own determination. 63 FR 25394 (May 8, 1998)(digital performance right in sound recording rate adjustment).

Section 802(f) of the Copyright Act provides that "[i]f the Librarian rejects the determination of the arbitration panel, the Librarian shall \* \* \* after full examination of the record created in the arbitration proceeding, issue an order setting the royalty fee or distribution of fees, as the case may be." 17 U.S.C. 802(f). As discussed above, the distribution methodology applied by the CARP in this proceeding is so flawed that any distribution percentages generated by it are inherently arbitrary. As a consequence, there must be an independent review of the record to resolve this proceeding.

#### Distribution Criteria

Section 111 does not prescribe the standards or guidelines for distributing royalties collected from cable operators under the statutory license. Instead, Congress decided to let the Copyright Royalty Tribunal "consider all pertinent data and considerations presented by the claimants" in determining how to divide the royalties. H.R. Rep. No. 1476, at 97 (1976). In the first cable distribution proceedings, the Tribunal fashioned five distribution criteria: three primary criteria and two secondary criteria. The three primary criteria were: (1) The harm caused to copyright owners by secondary transmissions of their copyrighted works by cable systems; (2) the benefit derived by cable systems for secondary transmissions of the copyrighted works; and (3) the marketplace value of the works. The secondary criteria were: (1) the quality of the copyrighted program and (2) time-related considerations. *National Ass'n of Broadcasters v. Librarian of Congress*, 146 F.3d 907 (D.C. Cir. 1998). In 1989, the Tribunal eliminated the secondary criterion of program quality from its consideration. 57 FR 15286, 15303

(April 27, 1992). In 1998, the Librarian determined that a CARP did not act arbitrarily by eliminating the primary criterion of harm to the copyright owner. *NAB*, 146 F.3d 907 (D.C. Cir. 1998).

In considering the value of programming in a Phase II cable distribution proceeding, we must simulate the marketplace for that programming. Under the statutory license regime of section 111, programs are not bought and sold in the open marketplace—the statutory license substitutes for the marketplace. Cable operators pay an established fee for the privilege of retransmitting all the programs contained on a particular broadcast signal, rather than license the programs individually. However, just because cable systems pay a single fee for all the programs does not mean all the programs are of equal value. The established distribution criteria, as modified, must be applied in an effort to simulate a marketplace for these programs where one does not exist because of section 111. We now turn to a consideration of the evidence presented by MPAA and IPG as to the value of their programs.

#### The Programs

Before considering the appropriate methodology for distributing the 1997 cable royalties in the syndicated programming category, the programs to be credited to MPAA's and IPG's royalty distribution claims must be determined.<sup>12</sup> In the Librarian's June 5, 2001 Order, IPG's program claim in this proceeding was pared down to the following eight programs: *Algo's Factory*; *Jack Hanna's Animal Adventures*; *Harvey Pennick's Golf Lessons*; *Mom USA*; *Sophisticated Gents*; *Nprint*; *Just Imagine* and *The Sports Bar*. Order in Docket No. 2000-2 CARP CD 93-97 at 1 (June 5, 2001). Each of these programs is claimed by Litton Syndications. IPG claims an additional two programs on behalf of

<sup>12</sup> As a practical matter, the focus will be on the programs represented by IPG. The reason for such focus is obvious. There are only two claimants in this proceeding: one that represents most of the programs eligible for distribution (MPAA), and one that represents only a few (IPG). Once it is determined which IPG-represented programs are eligible for a distribution of the 1997 royalty funds, the value of those programs can be ascertained and IPG's distribution share can be established. Assuming that ineligible and unclaimed programs are excluded from consideration, there is no need to focus on the eligibility of MPAA programs (except as they affect IPG's claim to the same program), since the remainder of the 1997 fund will go to MPAA once IPG's share is deducted. *But see* discussion of MPAA's methodology, *infra*.

Litton: *Dream Big* and *Dramatic Moments in Black Sports History*.

#### A. Dream Big

*Dream Big* is listed in exhibit D of IPG's written direct case as belonging to Litton. Litton's representation agreement with IPG lists *Dream Big* as a program claimed by Litton, and the representation agreement contains the following boilerplate language:

Principal (i.e. Litton) warrants that to the best of Principal's knowledge Principal has the right to collect the Distribution Proceeds to Programs, and has not previously conveyed the right to collect the Distribution Proceeds to any third party.

Representation agreement at 2, clause 7. At hearing, on cross-examination of IPG's witness Raul Galaz, the following exchange took place:

Q: The program *Dream Big*, Mr. Galaz, do you know who the copyright owner of that program is?

A: No.

Q: And, again, do you know who the syndicator of that program is?

A: My understanding is that Litton Syndications is the syndicator.

Q: And do you know, again, the nature of the particular right or interest owned by Litton with respect to their entitlement to Section 111 royalties?

A: No, I don't know whether they are, additionally, an owner.

Q: I didn't hear you. I'm sorry.

A: I don't know whether they are, additionally, an owner or not.

Tr. 1063-64. No additional testimony regarding *Dream Big* took place.

In its petition to modify the initial decision of the CARP, IPG requests that the Librarian reopen the record to admit a copy of an agreement between Warner Vision Entertainment and Litton which, according to IPG, conclusively proves that Litton holds the syndication rights to *Dream Big*. The agreement states that Warner Vision "hereby grants to Litton, and Litton hereby accepts, the right to syndicate a children's audio-visual series tentatively entitled 'Real Kids.'" IPG Petition to Modify CARP Report at appendix 2. IPG asserts that Warner Vision is a subsidiary of Warner Bros., and that "Real Kids" is the initial name for *Dream Big*.

MPAA claims *Dream Big* in exhibit D of its written direct case. *Dream Big* is identified on MPAA's Alpha List (a listing of all programs broadcast in 1997 and including both MPAA-represented and IPG-represented programs) as belonging to Warner Bros. MPAA also obtained a program certification form from Warner Bros. that lists *Dream Big* as a Warner Bros. program. The certification form, signed by Michael

Troxler, Vice President of Finance, contains MPAA's boilerplate language stating that Warner Bros. is entitled to receive 1997 cable royalties for *Dream Big* by virtue of being "An officer (if a corporation) or a partner (if a partnership) of the legal entity identified as the owner or the authorized agent of the owner of the programs on the printout." IPG Exhibit 7XR at 389. Other than the cross-examination of Mr. Galaz identified above, MPAA did not put forth any further information at hearing regarding *Dream Big*.

In reaction to IPG's request to reopen the record and have the Librarian consider the Warner Vision/Litton agreement, MPAA submits an April 11, 2000, letter of Michael Troxler of Warner Bros. stating:

WarnerVision is the rightful copyright holder to the series *Dream Big*. This was subdistributed on behalf of WarnerVision by Litton for a clearance fee based upon U.S. coverage. Since Litton was paid a clearance fee, they are not entitled to any of the Cable Copyright Royalties.

MPAA Reply to IPG Petition to Modify CARP Report at appendix 2.

In *National Broadcasting Co., Inc. v. Copyright Royalty Tribunal*, 848 F.2d 1289 (D.C. Cir. 1988), the Court reviewed the Copyright Royalty Tribunal's attempt to resolve competing claims for the program *Little House on the Prairie*. NBC created and produced the program and granted to Worldvision, Inc. exclusive rights to distribute the program for a period of 35 years. The Tribunal determined that Worldvision, as the exclusive syndicator of the program, was the party entitled to section 111 royalties. The Court upheld this conclusion, stating:

The CRT determined that the directly affected party [from the harm caused by retransmission of the program by cable systems] will typically be the exclusive syndicator, and that the CRT will therefore as a general rule always distribute royalties initially to the syndicator. This presumption by the CRT, in the face of congressional silence, is a permissible interpretation of the statute, to which we defer.

848 F.2d at 1296.

Examining the record evidence, the Register cannot ascertain who is currently the exclusive syndicator of *Dream Big*. The non-record evidence, even if admitted, still does not resolve the issue. And section 802(f) of the Copyright Act states that the Librarian shall base his decision only upon the record evidence.

Given the dearth of record evidence, it would be arbitrary for the Register to recommend that *Dream Big* be awarded to either MPAA or IPG. Consequently,

the Register recommends that the only acceptable course of action is to seek further evidence from the parties to determine the proper status of the program when the proceeding is remanded to a new CARP.

#### B. Dramatic Moments in Black Sports History

*Dramatic Moments in Black Sports History* ("Dramatic Moments") is also claimed by both MPAA and IPG. The record for Dramatic Moments is as follows.

IPG identifies *Dramatic Moments* in exhibit D of its written direct case as belonging to Litton. The program is identified in Litton's representation agreement with IPG and contains the same contract warranty provision that applies to *Dream Big*. At hearing, the following exchange took place on cross-examination of Mr. Galaz, IPG's sole witness.

Q: Okay. The program *Dramatic Moments* in *Black Sports History*, do you know who the copyright owner of that program [is], Mr. Galaz?

A: No.

Q: Do you know the syndicator?

A: My understanding is that Litton Syndications is the syndicator.

Q: And do you know the particular right or interest owned by Litton relative to their entitlement to Section 111 royalties?

A: Whether it's as the owner or syndicator, I don't know.

Q: But if it is the owner or syndicator, do you know who they—when they acquired and how they acquired the right? If they are a syndicator, not if they're an owner?

A: Restate your question.

Q: If they're a syndicator, if indeed they are the syndicator, do you know how that right was acquired?

A: Well, they can be both the owner and the syndicator.

Q: Right.

A: So your question was asking whether or not

Q: Right. If they—

A:—the nature of the right, and the nature of the right could be as both the owner or the syndicator. I don't know which.

Q: You don't know whether they're the owner as well as the syndicator?

A: My understanding is that they're the syndicator. I do not know whether they are, additionally, the owner.

Tr. 1062-63. No further record evidence was presented by IPG regarding the program.

In exhibit 3 of its written direct case, MPAA identifies *Dramatic Moments* as part of its claim. The program appears on the revised Alpha List of MPAA

programming, identifying New Line Cinema as the claimant. MPAA presented a program certification form for New Line Cinema, which states that New Line is an officer or partner of the "legal entity identified as the owner or the authorized agent of the owner of the programs on the printout." IPG ex. 7XR at 188. The certification is signed by Frank A. Buquicchio, who identified himself as the Senior Vice president of Television and Ancillary Accounting for New Line. Other than the cross-examination of Mr. Galaz, MPAA presented no other evidence as to the ownership of *Dramatic Moments*.

In its petition to modify the further report of the CARP, IPG argues that the burden should be on MPAA to prove its claim to *Dramatic Moments*. IPG asserts that MPAA did not produce the program certification forms until one day before the start of the hearings, thereby precluding IPG's ability to prepare an effective cross-examination on program ownership. IPG further asserts that if the Librarian cannot resolve the proper ownership of the royalties attributable to *Dramatic Moments*, the money should be placed in escrow to permit resolution between Litton and New Line Cinema.

As with the case of *Dream Big*, neither IPG nor MPAA have presented sufficient evidence to permit a determination as to who should receive credit for *Dramatic Moments*. Consequently, the Register recommends that further evidence must be adduced on remand to resolve the status of this program.

#### The Evidentiary Presentations

As discussed above, IPG and MPAA presented competing statistical methodologies to support their claims to the 1997 syndicated programming royalty pool. MPAA's presentation operates from the assumption that viewership of programs retransmitted by cable operators in 1997 is the way to measure the value of those programs, and provides a sample survey purporting to gauge viewing. IPG's presentation operates from the assumption that every program retransmitted in 1997 has value and should be compensated from the royalty pool, and provides a sample survey that attempts to value each program based upon the royalty fees generated by television stations broadcasting the programming.

#### A. MPAA's Presentation

1. *Description of the methodology.* MPAA's written direct case consists of the testimony of Marsha Kessler, Vice President of Retransmission Royalty

Distribution at MPAA, and the nine exhibits that she sponsors. In addition, MPAA designated the direct testimony and exhibits of Paul Lindstrom, Leonard Kalcheim, and James Von Schilling from Docket No. 97-1 CARP SD 92-95 (1992-1995 satellite royalty distribution) and the direct and rebuttal testimony and exhibits of Marsha Kessler, Allen Cooper and Paul Lindstrom from Docket No. CRT 91-2-89CD (1989 cable royalty distribution). During the course of the proceeding, at the behest of the CARP, MPAA presented two additional witnesses: Paul Lindstrom of Nielsen Media Research and Thomas Larson of Cable Data Corporation.<sup>13</sup>

MPAA attempts to demonstrate the marketplace value of movies and syndicated programs retransmitted by cable systems in 1997. As it has done in previous royalty distribution proceedings before the Copyright Royalty Tribunal and the CARPs, MPAA submits that the best way to determine the marketplace value of a television series or movie is to examine how many people watched the program in the given distribution year. The greater the number of people who watched the program, the more valuable the program is. MPAA notes that in cable and broadcast markets where programs are bought and sold without the constraint of a compulsory license, broadcasters purchase the rights to broadcast a particular program based upon the number of viewers they believe the program will attract. The same is true for cable programmers. Kessler Direct at 12-13. And advertisers are willing to pay broadcasters and cable programmers higher fees to have their ads aired during programs that attract many viewers. *Id.* Thus, from MPAA's perspective, viewer avidity for a particular program is the best determinative of the program's marketplace value.

MPAA constructs a study—a sampling of the cable retransmission universe in 1997—that attempts to demonstrate the amount of viewing that the programs claimed by MPAA and IPG garnered on broadcast stations that were retransmitted on a distant basis.<sup>14</sup> It is not a study that reveals how many people in the United States actually watched a given program; the cost of such an undertaking would be too high.

<sup>13</sup> MPAA also presented testimony from David E. Farbman regarding activities of IPG's principal, Raul Galaz. His testimony is not relevant to the calculation of royalty shares.

<sup>14</sup> The study only attempts to estimate viewership for programming retransmitted by cable systems on a distant basis, since local retransmissions of the same program are not compensable under the cable license. See 17 U.S.C. 111(d)(3)(A).

Rather, the MPAA study generates estimates of viewing, described as total household viewing hours (HHVH) for each program claimed by MPAA and IPG.

MPAA's study utilizes data from three sources—Cable Data Corporation ("CDC"), TV Data and Nielsen Media Research ("Nielsen"). MPAA Proposed Findings at 20, ¶ 55. First, MPAA determines the number of television stations that it wishes to include in its survey. For the 1997 study, MPAA selected 82 TV broadcast stations. These stations were retransmitted by Form 3 cable systems (MPAA excluded Form 1 and Form 2 systems) and account for 92.5% of aggregated subscriber instances. *Id.* "Aggregated subscriber instances," means that subscribers receiving broadcast programming were viewing it on a distant signal basis only, since section 111 of the Copyright Act does not allow compensation for programming that is retransmitted on a local basis. Thus, the 82 stations used in MPAA's study account for 92.5% of distant signal viewing of MPAA and IPG programs. This data was supplied by CDC.

Next, MPAA consults the TV Data television log books to determine what programs were broadcast at what times. For 1997, MPAA examined the log books for the 82 stations it included in its survey. Exhibit 3 of MPAA's written direct case identifies the programs which MPAA claims that it represents in this proceeding, along with the number of broadcasts of each program on the 82 stations surveyed. Of the over 3,700 titles, over 500 of these are television series (sitcoms, dramas, etc.) while the remaining titles are movies. MPAA Proposed Findings at 14, ¶ 42. MPAA makes great effort to demonstrate that its claim includes most of the top-rated syndicated television series and movies. Kessler Direct at 6-7.

Finally, MPAA takes the programming data from these two sources and matches it to viewing data supplied by Nielsen. Nielsen provides the names of the programs that were broadcast for each station in the study, the number of 15-minute segments (referred to as quarter hours (QH)) each program aired on that station, and what MPAA describes as the average number of cable subscribers who viewed each program on that station on a distant basis. Kessler Direct at 8. Using this information, MPAA then calculated the household viewing hours for each program appearing in the study. The formula that MPAA utilized to make this calculation is as follows:

$(\Sigma QH/4) \times \text{average DCHH} = \text{HHVH}$

*Id.* Marsha Kessler stated the formula thus:

Add together the total number of 15 minute (QH) segments a program is broadcast in a particular time slot on a particular station. Divide that number by 4 to get an hourly measure. Multiply the result by the average number of distant cable households (DCHH) that actually watched [the] program on that station during that time period.

*Id.*

It is important to note that the data supplied by Nielsen does not attempt to measure viewing 365 days a year. Rather, Nielsen conducts "sweeps"—limited periods of time in which actual viewing to programming is measured. Nielsen can only provide viewing data for four or six sweeps periods, meaning that substantial portions of the year are not measured. To counteract this problem, MPAA devised a method for interpolating viewing for those periods when Nielsen data is not available. Using data supplied by Nielsen, MPAA assigns an estimated number of viewers for a given broadcast station for a given quarter hour in a given day. For example, there are no Nielsen sweeps in June. To determine viewership for a program broadcast on a specific station during a specific time period in June, MPAA averages the viewing for the same time slot in May (a sweeps month) and July (also a sweeps month) to estimate what viewership would be for the corresponding time slot in June. The process is described as straight line interpolation. Tr. 1615-16.

Once armed with household viewing data for all programs broadcast by the 82 stations in its survey, MPAA determined the household viewing hours for all of its programs and IPG's programs. MPAA determined that the total household viewing hours for MPAA and IPG programming was 3,476,625,750. MPAA Proposed Findings at 73, ¶ 291. MPAA's programming received 3,476,218,917 household viewing hours, while IPG's programming received 406,833. *Id.* This calculation was based on MPAA's assignment of household viewing hours to the following IPG programs:

*Algo's Factory*—11,707 viewing hours.

*Harvey Pennick's Private Golf Lessons*—5,193 viewing hours.

*Jack Hanna's Animal Adventures*—372,488 viewing hours.

*Mom USA*—0 viewing hours.

*Nprint*—1645 viewing hours.

*Sophisticated Gents*—7010 viewing hours.

*The Sports Bar*—8790 viewing hours.

*Id.* at 72, ¶¶ 285-291. Missing from this calculation is *Just Imagine*, which

the Librarian has credited to IPG's claim. See June 5, 2001 Order at 2.

Based on its household viewing hour calculations, MPAA claims that it is entitled to 99.9871% of the 1997 cable royalties, while IPG is entitled to 0.0117% of the royalties (for the seven Litton programs). MPAA Proposed Findings at 73, ¶ 291.

## 2. *Validity of the methodology.*

Throughout the course of this proceeding, IPG has attempted to sully both the construct and the application of the MPAA methodology. Many of these criticisms were accepted by the CARP. See, generally, Initial report at 102-103; Revised report at 5-12. We now consider these criticisms as part of our evaluation of the evidentiary presentation of MPAA.

At the outset, we affirm what the Copyright Royalty Tribunal long ago stated: that actual measured viewing of a broadcast program is significant to determining the marketplace value of that program. 51 FR 12792, 12808 (April 15, 1986). In a perfect world, we would know all viewing to all programs that were retransmitted on a distant basis by all cable systems in 1997. We recognize that the cost of attempting to present such evidence would be prohibitive. Even if we had access to such information, the inquiry would not end there because there are other factors besides viewing that can have a bearing on the marketplace value of a program. Because we are charged with the task of simulating the marketplace for a broadcast program in an effort to determine the value of the program, the Register must consider those factors, where relevant, in the equation as well.

Given the recognition that viewing of programs has probative value, we turn to a consideration of MPAA's presentation. The construct of MPAA's methodology is generally similar to that presented in previous cable distribution proceedings before the Tribunal and the CARPs. There are, however, some notable differences. In prior proceedings, particularly at Phase I, experts from Nielsen participated in the construct and presentation of the study, as well as supplying the viewing data. Nielsen's participation in MPAA's study in this proceeding is limited to providing select data for use by others. Lindstrom Tr. 1387-88; 1407; 1421; 1439-42. Consequently, we have refrained from describing the 82 sample station survey as the "Nielsen" survey. In addition, MPAA has derived a considerable volume of viewing hours from a process described as "interpolation," which it has not presented extensively in prior

proceedings. "Interpolation" is discussed *infra*.

When the MPAA presented its viewing study to the Copyright Royalty Tribunal in Phase I proceedings, the Tribunal described the study as a good "starting off point." 57 FR 15286, 15288 (April 27, 1992) (1989 cable Phase I distribution). Is the MPAA's 82 station sample survey a "good starting off point" for this proceeding?<sup>15</sup>

The CARP concluded that MPAA's 82 station sample survey was "stretched to cover more ground and answer more questions than it was originally designed to do." It listed eight specific criticisms of the MPAA approach:

- MPAA's direct testimony did not sufficiently lay the foundation for the survey or explain its results.
- The Panel was forced to call its own witnesses, Mr. Lindstrom from Nielsen, and Mr. Larson from Cable Data Corporation to explain their methods of data acquisition and reporting.
- The number of sampled stations has declined without adequate explanation.
- Station criteria excluded Form 1 and Form 2 cable systems.
- The number of "zero" viewing hours shows the flaw in attempting to use the Nielsen data as a proxy for the retransmission market especially since Nielsen had 24 hour sampling capability in 1997.
- There are unanswered technical questions regarding relative error rates and mixing diary and meter data.
- The method of interpolation of non-sweep month estimated viewing needs statistical validation.
- There is an overvaluation of WTBS and under-valuation of the other Superstations in the survey.

Initial report at 102-03. There is a theme underlying this critique of MPAA's case that can be summarized as follows: the broad brush that is used to paint the big picture is a poor tool for crafting the details. MPAA's viewer study can paint a statistically useful picture of how much sports programming, for example, the viewing public watches relative to the amount of syndicated programming it watches. But when the same study is used in an effort to determine how much the viewing public watches an individual television program, the accuracy of the results

<sup>15</sup> Although the Tribunal never described the Nielsen study as a "good starting off point" for Phase II proceedings, it readily accepted Nielsen results that were presented by MPAA in Phase II proceedings. See, e.g. 53 FR 7132, 7136 (March 4, 1988) (1985 cable Phase II) ("[W]e give great reliance on the Nielsen data")

comes into question. Accord 51 FR 12792, 12817 (April 15, 1986) (1983 cable Phase II distribution) ("[O]verall reliability [of the Nielsen study] may be somewhat less when the focus is on individual programs.").

How much confidence can we place in the results yielded by MPAA's 82 station sample survey? MPAA does not provide an answer. Section 251.48(f)(4) requires parties submitting studies involving statistical methodology to provide confidence levels for the methodology. Specifically, the rule requires calculation of the standard error for each component of the methodology. 37 CFR 251.48(f)(4)(ii). MPAA acknowledges that it did not comply with the rule, but offers that "the absence of relative error figures has raised no bar to significant reliance on the Nielsen study in [prior] Phase II proceedings." MPAA Reply Findings at 38.

Regardless of what may have sufficed in prior proceedings before the Copyright Royalty Tribunal, there is reason to believe there is considerable relative error in MPAA's results in this proceeding. On cross-examination, Paul Lindstrom stated the following:

Q: In past CRT proceedings, it's my understanding that Nielsen reports have been entered into the record, is that correct?

A: That is correct.

Q: And when Nielsen reports have been entered into the record, they have come with qualifications or characterizations to assist the parties and the Panel understand the data and the relative errors, standard error factors and the like, is that correct?

A: It is correct that we have produced the relative error figures for the category data.

Q: And did you produce relative error figures for the 1997 data?

A: The relative error figures were not produced by us because the final data would not be produced by us. We're basically developing a database which is being passed on to Mr. Larson who then takes it and produces the aggregated report. The standard errors are really relevant on the aggregated data and so we're kind of a mid-product in the process.

Q: Is there any—in Mr. Larson's work would you consult with him so that he makes proper assessment of the data?

A: We have had opportunities at times where we have needed to work together in order to work out issues or to make clear on definitions or categorizations, but on a day to day basis, he's not directing us on how to produce our portion of it and we're not directing him on how to produce his.

Q: But again, in terms of the portion you produced, you basically are asked to produce from your database of data, information regarding quarter hours of viewing to particular stations within a subset of counties that would qualify as distant for purposes of cable copyright rules?

A: That is correct.

Q: And in past proceedings you've aggregated the information into program categories and provided relative errors for that. In this proceeding you have not done that, is that correct?

A: That is correct.

Q: And in past proceedings you have not been asked to address, except in incidental situations specific programs, you have only addressed program categories, is that correct?

A: To the best of my knowledge, yes.

Q: Do you see any difference in Nielsen, just focusing on independent Mr. Larson's responsibilities in terms of the way Nielsen data for purposes of this proceeding, should be viewed—should it be viewed the same or differently from prior data presented where you do not have program categories, but the data is solely addressed to quarter hours of particular stations?

A: If I'm understanding correctly, I'll repeat what I think I hear you say, is that is there a difference in—I imagine you're talking about the accuracy or use [sic] that word, for aggregated category data versus individual program information and if that's the question, then that is absolutely correct. Once the data is beginning to get aggregated, the sampling errors go down and go down substantially.

Q: But conversely, if it's not aggregated, the sampling errors would increase?

A: The sampling errors for any—again, any given program on any given station on any given day so that we're talking about an individual week, individual program, individual station will be subject to huge relative errors. Tr. 1406-10.

Mr. Lindstrom's testimony underscores the pitfalls of using MPAA's 82 station sample survey to measure household viewing hours for individual programs. When large amounts of programming and household viewing hours are measured, such as in a Phase I proceeding, the aggregation of the measuring data is substantial and the relative error is low. This is what makes the MPAA's sample survey "a good starting off point." However, when the number of programs and household viewing hours are small, the aggregation of the data is minimal and, in the words



of Mr. Lindstrom, "subject to huge relative errors." Tr. 1409-10. Of the thousands of programs and billions of viewing hours represented in MPAA's sample survey, IPG's claim only accounts for eight programs and less than 500,000 viewing hours. Although we do not know how large the error factor is for this calculation since MPAA failed to present such information, it is reasonable to presume that it is quite large given that it is drawn from such a small piece of the data. This leads us to the conclusion that, as a methodological approach, it cannot be said that the MPAA sample survey is a "good" starting off point; at best, it is simply "a" starting point.

Having considered MPAA's sample survey conceptually, we now turn to the specifics of its application. As discussed above, the CARP concluded that there were a number of flaws in certain aspects of the sample survey. Although we do not necessarily agree with the number and severity of the CARP's criticisms, there is no need to discuss them here. What matters are what the Register, and ultimately the Librarian, conclude are the flaws in the sample survey, and what impact those flaws have on the usefulness of the MPAA approach.

(i). *Program ownership.* Program ownership is an important and highly contested issue in this proceeding. The issue, however, has centered on the claim of IPG and the programs it has purported to represent in this proceeding. Little attention was given to MPAA's ownership of programs. The CARP requested that MPAA submit program certifications obtained from its member companies, apparently in an effort to resolve issues surrounding certain programs claimed by both MPAA and IPG. MPAA provided these certifications to the CARP as a "courtesy," carefully noting that it was not "legally" required to do so. Tr. 2571-73. MPAA's position is that it is not required to prove its program ownership because it will receive all remaining funds in the 1997 syndicated program royalty pool once IPG's claim is established. While it is true that MPAA will receive all funds less IPG's share, program ownership is nonetheless essential to the application of MPAA's methodology.

As discussed above, MPAA's 82 station sample survey is straightforward in its approach. Calculate the universe of programs in this proceeding, determine the total number of viewing hours for these programs, and then calculate the percentage of the total of viewing hours for IPG programs, yielding IPG's royalty distribution

percentage. The so-called "alpha list" submitted by MPAA supposedly contains the household viewing hours for all IPG and all MPAA programs. *Id.* at 28, ¶ 79. The number of IPG programs on this list is known; it is the eight programs of Litton Syndications which the Librarian has determined are properly attributable to IPG. How do we know that all the remaining programs are properly attributable to MPAA? The answer is that we do not know. MPAA created the alpha list, but it did not provide any testimony to verify the accuracy of the list. It may be that the alpha list contains programs which are not properly represented by MPAA. IPG raises concerns about the status of several program certifications submitted by MPAA, including a number of MPAA claimants for which no certifications were submitted. IPG Proposed Findings at 44-48, ¶¶ 153-169. The CARP allowed the record of this proceeding to remain open after argument had ended to allow submission of additional certifications from MPAA. We cannot determine the sufficiency of these additional filings because there is no testimony to review.

The import of these omissions to the confidence to be placed in MPAA's sample survey is considerable. If MPAA's program ownership cannot be verified, then the total number of household viewing hours for programs in this proceeding cannot be verified. What is even more troubling is that if the alpha list does contain programs which are not properly a part of this proceeding, the benefit of those inclusions inures directly to MPAA because the MPAA's methodology measures IPG's claim as a percentage of the total number of household viewing hours. In other words, the more programs—and consequently the more household viewing hours—that are included in the total, the smaller is IPG's percentage share of that total and consequently the smaller is its royalty share under MPAA's formula.

MPAA points out there is no regulation that requires that it put into evidence program certifications. This is correct. However, MPAA is requesting us to accept its methodology as the means of determining the division of royalties in this proceeding. Unless MPAA can prove that it properly represents all the programs it claims on the alpha list, we cannot verify that MPAA's methodology is being correctly applied. We cannot assume that the copyright owners of all the programs claimed by MPAA are actually represented by MPAA simply because it says so.

(ii). *Zero viewing hours.* The amount of zero viewing hours in MPAA's 82 station sample survey—instances where Nielsen recorded no viewing for a particular program—was especially troubling to the CARP, and the CARP penalized MPAA the most for this anomaly. The CARP made the following finding:

The record reveals that 68% of the quarter hours measured by Nielsen were attributed with "zero" viewing. Factoring in broadcasts occurring between 2:00-6:00 a.m. for which the MPAA methodology automatically attributes a "zero" value, a total of 73% of the quarter-hour broadcasts occurring on such stations during such measurement period were attributed with "zero" viewing. With one exception, each station in MPAA's study has a significant percentage of measured quarter-hour broadcasts accorded "zero" viewing, ranging from 26% to 96%. Of the 82 stations in the MPAA study, 64 measured by Nielsen recorded no viewing in excess of 50% of their broadcasts, a figure that increases to 74 of the television stations when "zero" viewing for the 2:00-6:00 a.m. daypart is factored in. Eight stations including the New York affiliate of CBS, WCBS-TV, were credited with "zero" viewing during more than 90% of their measured broadcasts.

The only exception to the significant percentages of "zero" viewing are programs broadcast on Superstation WTBS. The Nielsen study credited WTBS, the most retransmitted station during 1997, with only .5% of "zero" viewing. Inexplicably, the Nielsen "special study" credited other superstations with significant distant cable subscribers with large percentages of "zero" viewing. Of note for example, is WGN-TV, the second most retransmitted station with an average of 28 million distant cable subscribers during 1997. Despite its substantial distant subscribership, WGN-TV was credited with "zero" viewing in 52% of its measured broadcasts. Three other "Superstations" were credited with "zero" viewing ranging between 26% and 62% of their measured broadcasts.

We conclude that of the eight deficiencies we have noted in MPAA's distribution royalties,<sup>16</sup> this "zero" viewing hours deficiency is, by far, the most egregious. The evidence offered by MPAA to explain this perceived deficiency in its methodology was less than enlightening. Mr. Lindstrom, who is not a statistician, clarified that attribution of "zero" viewing does not mean that no persons were watching, only that no diaries recorded viewing, and that any suggestion to the Panel that no viewing occurred would reflect a misunderstanding of the data. But then he stated that the "zero" viewing hour information consists of pieces of data that are imprecise; that they are among a series of estimates that may be either high or low; that such individual quarter hour entries have little usefulness; but that they aggregate up to an accurate result, and "the more imprecise

<sup>16</sup> The word "royalties" should probably read "methodology."

bricks you throw in the pile, the more accurate the overall number is going to be."

Accepting this and other testimony of Mr. Lindstrom at face value, we find that it does not even begin to explain the enormous discrepancies described above regarding the crediting of "zero" viewing hours. There is little if any evidence in this record that these high credits of "zero" viewing hours were offset in 1997 by credits of excessively high units of viewing hours. Thus, we are left with a record that more than merely suggests that the MPAA methodology is significantly defective in the manner in which it credits "zero" viewing hours.

Revised report at 8-10 (citations omitted).

MPAA describes the CARP's rationale as follows: "Wow. That many zeros must mean something. We haven't a clue what it is, but there are just too many of them to ignore." MPAA Reply to IPG Petition to Modify Revised Report at 7. MPAA then summarily concludes that "[t]he zeros mean nothing." *Id.* Contrary to MPAA's assertions, we believe that the zeros mean something. They cannot mean "nothing."

MPAA continues to insist that Mr. Lindstrom has adequately explained the high number of zero viewing hours, assuring that the aggregation of the viewing data makes up for the zeros; "the more of these, sort of, imprecise bricks you throw in the pile, the more accurate the overall number is going to be." Tr. 1432. We make a layperson's observation that when you aggregate lots of zeros, the result is still zero. As the CARP noted, almost three-quarters of the quarter hour viewing measured by Nielsen for the stations in MPAA's 82 station sample survey received a zero, despite the fact that Mr. Lindstrom stated that a zero viewing rating did not mean that no viewing was actually taking place, only that it was not measured. Tr. 1424. To us the extraordinarily high level of zero viewing does not mean that the overall results of MPAA's sample survey are more accurate; rather, it means that the sample survey actually measures much less viewing than MPAA suggests.

WTBS is the one station with a modest level of zero viewing; 0.5% according to the CARP. This is not surprising, given the large number (52 million) of distant cable subscribers to WTBS. What is surprising is the number of zero viewing instances for WGN which had an average of 28 million distant cable subscribers during 1997. Over half of the measured WGN broadcasts resulted in zero viewing. Revised report at 9. Even further, three other superstations had zero viewing ranging between 26% and 62% of their measured broadcasts. *Id.* How is it

possible that some of the most distributed broadcast stations in the cable industry have such little viewing?

MPAA offers a couple of possible explanations for such discrepancies. For WGN, MPAA suggests that the number of zero viewing instances "could be accounted for by the fact that WGN because WGN (sic) satellite feed to distant cable systems includes programs not part of the station's local broadcast program schedule. These programs are not credited to WGN's distant viewing by Nielsen." MPAA Petition to Modify Revised Report at 17-18. This is a *post hoc* speculation, because there is nothing in the record of this proceeding that demonstrates or even suggests that there are substantial differences between the programs contained on the WGN satellite feed distributed to cable operators and the over-the-air feed of the station. MPAA presented no evidence to support this argument. Furthermore, if MPAA's assertion is true, it demonstrates that certain programming contained on WGN is greatly undervalued because Nielsen is not measuring its viewing.

MPAA also points to Mr. Lindstrom's testimony where he states that there could be "loads of reasons" why there are so many instances of zero viewing. Tr. 1424. Unfortunately, Mr. Lindstrom does not describe the "loads of reasons," other than to suggest that the FCC's network nonduplication rules may have resulted in a considerable number of distant programs being blacked out in local markets, and consequently not measured in the sample survey. Once again, there is no record evidence to support Mr. Lindstrom's suggestion. Ms. Kessler's testimony that she was unconcerned about the number of zero viewing instances is not helpful. Even if one assumes that Mr. Lindstrom's observation is correct, the network nonduplication rules only apply to network stations and do not explain the vast amounts of zero viewing on superstations which are considered to be independent stations under the section 111 license.

The considerable sums of zero viewing, and MPAA's failure to explain it, further undermines the value of the 82 station sample survey. The practical effect of zero viewing is to overvalue those few stations in the survey that received more measured viewing, and thereby overvalue the programs broadcast on those stations. Meanwhile, programs that even MPAA admits are seen by some viewers are given no value whatsoever. In the future, if MPAA continues to present a Nielsen-based viewer methodology, it needs to present

convincing evidence, backed by testimony of a statistical expert, that demonstrates the causes for the large amounts of zero viewing and explains in detail the effect of the zero viewing on the reliability of the results of the survey. In addition, MPAA needs to take steps to improve the measurement of broadcasts in the survey to reduce the number of zero viewing hours, thereby increasing the reliability of its study.

(iii) *The 82 station sample.* According to Ms. Kessler, the 82 stations used in MPAA's sample survey were selected because they each had 90,000 or more Form 3<sup>17</sup> distant cable subscribers as identified by Cable Data Corporation. Tr. 242. MPAA chose the 90,000 subscribers as its minimum in selecting its sample of broadcast stations because such criteria "hit virtually all subscribers and accounted for generally all of the money that was paid into the fund during that time." Tr. 243.

During the proceeding, IPG presented testimony that demonstrated that MPAA did not apply the 90,000 subscriber criteria as it claimed. Several broadcast stations with more than 90,000 subscribers were excluded from the survey, and several with less than 90,000 subscribers were included in the survey. IPG written rebuttal at 30-31. In one extreme circumstance, station KDVR was included in the sample survey despite the fact that it had less than 3,000 distant subscribers in 1997. *Id.* at 31. MPAA did not refute this testimony, nor did it explain why certain stations that satisfied the criteria were excluded, while others that did not were included in the sample survey.

We cannot determine what effect, if any, MPAA's selection of stations had on the results generated by its sample survey. Likewise, we cannot determine from the record whether MPAA's failure to apply its 90,000 subscriber criteria was deliberate, or the result of oversight. What is clear is that MPAA's failure to apply its chosen selection criteria consistently further undermines our confidence in the accuracy of the results generated by its sample survey. In the future, when presenting a methodological survey, MPAA needs to rigorously adhere to its announced standards and parameters for the survey.

(iv) *Interpolation.* As mentioned above, the MPAA sample survey submitted in this Phase II proceeding is similar to the one it has submitted in

<sup>17</sup> "Form 3" refers to the statement of account form used by the Copyright Office in collecting royalty fees under the section 111 cable license. "Form 3" cable systems are the largest systems filing with the Office, having in excess of \$292,000 in gross receipts from subscribers for the retransmission of over-the-air broadcast signals.

past Phase I proceedings with one exception. The exception is the use of "straight line," "forward," and "backward" interpolation. The reason for and operation of interpolation is as follows. Nielsen measures viewing of all broadcast stations in the 82 station sample survey for only four months of the year. These measured viewing periods are referred to as the "sweeps." Nielsen also conducts two partial sweep periods, in which some of the 82 stations' broadcasts are measured, but not others.<sup>18</sup> This leaves six full months of unmeasured viewing, plus an additional two months for stations not covered by the partial sweeps periods. If MPAA relied only upon the sweeps and partial sweeps periods to measure viewing of programs, many programs belonging to MPAA members (as well as to IPG) would receive zero household viewing hours because they were broadcast on stations not covered by the sweeps. To compensate for this considerable omission, MPAA developed an interpolation method that allegedly estimates what the viewing might be for these programs had they been included in the sweeps periods.

Briefly described, MPAA's interpolation method makes three measurements in an effort to estimate viewing for programs outside the sweeps period. The first measurement is "straight line" interpolation. In "straight line" interpolation, MPAA ascertained the number of household viewing hours for a specific time period from the two closest sweeps periods, and then took the average of those hours. For example, May and July are sweeps periods, but there is no measured viewing for the month of June. MPAA looked at the May sweeps results and the July sweeps results and applied the average of those results to each corresponding time period in the month of June. Thus, the "straight line" interpolated viewing result for the quarter hour of 10 a.m. to 10:15 a.m. on June 7, 1997, is the average of the measured household viewing hours for that time period for a particular station on May 7, 1997, and July 7, 1997. Tr. 1614-17.

Both "forward" and "backward" interpolation use data obtained from Nielsen meter rankings, as opposed to the data obtained from viewing diaries during the sweeps periods. Meter rankings are different from the diary method in that meter rankings do not capture specific viewing, but rather merely record when a television is on in a given Nielsen household (whether or

not anyone is actually watching it) and what station the television is tuned to. Tr. 1273-74; 1347-50. "Forward" interpolation uses the sweeps household viewing measurement obtained from the viewing diaries for the period preceding the time frame to be measured and multiplies that by the ratio of Nielsen meter rankings for the preceding period and the period to be measured. In the above example, "forward" interpolation takes the corresponding daypart measurement from the May sweeps period and multiplies that by the Nielsen meter ranking for the same daypart in June divided by the May meter ranking for that daypart. Tr. 1616.

"Backward" interpolation utilizes the same approach as "forward" interpolation, except that it uses the sweep data for the period following the one to be measured, as well as the meter ranking from that period. Again, in the above example, the household viewing hours from the July sweeps period would be multiplied by the June meter ranking for the corresponding daypart divided by the July meter ranking. Tr. 1617. After the three interpolated results have been obtained through "straight line," "forward," and "backward" interpolation, they are divided by three to obtain an average number of household viewing hours for the daypart being examined. *Id.* The purported purpose of "straight line," "forward," and "backward" interpolation is to provide more accuracy to the Nielsen meter rankings through the process of averaging. Tr. 1602-03, 1614-17.

We recognize the purpose of interpolation and appreciate that MPAA is forced to estimate viewing for programs broadcast during non-sweeps periods. Our problem with interpolation is the manner in which MPAA presented it in this proceeding. First, MPAA laid no foundation for a statistical methodology that it was presenting for the first time in a cable distribution proceeding. Marsha Kessler is not a statistician who could testify as to the statistical validity of the interpolation approach; and moreover, she did not compile or review the interpolation data presented by MPAA and, apparently, did not participate in the creation of the methodology or its application. Tr. 1603. The interpolated data was created by Tom Larson of Cable Data Corporation who only presented testimony on the interpolated data when called as a witness by the CARP. In the future if MPAA uses viewing studies to present data on household viewing hours obtained through interpolation, MPAA should

present expert testimony as to the statistical validity of the approach, including the confidence intervals for the data.

Second, the testimony establishes that Mr. Larson made the interpolated data calculations, applying "straight line," "forward," and "backward" interpolation "millions of times" in order to generate viewing data for programs broadcast during the 6-8 months of 1997 for which Nielsen did not measure viewing. Tr. 1603. MPAA apparently asks us to trust that Mr. Larson performed these interpolations accurately, because there is nothing in the record that permits verification. This is especially troubling given that more than half of the viewing data presented in MPAA's sample survey is obtained from interpolated results. MPAA should in the future present evidence that permits some verification of the results of interpolated viewing, rather than just total household viewing hours for all programs.

Finally, we note the Copyright Royalty Tribunal's admonition that data that is not specific to programs is unreliable in determining actual viewing of specific programs. 57 FR 15286, 15299 (April 27, 1992) (1989 cable distribution). MPAA's interpolation methodology assigns viewing hours to time slots, not to programs. Tr. 1688-89. It is likely that the viewing assigned these time slots was in many cases derived from programs of a completely different type, perhaps not the same programming category, than the programs measured during the Nielsen sweeps periods. And it is certain that many of the individual programs accounted for by interpolation were not actually transmitted during the period of interpolation. This is particularly troubling given the large amount of total viewing hour data presented by MPAA which was obtained from interpolation.

3. *Relevance of the methodology.* While we agree that viewing of programs is probative in assessing their value in a Phase II proceeding, the results generated by MPAA's sample survey are so unreliable that they cannot support an assessment of IPG's and MPAA's claims in this proceeding. All that can be garnered from the MPAA presentation is that MPAA's claim is large and IPG's is quite small, something that is readily ascertainable from that fact that IPG only represents eight programs in this proceeding. Precisely how small IPG's claim is, which is the task at hand, cannot be ascertained using MPAA's results. Further, MPAA's results cannot be used to establish a zone of reasonableness within which to

<sup>18</sup> The partial sweeps periods are confined, for the most part, to broadcast stations in the top television markets in the country.

place IPG's award because of the high probability of error in MPAA's results. Consequently, we cannot accept MPAA's presentation as providing any basis for the determination of the distribution of royalties in this proceeding.

#### B. IPG's Presentation

##### 1. Description of the Methodology

IPG's written direct case presents the testimony of Raul Galaz, IPG's president and principal, and the exhibits that he sponsors. As a first-time participant in a cable distribution, IPG did not designate any prior testimony, nor did the CARP request IPG to call additional witnesses.

IPG takes a different approach in attempting to demonstrate the value of programming in this proceeding. Rather than rely on the estimated viewing of a particular program, IPG attempts to determine the value of a program based upon the carriage of the program by cable operators. IPG Proposed Findings at 14, ¶ 42. According to IPG, a cable operator is not interested in the viewer ratings generated by a particular broadcast program it retransmits; rather, it is the overall appeal of all the programs on the broadcast signal that is of value to the operator. Galaz Direct at 6-7. "Overall appeal" is important to the cable operator because the operator attempts to attract as many subscribers as possible to its system. When deciding which stations to retransmit, the operator will attempt to appeal to as wide a subscriber base as possible by providing multiple program opportunities, so-called "niche" programs that appeal to particular tastes.

In some instances it will be the desire of the cable system operator to exhibit certain sports programming, in other instances it may be the desire to have news programming from a market that is of interest to the cable system operator's market, the desire to increase the amount of children's programming offered to the cable system's subscribers, or the desire to carry more game shows.

*Id.* at 7. According to IPG, in a compulsory license marketplace it is the overall appeal of a broadcast station to the cable operator that determines the value of the programming on that station.

Since overall appeal of a station is equated with value, the greater the number of subscribers to a station, the greater the value of that station and, consequently, the programming on that station. *Id.* at 8. The relative value of the programs contained on the station is determined, according to IPG, by the time placement of the program and the

frequency of its telecast. Thus, a program that is retransmitted in prime-time once a week is of greater value than a program broadcast once a month at 2 o'clock in the morning.

In sum, IPG focuses on four elements to determine program value: (1) The number of distant cable subscribers capable of receiving the program broadcast during 1997; (2) the cable license royalties generated during 1997 that are attributable to stations broadcasting the program; (3) the time placement of the broadcast; and (4) the length of the broadcast. IPG Proposed Findings at 14, ¶ 43.

In order to measure these elements, IPG, like MPAA, surveyed a number of broadcast stations that were retransmitted by cable systems on a distant basis in 1997. IPG sampled 99 stations that were carried on Form 1, 2, and 3 cable systems, and examined all the programs that were broadcast by these stations during 1997. *Id.* at 15, ¶¶ 46-47. Such data comprised approximately 1.1 million logged broadcasts. *Id.* at 15, ¶ 47. IPG then segregated all programming not within the syndicated programming category, leaving only movies and syndicated series.

Because of the parallel between the number of cable subscribers receiving a station and the amount of royalty fees generated by that station, IPG created a factor to weigh the relative significance of any given station and the broadcast of any program on that station. Dubbed the "Station Weight Factor," it was "derived from the concept that the relative significance of any given station should be affected by both (i) the number of distant cable subscribers that could potentially view such station, and (ii) the amount of distant cable retransmission fees generated by such station." Galaz Direct at 11. The Station Weight Factor was created as follows. For each of the 99 sampled stations, IPG summed the figure representing the percentage of subscribers in the survey that received the given station with the figure representing the percentage of total cable royalty fees generated by the 99 sampled stations. This figure was then divided in half. *Id.* The figure generated by this equation equals, according to IPG, the relative significance of each of the 99 sampled stations.

Having determined the relative value of each station—and the corresponding programming on that station—IPG then attempted to determine the relative value of each program on each station by examining the number of broadcasts of the program and its time placement within the broadcast day. In order to do

this, IPG created a factor that uses data on anticipated viewership of all persons during time periods of the day (referred to as "dayparts") in order to weigh the relative significance of any given broadcast. Dubbed the "Time Period Weight Factor," it was determined as follows:

The Time Period Weight Factor was derived from data published by Nielsen Media Research ("Weekly Viewing Daypart" table within the "1998 Report on Television"), reflecting the weekly viewing habits of all persons in 1997. Weekly viewing is stated in terms of the number of television hours viewed during the week, specifies the amount of viewing attributable to specific time periods, allowing allocation amongst such time periods. IPG then determined the "Average Minutes Viewed Per Hour in Viewing Period" (i.e. the "Time Period Weight Factor") in order to apply such Time Period Weight Factor against each and every logged broadcast on the "99 Sample Stations," and according to the period during which such logged broadcast appeared.

*Id.* at 13.

After ascribing the Station Weight Factor and the Time Period Weight Factor to each broadcast, IPG applied the figures for each broadcast against the length of such broadcast, in order to ascribe a final value to each compensable broadcast. IPG Proposed Findings at 16, ¶ 50.

As a final step to the process, IPG summed the resulting value for its programs and all other programs in its survey and accorded a "Sum Weighted Value" to both these categories of programs. *Id.* at 16, ¶ 51.

In its written direct case, IPG applied its methodology for 43 programs that it believed that it represented in this proceeding. Galaz Direct at 5-6. It determined that IPG-represented programs produced a Sum Weighted Value of 2,3791.7968, as compared to the Sum Weighted Value of 1,369,901.837 for all syndicated broadcasts within the 99 sample station survey. *Id.* at 14. This yielded a percentage of 1.7367519% for IPG programs. Because IPG did not have access to the programs claimed by MPAA, it could not apply its methodology to determine the Sum Weighted Value of MPAA's programs. Consequently, IPG argued that "[t]o the extent that MPAA represents less than 100% of the non-IPG programming appearing on the '99 Sample Stations,' IPG's respective percentage must be adjusted upward." *Id.* at 14-15.

Once proceedings began before the CARP, MPAA produced the program certifications for some, but not all, of its

claimants.<sup>19</sup> Also, during proceedings before the CARP, a number of IPG-claimed programs were eliminated from consideration, either through voluntary dismissal by IPG or as a result of the CARP's rejection of IPG's representation agreements with Jay Ward Productions, Mainframe Entertainment, and Scholastic Productions. IPG Proposed Findings at 53, ¶ 2. IPG then recalculated its own share, and that of MPAA's, and determined that its programs accounted for 0.881% of the aggregated Sum Weighted Value of all programs claimed in this proceeding.

Although IPG's methodology yielded 0.881% for its claimed programs, it argued that it was nonetheless entitled to 2% of the royalty pool. IPG justified the 2% figure based upon certain alleged failures, abuses, and shortcomings on MPAA's part, including: (1) Failure to produce program certifications for 33 of MPAA's claimants, and production of 6 certifications that were not properly authorized; (2) failure to establish entitlement to 1,100 programs that were not, according to a 1986 Advisory Opinion of the Copyright Royalty Tribunal, eligible for compensation in the syndicated programming category; (3) abuse of the discovery process by failing to produce documents underlying its methodology in contravention to Library and CARP discovery orders; and (4) serious shortcomings in the application of MPAA's distribution methodology. *Id.* at pp. 52-55.

## 2. Validity of the Methodology

This marks the first time that IPG has appeared in a cable royalty distribution proceeding, and the first time its distribution methodology has been presented. As such, we do not have the benefit of prior consideration or acceptance of the IPG methodology by either the Copyright Royalty Tribunal or a CARP, other than the CARP's opinion in this proceeding. We must consider IPG's methodology from a theoretical point of view, as well as examine its particular application to this Phase II proceeding.

At the outset, we note that IPG's methodology attempts to blend two approaches that have been presented to the Tribunal and the CARPs. The first part of the methodology, the Station Weight Factor, is a fee generation approach in that it considers the royalty fees paid by cable systems during 1997 for the 99 broadcast stations used in the

IPG survey. Each of the stations in the 99 station sample survey is ranked from highest to lowest depending upon the amount of fees the station generated for the 1997 royalty pool. IPG submits that the Station Weight Factor is relevant to the marketplace value of broadcast programs because cable systems' decisions to retransmit a particular broadcast station are "based on the "overall appeal" of the retransmitted station and its ability to generate additional cable system subscribers, not the ratings of a particular program appearing on the retransmitted station." IPG Proposed Findings at 14-15, ¶ 45.

IPG's focus on the value of distant signals to cable operators recalls the Bortz survey that has been presented for many years at Phase I in cable royalty distribution proceedings. The Bortz survey attempts to measure the value of different categories of programming appearing on retransmitted broadcast signals by presenting to persons from cable companies a hypothetical programming budget for a given year, and then asking how much value they place on different kinds of programming (sports, movies, syndicated series, etc.) in compiling their program schedule. 57 FR 15286, 15292 (April 27, 1992). The more value placed on a program category, the more cable Phase I royalties it should receive, according to proponents of the Bortz survey.

The focus on value to the cable operator has been endorsed by both the Tribunal and the CARPs as one of the ways to assess marketplace value, and the results of the Bortz survey have received credit in Phase I proceedings. *See, e.g.* 57 FR 15286, 15301 (April 27, 1992) (1989 cable Phase I) IPG's Station Weight Factor attempts to ride the coattails of the Bortz survey's acceptance by ranking the "overall appeal" of stations as an expression of the value of the programming broadcast on those stations. While it must be true that a station such as WTBS, for example, has a significant "overall appeal" to cable operators by virtue of the number of cable systems that retransmit it, the "overall appeal" does not translate well to a Phase II proceeding dealing with one program category. It is quite possible, and perhaps likely, that the "overall appeal" of stations in the 99 station sample survey is based upon programming that is not in issue in this proceeding. Thus, the reason that so many cable operators carry WTBS may have more to do with Atlanta Braves baseball and Atlanta Hawks basketball than it does with syndicated series and movies. IPG failed to present any evidence that established a clear nexus between the syndicated

programming category and the "overall appeal" of the 99 broadcast stations subjected to the Station Weight Factor.

This is a significant omission which raises serious concerns regarding the validity of IPG's methodology. The Copyright Royalty Tribunal has rejected estimating techniques that are not tied to programming categories because of their inherent unreliability. 57 FR at 15299 (1989 Phase I cable distribution). In the absence of convincing evidence that demonstrates that the ranking of the 99 stations is based upon the syndicated programming category, and not some other, the validity of the Station Weight Factor is not established.

The second element of IPG's methodology is the Time Period Weight Factor. The Time Period Weight Factor uses data from the 1998 Report on Television published by Nielsen. Galaz Direct at 13. The Report on Television provides viewing estimates for early morning (M-F 7-10 a.m.), daytime (M-F 10 a.m.-4 p.m.), prime time (M--at 8-11 p.m. and Sun. 7-11 p.m.), and late night (11:30 p.m.-1 a.m.) dayparts. For all other dayparts, weekly viewing was extrapolated from the data in the above categories and lumped into the "All Other" category. IPG Exhibit H. These viewing estimates enable IPG to rank the dayparts. Like the ranking of the 99 stations in IPG's sample survey, the ranking of dayparts is not tied to programming. The Nielsen viewing estimates for these dayparts are drawn from viewing of all program categories. In fact, the estimates apparently also include viewing of local stations over-the-air and on cable, cable networks, and VCR recording of programming, which are completely outside the scope of the section 111 license. Tr. 1369. As with the Station Weight Factor, the Time Period Weight Factor is not tied to programming. IPG did not present any testimony establishing a link between syndicated programming and the ranking accorded to dayparts by Nielsen. Unless such link is established, the relevance of the Time Period Weight Factor is in question.

This is our evaluation of the theory of IPG's methodology. In addition, there are specific concerns about its application in this proceeding with respect to the use of daypart data obtained from Nielsen. While we acknowledge that obtaining specific daypart data from Nielsen is costly, the dayparts culled by IPG from the 1998 Report on Television are far too broad because they ignore variations in viewing within dayparts. For example, IPG's methodology assigns the same value to any program broadcast within the 1 a.m. to 7 a.m. daypart. MPAA

<sup>19</sup>MPAA submitted additional certifications to the CARP prior to closing arguments in the case. Tr. 2576.

points out that Nielsen estimates that household viewing falls from 18.9% to 8.2% at 4:30 a.m. and then begins to rise back to 19.7% in the 6:30 a.m. to 7 a.m. half hour. MPAA Proposed Findings at 60, ¶ 261. Thus, a program broadcast at 4:30 a.m. gets the same value under IPG's methodology as a program broadcast at 6:30 a.m., even though it has less than half the viewers. Even within IPG's own construct, which attempts to assign value based on relative viewing, this result is illogical. Dayparts must be broken down into smaller increments before the Time Period Weight Factor could be given any credence.

In addition, IPG's extrapolated daypart data, the "All Other" category, is plainly overweighted. For example, IPG applies the weight applicable to the "All Other" category to the 1 a.m. to 7 a.m. daypart. This is the same weight factor that is applied to programming broadcast between 4 p.m. and 8 p.m., where viewing, according to Nielsen, is considerably higher than in the 1 a.m. to 7 a.m. time frame. The result is that a program broadcast at 3 a.m. is of equal value under IPG's methodology as a program broadcast at 7:30 p.m.<sup>20</sup> Further, the 1998 Report on Television contains viewing estimates for the Saturday 7 a.m. to 1 p.m. daypart and the Sunday 1 p.m. to 7 p.m. daypart, neither of which IPG used in its methodology. Instead, IPG applied the "All Other" category to these time periods. As the CARP correctly observed, the value of the "All Other Category" is overstated, thereby inflating the value of IPG's claim. Revised Report at 14.

3. *Relevance of the methodology.* As with MPAA's presentation, we conclude that the results of IPG's presentation are so unreliable that they cannot be used as a basis for determining the distribution of royalties in this proceeding. The theory of IPG's case lacks statistical foundation, and places value on programs unconnected to their actual viewership. The evidence demonstrates that IPG's methodology overstates the value of its claim, although by how much cannot be determined. Given the lack of reliability of the results, IPG's presentation cannot be used as a basis for the distribution of royalties in this proceeding.

#### Determination

1. *Remand.* Having determined that the results presented by MPAA and IPG

<sup>20</sup> There is record evidence that shows that as much as 30% of IPG's originally claimed programs were broadcast between 1 a.m. and 7 a.m. Tr. 1035-37.

are wholly unreliable, we examined the record to determine if there is any evidence sufficient to base a distribution of royalties. As part of its distribution methodology, the CARP examined the number of rebroadcasts of programs and the airtime of programs contained in both the 82 sample stations presented by MPAA and the 99 stations presented by IPG. The CARP examined this data because it was the only data common to both MPAA's and IPG's presentations. Revised report at 17. This gave an indication of the relative size of MPAA's and IPG's claims; i.e. that MPAA's was large and IPG's small. *Id.* at 18. The CARP then turned to the methodologies presented by the parties and used them as a means of creating final distribution percentages.

We determine that the number of rebroadcasts and airtime of programs contained in the 82 station and 99 station sample surveys cannot form the basis of a distribution. All that data demonstrates is that MPAA's programming dominated the broadcast marketplace, something that is already known. The number of times a program is broadcast and the amount of time it is on the air is no indication of the marketplace value of the program. While the number of times a program is broadcast might intuitively suggest that it is of more value, the opposite is often true. Programs which garner low syndication fees are often broadcast by television stations many times because the rights are cheap. And other programs, such as motion pictures, may be broadcast relatively few times because the rights are expensive, but they are nonetheless of greater marketplace value. Number of broadcasts and airtime are therefore not the answer.

What then is the answer? We determine that the record of this proceeding is insufficient on which to base a distribution determination. The record does not permit us to assess what is the zone of reasonableness for the distribution awards, let alone determine the awards themselves. Given the lack of reliability of MPAA's and IPG's presentations, crafting awards from the current record would constitute arbitrary action.

We conclude that a distribution of royalties cannot be made based on the current record. Consequently, this case must be remanded to a new CARP for a new proceeding under chapter 8 of the Copyright Act.

2. *New proceeding.* In the new proceeding, the parties will be required to submit new written direct cases and present evidence that takes into account the concerns expressed in this Order,

with the new CARP rendering its determination based upon the new record. All procedural and substantive requirements for a CARP proceeding will apply to the new proceeding.

Although the parties will be able to present new cases and new evidence in the new proceeding, there are two matters that have been decided. As discussed above, the Librarian has ruled that IPG represents Litton Syndications for distribution of 1997 cable royalties, and no other claimant. Consequently, in the new proceeding, IPG is barred from relitigating whether it represents other claimants. The Librarian also determined that Litton's claim consists of at least 8 programs, and listed them in the June 5, 2001 Order. This part of Litton's claim is decided and may not be relitigated. Whether there are additional programs that should be credited to Litton's claim (such as *Dream Big* and *Dramatic Moments in Black Sports History*) may be addressed in the new proceeding. Likewise, all other matters as to program ownership, and the proper division of the royalties, are open to consideration in the new proceeding.

The Library will issue a scheduling order for the new proceeding once the arrangements have been made.

#### Order of the Librarian

Having duly considered the recommendation of the Register of Copyrights regarding the initial report and the revised report of the CARP in the above-captioned proceeding, the Librarian determines the following. First, the Librarian has accepted the recommendation of the Register to reject the initial report of the CARP and remand the proceeding to the CARP with instructions for further action. This was done in the June 5, 2001, Order in this proceeding, and the Librarian incorporates that Order as a part of his final determination. See Appendix A.

Second, the Librarian accepts the recommendation of the Register to reject the revised report of the CARP. Third, the Librarian accepts the recommendation of the Register to remand this proceeding to a new CARP for a new proceeding to determine the proper distribution of 1997 cable royalties between MPAA and IPG. The Library will issue a scheduling order for the new CARP proceeding once arrangements have been made.

Dated: December 14, 2001.

Marybeth Peters,  
Register of Copyrights.

**APPENDIX A—LIBRARIAN'S  
REMAND ORDER DATED JUNE 5, 2001**

[Docket No. 2002-2 CARP CD 93-97]

In the Matter of Distribution of 1993, 1994, 1995, 1996 and 1997 Cable Royalty Funds

**Order**

On April 16, 2001, the Librarian of Congress received the report of the Copyright Arbitration Royalty Panel (CARP) in the above-captioned proceeding. Both the Motion Picture Association of America (MPAA) and the Independent Producers Group (IPG), the two litigants in this proceeding, have filed their petitions to modify and/or set aside the determination of the CARP, and their replies to those petitions.

After a review of the report and examination of the record in this proceeding, the Register recommends that the Librarian reject the decision of the CARP, and remand the case to the CARP for modification of the decision. The Register concludes that the CARP acted arbitrarily in three ways. First, the CARP did not follow the decisional guidelines and intent of the June 22, 2000, Order issued in this proceeding which directed the CARP to dismiss any claimants listed in exhibit D of IPG's written direct case that did not have a written representation agreement with Worldwide Subsidy Group on or before July 31, 1998.

Second, the CARP arbitrarily included two programs—*Critter Gitters* and *Bloopy's Buddies*—in the claim of Litton Syndications, Inc. (represented by IPG) when IPG did not introduce any evidence as to the value of those programs. In addition, the CARP arbitrarily assigned the program *Dramatic Moments in Black Sports History* to IPG without adequate explanation of its decision.

Third, the CARP acted arbitrarily in awarding 0.5% of the 1997 cable royalties to IPG, and the remaining 99.5% of the royalties to MPAA, because it did not provide any explanation of the methodology or analysis it used to arrive at these numbers.

A full discussion of the Register's reasons for these conclusions shall appear in the final order in this proceeding published in the *Federal Register*.

Wherefore, the Register recommends that the Librarian reject the CARP's report and remand to the CARP to take the following actions in modifying its report:

1. That the CARP award royalties to IPG only on the claims of Litton Syndications and not award any royalties to IPG based upon the other claimants in exhibit D of IPG's written direct case;
2. That the CARP credit Litton with only the following programs: *Algo's Factory*; *Jack Hanna's Animal Adventures*; *Harvey Penick's Golf Lesson*; *Mom USA*; *Nprint*; *Sophisticated Gents*; *Just Imagine* and *The Sports Bar*;
3. That the CARP explain its reasons for crediting *Dramatic Moments in Black Sports History* to Litton's claim; and, if it concludes that its initial decision was correct, add the program to the list contained in #2;
4. That the CARP enter a new distribution percentage for IPG, based only on the claim

of Litton and the programs listed in #2 and, if appropriate, #3, and allocate the remainder of the royalties to MPAA; and

5. That the CARP fully explain its reasons and methodology for the distribution percentages it assigns to IPG and MPAA.

The Register further recommends that the CARP be given until June 20, 2001, to report its modified decision to the Librarian and that section 251.55 of the rules, 37 C.F.R., apply to the CARP's modified report, except that the periods for petitions and replies be shortened from 14 days to 7 days for petitions, and from 14 days to 5 days for replies, due to the proximity of the time period for issuance of the Librarian's final order in this proceeding.

So recommended.

Dated: June 5, 2001.

Marybeth Peters,  
Register of Copyrights.

So Ordered.

James H. Billington,  
The Librarian of Congress.

[FR Doc. 01-31607 Filed 12-21-01; 8:45 am]  
BILLING CODE 1410-33-P

**MORRIS K. UDALL SCHOLARSHIP  
AND EXCELLENCE IN NATIONAL  
ENVIRONMENTAL POLICY  
FOUNDATION**

**Institute for Environmental Conflict  
Resolution—Program Evaluation  
Instruments: Agency Information  
Collection Activities: Proposed  
Collection; Comment Request**

**AGENCY:** Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, U.S. Institute for Environmental Conflict Resolution.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that the U.S. Institute for Environmental Conflict Resolution (the U.S. Institute), part of the Morris K. Udall Foundation, is planning to submit 18 proposed Information Collection Requests (ICRs) to the Office of Management and Budget (OMB). Each of these 18 ICRs is a new collection request; they are being consolidated under a single filing to provide a more coherent picture of information collection activities by the U.S. Institute. The proposed information collection is expected to neither have a significant economic impact on respondents, nor affect a substantial number of small entities. The average cost (in lost time) per respondent is estimated to be \$4.91.

Before submitting the ICRs to OMB for review and approval, the U.S. Institute is soliciting comments on specific aspects of the information collection as

described at the beginning of the section labeled "Supplementary Information."

**DATES:** Comments must be submitted on or before February 25, 2002.

**ADDRESSES:** U.S. Institute for Environmental Conflict Resolution, 110 South Church Avenue, Suite 3350, Tucson, Arizona 85701. Worldwide web: www.ecr.gov.

**FOR FURTHER INFORMATION CONTACT:** David P. Bernard, Associate Director, U.S. Institute for Environmental Conflict Resolution, 110 South Church Avenue, Suite 3350, Tucson, Arizona 85701, Fax: 520-670-5530, Phone: 520-670-5299, E-mail: [bernard@ecr.gov](mailto:bernard@ecr.gov).

**SUPPLEMENTARY INFORMATION:**

**OVERVIEW**

To comply with the Government Performance and Results Act (GPRA) (Pub. L. 103-62), the U.S. Institute for Environmental Conflict Resolution, as part of the Morris K. Udall Foundation, is required to produce, each year, an Annual Performance Plan, linked directly to the goals and objectives outlined in the Institute's five-year Strategic Plan. The U.S. Institute is also required to produce an Annual Performance Report, evaluating progress toward achieving its performance commitments. The U.S. Institute is currently developing a program evaluation system to gather and analyze information needed to assist in producing its Annual Performance Report.

The U.S. Institute is committed to establishing, achieving, and maintaining a national standard of excellence in all its programs, products, and services. To do so, the U.S. Institute requires high quality information concerning effectiveness of its various initiatives. Systematic and ongoing monitoring of program outcomes will allow the U.S. Institute to perform a variety of tasks, including giving individual project and program managers, as well as the Institute's management, the ability to accurately assess and report on program and project achievements. The new evaluation system has been carefully designed to support efficient and economical generation, analysis and use of this much-needed information, with an emphasis on program feedback, learning and improvement.

As part of the program evaluation system, the U.S. Institute intends to collect specific information from participants in, and users of, several of its programs and services. Specifically, five of the Institute's programs and services are the subject of this Federal

continuing demand from the public and private sectors for current information on consumer spending.

In the Quarterly Interview Survey, each consumer unit (CU) in the sample is interviewed every three months over five calendar quarters. The sample for each quarter is divided into three panels, with CUs being interviewed every three months in the same panel of every quarter. The Quarterly Interview Survey is designed to collect data on the types of expenditures that respondents can be expected to recall for a period of three months or longer. In general the expenses reported in the Interview Survey are either relatively large, such as property, automobiles, or major appliances, or are expenses which occur on a fairly regular basis, such as rent, utility bills, or insurance premiums.

The Diary (or recordkeeping) Survey is completed at home by the respondent family for two consecutive one-week periods. The primary objective of the Diary Survey is to obtain expenditure data on small, frequently purchased items which normally are difficult to recall over longer periods of time.

**II. Desired Focus of Comments**

The Bureau of Labor Statistics is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility;

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

**III. Current Action**

The BLS and the Census Bureau have completed a sample redesign based on the 2000 Census to be implemented for the Quarterly Interview in November, 2004 and for the Diary in January, 2005. While the new sample is introduced for the Quarterly Interview, there will be some overlap of old and new samples in some primary sampling units (PSUs) or areas in which CE data are collected.

The BLS also is introducing a new Diary in which respondents report their daily expenditures. The BLS has reduced the number of "parts" of the Diary from five to four, eliminating "Food and Drinks as Gifts" as a separate part. In the remaining parts, the

subgroups have either decreased or been eliminated, making it easier for the respondent to record their purchases. In the "Food and Drinks Away From Home" part, there are check boxes that help the respondent report the type of information the BLS needs. There also are fold-outs that have helpful tips for reporting information and a pocket for receipts to aid in remembering expenditures. These changes will facilitate the task of filling out the Diary for the respondent.

Because of the implementation of Computer Assisted Personal Interview (CAPI) for the Quarterly Interview, the estimate of the time it takes to complete an interview has changed. Based on timing data maintained within the instrument, the BLS has determined the average interview time to be 70 minutes, down from an estimated 90 minutes. The BLS only recently implemented CAPI for the Diary Household Characteristics Survey and is unable to calculate the average at this time. The BLS is expecting a decrease in the average time for Diary interviews for the next clearance.

*Type of Review:* Revision of a currently approved collection.

*Agency:* Bureau of Labor Statistics.

*Title:* The Consumer Expenditure Surveys: The Quarterly Interview and the Diary.

*OMB Number:* 1220-0050.

Form	Total respondents	Frequency	Total responses	Average time per response	Estimated total burden (in hours)
CE Quarterly Interview CAPI Instrument .....	11,024	4	44,096	70	51,445
Quarterly Interview Reinterview CPI instrument .....	3,528	1	3,528	15	882
CE Diary: Household Questionnaire CAPI instrument .....	7,676	3	23,028	25	9,595
CE Diary: CE-801, Record of Your Daily Expenses .....	7,676	2	15,352	105	26,866
CE Diary Reinterview CAPI instrument .....	921	1	921	15	230
<b>Totals .....</b>	<b>18,700</b>	<b>.....</b>	<b>86,925</b>	<b>.....</b>	<b>89,018</b>

**Please note:** Reinterview respondents are a subset of the original number of respondents for each survey. Therefore, they are not counted again in the totals. Also, for the Diary, the "Record of Your Daily Expenses" respondents are the same as the "Household Questionnaire" respondents.

*Affected Public:* Individuals or households.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed at Washington, DC, this 21st day of April, 2004.

**Cathy Kazanowski,**  
 Chief, Division of Management Systems,  
 Bureau of Labor Statistics.  
 [FR Doc. 04-9807 Filed 4-29-04; 8:45 am]  
 BILLING CODE 4510-24-P

**LIBRARY OF CONGRESS**

**Copyright Office**

[Docket No. 2000-2 CARP CD 93-97]

**Distribution of 1993, 1994, 1995, 1996 and 1997 Cable Royalty Funds**

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Notice of termination of proceeding.

**SUMMARY:** The Librarian of Congress is announcing the vacatur of his Order rejecting the initial and revised reports



of the Copyright Arbitration Royalty Panel ("CARP") in the Phase II proceeding to determine the distribution of 1997 cable royalty funds in the syndicated programming category. The Librarian's Order as well as the initial and revised CARP reports are being vacated as moot because the parties have resolved their dispute.

**FOR FURTHER INFORMATION CONTACT:**

David O. Carson, General Counsel, or William J. Roberts, Jr., Senior Attorney for Compulsory Licenses, P.O. Box 70977, Southwest Station, Washington, DC 20024, Telephone: (202) 707-8380, Telefax: (202) 252-3423.

**SUPPLEMENTARY INFORMATION:** On October 17, 2000, the Librarian of Congress convened a Copyright Arbitration Royalty Panel ("CARP") to resolve a dispute within the syndicated programming category between the Motion Picture Association of America ("MPAA") and the Independent Producers Group ("IPG") over the division of royalties collected in 1997 pursuant to 17 U.S.C. 111 for the retransmission of movies and syndicated television series by cable systems. 65 FR 60690 (October 12, 2000). At the conclusion of the six-month arbitration period, the CARP delivered to the Librarian its initial report setting forth its determination of the distribution of the 1997 cable royalty funds. Because of flaws in the CARP's decision, the Librarian, upon the recommendation of the Register of Copyrights, rejected the initial report and remanded the case to the CARP with instructions to alter the allocation of royalties and to explain its decisionmaking process. See Order in Docket No. 2000-2 CARP 93-97 (dated June 5, 2001). On June 20, 2001, the CARP delivered its revised report. On December 26, 2001, the Librarian issued an order identifying numerous flaws in the CARP's determination as well as in the cases presented by both IPG and MPAA. Because of these flaws, the Librarian concluded that no determination of the distribution of the 1997 cable royalties could be made based on the record presented to the CARP. Accordingly, he rejected the CARP's initial and revised reports and remanded the matter for a new proceeding before a new CARP. 66 FR 66433 (December 26, 2001).

MPAA and IPG each appealed the Librarian's decision to the United States Court of Appeals for the District of Columbia Circuit. *Motion Picture Association of America v. Librarian of Congress*, No. 02-1033; *Independent Producers Group v. Librarian of Congress*, No. 02-1040. However, they

have recently settled the dispute. As part of the settlement, it was agreed that the Librarian's December 26, 2001, Order would be vacated. On April 21, 2004, the Court of Appeals dismissed the appeals. In order to facilitate the settlement, the Librarian issued an order vacating as moot the December 26, 2001, Order as well as the CARP reports of April 16, 2001, and June 20, 2001.

The text of the Order reads as follows:

**Recommendation and Order**

On December 26, 2001, the Library published an Order announcing the Librarian of Congress's decision to reject the initial and revised reports of the Copyright Arbitration Royalty Panel ("CARP") in this Phase II proceeding in the syndicated programming category for distribution of the 1997 cable royalty funds. The Order identified a number of flaws in the cases presented by both IPG and MPAA and in the determination made by the Copyright Arbitration Royalty Panel ("CARP"), and concluded that a distribution of royalties could not be made based on the current record. Accordingly, the Librarian remanded the matter for a new proceeding before a new CARP. Order, 66 FR 66433 (Dec. 26, 2001).

Both parties, Independent Producers Group ("IPG") and The Motion Picture Association of America, Inc. ("MPAA") petitioned the United States Court of Appeals for the District of Columbia Circuit to review the Librarian's determination. *Motion Picture Association of America v. Librarian of Congress*, No. 02-1033; *Independent Producers Group v. Librarian of Congress*, 02-1040.

The parties have now settled this dispute, making a remand for new proceedings unnecessary and making it possible to distribute the remaining funds that were in dispute. As part of the settlement, it has been agreed that the December 26, 2001 Order shall be vacated.

Because the parties have settled their dispute, and therefore there is no reason to remand the matter for further proceedings before a new CARP, the Register recommends that the December 26, 2001 Order be vacated as moot. Further, in light of the flaws in the determination made by the CARP as identified in the December 26, 2001 Order, the CARP's initial and final determinations should also be vacated, to make clear that those determinations have no precedential value. The recommendation that the December 26, 2001 Order be vacated is made in order to facilitate the settlement and because the matter is now moot; this recommendation should not be construed as a repudiation of the reasoning in the December 26, 2001 Recommendation and Order.

**Order of the Librarian**

Having duly considered the recommendation of the Register of Copyrights the Librarian accepts the recommendation in its entirety and orders that the December 26, 2001 Order, the April 16, 2001 initial Report of the CARP, and the June 20, 2001 revised Report of the CARP are hereby VACATED as moot.

In accordance with the Librarian's Order, this proceeding has been terminated.

Dated: April 27, 2004.

**David O. Carson,**

*General Counsel.*

[FR Doc. 04-9834 Filed 4-29-04; 8:45 am]

BILLING CODE 1410-33-P

**MILLENNIUM CHALLENGE CORPORATION**

[FR 04-05]

**Public Outreach Meeting**

**AGENCY:** Millennium Challenge Corporation.

**ACTION:** Notice.

**SUMMARY:** The Millennium Challenge Corporation ("MCC") will hold a public outreach meeting on May 3, 2004. The MCC Interim CEO and MCC staff will update interested members of the public on MCC operations to date and discuss upcoming MCC activities, including the consideration by the MCC Board of Directors on May 6, 2004 of countries that will be eligible for Millennium Challenge Account assistance in FY2004 under the Millennium Challenge Act of 2003 (Pub. L. 108-199, Division D).

**DATES:** May 3, 2004, 2-3 p.m.

**ADDRESSES:** General Services Administration, main auditorium, 1800 F Street, NW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Information on the meeting may be obtained from Shirley Puchalski at (703) 875-7337.

**SUPPLEMENTARY INFORMATION:** Due to security requirements at the meeting location, all individuals wishing to attend the meeting are encouraged to arrive at least 20 minutes before the meeting begins and must comply with all relevant security requirements of the General Services Administration. Seating will be available on a first come, first served basis. (Section 614, Public Law 108-199, Division D.)

Dated: April 27, 2004.

**Jon A. Dyck,**

*Vice President and General Counsel, Millennium Challenge Corporation.*

[FR Doc. 04-9933 Filed 4-29-04; 8:45 am]

BILLING CODE 9210-01-P

COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

1. 2008-2 CARP CD 2000 - Joint Notice of Intent to Participate and Comments on the Existence of Controversies (9/30/2002)
2. 2002-8 CARP CD 2000 – Notice of Intent to Participate Fintage Publishing (9/19/2002)
3. 2003-2 CARP CD 2001 – Joint Notice of Intent to Participate and Comments on the Existence of Controversies
4. 2002-2 CARP CD 93-97 – Phase II Cable Royalty Distribution Report, Redacted Public Version (4/16/2001)
5. 2000-2 CARP CD 93-97 - ORDER (6/22/2000)
6. 2000-2 CARP CD 93-97 – ORDER (9/22/2000)
7. 2000 Cable Copyright Claims Final List
8. 2001 Cable Copyright Claims Final List
9. 2002 Cable Copyright Claims Final List
10. 2003 Cable Copyright Claims Final List
11. Cable Royalty Distribution Report dated April 6, 2001 (Redacted).

The CRB has a file copy of the unredacted, Confidential Phase II Cable Royalty Distribution Report (Confidential) dated April 16, 2001. The Confidential Report is subject to a General Protective Order and the Judges will not release or distribute a copy of this Report except on motion of the requesting party, with due notice to all parties bound by the General Protective Order and an opportunity for response regarding disclosure of the Report and its contents.

SIGNED this 26<sup>th</sup> day of October, 2012.



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Suzanne M. Barnett  
Chief Copyright Royalty Judge

20028 CARPCD2000

ORIGINAL

m 12/14/05

3

Fintage Publishing & Collection B.V.



Stationsweg 32, 2312 AV Leiden  
The Netherlands  
Telephone +31 71 565 99 99  
Telefax +31 71 565 99 60  
entertainment.assets@fintagehouse.com  
www.fintagehouse.com

**By DHL Courier**

Copyright Arbitration Royalty Panel  
(CARP)  
PO Box 70977  
Southwest Station  
Washington, DC 20024  
USA

**RECEIVED**

SEP 19 2002

**GENERAL COUNSEL  
OF COPYRIGHT**

Re 2000 Cable Retransmission Royalties Phase II; Notice of Controversy and  
Intent to Participate  
Phone +31 71 565 9996  
Date September 11, 2002

Dear Sir or Madam,

This letter will serve as notice that Fintage Publishing and Collection B.V. ("Fintage") has terminated its relationship with its agent, WSG/IPG, with whom Fintage timely filed for the 2000 Cable royalty distribution.

Pursuant thereto, please be advised that Fintage, and no one else, will fully participate in the 2000 Cable Phase II proceedings for the Syndicated Programming and Movies category, and represent the following parties and their represented programming:

- 1st Miracle Pictures
- Alain Sirlitzky Productions
- Anheuser-Busch Companies, Inc.
- Beyond International Ltd
- C/F International, Inc.
- Cascade Films Pty Ltd
- Chorion Intellectual Properties Ltd./Enid Blyton Ltd.
- CLT-Ufa S.A.
- David Finch Distribution Ltd. fka David Finch Associates
- EM.TV & Merchandising AG
- Filmline International 1999 Inc.
- Fintage Publishing and Collection B.V.
- Flesh and Blood Inc.
- Great Chefs Television -
- Human Voices Pty Ltd.
- Mansfield Television Distribution Co. -
- Muggers Films
- Myriad Pictures
- New Dominion Pictures LLC
- Passport International Productions

Withdrew  
on 12/14/05

**Fintage Publishing & Collection B.V.**


Questar Video, Questar Inc.  
Richard Gabai  
Shogakukan Production Co. Ltd.  
Sky Visuals  
South Hope Street Music (aka Click Productions)  
Stone Stanley Entertainment  
Storm Entertainment Inc.  
Sullivan Entertainment International  
Taurus 7 Film Corp.  
Team Communications Group aka Team Entertainment Group  
Televisa Internacional, S.A./Televisa, S.A. de C.V.  
TF1 International/CiBy D.A.  
The City Productions Inc.  
Thomas Horton Associates  
TV-Loonland AG  
Wave Entertainment  
Wild Heart Productions  
Wild Visuals  
Yoram Gross

As of the date of this notice, Fintage certifies that it has the authority and consent of the parties listed above to represent them in the CARP proceeding.

Our address details:

Fintage Publishing and Collection B.V.  
Stationsweg 32  
2312 AV, Leiden  
The Netherlands  
+31 71 565 9999 Telephone  
+31 71 565 9960 Facsimile

Respectfully,

  
Ernst Jacob Bakker

c.c. Niels Teves/Paul Rogers

COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

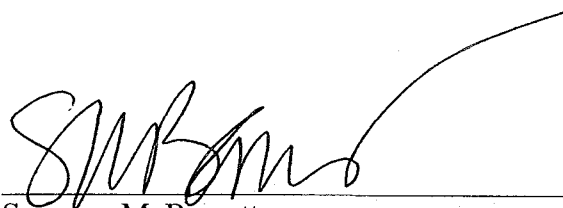
**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

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4. 2002-2 CARP CD 93-97 – Phase II Cable Royalty Distribution Report, Redacted Public Version (4/16/2001)
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SIGNED this 26<sup>th</sup> day of October, 2012.

A handwritten signature in black ink, appearing to read 'SMBarnett', written over a horizontal line.

Suzanne M. Barnett  
Chief Copyright Royalty Judge

**ORIGINAL**

**RECEIVED**

SEP 30 2002

Before the

UNITED STATES COPYRIGHT OFFICE  
LIBRARY OF CONGRESS

GENERAL COUNSEL  
OF COPYRIGHT

In the Matter of )  
 )  
Ascertainment of Controversy )  
For The )  
2000 Cable Royalty Funds )

Docket No. 2002-8 CARP CD 2000

**JOINT NOTICE OF INTENT TO PARTICIPATE  
AND COMMENTS ON THE EXISTENCE OF CONTROVERSIES**

**I. Joint Notice of Intent to Participate.**

Adler Media, Inc., O. Atlas Enterprises, Inc., Sandra Carter Productions, Inc., and Ward Productions Inc. (each a "Claimant," collectively, the "Claimants"), hereby give notice by counsel, that the Claimants intend to participate in any proceeding(s) involving the Phase I allocation of 2000 Cable royalties, and in any Phase II proceeding(s) involving the allocation of the Claimants' share of the 2000 Cable royalties.

**II. Comment on the Existence of Controversies.**

**A. Background.**

On July 27, 2001, Adler Media, Inc. ("Adler") authorized Independent Producers Group ("IPG") of San Antonio, Texas to file cable retransmission royalty claims for television programming broadcast during 2000. On August 3, 2001, the Copyright Office received IPG's claim dated July 31, 2001, identifying Adler as one of IPG's multiple cable retransmission claimants represented by Worldwide Subsidy Group ("WSG"), a Texas limited liability company, d/b/a IPG. IPG's claim was identified as Claim No. 608.

*O. Atlas Enterprises, Sandra Carter  
Productions and Ward Productions  
vs Andrew NOIP on 12/14/05*



On February 17, 1999, O. Atlas Enterprises, Inc. ("Atlas"), authorized WSG of Beverly Hills, California, among other things, to file cable retransmission royalty claims for television programming broadcast during 2000.

On August 3, 1999, Sandra Carter Productions, Inc. ("Carter"), authorized WSG, among other things, to file cable retransmission royalty claims for television programming broadcast during 2000.

On August 4, 1998, Jay Ward Productions Inc. ("Ward") authorized WSG, among other things, to file cable retransmission royalty claims for television programming broadcast during 2000.

On August 8, 2001, the Copyright Office received WSG's cable retransmission royalty claim, dated July 31, 2001, which identified Atlas, Carter, and Ward as three of the multiple cable retransmission claimants represented by Artist Collections Group, a California limited liability company, d/b/a WSG. WSG's claim was identified as Claim No. 612.

Due to the pending criminal sentencing of an officer of IPG and WSG for filing fraudulent copyright retransmission royalty claims at the Copyright Office, and other circumstances, Claimants individually terminated their contractual relationships with IPG or WSG with respect to retransmission royalty representation before the Copyright Office and the Copyright Arbitration Royalty Panel ("CARP") prior to the date of this filing. Each Claimant individually instructed IPG or WSG, as appropriate, to cease from filing claims on his or her behalf.

Adler further instructed IPG to notify all copyright collectives that IPG was no longer authorized to continue to, or to claim, to represent Adler. See Letter to Lisa Katona from Larry Adler, dated September 25, 2002 (attached). Atlas, Carter and Ward gave WSG the same instructions. See Letter to Marian Oshita from Barbara Atlas, dated September 19, 2002 (to be provided upon request in a supplemental filing); Letter to Marian Oshita from Sandra Carter dated September 19, 2002 (attached and redacted); and Letter to Marian Oshita from Tiffany Ward, dated September 19, 2002

(attached). In each of those letters, Claimants told IPG and WSG, as appropriate, that further correspondence from any copyright collective should be forwarded to each Claimant directly.

Since the terminations of representation with IPG and WSG, Claimants have authorized counsel to represent their interests before the Copyright Office and CARP in order to assist Claimants in retrieving their cable retransmission royalty distributions for 2000. All future communications related to year 2000 cable retransmission royalties should be made to any Claimant through the undersigned counsel. As stated in the attached correspondence, Claimants have notified IPG and WSG separately that IPG and WSG will be compensated for services rendered in accordance with the terms of their individual representation agreements.

**B. Controversies.**

Claimants foresee two controversies that could develop with respect to the distribution of 2000 cable retransmission royalties:

1. IPG or WSG may contest counsel's representation of Claimants. In this filing, Counsel has provided the Copyright Office and the CARP with a copy of the correspondence terminating Adler's relationship with IPG, and copies of the correspondence terminating Carter's and Ward's relationship with WSG. Upon request, Counsel will also provide Atlas' letter of termination and additional correspondence authorizing counsel to represent each Claimant's interests before the Copyright Office and the CARP.

2. Claimants intend to claim their royalties in Phase I of this proceeding as a portion of the funds that historically have been distributed to syndicated programming and movies. Claimants intend to resolve any potential controversy over the distribution of those royalties with the Motion Picture Association of America ("MPAA") as soon as possible. Counsel for Claimants and counsel for MPAA have initiated discussions and are hopeful that any Phase I controversies can be

resolved quickly. If the Phase I controversies are resolved quickly, Claimants are confident that any Phase II controversy will be resolved shortly thereafter.

### III. Certification of Authority and Consent.

The undersigned hereby certifies that, as of the date of submission of this Joint Notice of Intent to Participate, it has the authority and consent of each of the Claimants to represent the Claimants jointly in any Phase I or Phase II proceeding.

Respectfully submitted,

Intermediary Copyright Royalty Services  
a division of HAMMERMAN, PLLC

Attorneys for

ADLER MEDIA, INC.  
O. ATLAS ENTERPRISES, INC.  
SANDRA CARTER PRODUCTIONS, INC.  
WARD PRODUCTIONS INC.

By: 

Edward S. Hammerman, Esq.  
Intermediary Copyright Royalty Services  
a division of HAMMERMAN, PLLC  
5335 Wisconsin Avenue, N.W.  
Suite 440  
Washington, D.C. 20015-1052  
202-686-2887 (direct)  
202-244-8257 (facsimile)  
[Ted@CopyrightRoyalties.com](mailto:Ted@CopyrightRoyalties.com)

September 30, 2002

## CERTIFICATE OF SERVICE

I, Edward S. Hammerman, certify that I have caused copies of the foregoing Joint Notice of Intent To Participate and Comments on the Existence of Controversies, related to Docket No. 2002-8 CARP CD 2000, to be sent via first-class mail, this 30<sup>th</sup> day of September, 2002, to the following:

Susan N. Grimes  
CARP Specialist  
U.S. Copyright Office  
Library of Congress  
P.O. Box 70977  
Southwest Station  
Washington, D.C. 20024

Lisa Katona  
2318 Sawgrass Ridge  
San Antonio, Texas 78258  
*Independent Producers Group*

Marian Oshita  
9903 Santa Monica Boulevard  
Suite 655  
Beverly Hills, California 90212  
*Worldwide Subsidy Group*

Larry Adler, President  
Adler Media, Inc.  
6849 Old Dominion Drive  
Suite 360  
McLean, Virginia 22101

Barbara Atlas  
O. Atlas Enterprises, Inc.  
8383 Wilshire Boulevard  
Suite 339  
Los Angeles, California 90211

Sandra Carter  
Sandra Carter Productions, Inc.  
230 West 79<sup>th</sup> Street, Suite 102  
New York, NY 10024

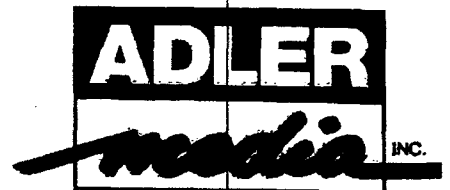
Tiffany Ward  
Managing Director  
Ward Productions, Inc.  
8200 Sunset Boulevard  
Los Angeles, California 90046

Gregory Olaniran, Esq.  
Stinson, Morrison & Hecker  
1150 18th Street, N.W.  
Suite 800  
Washington, D.C. 20036  
*Motion Picture Association  
of America, Inc.*

Marsha Kessler, Vice President  
Copyright Royalty Distribution  
Motion Picture Association  
of America, Inc.  
1600 I Street, N.W.  
Washington, D.C. 20006

By:

  
Edward S. Hammerman



September 25, 2002

Via Certified Mail

6849 Old Dominion Drive  
Suite 360  
McLean, Virginia 22101 U.S.A.  
Tel. (703) 556-8880  
Fax: (703) 556-8288  
email: adlermedia@aol.com  
www.adlermediatv.com

Lisa Katona, President  
Worldwide Subsidy Group d/b/a Independent Producers Group  
2318 Sawgrass Rd.  
San Antonio, Texas 78258

Dear Ms. Katona:

The purpose of this letter is to terminate our agreement dated July 27, 2001 with Worldwide Subsidy Group d/b/a Independent Producers Group effective immediately. Your organization is not authorized to claim to represent, to represent, or to file any future claims for my company in any domestic or international matters. If you have filed a notice of intent to participate in the year 2000 cable proceeding you are instructed to withdraw that claim. You will be compensated for any claims in which you have rendered services under the terms of our agreement, which as you know is covers only calendar year 2000 cable and satellite retransmission royalties administered by or through the Copyright Arbitration Royalty Panel of the US Copyright Office.

Please provide me with a detailed status report, copies of and accounting for all claims filed on behalf of Adler Media, Inc. domestically and internationally by September 30, 2002. In addition, I would appreciate it if you would notify all copyright collectives with whom you have filed royalty claims that you no longer represent my organization. Kindly direct each collective to send future correspondence to my attention at the address printed on this letterhead.

In accordance with our written agreement, your organization will be compensated at the agreed upon contingency fee for all royalty claims for which you have settled to date. Should you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Adler", with a long horizontal line extending to the right.

Larry Adler  
President



# Sandra Carter Productions

230 West 79th Street, Suite 102 New York NY 10024  
PH: 212-246-4765 FX: 212-246-4953 E-mail: sandracarter@nyc.rr.com  
Web: SANDRA-CARTER.COM

July 25, 2002

Via Certified Mail

Marian Oshita, Vice President  
Artist Collections Group d/b/a Worldwide Subsidy Group  
9903 Santa Monica Blvd., # 655  
Beverly Hills, California 90212

Dear Ms. Oshita:

The purpose of this letter is to terminate our agreement with Artist Collections Group d/b/a Worldwide Subsidy Group effective immediately. Your organizations are no longer authorized to claim to represent, to represent, or to file any future claims for my company in any domestic or international matters.

Please provide me with copies and an accounting of all claims filed on behalf of Sandra Carter Productions. In addition, I would appreciate it if you would notify all copyright collectives with whom you have filed royalty claims that you no longer represent my organization. Kindly direct each entity to send future correspondence to my attention at the address printed on this letterhead.

In accordance with our agreement, your organization will be compensated at the [REDACTED] contingency fee for all royalties for which you have filed to date. Should you have any questions, please contact me.

Sincerely,

  
Sandra Carter



8200 Sunset Blvd.  
Los Angeles, CA 90046  
Tel • (323) 650-2941  
(323) 650-2934  
Fax • (323) 650-2940

Thursday, September 19, 2002

Marian Oshita  
Worldwide Subsidy Group  
9903 Santa Monica Blvd.  
Suite 655  
Beverly Hills, California 90212

Dear Ms. Oshita:

The purpose of this letter is to terminate our agreement dated July 30, 1998 and signed November 2, 1999, with Artist Collections Group d/b/a Worldwide Subsidy Group effective immediately. Your organization is not authorized to claim to represent, to represent, or to file any future claims for my company in any domestic or international matters. If you have filed a notice of intent to participate in the year 2000 cable proceeding you are instructed to withdraw that claim. You will be compensated for any claims in which you have rendered services under the terms of our agreement up to television programming years 1999 for cable claims, 2000 for satellite claims and 2001 for international claims.

Please provide me with a detailed status report, copies of and accounting for all claims filed on behalf of Jay Ward Productions and Ward Productions, Inc. domestically and internationally by September 30, 2002. In addition, I would appreciate if you would notify all copyright collectives with whom you may have filed royalty claims that you no longer represent my organization. Kindly direct each collective to send future correspondence to my attention at the address printed on this letterhead.

In accordance with our written agreement, your organization will be compensated at the agreed upon contingency fee for all royalty claims for which you have Settled to date. Should you have any questions, please contact me.

Sincerely,

Jay Ward Productions Inc

*Tiffany Ward*

Tiffany Ward

Managing Director



COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

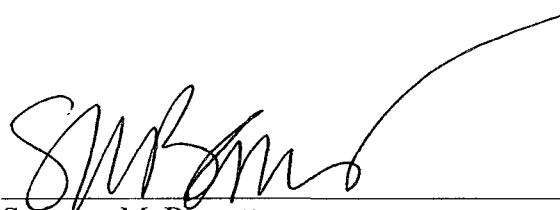
**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

1. 2008-2 CARP CD 2000 - Joint Notice of Intent to Participate and Comments on the Existence of Controversies (9/30/2002)
2. 2002-8 CARP CD 2000 – Notice of Intent to Participate Fintage Publishing (9/19/2002)
3. 2003-2 CARP CD 2001 – Joint Notice of Intent to Participate and Comments on the Existence of Controversies
4. 2002-2 CARP CD 93-97 – Phase II Cable Royalty Distribution Report, Redacted Public Version (4/16/2001)
5. 2000-2 CARP CD 93-97 - ORDER (6/22/2000)
6. 2000-2 CARP CD 93-97 – ORDER (9/22/2000)
7. 2000 Cable Copyright Claims Final List
8. 2001 Cable Copyright Claims Final List
9. 2002 Cable Copyright Claims Final List
10. 2003 Cable Copyright Claims Final List
11. Cable Royalty Distribution Report dated April 6, 2001 (Redacted).

The CRB has a file copy of the unredacted, Confidential Phase II Cable Royalty Distribution Report (Confidential) dated April 16, 2001. The Confidential Report is subject to a General Protective Order and the Judges will not release or distribute a copy of this Report except on motion of the requesting party, with due notice to all parties bound by the General Protective Order and an opportunity for response regarding disclosure of the Report and its contents.

SIGNED this 26<sup>th</sup> day of October, 2012.

A handwritten signature in black ink, appearing to read 'SMBarnett', written over a horizontal line.

Suzanne M. Barnett  
Chief Copyright Royalty Judge

DATE STAMP  
AND RETURN

20  
**RECEIVED**

Before the

**UNITED STATES COPYRIGHT OFFICE  
LIBRARY OF CONGRESS**

**SEP 12 2003**

**GENERAL COUNSEL  
OF COPYRIGHT**

In the Matter of )  
 )  
Ascertainment of Controversy )  
For The )  
2001 Cable Royalty Funds )

**Docket No. 2003-2 CARP CD 2001**

**JOINT NOTICE OF INTENT TO PARTICIPATE  
AND COMMENTS ON THE EXISTENCE OF CONTROVERSIES**

**I. Joint Notice of Intent to Participate.**

O. Atlas Enterprises, Inc., Phil Slater Associates, Sandra Carter Productions, Inc., SGI Worldwide Television and Film, Inc., and Ward Productions Inc. (each a "Claimant," collectively, the "Claimants"), hereby give notice by counsel, that the Claimants intend to participate in any proceeding(s) involving the Phase I allocation of 2001 Cable royalties, and in any Phase II proceeding(s) involving the allocation of the Claimants' share of the 2001 Cable royalties.

**II. Comment on the Existence of Controversies.**

**A. Background.**

On February 17, 1999, O. Atlas Enterprises, Inc. ("Atlas"), authorized Artist Collections Group, a California limited liability company, d/b/a Worldwide Subsidy Group ("WSG"), of Beverly Hills, California, among other things, to file cable retransmission royalty claims for television programming broadcast during 2000.

On July 26, 2001, Phil Slater Associates ("Phil Slater") authorized Independent Producers Group ("IPG") of San Antonio, Texas to file cable retransmission royalty claims for television programming broadcast during 2000, only. See attached Mandate Agreement, dated July 26, 2001.

On August 3, 1999, Sandra Carter Productions, Inc. ("Carter"), authorized WSG, among other things, to file cable retransmission royalty claims for television programming broadcast during 2001.

On August 4, 1998, Jay Ward Productions Inc., also known as Ward Productions, Inc. ("Ward") authorized WSG, among other things, to file cable retransmission royalty claims for television programming broadcast during 2001.

On August 5, 2002, the Copyright Office received WSG's cable retransmission royalty claim, dated July 31, 2002, which identified Atlas, Carter, Ward, and "Over the Edge-TV" as four of the multiple cable retransmission claimants represented by WSG. "Over the Edge-TV" is not a Claimant, but the title of a television program owned by SGI Worldwide Film and Television, Inc. ("SGI"). SGI is the Claimant's correct name.

On August 5, 2002, the Copyright Office received IPG's claim dated July 31, 2002, identifying Phil Slater as one of IPG's multiple cable retransmission claimants represented by WSG, a Texas limited liability company, d/b/a IPG. IPG's claim was identified as Claim No. 518.

Due to the criminal conviction and sentencing of an officer of IPG and WSG for filing fraudulent copyright retransmission royalty claims at the Copyright Office, and other circumstances, Claimants individually terminated their relationships with IPG or WSG prior to the docketing of this proceeding. Each Claimant individually instructed IPG or WSG, as appropriate, to cease from filing claims on its behalf. Neither IPG nor WSG should be permitted by the Copyright Office to claim to represent the Claimants.

Phil Slater further instructed IPG to notify all copyright collectives that IPG was no longer authorized to continue to, or to claim, to represent Phil Slater. See Letter to Marian Oshita, from Phil Slater, dated April 11, 2003 (attached). Atlas, Carter, SGI and Ward gave WSG similar instructions. See Letter to Marian Oshita from Barbara Atlas, dated September 18, 2002; Letter to Marian Oshita from Sandra Carter dated September 19, 2002 (attached and redacted); Letter to Marian Oshita from Harry Owens dated May 1, 2003 (attached), and Letter to Marian Oshita from Tiffany Ward, dated September 19, 2002 (attached).

To date, IPG and WSG have failed to provide complete accountings, and in some cases failed to respond at all, to counsel or to some of the Claimants, which ironically, WSG and IPG assert are their clients. Even though Atlas, Carter, SGI and Ward each terminated their representation agreements with WSG or IPG, WSG, through its "Catalog List," continues to claim to represent Atlas, Carter, and Ward through July 31, 2003, June 30, 2003, and June 30, 2003, respectively. See attached "Catalog List." WSG claims that to represent "Over the Edge-TV" perpetually on its "Catalog List," despite the fact that SGI sent notice of termination to WSG on May 1, 2003. SGI has no record of ever retaining WSG's services. Despite requests made by SGI, WSG has failed to provide SGI with proof of its authority to represent that Claimant. WSG also failed to respond to Atlas' requests to provide proof of its authority to represent that Claimant. Phil Slater never authorized IPG to file retransmission royalty claims in 2001, but IPG did so on page 4 of Exhibit A of Cable Claim No. 518.

Since the terminations of representation with IPG and WSG, Claimants have authorized counsel to represent their interests before the Copyright Office and CARP in order to assist Claimants in retrieving their cable retransmission royalty distributions for 2001. As stated in the attached correspondence, Claimants have notified IPG and WSG separately that IPG and WSG will be

compensated for services rendered in accordance with the terms of their individual representation agreements.

**B. Controversies.**

Claimants foresee two controversies that could develop with respect to the distribution of 2001 cable retransmission royalties:

1. IPG or WSG may attempt to represent Claimants whom neither is authorized to represent, or alternatively, contest counsel's representation of Claimants. In this filing, Counsel has provided the Copyright Office and the CARP with a copy of the correspondence terminating Claimants' relationships with IPG, and WSG. Upon request, Counsel will also provide additional correspondence authorizing counsel to represent each Claimant's interests before the Copyright Office and the CARP.

2. Claimants intend to claim their royalties in Phase I of this proceeding as a portion of the funds that historically have been distributed to Program Suppliers or to Public Television, as applicable. Atlas, SGI, and Ward intend to claim royalties that have been distributed historically to Program Suppliers. Phil Slater intends to claim royalties that have been distributed historically to Public Television. Sandra Carter intends to claim its royalties as portions of the Programs Suppliers and Public Television claimants, as applicable for its commercial and public television programming. Claimants, Atlas, Carter, SGI and Ward, intend to resolve any potential controversy over the distribution of those royalties with the Motion Picture Association of America ("MPAA") as soon as possible. In 2002, counsel for Claimants and counsel for MPAA initiated discussions and are hopeful that any Phase I controversies can be resolved quickly. If the Phase I controversies are resolved quickly, then Claimants are confident that any Phase II controversy will be resolved shortly thereafter. Potential controversies with PBS have been settled.

**III. Certification of Authority and Consent.**

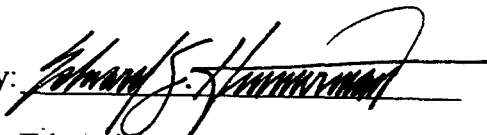
The undersigned hereby certifies that, as of the date of submission of this Joint Notice of Intent to Participate, it has the authority and consent of each of the Claimants to represent them jointly in any Phase I or Phase II proceeding. All communications related to year 2001 cable retransmission royalties to any Claimant should be forwarded to undersigned counsel.

Respectfully submitted,

Intermediary Copyright Royalty Services  
a division of HAMMERMAN, PLLC

Attorneys for

O. ATLAS ENTERPRISES, INC.  
PHIL SLATER ASSOCIATES  
SANDRA CARTER PRODUCTIONS, INC.  
SGI WORLDWIDE TELEVISION  
AND FILM, INC.  
WARD PRODUCTIONS INC.

By: 

Edward S. Hammerman, Esq.  
Intermediary Copyright Royalty Services  
a division of HAMMERMAN, PLLC  
5335 Wisconsin Avenue, N.W.  
Suite 440  
Washington, D.C. 20015-1052  
202-686-2887 (direct)  
202-202-318-5633 (facsimile)  
Ted@CopyrightRoyalties.com

September 12, 2003

CERTIFICATE OF SERVICE

I, Edward S. Hammerman, certify that I have caused copies of the foregoing Joint Notice of Intent To Participate and Comments on the Existence of Controversies, related to Docket No. 2003-2 CARP CD 2001, to be sent via first-class mail, this 12<sup>th</sup> day of September, 2003, to the following:

Barbara Atlas  
O. Atlas Enterprises, Inc.  
8383 Wilshire Boulevard  
Suite 339  
Los Angeles, California 90211

Sandra Carter  
Sandra Carter Productions, Inc.  
230 West 79<sup>th</sup> Street, Suite 102  
New York, NY 10024

Steven Edw. Friedman  
Director of Copyright  
PBS  
1320 Braddock Road  
Alexandria, Virginia 22314

Susan N. Grimes, Esq.  
CARP Specialist  
U.S. Copyright Office  
Library of Congress  
P.O. Box 70977  
Southwest Station  
Washington, D.C. 20024

Marsha Kessler, Vice President  
Copyright Royalty Distribution  
Motion Picture Association  
of America, Inc.  
1600 I Street, N.W.  
Washington, D.C. 20006

Gregory Olaniran, Esq.  
Stinson, Morrison & Hecker  
1150 18th Street, N.W.  
Suite 800  
Washington, D.C. 20036

Marian Oshita  
Worldwide Subsidy Group  
c/o Beverly Hills Mail Box  
9903 Santa Monica Boulevard  
PMB 655  
Beverly Hills, California 90212  
(address on Claim No. 517)

Marian Oshita  
Independent Producers Group  
2318 Sawgrass Ridge  
San Antonio, Texas 78258  
(address on Claim No. 518)

Harry Owens  
SGI Worldwide Film & Television, Inc.  
401 Morris Avenue  
Springfield, NJ 07081

Phil Slater  
Phil Slater Associates  
Video House  
32 Ash Street  
Fleetwood, Lancashire  
FY7 6TH ENGLAND

Tiffany Ward  
Managing Director  
Ward Productions, Inc.  
8200 Sunset Boulevard  
Los Angeles, California 90046

By:

  
Edward S. Hammerman



MANDATE AGREEMENT

The undersigned claimant hereby grants and assigns Independent Producers Group ("IPG") the exclusive right to apply for and collect on behalf of the undersigned (and all beneficial and/or legal owners of copyright identified on the attached Exhibit "A", collectively, the "Claimants") all monies distributed by the United States Copyright Office and the Copyright Arbitration Royalty Panel ("CARP") attributable to 2000 cable and satellite retransmission royalties distributed pursuant to 17 U.S.C. Sections 111 and 119, under the following terms and conditions:

1. The undersigned agrees, on behalf of itself and all beneficial and/or legal owners of copyright identified on the attached Exhibit "A", to accept the distribution methodology published at the IPG web site "www.independentproducers.org", hereby incorporated by reference.
2. Promptly upon IPG's request therefor, the Claimants shall provide IPG with an alphabetical list of program titles owned or distributed by the Claimants for which the Claimants retain the right to collect cable and satellite retransmission royalties.
3. IPG shall be entitled to establish all necessary and reasonable procedures required in order to accurately distribute retransmission royalties to the appropriate claimants.
4. IPG, its officers, agents or employees shall not be liable to the Claimants or to any person, firm or corporation for any act or omission in the prosecution of Claimants' claims.
5. The undersigned warrants that the undersigned retains the exclusive right to enter into this agreement and to apply for and collect cable and satellite retransmission royalties, as applicable, on behalf of the Claimants for the program titles provided to IPG.
6. In the event that the Claimants and another party make claim to the same program title, IPG will have no obligation to resolve such dispute, and shall be entitled to escrow funds attributable to the disputed program title until IPG is provided notification from the competing claimants of their resolution of such dispute, or until IPG is provided a ruling from a court of competent jurisdiction.
7. Any interpretation of this Agreement shall be governed by California law, subject to the exclusive personal and subject matter jurisdiction of state and federal courts located in Los Angeles County, California.
8. The undersigned, on behalf of itself and the Claimants, agrees to provide IPG all documentation necessary to substantiate the Claimants' right to collect retransmission royalties for program titles submitted by to IPG. All program title claims made by the Claimants shall be subject to IPG's good faith confirmation of the Claimants' entitlement thereto.

AGREED AND ACCEPTED:

Phil Slater Associates

By: 

Typed/Printed Name: Phil Slater

Title: MANAGING DIRECTOR

Date: 26-7-01

Independent Producers Group

By: \_\_\_\_\_

An Authorized Signatory

Exhibit A

**Phil Slater Associates**

For each joint claimant not executing the claim to which this Exhibit A is attached, the following information is hereby provided:

Joint Claimant's Name  
Address  
City, State, Country  
Phone #  
Fax #  
Contact Person

# Phil Slater Associates

April 11, 2003

Via Certified Mail  
Marian Oshita  
Worldwide Subsidy Group d/b/a Independent Producers Group  
9903 Santa Monica Blvd., # 655  
Beverly Hills, California 90212

Dear Ms. Oshita:

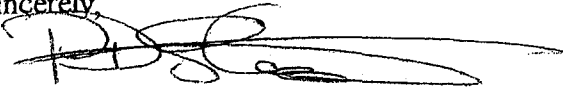
The purpose of this letter is to terminate the Mandate Agreement dated July 7, 2001 ("Agreement"), by and between Phil Slater Associates and Independent Producers Group effective immediately. Neither Worldwide Subsidy Group d/b/a Independent Producers Group, nor any other agents, affiliates, or assignees of your organization(s) are authorized to claim to represent, to represent, or to file any more documentation for pending or future claims for my company in any domestic or international matters. If you have filed a notice of intent to participate in the year 2000 cable proceeding you are instructed to assign that claim that claim to Hammerman, PLLC. You will be compensated fully for any claims in which you have rendered services under the terms of our agreement up through television programming years 2000 for cable and satellite retransmission royalty claims filed at the United States Copyright Office, and any international claims you may have filed without my authorization. In accordance with that Agreement, my company only authorized Independent Producers Group to file claims for television programming year 2000.

Please provide me with a detailed status report, copies of, and an accounting for all claims filed on behalf of Phil Slater Associates domestically and internationally by April 30, 2002. That information and all further communications should be directed to our attorney:

Edward S. Hammerman, Esq.  
Intermediary Copyright Royalty Services  
a division of Hammerman, PLLC  
5335 Wisconsin Avenue, N.W., Suite 440  
Washington, D.C. 20015-2052

Finally, I would appreciate it if you would notify all copyright collectives with whom you have filed royalty claims that you no longer represent my organization. Thank you.

Sincerely,



Philip D. Slater



# O. Atlas Enterprises, Inc.

September 18, 2002

Via Certified Mail  
Marian Oshita, President  
Artist Collections Group d/b/a Worldwide Subsidy Group  
9903 Santa Monica Blvd., #655  
Beverly Hills, California 90212

Dear Ms. Oshita:

The purpose of this letter is to confirm that I have terminated any arrangement that I may have made with Artist Collections Group d/b/a Worldwide Subsidy Group effective immediately. Your organization is not authorized to claim to represent, or to file any more documentation for pending or future claims for my company in any domestic or international matters. If you have filed a notice of intent to participate in the year 2000 cable proceeding you are instructed to withdraw that claim. You will be compensated for any claims in which you have rendered services under the terms of our agreement up to television programming years 1999 for cable claims, 2000 for satellite claims and 2001 for international claims.

Please provide me with a detailed status report, copies of and an accounting for all claims Filed on behalf of O. Atlas Enterprises, Inc. domestically and internationally by September 30, 2002. In addition, I would appreciate it if you would notify all copyright collectives with whom you have filed royalty claims that you no longer represent my organization.

Should you have any questions, please contact me.

Sincerely

Barbara Atlas  
O. Atlas Enterprises, Inc.



# Sandra Carter Productions

230 West 79th Street, Suite 102 New York NY 10024  
PH: 212-246-4765 FX: 212-246-4953 E-mail: sandracarter@mc.e.r.com  
Web: SANDRA-CARTER.COM

July 25, 2002

Via Certified Mail  
Marian Oshita, Vice President  
Artist Collections Group d/b/a Worldwide Subsidy Group  
9903 Santa Monica Blvd., # 655  
Beverly Hills, California 90212

Dear Ms. Oshita:

The purpose of this letter is to terminate our agreement with Artist Collections Group d/b/a Worldwide Subsidy Group effective immediately. Your organizations are no longer authorized to claim to represent, to represent, or to file any future claims for my company in any domestic or international matters.

Please provide me with copies and an accounting of all claims filed on behalf of Sandra Carter Productions. In addition, I would appreciate it if you would notify all copyright collectives with whom you have filed royalty claims that you no longer represent my organization. Kindly direct each entity to send future correspondence to my attention at the address printed on this letterhead.

In accordance with our agreement, your organization will be compensated at the [REDACTED] contingency fee for all royalties for which you have filed to date [REDACTED]. Should you have any questions, please contact me.

Sincerely,

  
Sandra Carter

**SGI**  
TELEVISION  
PRODUCTIONS INC.

401 MORRIS AVENUE, SPRINGFIELD, NEW JERSEY 07081

(973) 379-6805

To: Marian Oshita

Date: May 1, 2003

Re: Hammerman/PLLC

Marian Oshita  
Worldwide Subsidy Group d/b/a Independent Producers Group  
9903 Santa Monica Blvd., # 655  
Beverly Hills, California 90212

May 1, 2003

Dear Ms. Oshita:

The purpose of this letter is to terminate any agreements by and between SGI Worldwide Film and Television, Inc., owner of the television program, "Over The Edge-TV," and Independent Producers Group effective immediately. Neither Worldwide Subsidy Group d/b/a Independent Producers Group, nor any other agents, affiliates, or assignees of your organization(s) are authorized to claim to represent, to represent, or to file any more documentation for pending or future claims for my company in any domestic or international matters.

I was informed that Independent Producers Group claims to represent the interests of "Over The Edge-TV" as noted in its Comments on the Existence of Controversies and Notice of Intent to Participate in Phase I and Phase II Hearings for Docket No. 2002-8, CARP CD 2000, dated September 26, 2002. I do not recall authorizing Independent Producers Group to represent my interests in any matters. If you have a copy of a representation agreement signed by me or my company, please provide a copy of that agreement to my attorney.

You are hereby instructed to assign any claims under that agreement that were made on behalf of "Over The Edge-TV" to Hammerman, PLLC. You will be compensated fully for any claims in which you have rendered services under the terms of any valid agreement up through television programming years 2000 for cable and satellite retransmission royalty claims filed at the United States Copyright Office.

Please provide me with a detailed status report, copies of, and an accounting for all claims filed on behalf of "Over The Edge-TV" and/or SGI Worldwide Film and Television, Inc. domestically and internationally by May 31, 2002. That information and all further communications should be directed to our attorney Edward S. Hammerman, Esq., Intermediary Copyright Royalty Services, a division of Hammerman, PLLC, 5335 Wisconsin Avenue, N.W., Suite 440, Washington, D.C. 20015-2052.

Finally, I would appreciate it if you would notify all copyright collectives with whom you have filed royalty claims that you no longer represent my company. Thank you.

Sincerely,



Harry Owens



8200 Sunset Blvd.  
Los Angeles, CA 90046  
Tel • (323) 650-2941  
(323) 650-2934  
Fax • (323) 650-2940

Thursday, September 19, 2002

Marian Oshita  
Worldwide Subsidy Group  
9903 Santa Monica Blvd.  
Suite 655  
Beverly Hills, California 90212

Dear Ms. Oshita:

The purpose of this letter is to terminate our agreement dated July 30, 1998 and signed November 2, 1999, with Artist Collections Group d/b/a Worldwide Subsidy Group effective immediately. Your organization is not authorized to claim to represent, to represent, or to file any future claims for my company in any domestic or international matters. If you have filed a notice of intent to participate in the year 2000 cable proceeding you are instructed to withdraw that claim. You will be compensated for any claims in which you have rendered services under the terms of our agreement up to television programming years 1999 for cable claims, 2000 for satellite claims and 2001 for international claims.

Please provide me with a detailed status report, copies of and accounting for all claims filed on behalf of Jay Ward Productions and Ward Productions, Inc. domestically and internationally by September 30, 2002. In addition, I would appreciate if you would notify all copyright collectives with whom you may have filed royalty claims that you no longer represent my organization. Kindly direct each collective to send future correspondence to my attention at the address printed on this letterhead.

In accordance with our written agreement, your organization will be compensated at the agreed upon contingency fee for all royalty claims for which you have Settled to date. Should you have any questions, please contact me.

Sincerely,

Jay Ward Productions Inc

*Tiffany Ward*  
Tiffany Ward  
Managing Director



WSG Catalog List

1 <sup>st</sup> Miracle Pictures	[no end date]
3DD Entertainment	[no end date]
A&E Television Network	[no end date]
Abrams Gentile Entertainment	[no end date]
Academy of Television Arts and Sciences	[no end date]
Adams Golf	[no end date]
AFI [American Film Institute]	[no end date]
Anheuser-Busch Companies, Inc.	[no end date]
Ardent Productions	[no end date]
Artist and Idea Management, Ltd.	[12/31/03]
AVA Productions B.V.	[no end date]
Beacon Communications Corp.	[6/30/03]
Benny Hinn Ministries	[no end date]
Big Events Company	[no end date]
C/F International, Inc.	[no end date]
Cappy Productions	[no end date]
Central City Productions	[no end date]
Cheaters International	[no end date]
Chesler/Perlmutter Productions	[no end date]
Conus Communications Company	[no end date]
Corday Productions	[12/31/02]
Cosgrove-Meurer Productions	[6/30/03]
Creflo A. Dollar Ministries	[no end date]
Cromwell Productions	[no end date]
Daniel Hernandez Productions	[no end date]
David Finch Distribution Ltd.	[no end date]
Decode Entertainment	[6/30/02]
DIC Entertainment	[no end date]
Distraction Formats	[no end date]
DreamWorks SKG	[12/31/02]
Eagle Rock Entertainment	[no end date]
Entertainment Rights	[no end date]
ESPN	[no end date]
FIFA	[no end date]
Filmline International 1999, Inc.	[no end date]
Films By Jove	[no end date]
Fishing University, LLC	[no end date]
Fitness Quest	[7/28/01]
Five Star Productions	[no end date]
Flesh and Blood Inc. and The City	[no end date]
France Animation	[no end date]
Funimation	[no end date]
Gabriel Associates	[no end date]

Golden Films Finance Corporation IV	[no end date]
Grandolph Juravic Entertainment	[no end date]
Great Chefs	[no end date]
Greenlight Entertainment B.V.	[no end date]
GTSP Records	[no end date]
Hallmark Entertainment	[12/31/02]
HLB Productions	[no end date]
Home Enterprises	[no end date]
Image Entertainment, Inc.	[no end date]
Integrity Global Marketing	[no end date]
Jay Ward Productions	[6/30/03]
JCS II Entertainment	[no end date]
Knight Scenes Incorporated	[no end date]
Kenneth Copeland Ministries	
aka Eagle Mountain International Church	[no end date]
Lacey Entertainment	[no end date]
LaFonda Partners	[no end date]
Les Distributions Rozon Inc./Just For Laughs	[no end date]
Lifetime Television	[6/30/03]
Link Television Entertainment	[no end date]
Litton Syndications	[no end date]
Magis Entertainment	[no end date]
Mainframe Entertainment	[6/30/03]
Mansfield Television Distribution Co.	[no end date]
Mark Anthony Entertainment	[no end date]
Mega Entertainment International	[12/31/03]
Mendelson/Paws Productions	[12/31/00]
Nabisco, Inc.	[no end date]
Nash Entertainment	[no end date]
National Academy of Television Arts and Sciences	[no end date]
New Dominion Pictures LLC	[no end date]
New Visions Syndication	[no end date]
NVC Arts	[no end date]
O. Atlas Enterprises, Inc. aka Atlas Enterprises	[7/31/03]
Over the Edge - TV!	[no end date]
Passport International Productions	[no end date]
Planet Pictures	[no end date]
Promark Television, Inc.	[no end date]
Psychic Readers Network	[no end date]
Quartet International	[no end date]
Questar Video aka Questar, Inc.	[no end date]
Raycom Sports	[no end date]
Red Apple Entertainment	[no end date]
Reel Media International	[no end date]
Sandra Carter Productions	[6/30/03]

Scholastic Productions	[no end date]
Showtime Television	[no end date]
Splendid Television	[no end date]
Sportsworld	[no end date]
St. Jude Children's Hospital	[no end date]
Streamline Pictures	[no end date]
Sullivan Entertainment International	[no end date]
TEAM Communications Group, Inc.	[no end date]
TearDrop Golf	[no end date]
The Media Source	[no end date]
Thomas Horton Associates	[no end date]
Tide Group	[no end date]
Timberwolf Productions	[no end date]
Today's Homeowner	[no end date]
Ton of Fun Ltd.	[no end date]
TV Guide	[no end date]
TV Matters	[no end date]
TYD Productions	[no end date]
Television Syndication Company (TVS)	[no end date]
United Feature Syndicate	[no end date]
United Negro College Fund	[no end date]
Urban Latino TV, LLC	[12/31/03]
USOC	[7/26/03]
Video Tours, Inc.	[no end date]
Watercourse Road Productions	[no end date]
West 175 Enterprises	[no end date]
Willie Wilson Productions, Inc.	[no end date]
Winchester Entertainment PLC	[no end date]
Worldwide Pants, Inc.	[12/31/02]

COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

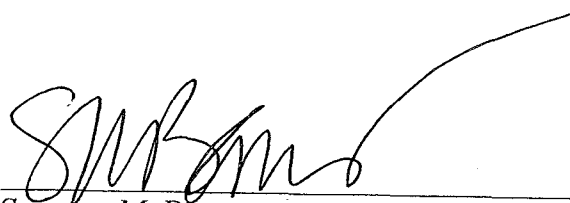
**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

1. 2008-2 CARP CD 2000 - Joint Notice of Intent to Participate and Comments on the Existence of Controversies (9/30/2002)
2. 2002-8 CARP CD 2000 – Notice of Intent to Participate Fintage Publishing (9/19/2002)
3. 2003-2 CARP CD 2001 – Joint Notice of Intent to Participate and Comments on the Existence of Controversies
4. 2002-2 CARP CD 93-97 – Phase II Cable Royalty Distribution Report, Redacted Public Version (4/16/2001)
5. 2000-2 CARP CD 93-97 - ORDER (6/22/2000)
6. 2000-2 CARP CD 93-97 – ORDER (9/22/2000)
7. 2000 Cable Copyright Claims Final List
8. 2001 Cable Copyright Claims Final List
9. 2002 Cable Copyright Claims Final List
10. 2003 Cable Copyright Claims Final List
11. Cable Royalty Distribution Report dated April 6, 2001 (Redacted).

The CRB has a file copy of the unredacted, Confidential Phase II Cable Royalty Distribution Report (Confidential) dated April 16, 2001. The Confidential Report is subject to a General Protective Order and the Judges will not release or distribute a copy of this Report except on motion of the requesting party, with due notice to all parties bound by the General Protective Order and an opportunity for response regarding disclosure of the Report and its contents.

SIGNED this 26<sup>th</sup> day of October, 2012.

A handwritten signature in black ink, appearing to read 'SMBarnett', written over a horizontal line.

Suzanne M. Barnett  
Chief Copyright Royalty Judge

**2000 Cable Copyright Claims  
Final List**

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
1	Broadcast Music, Inc.	New York	New York	7/2/01
2	WSEE Television, Inc.	Erie	Pennsylvania	7/2/01
3	KUAT-FM	Tucson	Arizona	7/2/01
4	Larry Harmon Pictures Corporation	Hollywood	California	7/2/01
5	Lawrence R. Hott	Haydenville	Massachusetts	7/2/01
6	General Mills Sales, Inc.	Minneapolis	Minnesota	7/2/01
7	Levy-Gardner-Laven Productions, Inc.	Beverly Hills	California	7/2/01
8	The Landsburg Company	Los Angeles	California	7/2/01
9	Berkow and Berkow Curriculum Development	Chico	California	7/2/01
10	Alied Communications, Inc.	Santa Monica	California	7/2/01
11	Pearson Television Inc.	New York	New York	7/2/01
12	Screen Media Ventures, LLC	New York	New York	7/5/01
13	KAMC	Lubbock	Texas	7/6/01
14	Raycom Media (WTVM)	Columbus	Georgia	7/6/01
15	KNMT TV-24	Portland	Oregon	7/6/01
16	Benedek Broadcasting Corporation	Creve Coeur	Illinois	7/6/01
17	Gilmore Broadcasting Corporation (WEHT)	Evansville	Indiana	7/6/01
18	WAOW-TV	Wausau	Wisconsin	7/6/01
19	KWQC-TV6	Davenport	Iowa	7/6/01
20	Dallas County Community College District	Dallas	Texas	7/6/01
21	Sugar Pictures LLC	New York	New York	7/6/01
22	K.BIK Entertainment Inc.	San Francisco	California	7/6/01
23	Dal-Sil Kim Gibson	New York	New York	7/6/01
24	Aunt Flo Inc.	Seattle	Washington	7/6/01
25	Vine's Eye Productions, Inc.	Lake Forest	Illinois	7/6/01

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
26	Lumiere Productions Inc.	New York	New York	7/6/01
27	Michigan Magazine Co., Inc.	Rose City	Michigan	7/6/01
28	Spy Pond Productions	Arlington	Massachusetts	7/6/01
29	Educational Film Center	Annandale	Virginia	7/6/01
30	Macheil/Lehrer Productions	Arlington	Virginia	7/6/01
31	Lewis Broadcasting Corporation (WLTZ)	Columbus	Georgia	7/9/01
32	WAFB-TV, LLC	Baton Rouge	Louisiana	7/9/01
33	Public Broadcasting Service	Alexandria	Virginia	7/9/01
34	Mac and Ava Motion Picture Productions	Monterey	California	7/9/01
35	Marcus Productions Inc/Compass Entertainment LLC	Glencoe	Illinois	7/9/01
36	Yami, Inc.	West Palm Beach	Florida	7/9/01
37	UTV of San Francisco, Inc. (KBHK-TV)	San Francisco	California	7/9/01
38	D.L. Taffner LTD.	Los Angeles	California	7/9/01
39	Lin Television Corporation (WAVY-TV)	Portsmouth	Virginia	7/9/01
40	Post-Newsweek Stations, Florida, Inc. (WJXT)	Jacksonville	Florida	7/9/01
41	American Society of Composers, Authors and Publishers	New York	New York	7/10/01
42	Quincy Broadcasting Company	Quincy	Illinois	7/10/01
43	Midwest Television, Inc. (KFMB-TV)	San Diego	California	7/10/01
44	WPSD-TV, Inc.	Paducah	Kentucky	7/10/01
45	WTAP-TV	Parkersburg	West Virginia	7/10/01
46	Great Plains National Instructional Television Library	Lincoln	Nebraska	7/10/01
47	Jewell Television Corporation (KLST)	San Angelo	Texas	7/10/01
48	Telco Productions, Inc.	Santa Monica	California	7/10/01
49	Jayasri Majumdar Hart (Hart Films)	Montrose	California	7/10/01
50	Dragon Tales Productions Inc.	Toronto, Ontario	Canada	7/10/01
51	Florentine Films	Walpole	NH	7/10/01

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
52	Frank ABE	Seattle	Washington	7/10/01
53	Philomath Films	Los Angeles	California	7/10/01
54	Fred Friendly Seminars Inc.	New York	New York	7/10/01
55	Nexstar Broadcasting of Northeastern Pennsylvania (WBRE-TV 28)	Wilkes-Barre	Pennsylvania	7/10/01
56	Pikes Peak Broadcasting Company (KJCT-TV)	Grand Junction	Colorado	7/10/01
57	Pikes Peak Broadcasting Company (KRDO-TV)	Colorado Springs	Colorado	7/10/01
58	SJL of Pennsylvania, Inc. (WICU)	Erie	Pennsylvania	7/10/01
59	Cinar Corporation	Montreal, Quebec	Canada	7/10/01
60	The American Documentary, Inc.	New York	New York	7/10/01
61	Time Warner Entertainment Company, L.P.	Burbank	California	7/10/01
62	Sullivan Entertainment International Inc.	Toronto, Ontario	Canada	7/11/01
63	Alvin H. Perlmutter, Inc	New York	New York	7/11/01
64	Galán Productions Inc.	Austin	Texas	7/11/01
65	Noe Corp. L.L.C. (KNOB-TV8)	Monroe	Louisiana	7/11/01
66	Woodgrain Productions Inc.	Winnipeg, Manitoba	Canada	7/11/01
67	Benedek License Corporation (KHQA-TV)	Quincy	Illinois	7/11/01
68	Winnebago Television of Rockford (WTVO)	Rockford	Illinois	7/11/01
69	The Ontario Educational Communications Authority	Toronto, Ontario	Canada	7/11/01
70	Recording Industry Association of America, Inc.	Washington	DC	7/12/01
71	Coronet Communications Company (WHBF-TV)	Rock Island	Illinois	7/12/01
72	Freedom Broadcasting of New York	Schenectady	New York	7/12/01
73	Public Affairs Television, Inc.	New York	New York	7/12/01
74	Zipporah Films, Inc.	Cambridge	Massachusetts	7/12/01
75	Mid State Television, Inc.	Mansfield	Ohio	7/12/01
76	Porchlight Entertainment, Inc.	Los Angeles	California	7/12/01
77	Golden Books Entertainment Group	New York	New York	7/12/01

June 28, 2006



<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
78	Entrée Communications Ltd.	British Columbia	Canada	7/12/01
79	Northeast Wisconsin In-School Telecommunications	Green Bay	Wisconsin	7/12/01
80	Western Instructional Television, Inc.	Los Angeles	California	7/12/01
81	Slim Goodbody Corporation	Lincolnville	Maine	7/12/01
82	KSLA, LLC	Shreveport	Louisiana	7/11/01
83	S & S Productions, Inc.	Toronto, Ontario	Canada	7/12/01
84	North Star Films, Inc.	New York	New York	7/13/01
85	Stephen Segaller	Princeton	New Jersey	7/13/01
86	WOKR-TV	Rochester	New York	7/13/01
87	Michiana Telecasting Corp. (WNDU-TV)	South Bend	Indiana	7/16/01
88	Raycom National, Inc. (WXIX-TV)	Cincinnati	Ohio	7/16/01
89	WMTW Broadcast Group	Portland	Maine	7/16/01
90	Benedek License Corporation (WHSV-TV)	Harrisonburg	Virginia	7/16/01
91	VHR Broadcasting of Springfield, Inc. (KOLR-TV)	Springfield	Missouri	7/16/01
92	Paramount Pictures, A Viacom Company	Los Angeles	California	7/16/01
93	Spelling Television Inc.	Los Angeles	California	7/16/01
94	Big Ticket Productions Inc. Big Ticket Pictures Inc.	Los Angeles	California	7/16/01
95	Worldvision Enterprises, Inc./Republic Distribution Corporation Republic Entertainment Inc./Republic Pictures Enterprises, Inc.	Los Angeles	California	7/16/01
96	Sullivan Broadcasting Company III, Inc.	Hurricane	West Virginia	7/16/01
97	Not in use			
98	KCTV	Fairway	Kansas City	7/16/01
99	WWLP Broadcasting LLC	Chicopee	Massachusetts	7/16/01
100	Babe Winkelman Productions, Inc.	Nisswa	Minnesota	7/16/01
101	Beacon Production, Inc.	Watertown	Massachusetts	7/16/01
102	Body Electric Corporation of America	Orchard Park	New York	7/16/01

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
103	WCHS Licensee, LLC	Charleston	West Virginia	7/16/01
104	Time Live Films/Time Warner Entertainment Company	New York	New York	7/16/01
105	Home Box Office/Time Warner Entertainment Company	New York	New York	7/16/01
106	GT Merchandising & Licensing Corp.	New York	New York	7/16/01
107	Quorum Broadcasting of Indiana License (WTVW-TV)	Evansville	Indiana	7/16/01
108	Shadetree Productions	Suttons Bay	Michigan	7/16/01
109	Young Broadcasting of Richmond, Inc. (WRIC TV)	Richmond	Virginia	7/16/01
110	Stainless Broadcasting (WICZ-TV)	Vestal	New York	7/16/01
111	Louisiana Television Broadcasting, LLC	Baton Rouge	Louisiana	7/16/01
112	Freedom Broadcasting of Michigan, Inc. (WWMT)	Kalamazoo	Michigan	7/16/01
113	Persona Grata Productions	Francisco	California	7/16/01
114	Journal Broadcast Group, Inc. (WSYM)	Lansing	Michigan	7/16/01
115	WGCL, Inc.	Atlanta	Georgia	7/16/01
116	Nexstar Broadcasting of Joplin, LLC (KSNP-TV 16)	Joplin	Missouri	7/16/01
117	Clear Channel Television (WHP-TV)	Harrisburg	Pennsylvania	7/16/01
118	STC License Company (WEYI-TV)	Clio	Michigan	7/16/01
119	Quorum of Texas License, LLC (KLBK)	Lubbock	Texas	7/16/01
120	KARK, Inc.	Little Rock	Arkansas	7/16/01
121	Clear Channel Television (WLYH-TV)	Harrisburg	Pennsylvania	7/16/01
122	Meredith Corporation (KPDX-TV)	Beaverton	Oregon	7/16/01
123	Meredith Corporation (KFXO-TV)	Bend	Oregon	7/16/01
124	KTTC Television, Inc.	Rochester	Minnesota	7/16/01
125	Martha Lubell Productions	Wynnewood	Pennsylvania	7/16/01
126	Jan Krawitz	Stanford	California	7/16/01
127	Hometime Video Publishing Inc.	Chaska	Minnesota	7/16/01

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
128	Fei Hu Films	Santa Barbara	California	7/16/01
129	Portfolio Projects	New York	New York	7/16/01
130	General Learning Communications	Northbrook	Illinois	7/16/01
131	New Voyage Communications, Inc.	Washington	DC	7/16/01
132	Oral Roberts Evangelistic Association	Tulsa	Oklahoma	7/15/01
133	Coral Ridge Ministries Media, Inc.	Ft. Lauderdale	Florida	7/16/01
134	Fox Television Stations, Inc.	Washington	DC	7/17/01
135	Wear License, LLC	Pensacola	Florida	7/17/01
136	Fireworks Entertainment, Inc.	Toronto	Ontario	7/17/01
137	Nathan Adolfson	Los Angeles	California	7/17/01
138	BBC Worldwide Americas, Inc.	New York	New York	7/17/01
139	Krugman Associates, Inc.	Ardsley	New York	7/17/01
140	Post-Newsweek Stations, Michigan, Inc.	Detroit	Michigan	7/18/01
141	Davenport Films	Delaplane	Virginia	7/18/01
142	The itsy bitsy Entertainment Company	New York	New York	7/18/01
143	Young Broadcasting of Louisiana, Inc.	Lafayette	Louisiana	7/18/01
144	KTIV4	Sioux City	Iowa	7/18/01
145	Lumin Art Productions	Fair Oaks	California	7/18/01
146	WPCB-TV	Wall	Pennsylvania	7/18/01
147	Cochran Entertainment Incorporated	Nova Scotia	Canada	7/18/01
148	Lyons Partnership	Allen	Texas	7/19/01
149	Big Feats Entertainment	Allen	Texas	7/19/01
150	Citadel Communications Company (KCAU-TV)	Sioux City	Iowa	7/19/01
151	WKBW-TV License, Inc.	Buffalo	New York	7/19/01
152	WCSC, Inc.	Charleston	South Carolina	7/19/01
153	Bruce Nash Entertainment	Las Vegas	Nevada	7/19/01
154	Meredith Corporation	Phoenix	Arizona	7/19/01
155	Persephone Productions Inc.	Arlington	Virginia	7/19/01

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
156	Youngstown Television (WKBN-TV)	Youngstown	Ohio	7/19/01
157	Not in use			
158	Jefferson-Pilot Communications Company of Virginia (WWBT-TV and NBC 12)	Richmond	Virginia	7/19/01
159	Post-Newsweek Stations, Houston, LP	Houston	Texas	7/19/01
160	KBJR-TV License, Inc.	Duluth	Minnesota	7/19/01
161	The Welk Group	Santa Monica	California	7/19/01
162	Benedek Broadcasting Corporation (WBKO)	Bowling Green	Kentucky	7/19/01
163	Cornerstone Television Inc.	Wall	Pennsylvania	7/19/01
164	Granite Broadcasting Corporation (WTVH)	Syracuse	New York	7/19/01
165	Major League Baseball Clubs (American League)	New York	New York	7/18/01
166	Sesame Workshop	New York	New York	7/19/01
167	Studiocanal Image	Boulozne-Billancourt	France	7/20/01
168	MG/Perin, Inc.	New York	New York	7/20/01
169	WRAL-TV	Raleigh	North Carolina	7/20/01
170	Capitol Broadcasting Company, Inc. (WJZY)	Raleigh	North Carolina	7/20/01
171	WFVT-TV	Raleigh	North Carolina	7/20/01
172	Our Own Performance Society	New York	New York	7/20/01
173	Ak Media Group, Inc.	Springfield	Oregon	7/20/01
174	Benedek Licensing Corporation (WTRF-TV)	Hoffman Estates	Illinois	7/20/01
175	WIBW-TV	Topeka	Kansas	7/20/01
176	Nexstar Broadcasting of Champaign	Champaign	Illinois	7/20/01
177	Kong TV, Inc.	Seattle	Washington	7/20/01
178	King Broadcasting Company	Seattle	Washington	7/20/01
179	Benedek License Corporation (KAKE-TV)	Wichita	Kansas	7/23/01
180	Benedek License Corporation (KUPK-TV)	Wichita	Kansas	7/23/01
181	Soda Mountain Broadcasting, Inc. (KDRV & KDKF)	Klamath Falls	Oregon	7/23/01

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
182	Kezi, Inc.	Eugene	Oregon	7/23/01
183	Nexstar Broadcasting fo Rochester	Rochester	New York	7/23/01
184	Atlantic Media Group (WWMB)	Conway	South Carolina	7/23/01
185	Woods Communication Corporation (WCOV)	Montgomery	Alabama	7/23/01
186	Grand Strand Television (WPDE-TV)	Florence	South Carolina	7/23/01
187	Saga Broadcasting Corporation (KAVU-TV)	Victoria	Texas	7/23/01
188	WQOW-TV	Eau Claire	Wisconsin	7/23/01
189	AFMA Collections	Los Angeles	California	7/23/01
190	New Line Cinema Corporation	New York	New York	7/23/01
191	Bonneville Holding Company (KSL-TV)	Salt Lake City	Utah	7/23/01
192	MPI Media Productions International, Inc.	New York	New York	7/23/01
193	In Touch Ministries, Inc.	Atlanta	Georgia	7/23/01
194	Waitt Broadcasting Company (KMEG)	Sioux City	Louisiana	7/23/01
195	Wood License Co. (WOOD-TV)	Grand Rapids	Michigan	7/23/01
196	WVVA Television, Inc.	Bluefield	West Virginia	7/23/01
197	Lincoln Broadcasting Company (KTSF)	Brisbane	California	7/23/01
198	Children's Television International/Glad Productions, Inc.	South Riding	Virginia	7/23/01
199	WXON, Inc.	Southfield	Michigan	7/23/01
200	Indiana Licensee (WTTV)	Indianapolis	Indiana	7/23/01
201	KSLA	Shreveport	Louisiana	7/23/01
202	Benedek License Corporation (WSAW)	Wausan	Wisconsin	7/23/01
203	Beach 43, Corporation	Portsmouth	Virginia	7/23/01
204	Nexstar Broadcasting of Abilene (KTAB-TV)	Abilene	Texas	7/23/01
205	Quartet International Inc.	Pearl River	New York	7/23/01
206	Big Comfy Corp.	Toronto, Ontario	Canada	7/23/01
207	Fisher Broadcasting Inc. (KATU)	Portland	Oregon	7/23/01
208	The Christian Network, Inc.	Virginia Beach	Virigina	7/23/01
209	Citadel Communications Company (KLKE-TV)	Lincoln	Nebraska	7/23/01

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
210	Citadel Communications Company (KLKN-TV)	Lincoln	Nebraska	7/23/01
211	Family Communications, Inc.	Pittsburgh	Pennsylvania	7/23/01
• 212	Guthy-Renker (WJLA-TV)	Palm Desert	California	7/24/01
213	Kost Broadcast Sales	Chicago	Illinois	7/24/01
• 214	National Basketball Association	New York	New York	8/31/01
215	National Football League	New York	New York	8/31/01
• 216	National Hockey League	New York	New York	8/31/01
• 217	NFL Films	Mt. Laurel	New Jersey	7/24/01
• 218	Steve Rotfeld Productions, Inc.	Mawr	Pennsylvania	7/24/01
• 219	Transworld International, Inc., IMG Center	Cleveland	Ohio	7/24/01
• 220	WNBA Enterprises, LLC	Secaucus	New Jersey	7/24/01
• 221	Major League Baseball Properties, Inc.	New York	New York	7/24/01
222	Television Wisconsin, Inc. (WISC-TV)	Madison	Wisconsin	7/24/01
223	Benedek License Corporation	Columbia	Missouri	7/24/01
224	One Broadcast Center	Amarillo	Texas	7/24/01
225	Broadcasting Corporation (KVVU)	Henderson	Nevada	7/24/01
226	Sinclair Television Company, Inc. (WUHF)	Rochester	New York	7/24/01
227	Overseas Filmgroup (First Look Media)	Los Angeles	California	7/24/01
228	Intelecom Intelligent Telecommunications	Pasadena	California	7/24/01
• 229	Steve White Films	Studio City	California	7/24/01
• 230	FTM Productions, Inc.	Los Angeles	California	7/24/01
• 231	Spectacor Films	West Hollywood	California	7/24/01
232	Global Evangelism Television, Inc.	San Antonio	Texas	7/24/01
233	Nexstar Broadcasting of Midland-Odessa LLC (KMID-TV)	Midland	Texas	7/24/01
234	Carolina Capital Communications, Inc. (WKFT-TV)	Fayetteville	North Carolina	7/24/01
• 235	Pathe Image SNC	Paris	France	7/24/01

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
236	Capital Communications Company, Inc. (WOI-TV)	West Des Moines	Iowa	7/24/01
237	WSJV Television, Inc.	Elkhart	Indiana	7/24/01
238	SJL Northeast (WOWK-TV)	Huntington	West Virginia	7/24/01
239	Nexstar Broadcasting of Wichita Falls (KFDX-TV)_	Wichita Falls	Texas	7/24/01
240	Nexstar Broadcasting of Peoria (WMBD-TV 31)	Peoria	Illinois	7/24/01
241	HMW, Inc. (WPXT-TV)	Westbrook	Maine	7/24/01
242	KSWO Television Co., Inc.	Lawton	Oklahoma	7/24/01
243	Cesari Response Television, Inc.	Seattle	Washington	7/25/01
244	New West Products	Seattle	Washington	7/25/01
245	Quick N Brite	Seattle	Washington	7/25/01
246	Richard Simmons, Inc.	Los Angeles	California	7/25/01
247	Script to Screen Productions, Inc.	Santa Ana	California	7/25/01
248	Hawthorne Communications, Inc.	Fairfield	Iowa	7/25/01
249	Genesis Intermedia, Inc.	Van Nuys	California	7/25/01
250	Benedek License Corp (WYTV)	Youngstown	Ohio	7/25/01
251	WWOR-TV, Inc	Secaucus	New Jersey	7/25/01
252	WDBJ Television	Roanoke	Virginia	7/25/01
253	UTV of Baltimore, Inc.	Baltimore	Maryland	7/25/01
254	Studios USA Television Distribution	West Hollywood	California	7/25/01
255	Jeopardy Productions, Inc.	Culver City	California	7/25/01
256	Califon Productions, Inc.	Culver City	California	7/25/01
257	Columbia Pictures Television, Inc.	Culver City	California	7/25/01
258	Hearst Entertainment, Inc.	New York	New York	7/25/01
259	New River Media, Inc.	Washington	DC	7/25/01
260	Video Voice, Inc. (WVVH-TV)	New York	New York	7/25/01
261	Queenb Television (WKBT)	La Crosse	Wisconsin	7/25/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
262	Fisher Communications, Inc.	Seattle	Washington	7/25/01
• 263	Nelvana Limited	Toronto, Ontario	Canada	7/25/01
264	Channel 12 of Beaumont, Inc.	Beaumont	Texas	7/26/01
265	Delmarva Broadcast Service General Partnership (WMDT-TV)	Orlando	Florida	7/26/01
266	Channel 51 (KUSI)	San Diego	California	7/26/01
267	Northeast Kansas Broadcast Service, Inc. (KTKA-TV)	Orlando	Florida	7/26/01
• 268	B&A Productions, LLC	Beverly Hills	California	7/26/01
269	Central Wyoming College (KCWC-TV)	Riverton	Wyoming	7/26/01
270	Freedom Broadcasting of Texas, Inc. (WRGB)	Beaumont	Texas	7/25/01
271	Raycom America, Inc. (KFVS-TV)	Cape Girardeau	Missouri	7/25/01
• 272	Fox Entertainment Group, Inc.	Beverly Hills	California	7/26/01
273	The Canadian Broadcasting Corporation (CBC)	Ottawa	Ontario	7/26/01
274	The Curators of the University of Missouri (KOMU-TV)	Columbia	Missouri	7/26/01
275	Indian Broadcasting (WANE-TV)	Fort Wayne	Indiana	7/26/01
276	Sinclair Television of Oklahoma (KOKH-TV)	Oklahoma City	Oklahoma	7/26/01
277	Nexstar Broadcasting of the Midwest, Inc. (WTWO-TV 2)	Haute	Indiana	7/26/01
278	Nexstar Broadcasting of the Midwest, Inc. (KQTV)	St. Joseph	Missouri	7/26/01
279	WKOW Television, Inc.	Madison	Wisconsin	7/26/01
280	Metropolitan Opera Association, Inc.	New York	New York	7/26/01
281	Bastet Broadcasting, Inc. (WYOU-TV)	Scranton	Pennsylvania	7/26/01
282	Emmis Television License Corporation of Topeka (KSNT)	Topeka	Kansas	7/26/01
283	Intersport, Inc.	Chicago	Illinois	7/26/01
• 284	CF Entertainment, Inc.	Beverly Hills	California	7/26/01
285	WEAU-TV	Wau Claire	Wisconsin	7/27/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
286	Gray Communications of Texas-Sherman, Inc. (KXII-TV)	Sherman	Texas	7/27/01
287	Gray Communications of Texas-Sherman, Inc. (KBTX-TV)	Bryan	Texas	7/27/01
288	WVLT-TV, Inc.	Knoxville	Tennessee	7/27/01
289	WITN-TV	Elizabeth	North Carolina	7/27/01
290	Gray Kentucky Television, Inc.	Lexington	Kentucky	7/27/01
291	Gray Florida Holdings, Inc.	Panama	Florida	7/27/01
292	KOLN/KGIN, Inc.	Lincoln	Nebraska	7/27/01
293	WRDW-TV, Inc.	Augusta	South Carolina	7/27/01
294	Media Venture Management, Inc.	Naples	Florida	7/27/01
• 295	AB Dolly, LLC	West Chester	Pennsylvania	7/27/01
* 296	American Health & Fitness, LLC	West Chester	Pennsylvania	7/27/01
• 297	Bodyblade, Inc.	West Chester	Pennsylvania	7/27/01
• 298	Torso Track, Inc.	West Chester	Pennsylvania	7/27/01
• 299	Total Gym Fitness, LLC	West Chester	Pennsylvania	7/27/01
300	American Religious Town Hall, Inc.	Dallas	Texas	7/27/01
301	Catholic Communications Corporation	Springfield	Massachusetts	7/27/01
302	Cottonwood Christian Center	Los Angeles	California	7/27/01
303	Crenshaw Christian Center	Los Angeles	California	7/27/01
304	Faith For Today, Inc.	Simi Valley	California	7/27/01
305	It Is Written	Simi Valley	California	7/27/01
306	Rhema Bible Church	Tulsa	Oklahoma	7/27/01
307	Life in the Word, Inc.	Fenton	Missouri	7/27/01
308	RBC Ministries	Grand Rapids	Michigan	7/27/01
309	Speak the Word Church International	Golden Valley	Minnesota	7/27/01
310	Ron Phillips Ministries	Hixon	Tennessee	7/27/01
311	Zola Levitt Ministries, Inc.	Dallas	Texas	7/27/01
• 312	U.S. Ski and Snowboard Association	Park City	Utah	7/27/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
313	Jalbert Productions, Inc.	Huntington	New York	7/27/01
314	Amazing Facts, Inc.	Rocklin	California	7/27/01
315	Big League Golf, Inc.	Maitland	Florida	7/27/01
316	Devine Entertainment Corporation	Toronto, Ontario	Canada	7/27/01
317	International Telecommunication Services, Inc.	Pleasant Gap	Pennsylvania	7/27/01
318	Nexstar Broadcasting of Erie, LM (WJET-TV)	Erie	Pennsylvania	7/27/01
319	Devillier Donegan Enterprises	Washington	DC	7/27/01
320	National Broadcasting Company, Inc.	New York	New York	7/27/01
321	Food For Thought Productions	Makanda	Illinois	7/27/01
322	Station Venture Operations (KNSD-TV)	San Diego	California	7/27/01
323	Station Venture Operations (KXAS-TV)	Fort Worth	Texas	7/27/01
324	Birmingham Broadcasting (WVTM-TV), Inc.	Birmingham	Alabama	7/27/01
325	National Broadcasting Company, Inc. (WNBC-TV)	New York	New York	7/27/01
326	Outlet Broadcasting, Inc. (WCMH-TV)	Columbus	Ohio	7/27/01
327	Outlet Broadcasting, Inc. (WVIT-TV)	West Hartford	Connecticut	7/27/01
328	Outlet Broadcasting, Inc. (WJAR-TV)	Cranston	Rhode Island	7/27/01
329	NBC Subsidiary (WRC-TV)	Washington	DC	7/27/01
330	NBC Subsidiary (WMAQ-TV)	Chicago	Illinois	7/27/01
331	NBC Subsidiary (KNBC-TV)	Burbank	California	7/27/01
332	NBC Stations Management, Inc. (WCAU-TV)	Bala Cynwyd	Pennsylvania	7/27/01
333	Morgan Creek Productions, Inc.	Burbank	California	7/27/01
334	Gocom of Joplin License Sub (KODE-TV)	Joplin	Missouri	7/27/01
335	Emmis Communications (WLUK-TV)	Green Bay	Wisconsin	7/27/01
336	Forum Communications	Fargo	North Dakota	7/27/01
337	Tall Pony Productions	Malibu	California	7/27/01
338	TVA International Distribution Inc.	Montreal, Quebec	Canada	7/27/01
339	Griffin Entities (KOTV)	Tulsa	Oklahoma	7/27/01
340	Capitol Broadcasting Company, Inc. (WRAZ)	Durham	North Carolina	7/27/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
341	Benedek License Corporation (WTOK-TV)	Meridian	Mississippi	7/27/01
342	Multimedia Entertainment, Inc. (WGRZ-TV)	Arlington	Virginia	7/27/01
343	KXTV, Inc.	Arlington	Virginia	7/27/01
344	Gannett River States Publishing Corp. (WJXX-TV)	Arlington	Virginia	7/27/01
345	Gannett Pacific Corporation (WBIR-TV)	Arlington	Virginia	7/27/01
346	Gannett Georgia (WMAZ-TV)	Arlington	Virginia	7/27/01
347	Gannett Georgia (WXIA-TV)	Arlington	Virginia	7/27/01
348	The Detroit News, Inc. (WUSA-TV)	Arlington	Virginia	7/27/01
349	Arkansas Television Company (KTHV-TV)	Arlington	Virginia	7/27/01
350	WKYC-TV, Inc.	Arlington	Virginia	7/27/01
351	Pacific and Southern Company, Inc. (WTSP-TV)	Arlington	Virginia	7/27/01
352	Pacific and Southern Company, Inc. (WLTX-TV)	Arlington	Virginia	7/27/01
353	Pacific and Southern Company, Inc. (WLBZ-TV)	Arlington	Virginia	7/27/01
354	Multimedia KSDK, Inc.	Arlington	Virginia	7/27/01
355	Multimedia Holdings Corporation (WTLV-TV)	Arlington	Virginia	7/27/01
356	Multimedia Holdings Corporation (KUSA-TV)	Arlington	Virginia	7/27/01
357	Multimedia Holdings Corporation (KPNX-TV)	Arlington	Virginia	7/27/01
358	Multimedia Holdings Corporation (KARE-TV)	Arlington	Virginia	7/27/01
• 359	The Audio-Visual Copyright Society Limited (Part 1 of 2)	New South Wales	Australia	7/27/01
• 360	The Audio-Visual Copyright Society Limited (Part 2 of 2)	New South Wales	Australia	7/27/01
361	The Summit Media Group, Inc.	New York	New York	7/30/01
362	Tennessee Ernie Ford Enterprises	Nashville	Tennessee	7/30/01
363	KSKN Inc.	Spokane	Washington	7/30/01
364	Tony Brown Productions	New York	New York	7/30/01
• 365	National Basketball Association	New York	New York	7/30/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
366	National Hockey League	New York	New York	7/30/01
367	Sports Legends, Inc.	Ardmore	Pennsylvania	7/30/01
368	KTVQ Communications, Inc.	Billings	Montana	7/30/01
369	Quorum of Missouri (KDEB-TV)	Springfield	Missouri	7/30/01
370	WTVG, Inc.	Toledo	Ohio	7/30/01
371	Flint License Subsidiary Corp. (WJRT-TV)	Flint	Michigan	7/30/01
372	ABC Holding Company Inc. (KABC-TV)	Los Angeles	California	7/30/01
373	ABC Holding Company Inc. (KFSN-TV)	Fresno	California	7/30/01
374	KGO Television, Inc.	San Francisco	California	7/30/01
375	KTRK Television, Inc.	Houston	Texas	7/30/01
376	WLS Television, Inc.	Chicago	Illinois	7/30/01
377	ABC, Inc. (WTVD)	Durham	North Carolina	7/30/01
378	ABC, Inc. (WPVI)	Philadelphia	Pennsylvania	7/30/01
379	American Broadcasting Companies Inc. (WABC-TV)	New York	New York	7/30/01
380	KY3, Inc.	Springfield	Missouri	7/30/01
381	Orange Glo	Seattle	Washington	7/30/01
382	Raycom Media, Inc. (WOIO-TV)	Cleveland	Ohio	7/30/01
383	Raycom Media, Inc. (WUAB-TV)	Cleveland	Ohio	7/30/01
384	The Post Company (KIFI-TV)	Idaho Falls	Idaho	7/30/01
385	Spokane Television, Inc (KXLY-TV)	Spokane	Washington	7/30/01
386	Western International Syndication	Los Angeles	California	7/30/01
387	KEVN Inc. (KIVV-TV)	Rapid City	South Dakota	7/30/01
388	Young Broadcasting of Green Bay, Inc.	Green Bay	Wisconsin	7/30/01
389	Buena Vista Television Walt Disney Television	Burbank	California	7/30/01
390	Sinclair Acquisition IV (WICD)	Champaign	Illinois	7/30/01
391	Sinclair Acquisition IV (WICS-TV)	Springfield	Illinois	7/30/01
392	KEVN Inc. (KEVN-TV)	Rapid City	South Dakota	7/30/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
393	Young Broadcasting of Knoxville, Inc.(WATE)	Knoxville	Tennessee	7/30/01
394	King Broadcasting Company (KREM-TV)	Spokane	Washington	7/30/01
395	Oregon Television, Inc. (KPTV)	Portland	Oregon	7/30/01
396	KOVR-TV	West Sacramento	California	7/30/01
397	SESAC, Inc.	New York	New York	7/30/01
398	Ellen Perry (Stardust Pictures)	Menlo Park	California	7/30/01
399	ACME Televison (KPLR-TV)	St. Louis	Missouri	7/30/01
400	Blackside, Inc.	Boston	Massachusetts	7/30/01
401	National Geographic Television Inc. (NGT)	Washington	DC	7/30/01
402	Liberty Broadcasting Network, Inc.	Lynchburg	Virginia	7/30/01
403	Nexstar Broadcasting of Louisiana (KTAL-TV)	Shreveport	Louisiana	7/30/01
404	Allbritton Communications Company (WJLA-TV)	Washington	DC	7/30/01
405	Crystal Cathedral Ministries	Garden Grove	California	7/30/01
406	WSET Incorporated	Lynchburg	Virginia	7/30/01
407	KTUL	Tulsa	Oklahoma	7/30/01
408	KATV	Little Rock	Arkansas	7/30/01
409	Harrisburg Television, Inc. (WHTM-TV)	Harrisburg	Pennsylvania	7/30/01
410	Alabama Inc. (WCFT-TV)	Birmingham	Alabama	7/30/01
411	Alabama Inc. (WJSU-TV)	Birmingham	Alabama	7/30/01
412	WCIV	Charleston	South Carolina	7/30/01
413	WBGH-TV	Binghamton	New York	7/30/01
414	WIVT-TV	Binghamton	New York	7/30/01
415	Hasbro, Inc.	Pawtucket	Rhode Island	7/30/01
416	Cable News Network	Atlanta	Georgia	7/30/01
417	CBS Broadcasting Inc.	New York	New York	7/30/01
418	Emmis Television Broadcasting (KGUN)	Tucson	Arizona	7/30/01
419	DIC Entertainment	Burbank	California	7/30/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
420	Freedom Broadcasting of Tennessee, Inc. (WTVC)	Chattanooga	Tennessee	7/30/01
421	KTBS, Inc.	Shreveport	Louisiana	7/30/01
422	Benedek Broadcasting Corporation (WOWT-TV)	Omaha	Nebraska	7/30/01
423	Thomsa Broadcasting Company (WOAY)	Oak Hill	West Virginia	7/30/01
424	United Television, Inc.	San Antonio	Texas	7/30/01
425	Marjorie Poore Productions Inc.	San Francisco	California	7/31/01
426	The Carsey-Werner Company	Studio City	California	7/31/01
427	Nexstar Broadcasting of Beaumont-Port Arthur (KBTW-TV)	Port Arthur	Texas	7/31/01
428	Smith Television Group, Inc. (KIMO)	Anchorage	Alaska	7/31/01
429	WSAZ	Huntington	West Virginia	7/31/01
430	National Collegiate Athletic Association	Indianapolis	Indiana	7/31/01
431	The Hearst Corporation/WMOR-TV Company	New York	New York	7/31/01
432	Hearst-Argyle Television, Inc.	New York	New York	7/31/01
433	Channel 49 Acquisition Corporation	Hampton	Virginia	7/31/01
434	Fox Family Worldwide, Inc.	Los Angeles	California	7/31/01
435	WFMJ Television, Inc.	Youngstown	Ohio	7/31/01
436	T.D. Jakes Ministries	Dallas	Texas	7/31/01
437	CF Television Inc.	Montréal Québec	Canada	7/31/01
438	Rusher Entertainment			
439	WSLS-TV	Roanoke	Virginia	7/31/01
440	Media General Communications, Inc.	Chattanooga	Tennessee	7/31/01
441	Media General Holdings of South Carolina (WBTW)	Florence	South Carolina	7/31/01
442	Media General Broadcasting (WSPA-TV)	Spartanburg	South Carolina	7/31/01
443	Media General Broadcasting (WNCT-TV)	Greenville	North Carolina	7/31/01
444	WHLT-TV	Hattiesburg	Mississippi	7/31/01
445	WLEX-TV	Lexington	Kentucky	7/31/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
446	WJTV-TV	Jackson	MS	7/31/01
447	Media General Broadcasting, Inc. (WTVQ-TV)	Lexington	Kentucky	7/31/01
448	Media General Broadcasting Inc. (KWCH-TV)	Wichita	Kansas	7/31/01
449	Media General Broadcasting Inc. (KBSH-TV)	Hays	Kansas	7/31/01
450	Media General Broadcasting Inc. (KBSD-TV)	Dodge City	Kansas	7/31/01
451	KIMT-TV	Mason City	Iowa	7/31/01
452	Media General Broadcasting Inc. (WNEG-TV)	Toccoa	Georgia	7/31/01
453	Tampa Television, Inc. (WFLA-TV)	Tampa	Florida	7/31/01
454	Media General Operations, Inc. (WKRG)	Mobile	Alabama	7/31/01
455	Sange de Cristo Communications Corporation (KOAA-TV)	Colorado Springs	Pueblo	7/31/01
456	KATC Communications, Inc.	Lafayette	Louisiana	7/31/01
457	Sawtooth Communication, Inc. (KIVI Television)	Nampa	Idaho	7/31/01
458	KTVQ Communications, Inc.	Billings	Montana	7/31/01
459	KTVU	San Jose	California	7/31/01
460	Broadcast Development Corp. (KAME-TV)	Reno	Nevada	7/31/01
461	KTVU Partnership (KTVU-TV), Cos Enterprises	Oakland	California	7/31/01
462	WTOV-TV Holdings, Inc.	Stuebenville	Ohio	7/31/01
463	KIRO, Inc.	Seattle	Washington	7/31/01
464	WPXI, Inc	Pittsburgh	Pennsylvania 1	7/31/01
465	WFTV, Inc.	Orlando	Florida	7/31/01
466	WJAC-TV	Johnstown	Pennsylvania	7/31/01
467	Miami Valley Broadcasting Corporation (WHIO-TV)	Dayton	Ohio	7/31/01
468	WSOC Television, Inc.	Charlotte	North Carolina	7/31/01
469	Georgia Television Company (WSB-TV)	Atlanta	Georgia	7/31/01
470	KTRE-TV Channel 9 Cosmos Broadcasting	Pollok	Texas	7/31/01
471	KLTV-TV Channel 7 Cosmos Broadcasting	Tyler	Texas	7/31/01

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
472	KCBD-TV Cosmos Broadcasting	Lubbock	Texas	7/31/01
473	The Liberty Corporation (WAL-TV)	Albany	Georgia	7/31/01
474	WTOL-TV Cosmos Broadcasting	Toledo	Ohio	7/31/01
475	WLOX-TV Cosmos Broadcasting	Biloxi	Mississippi	7/31/01
476	Liberty Corporation (WFIE-TV)	Evansville	Indiana	7/31/01
477	WSFT-TV Cosmos Broadcasting Corporation	Montgomery	Alabama	7/31/01
478	Cosmos Broadcasting Corporation (WIS)	Columbia	South Carolina	7/31/01
479	Cosmos Broadcasting Corp. (WAVE 3 TV)	Louisville	Kentucky	7/31/01
480	Cosmos Broadcasting Corporation (KPLC-TV)	Lake Charles	Louisiana	7/31/01
481	KAIT TV, Cosmos Broadcasting Corporation	Jonesboro	Arkansas	7/31/01
482	Century Development Corporation (KGNS-TV)	Laredo	Texas	7/31/01
483	Idaho Independent Television (KTRV)	Nampa	Idaho	7/31/01
484	WDRB-TV	Louisville	Kentucky	7/31/01
485	WIAT-TV	Birmingham	Alabama	7/31/01
486	Lima Communications Corporation (WLIO)	Lima	Ohio	7/31/01
487	Family Worship Center Church, Inc.	Baton Rouge	Louisiana	7/31/01
488	KSKN Inc.	Spokane	Washington	7/31/01
489	King Broadcasting Company (KREM-TV)	Spokane	Washington	7/31/01
490	WWL-TV, Inc.	New Orleans	Louisiana	7/31/01
491	Belo, Inc. (KTVK)	Phoenix	Arizona	7/31/01
492	Belo Kentucky, Inc. (WHAS-TV)	Louisville	Kentucky	7/31/01
493	WFAA-TV	Dallas	Texas	7/31/01
494	WCNC-TV, Inc./NBC6	Charlotte	North Carolina	7/31/01
495	KVUE-TV, Inc.	Austin	Texas	7/31/01
496	King Broadcasting Company (KTVB-TV)	St. Louis	Missouri	7/31/01
497	KMOV-TV, Inc.	St. Louis	Missouri	7/31/01
498	KHOU-TV	Houston	Texas	7/31/01
499	King Broadcasting Company (KGW)	Portland	Oregon	7/31/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
500	KENS-TV	San Antonio	Texas	7/31/01
501	National Public Radio, Inc.	Washington	DC	7/31/01
502	HSN LP, Home Shopping En Espangol GP and AST LLC	St. Petersburg	Florida	7/31/01
503	KMEX License Partnership	Los Angeles	California	7/31/01
504	Univision Network Limited Partnership	Los Angeles	California	7/31/01
505	Scripps Howard Broadcasting Company	Cincinnati	Ohio	7/31/01
506	WLTW License Partnership	Los Angeles	California	7/31/01
507	WXTV License Partnership	Los Angeles	California	7/31/01
508	JDG Television, Inc. (KFAA-TV)	Fort Smith	Arkansas	7/31/01
509	JDG Television, Inc. (KPOM-TV)	Fort Smith	Arkansas	7/31/01
510	Red River Broadcast Corp (KDLT)	Sioux Falls	South Dakota	7/31/01
511	Red River Broadcast Corp (KVRN)	Fargo	North Dakota	7/31/01
512	Griffin Entities (KOTV)	Tulsa	Oklahoma	7/31/01
513	Griffin Entities (KWTW)	Oklahoma City	Oklahoma	7/31/01
514	Eagle Communications, Inc. (KCFW-TV)	Kalispell	Montana	7/31/01
515	Eagle Communications, Inc.	Missoula	Montana	7/31/01
516	WDIO-TV	St. Paul	Minnesota	7/31/01
517	KAAL-TV	Austin	Minnesota	7/31/01
518	KOB-TV	St. Paul	Minnesota	7/31/01
519	WDIO-TV	St Paul	Minnesota	7/31/01
520	KSAX-TV, Inc. (KRWF TV)	St. Paul	Minnesota	7/31/01
521	KSAX-TV, Inc.	St. Paul	Minnesota	7/31/01
522	Hubbard Broadcasting, Inc. (KSTP-TV)	St. Paul	Minnesota	7/31/01
523	KOB-TV	St. Paul	Minnesota	
524	Hubbard Broadcasting, Inc. (WNYT-TV)	St. Paul	Minnesota	7/31/01
525	Hubbard Broadcasting, Inc. (WHEC-TV)	St. Paul	Minnesota	7/31/01
526	Stanley S. Hubbard Revocable Trust (KOB-TV)	St. Paul	Minnesota	7/31/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
527	New York Times Management Services (WHO-TV)	Des Moines	Iowa	7/31/01
528	New York Times Management Services (KFOR-TV)	Oklahoma City	Oklahoma	7/31/01
529	New York Times Management Services (WTKR)	Norfolk	Virginia	7/31/01
530	New York Times Management Services (KFSM-TV)	Fort Smith	Arkansas	7/31/01
531	New York Times Management Services (WNEP-TV)	Moosic	Pennsylvania	7/31/01
532	WNEP-TV (WQAD-TV)	Moline	Illinois	7/31/01
533	New York Times Management Services (WREG-TV)	Memphis	Tennessee	7/31/01
534	New York Times Management Services (WHNT-TV)	Huntsville	Alabama	7/31/01
535	California Broadcasting Inc. (KAEF)	Eureka	California	7/31/01
536	California Broadcasting, Inc. (KRCR-TV)	Redding	California	7/31/01
537	WAGM Television	Presque Isle	Maine	7/31/01
538	Appalacian Broadcasting Corporation (WCYB-TV) Channel 5	Bristol	Virginia	7/31/01
539	Abilene-Sweetwater Broadcasting Co. (KTXS-TV)	Abilene	Texas	7/31/01
540	WHDH-TV	Boston	Massachusetts	7/31/01
541	Sunbeam Television Corporation (WSVN)	Miami	Florida	7/31/01
542	KERO-TV	Bakersfield	California	7/31/01
543	McGraw-Hill Broadcasting Company, Inc.	Indianapolis	Indiana	7/31/01
544	KMGH-TV	Denver	Colorado	7/31/01
545	McGraw-Hill Broadcasting Company, Inc. (KGTV)	San Diego	California	7/31/01
546	Not in use			
547	WBNS-TV	Columbus	Ohio	7/31/01
548	VideoIndiana, Inc. (WTHR-TV)	Indianapolis	Indiana	7/31/01

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<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
549	SFM Entertainment	New York	New York	7/31/01
550	Dick Clark Productions, Inc.	Burbank	California	7/31/01
551	PM Entertainment Group Inc.	Los Angeles	California	7/31/01
552	Not in use			
553	Agency for Instructional Technology	Bloomington	Indiana	7/31/01
554	WPGH-TV	Pittsburgh	Pennsylvania	7/31/01
555	KSEE Licensee, Inc.	Fresno	California	7/31/01
556	Community Broadcasting Service (WABI-TV)	Bangor	Maine	7/31/01
557	Quorum Broadcasting of MD (WHAG-TV)	Hagerstown	Maryland	7/31/01
558	SJL of California (KSBY)	San Luis Obispo	California	7/31/01
559	Consortium for Mathematics and its Applications Inc.	Lexington	Massachusetts	8/1/01
560	Cambridge Studios Inc.	Arlington	Massachusetts	8/101
561	SJL of Kansas Corp.	Wichita	Kansas	8/8/01
562	Peak Media of Pennsylvania (WWCP)	Johnstown	Pennsylvania	8/1/01
563	WKRC-TV	Cincinnati	Ohio	8/1/01
564	Emmis Television Broadcasting (KOIN-TV)	Portland	Oregon	8/1/01
565	Clear Channel Jacksonville (WAWS)	Jacksonville	Florida	8/1/01
566	Clear Channel Jacksonville (WTEV)	Jacksonville	Florida	8/1/01
567	Emmis Television Broadcasting (WTHI-TV)	Terre Haute	Indiana	8/1/01
568	Sit and Be Fit	Spokane	Washington	8/1/01
569	SJL Northeast (WBNG-TV)	Johnson City	New York	8/2/01
570	Classic Media	New York	New York	8/2/01
571	Holston Valley Broadcasting Corporation (WKPT-TV)	Kingsport	Tennessee	8/2/01
572	United Communications Corporation (KEYC-TV)	Mankato	Minnesota	8/2/01
573	Apple Valley Broadcasting Inc. (KVEW)	Kennewick	Washington	8/2/01
574	Bastet Broadcasting, Inc. (WFXP-TV 66)	Erie	Pennsylvania	8/2/01

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
575	KHQ, Incorporated	Spokane	Washington	8/2/01
576	Quincy Newspapers, Inc. (WREX-TV)	Rockford	Illinois	8/2/01
577	WHNS-TV Meredith Corporation	Greenville	South Carolina	8/2/01
578	Not in use			
579	Hallmark Entertainment Distribution, Inc.	New York	New York	8/2/01
580	Genesis Distribution Inc.	Los Angeles	California	8/2/01
581	Tribune Television Holdings Inc.	Grand Rapids	Michigan	8/2/01
582	Tribune Entertainment Company	Los Angeles	California	8/2/01
583	Tribune Television Company (WTIC-TV)	Hartford	Connecticut	8/2/01
584	WPIX Inc.	New York	New York	8/2/01
585	KTLA Inc.	Los Angeles	California	8/2/01
586	Tribune Television Company (WPHL-TV)	Philadelphia	Pennsylvania	8/2/01
587	WLVI Inc	Boston	Massachusetts	8/2/01
588	KHWB, Inc.	Houston	Texas	8/2/01
589	Tribune Television New Orleans, Inc. (WNOL-TV)	New Orleans	Louisiana	8/2/01
590	Tribune Television New Orleans, Inc. (WGNO)	New Orleans	Louisiana	8/2/01
591	KWGN Inc.	Englewood	Colorado	8/2/01
592	Chanel 40, Inc. (KTXL)	Sacramento	California	8/2/01
593	WGN Continental Broadcasting Company (WGN-TV)	Chicago	Illinois	8/2/01
594	Tribune Television Northwest Inc. (KCPQ)	Seattle	Washington	8/2/01
595	Tribune Television Company (WPMT)	York	Pennsylvania	8/2/01
596	Tribune Television Company (WXIN)	Indianapolis	Indiana	8/2/01
597	Modern Entertainment Ltd.	Encino	California	8/3/01
598	WSBT Inc.	South Bend	Indiana	8/3/01
599	Studio Miramar	San Francisco	California	8/3/01
600	The Goodman Group, LLC	Bethesda	Maryland	8/3/01
601	Westwind Communications (KBAK)	Bakersfield	California	8/3/01

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
602	STC License Company (KFYR-TV)	Bismarck	North Dakota	8/3/01
603	Benedek License Corporation (KAK-TV)	Wichita	Kansas	8/3/01
604	STC License Company (KACB-TV)	San Angelo	Texas	8/3/01
605	STC License Company (KRBC-TV)	Abilene	Texas	8/3/01
606	STC License Company (KMOT-TV)	Minot	North Dakota	8/3/01
607	Filmoption International	Westmount, Quebec	Canada	8/3/01
608	Worldwide Subsidy Group/Independent Producers Groups	San Antonio	Texas	8/3/01
609	STC Licensing Company (KVLY-TV)	Fargo	North Dakota	8/3/01
610	STC License Company (WUPW)	Toledo	Ohio	8/3/01
611	Lions Gate Entertainment Corp.	Toronto, Ontario	Canda	8/3/01
612	Artist Collections Groups/Worldwide Group	Beverly Hills	California	8/3/01
613	Granite Broadcasting Corporation (WEEK-TV 25)	East Peoria	Illinois	8/3/01
614	Together Again Video Productions, Inc.	Pacific Palisades	California	8/3/01
615	Post-Newsweek Stations (KSAT-TV)	San Antonio	Texas	8/3/01
616	Young Broadcasting of Nashville, Inc. (WKRN-TV)	Nashville	Tennessee	8/3/01
617	Post Newsweek Stations Florida, Inc. (WPLG-TV)	Miami	Florida	7/18/01
618	Eastern North Carolina Broadcasting Corp. (WCTI)	New Bern	North Carolina	8/2/01
619	Cinenova Productions, Inc.	Toronto, Ontario	Canada	8/3/01
620	Combined Communications Corporation of Oklahoma (WZZM)	Grand Rapids	Michigan	8/3/01
621	KCOP Television, Inc.	Los Angeles	California	8/2/01
622	Productions Zone 3 Inc.		Quebec	7/20/01
623	Tribune Television Company (KDAF)	Dallas	Texas	7/31/01
624	WPTA-TV	Fort Wayne	Indiana	8/6/01
625	CS Associates	Lincoln	Massachusetts	8/301

June 28, 2006

<u>No.</u>	<u>Claimants Name</u>	<u>City</u>	<u>State</u>	<u>Date Rec.</u>
626	Warner Bros Lorimar Co. The WB Network Turner Entertainment Co. H-B Distribution Co. Turner Pictures Group, Inc. Universal Wrestling Corporation (WCW) TNT Productions, Inc. TNT Orignials, Inc. Techwood Productions, Inc. Turner Original Productions, Inc. CNN Newsource Sales, Inc. Castle Rock Entertainment, Inc. CNN Productions, Inc. American Lebanese Syrian Associated Charities/St. Jude Children's Research Hospital	Burbank	California	8/2/01
627	Keller Entertainment Group, Inc. Conan Properties, Inc. and CE Ltd. American First Run Studios	Sherman Oaks	California	8/6/01

June 28, 2006

COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

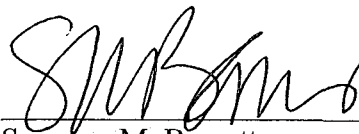
**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

1. 2008-2 CARP CD 2000 - Joint Notice of Intent to Participate and Comments on the Existence of Controversies (9/30/2002)
2. 2002-8 CARP CD 2000 – Notice of Intent to Participate Fintage Publishing (9/19/2002)
3. 2003-2 CARP CD 2001 – Joint Notice of Intent to Participate and Comments on the Existence of Controversies
4. 2002-2 CARP CD 93-97 – Phase II Cable Royalty Distribution Report, Redacted Public Version (4/16/2001)
5. 2000-2 CARP CD 93-97 - ORDER (6/22/2000)
6. 2000-2 CARP CD 93-97 – ORDER (9/22/2000)
7. 2000 Cable Copyright Claims Final List
8. 2001 Cable Copyright Claims Final List
9. 2002 Cable Copyright Claims Final List
10. 2003 Cable Copyright Claims Final List
11. Cable Royalty Distribution Report dated April 6, 2001 (Redacted).

The CRB has a file copy of the unredacted, Confidential Phase II Cable Royalty Distribution Report (Confidential) dated April 16, 2001. The Confidential Report is subject to a General Protective Order and the Judges will not release or distribute a copy of this Report except on motion of the requesting party, with due notice to all parties bound by the General Protective Order and an opportunity for response regarding disclosure of the Report and its contents.

SIGNED this 26<sup>th</sup> day of October, 2012.



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Suzanne M. Barnett  
Chief Copyright Royalty Judge



**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
1	South Carolina Broadcasting Partners WOLO-TV	Columbia	South Carolina	07/01/02	m
2	WBKO	Bowling Green	Kentucky	07/01/02	e
3	Bonneville Holding Company KSL-TV	Salt Lake City	Utah	07/01/2	e
4	Young Broadcasting of Davenport - KWQC-TV6	Davenport	Iowa	07/01/2	e
5	WTVM-TV	Columbus	Georgia	07/01/02	e
6	WREX Television, LLC	Rockford	Illinois	07/01/02	e
7	Alvin H. Perlmutter, Inc.	New York	New York	07/01/02	e
8	Apostrophe S. Productions	New York	New York	07/01/02	e
9	Removed				
10	Galan Productions Inc.	Austin	Texas	07/01/02	e
11	Dallas County Community College District	Dallas	Texas	07/01/02	e
12	VHR Broadcasting of Lubbock	Lubbock	Texas	07/01/02	e
13	Young Broadcasting Richmond, Inc. dba WRIC-TV	Richmond	Virginia	07/01/2	e
14	KBJR-TV License Inc.	Duluth	Minnesota	07/01/02	e
15	Sit and Be Fit	Spokane	Washington	07/01/02	e
16	Broadcast Music, Inc. (BMI)	New York	New York	07/01/02	h
17	Stephen J. Cannell Productions, Inc.	Hollywood	California	07/02/02	e
18	Great Plains National Instructional Television Library	Lincoln	Nebraska	07/02/02	e
19	Kenneth Lauren Burns - Florentine Films	Walpole	N Hampshire	07/02/02	e
20	Educational Film Center	Annadale	Virginia	07/02/02	e

**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
21	Gannett Co. Inc. - Arkansas Television Company KTHV-TV - The Detroit News, Inc. WUSA-TV - Gannett Georgia, L.P. WXIA-TV - Gannett Georgia, L.P. WMAZ-TV - Combined Communications Corp. of Oklahoma WZZM-TV - Gannett Pacific Corporation WBIR-TV - Gannett River States Publishing WJXX-TV - KXTV, Inc. - Multimedia Entertainment, Inc. WGRZ-TV - Multimedia Holdings Corp. KARE-TV - Multimedia Holdings Corp. KPNX-TV - Multimedia Holdings Corp. KUSA-TV - Multimedia Holdings Corp. WTLV-TV - Multimedia KSDK, Inc. KSDK-TV - Pacific and Southern Company, WLBZ-TV - Pacific and Southern Company, WLTX-TV - Pacific and Southern Company, WTSP-TV - WKYC-TV	McLean	Virginia	07/02/02	e
22	Zipporah Films, Inc.	Cambridge	Massachusetts	07/02/02	e
23	Fred Friendly Seminars, Inc.	New York	New York	07/02/02	e
24	Western International Syndication	Los Angeles	California	07/02/02	e
25	New River Media	Washington	DC	07/02/02	e
26	Thomas Broadcasting Company WOAY-TV	Oak Hill	West Virginia	07/02/02	m
27	KTBS-TV, Inc. KTBS-TV	Shreveport	Louisiana	07/02/02	m
28	Pikes Peak Broadcasting Company KRDO-TV	Colorado Springs	Colorado	07/02/02	m
29	Pieri & Spring Productions & Parker L. Payson	Fairhope	Alabama	07/02/02	h
30	Winnebago Television, WTVO	Rockford	Illinois	07/02/02	e
31	WGEM Television	Quincy	Illinois	07/02/02	e
32	Steve Rotfeld Productions, Inc.	Bryn Mawr	Pennsylvania	07/03/02	h
33	National Hockey League (Game)	New York	New York	07/03/02	h
34	SFX Television	Washington	DC	07/03/02	h

**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
35	National Football League (NFL)	New York	New York	07/03/02	h
36	National Basketball League NBA (Game)	New York	New York	07/03/02	h
37	WNBA Enterprises, LLC WNBA (Game)	Secaucus	New Jersey	07/03/02	h
38	NFL Films	Mt. Laurel	New Jersey	07/03/02	h
39	Guthy-Renker	Palm Desert	California	07/03/02	h
40	Kost Broadcast Sales	Chicago	Illinois	07/03/02	h
41	Persephone Productions Inc.	Arlington	Virginia	07/03/02	h
42	SJL of Pennsylvania, Inc., WICU	Erie	Pennsylvania	07/03/02	e
43	Benedek License Corporation WHSV-TV	Harrisonburg	Virginia	07/03/02	e
44	Trustees of Columbia University in the City of New York d/b/a Columbia University Media & Society Seminars	New York	New York	07/03/02	e
45	Lumiere Productions, Inc.	New York	New York	07/03/02	e
46	Michiana Telecasting Corp. WNDU-TV	South Bend	Indiana	07/03/02	e
47	Young Broadcasting of Knoxville, Inc. WATE	Knoxville	Tennessee	07/03/02	e
48	Young Broadcasting of LA, Inc.	Lafayette	Louisiana	07/03/02	e
49	Benedek License Corp. WTAP-TV	Parkersburg	West Virginia	07/03/02	e
50	S&S Productions Inc.	Toronto, Ontario	Canada	07/04/02	e
51	Pioneer Living Corporation	Hampstead	Maryland	07/05/02	e
52	Our Own Performance Society (OOPS)/James Cannings	New York	New York	07/05/02	e
53	The Caticus Corporation and Quest Productions	Berkeley	California	07/08/02	e
54	Quorum of Texas License, LLC	Lubbock	Texas	07/05/02	e
55	Goodman Rosen Inc.	Halifax, Nova Scotia	Canada	07/05/2	e
56	Noe Corp. LLC (KNOE-TV-8)	Monroe	Louisiana	07/05/02	m

**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
57	Vine's Eye Productions, Inc.	Liberty	Missouri	07/05/02	m
58	Adventure Divas, Inc.	Seattle	Washington	07/07/02	e
59	Michigan Magazine Co. Inc.	Rose City	Michigan	07/08/02	m
60	Berkow & Berkow Curriculum Development	Chico	California	07/08/02	e
61	HMW, Inc. WPXT-TV	Westbrook	Maine	07/08/02	e
62	WTVH ,LLC	Syracuse	New York	07/08/02	e
63	WPTA-TV, Inc. WPTA	Fort Wayne	Indiana	07/08/02	e
64	Mac and Ava Motion Picture Productions	Monterey	California	07/08/02	e
65	Public Broadcasting Service	Alexandria	Virginia	07/09/02	h
66	Howard Rosen Productions, Inc.	Snohomish	Washington	07/09/02	e
67	Pacific Street Film Projects, Inc.	Hastings on Hudson	New York	07/09/02	e
68	D.L. Taffner, Ltd	Los Angeles	California	07/09/02	m
69	KUAT-FM	Tucson	Arizona	07/09/02	e
70	Benedek License Corporation WMTV-TV	Hoffman Estates	Illinois	07/09/02	e
71	Cinar Corporation	Montreal Quebec	Canada	07/09/02	e
72	The Ontario Educational Communications Authority (TV Ontario)	Toronto, Ontario	Canada	07/09/02	e
73	WSEE Television, Inc.	Erie	Pennsylvania	07/09/02	e
74	Public Affairs Television, Inc.	New York	New York	07/09/02	e
75	KMTR-TV	Springfield	Oregon	07/09/02	e
76	Eastern North Carolina Broadcasting Corp. (WCTI-TV)	New Bern	North Carolina	07/09/02	e
77	Wringinghands Productions KQED-TV	New York	New York	07/10/02	e
78	Metropolitan Opera Association, Inc.	New York	New York	07/10/02	e
79	North Star Films Inc.	New York	New York	07/10/02	e

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
80	Pikes Peak Broadcasting Company KJCT-TV	Grand Junction	Colorado	07/10/02	e
81	LIN Television Corp. WAVY-TV	Portsmouth	Virginia	07/10/02	e
82	Body Electric Corp. of America	Orchard Park	New York	07/10/02	e
83	PorchLight Entertainment, Inc.	Los Angeles	California	07/10/02	e
84	Rockfleet Broadcasting II LLC (WFQX-TV)	New York	New York	07/11/02	e
85	Big Feats Entertainment, L.P.	Allen	Texas	07/11/02	e
86	Lyons Partnership, L.P.	Allen	Texas	07/11/02	e
87	Claudia R. Levin	Northampton	Massachusetts	07/11/02	e
88	Thomas Davenport dba Davenport Films	Delaplane	Virginia	07/11/02	e
89	General Mills Sales	Minneapolis	Minnesota	07/11/02	e
90	Big Comfy Corp. KRMA-TV	Toronto Ontario	Canada	07/11/02	e
91	WAFF-TV 48	Huntsville	Alabama	07/11/02	e
92	LuminArt Productions	Fair Oaks	California	07/11/02	e
93	Central NY News, Inc. (WOKR-TV)	Rochester	New York	07/11/02	e
94	CF Entertainment, Inc.	Beverly Hills	California	07/11/02	e
95	Keller Entertainment Group Inc. American First Run Studios Conan Properties/CE, LLC	Sherman Oaks	California	07/11/02	e
96	Benedek License Corporation WHOI-TV	Creve Coeur	Illinois	07/11/02	e
97	Pollack Belz Broadcasting, Inc.	Cordoza	Indiana	07/11/02	m
98	Bennett Productions	Los Angeles	California	07/11/02	m
99	Post Newsweek Stations, Florida, Inc. WJXT-TV	Jacksonville	Florida	07/11/02	m
100	WHDF-TV	Florence	Alabama	07/11/02	e
101	BBC Worldwide Americas, Inc.	New York	New York	07/12/02	e

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
102	Fox Entertainment Group, Inc.	Los Angeles	California	07/12/02	h
103	Babe Winkelman Productions, Inc.	Baxter	Minnesota	07/12/02	m
104	Emmis Television Broadcasting, L.P. dba KRQE	Albuquerque	New Mexico	07/12/02	e
105	Barnstomer Productions	Del Mar	California	07/12/02	e
106	Clear Channel Broadcasting, Inc. WAWS-TV	Jacksonville	Florida	07/12/02	e
107	Clear Channel Broadcasting, Inc. WTEV 47	Jacksonville	Florida	07/12/02	e
108	KWWL Television	Waterloo	Iowa	07/12/02	e
109	Quartet International, Inc.	Pearl River	New York	07/13/02	e
110	Federal Broadcasting Co. WLUC-TV	Negaunee	Michigan	07/15/02	e
111	Paramount Pictures, A Viacom Company (KTLA)	Los Angeles	California	07/15/02	e
112	Spelling Television Inc.	Los Angeles	California	07/15/02	e
113	Not in use				
114	KBJR-TV License Inc. (KBJR-TV)	Duluth	Minnesota	07/15/02	e
115	ABC Holding Company Inc. KABC-TV	Glendale	California	07/15/02	m
116	Flint License Subsidiary Corp. WJRT-TV	Flint	Michigan	07/15/02	m
117	WTVG Inc. (WTVG-TV)	Toledo	Ohio	07/15/02	m
118	ABC, Inc. KFSN-TV	Fresno	California	07/15/02	m
119	KTRK Television, Inc. (KTRK-TV)	Houston	Texas	07/15/02	m
120	WLS Television, Inc. (WLS-TV)	Chicago	Illinois	07/15/02	m
121	ABC, Inc. WPVI-TV	Philadelphia	Pennsylvania	07/15/02	m
122	ABC, Inc. WTDV-TV	Durham	North Carolina	07/15/02	m
123	American Broadcasting Companies WABC-TV	New York	New York	07/15/02	m

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
124	KGO Television Inc. KGO-TV	San Francisco	California	07/15/02	m
125	WIBW-TV	Topeka	Kansas	07/15/02	m
126	Access Productions	Santa Barbara	California	07/15/02	m
127	LIN Television Corp. - LIN Television Corp. dba WWL-TV - Primeland Television, Inc. dba WISH-TV - WAND(TV) Partnership - LIN Television Corp. dba WOOD Television, Inc. - LIN Television Corp. dba WANE-TV - Primeland Television, Inc. (WFLI-TV) - STC Broadcasting Inc. WPRI-TV - LIN Television Corp. dba WVBT-TV	Washington	DC	07/15/02	e
128	KTVO-TV	Kirksville	Missouri	07/15/02	m
129	Raycom National, Inc. WXIX-TV	Cincinnati	Ohio	07/15/02	m
130	Scholastic Entertainment Inc.	New York	New York	07/15/02	e
131	Productions En Commun Inc.	Quebec	Canada	07/15/02	e
132	LIN Television of Texas	Washington	DC	07/15/02	e
133	WEHT-TV	Evansville	Indiana	07/15/02	e
134	KEYC-TV/United Communications Corp.	N.Mankato	Minnesota	07/15/02	e
135	3735770 Canada Inc.	Quebec	Canada	07/15/02	e
136	Paramount Pictures, A Viacom Company - Big Ticket Productions Inc. - Big Ticket Pictures Inc. - Big Ticket Television	Los Angeles	California	07/15/02	e
137	KSEE Licensee, Inc.	Fresno	California	07/15/02	e
138	Beacon Productions, Inc.	Watertown	Massachusetts	07/16/02	e
139	The Hearst Corporation - WESH	Winter Park	Florida	07/16/02	e
140	Freesom Broadcasting of NY	Schenectady	New York	07/16/02	e

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
141	Nexstar Broadcasting of the Midwest, Inc. - WTWO-TV2	Terre Haute	Indiana	07/16/02	e
	Studios USA Television Distribution LLC Studios USA First-Run Productions LLC Studios USA Television LLC Studios USA Talk Television LLC Studios USA Talk Productions LLC Studios USA Pictures LLC USA Cable Entertainment LLC USA Films, LLC Savoy Pictures, Inc. October Films, Inc. Gramercy Pictures, LLC Lightning Ridge Film Limited	West Hollywood West Hollywood West Hollywood West Hollywood West Hollywood West Hollywood West Hollywood New York New York New York New York New York New York	California California California California California California California New York New York New York New York New York New York		
142	USA Broadcasting Productions, Inc.	New York	New York	07/16/02	e
143	NPG of Oregon Inc. KTVZ	Bend	Oregon	07/16/02	m
144	Young Broadcasting of Green Bay Inc. WBAY	Green Bay	Wisconsin	07/16/02	m
145	The American Documentary, Inc.	New York	New York	07/16/02	e
146	Agency for Instructional Technology	Bloomington	Indiana	07/16/02	e
147	Raycom Media, Inc. - WOIO-TV - WUAB-TV - WAFB-TV - WTNZ-TV	Montgomery	Alabama	07/16/02	e
148	KTVQ Communications, Inc. (KTVQ-TV)	Billings	Montana	07/16/02	m
149	KARK-TV, Inc. (KARK-TV)	Little Rock	Arkansas	07/16/02	m
150	Paramount Pictures, A Viacom Company - Worldvision Enterprises, Inc, - Republic Distribution Corporation - Republic Entertainment Inc. - Republic Pictures Enterprises, Inc.	Los Angeles	California	07/16/02	e
151	STC Broadcasting, Inc. - KACB-TV - KRBC-TV - WEYI-TV	Washington	DC	07/16/02	e



**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
152	SJL Northeast, LLC WBNG-TV	Johnson City	New York	07/16/02	e
153	Bank Street College of Education	New York	New York	07/17/02	e
154	WMFD Television, Mid State Television, Inc.	Mansfield	Ohio	07/17/02	m
155	Cornerstone Television - WPCB-TV40, - WKBS-TV 47	Wall	Pennsylvania	07/17/02	m
156	The Office of the Commissioner of Baseball	New York	New York	07/17/02	h
157	MacNeil/Lehrer Productions	Arlington	Virginia	07/17/02	e
158	Woodgrain Productions Inc.	Winnipeg, Manitoba	Canada	07/17/02	c
159	Hometime Video Publishing, Inc.	Chaska	Minnesota	07/17/02	e
160	ANGOA	Paris	France	07/17/02	e
161	Litton Syndications	Sullivan's Island	South Carolina	07/17/02	e
162	Benedek License Corporation - KAKE-TV - WTOK-TV	Wichita Meridian	Kansas Mississippi	07/17/02	e
163	Family Communications, Inc.	Pittsburgh	Pennsylvania	07/17/02	e
164	Sesame Workshop	New York	New York	07/17/02	e
165	Ginger Group Productions, Inc.	New York	New York	07/17/02	e
166	Steve White Productions	Studio City	California	07/17/02	e
167	Spectacor Films	West Hollywood	California	07/17/02	e
168	Quorum Broadcasting of Indiana License LLC (WTVW)	Evansville	Indiana	07/17/02	e
169	Decoy Film Properties, Inc.	New York	New York	07/17/02	e
170	Snitow-Kaufman Productions	Berkeley	California	07/17/02	e
171	The Duncan Group, Inc.	Milwaukee	Wisconsin	07/17/02	e
172	WHNS Fox Carolina, Meredith Corp.	Greenville	South Carolina	07/18/02	m

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
173	WEAR Licensee, LLC (WEAR-TV)	Pensacola	Florida	07/18/02	m
174	Lima Communications Corp. WLIO-TV/NBC	Lima	Ohio	07/18/02	m
175	NGT, Inc. dba National Geographic Television	Washington	DC	07/18/02	m
176	Lost Coast Films dba Rubin Tarrant Productions	Waltham	Massachusetts	07/18/02	e
177	Elcom of Virginia dba WTVR-TV	Richmond	Virginia	07/18/02	e
178	Nelvana Limited	Toronto, Ontario	Canada	07/18/02	e
179	Fisher Broadcasting - Seattle TV LLC (KOMO 4 TV)	Seattle	Washington	07/18/02	e
180	KSWO Television Company (KSWO-TV)	Lawton	Oklahoma	07/18/02	e
181	Slim Goodbody Corp.	Linconville Center	Maine	07/18/02	e
182	WPSD-TV, LLC	Paducah	Kentucky	07/18/02	e
183	Sinclair Communications WTTE-TV/WSYX-TV	Columbus	Ohio	07/18/02	e
184	WBGH-TV	Binghamton	New York	07/18/02	e
185	WIVT-TV	Binghamton	New York	07/18/02	e
186	New Line Cinema Corp. New Line Distributions, Inc. New Line Productions, Inc. New Line Television, Inc.	New York	New York	07/18/02	e
187	Art21, Inc.	New York	New York	07/18/02	e
188	Nexstar Broadcasting of Champaign, LLC (WCIA-TV)	Champaign	Illinois	07/18/02	e
189	Intelecom Intelligent Telecommunications	Pasadena	California	07/18/02	e
190	DIC Entertainment, L.P.	Burbank	California	07/18/02	e
191	Nexstar Broadcasting of Rochester LLC (WROC-TV8)	Rochester	New York	07/19/02	e
192	Fedor Pitcairn Productions, Ltd.	Bryn Athyn	Pennsylvania	07/19/02	e

**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
193	Channel Four Television Corporation	London	England	07/19/02	e
194	KY3, Inc.	Springfield	Missouri	07/19/02	e
195	The Welk Group dba Lawrence Welk Syndication	Santa Monica	California	07/19/02	e
196	WGAT Television	Augusta	Georgia	07/19/02	e
197	ComCorp of Texas License Corp. KVEO-TV ComCorp of El Paso License Corp. KTSM-TV	Lafayette El Paso	Louisiana Texas	07/19/02	m
198	QueenB Television LLC WKBT	La Crosse	Wisconsin	07/19/02	m
199	Productions Zone3 Inc.	Montreal, Quebec	Canada	07/19/02	e
200	WAOW-WYOW Television, Inc.	Wausau	Wisconsin	07/20/02	m
201	Stainless Broadcasting, LP WICZ-TV	Vestal	New York	07/22/02	e
202	WSAW of Benedek Corp.	Wausau	Wisconsin	07/22/02	e
203	Mary Ann Esposito, Inc.	Durham	New Hampshire	07/22/02	e
204	Clear Channel Televison WHP/WLYH	Harrisburg	Pennsylvania	07/22/02	e
205	Capital Communications Co. WOI-TV	West Des Moines	Iowa	07/22/02	e
206	Coronet Communications Company WHBF-TV	Rock Island	Illinois	07/22/02	e
207	Citadel Communications Co. - KCAU-TV - KLKN-TV	Sioux City Lincoln	Iowa Nebraska	07/22/02	e
208	International Telecommunications Services	Pleasant Gap	Pennsylvania	07/22/02	e
209	Larry Harmon Pictures Corporation	Hollywood	California	07/22/02	e
210	Curators of the University of Missouri - KOMU-TV	Columbia	Missouri	07/22/02	e
211	Nexstar Broadcasting of Beaumont-Port Arthur (KBTU-TV)	Beaumont	Texas	07/22/02	e
212	Nexstar Broadcasting Joplin LLC - KSNF-TV-16	Joplin	Missouri	07/22/02	e

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
213	WXOW-TV/WQOW-TV Television, Inc. - WXOW-TV - WQOW-TV	La Crosse Eau Claire	Wisconsin Wisconsin	07/22/02	e
214	Benedek License Corporation - KAUZ-TV	Hoffman Estates	Illinois	07/22/02	e
215	Freedom Broadcasting of Tennessee, Inc.	Chattanooga	Tennessee	07/22/02	e
216	Metro-Goldwyn-Mayer Studios - Goldwyn Films, Inc. - Orion Pictures Corporation - Delta Library Company - Heritage Films Inc. - MCEG Sterling Entertainment - United Artists Films, Inc.	Santa Monica	California	07/22/02	e
217	Bastet Broadcasting WYOU-TV	Scranton	Pennsylvania	07/22/02	e
218	MG/Perin, Inc.	New York	New York	07/22/02	m
219	Soda Mountain Broadcasting - KDRV-TV - KDKF	Medford Klamath Falls	Oregon Oregon	07/22/02	m
220	Emmis Television License Corporation KMTV	Omaha	Nebraska	07/22/02	m
221	WOWT-TV	Omaha	Nebraska	07/22/02	m
222	Hallmark Entertainment Distribution LLC	Los Angeles	California	07/22/02	m
223	Overview Productions Inc. - Euro Pro Corporation  - Bruce Nash Entertainment	Ville St. Laurent, Quebec Hollywood	Canada California	07/22/02	m
224	American Society of Composers, Authors & Publishers (ASCAP)	New York	New York	07/22/02	m
225	Journal Broadcast Group	Lansing	Michigan	07/23/02	e
226	Major League Baseball Properties, Inc.	New York	New York	07/23/02	h
227	KEZI Inc. dba KEZI-TV	Eugene	Oregon	07/23/02	m

**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
228	LeSEA Broadcasting Corp. - WHME - WHMB - KWHB - WHNO - KWHD - KWHE	South Bend	Indiana	07/23/02	m
229	Marsh Media, Inc. KVII-TV	Amarillo	Texas	07/23/02	m
230	KGUN-TV	Tucson	Arizona	07/23/02	e
231	Tony Brown Productions Inc.	New York	New York	07/24/02	m
232	Allied Communications, Inc.	New York	New York	07/24/02	e
233	Universal City Studios LLP, Universal Pictures, and Universal Studios Television Distribution dba for: - Universal Worldwide Television - Universal Television Enterprises - Universal Television Group - Polygram Television LLC	Universal City	California	07/24/02	e
234	KGTV	San Diego	California	07/24/02	e
235	Post Newsweek Stations Michigan Inc. WDIV	Detroit	Michigan	07/24/02	e
236	The Landsburg Company	Los Angeles	California	07/24/02	e
237	The Denver Center for the Performing Arts	Denver	Colorado	07/24/02	e
238	KTIV Television, Inc.	Sioux City	Iowa	07/24/02	e
239	Harmony Gold U.S.A.	Los Angeles	California	07/24/02	e
240	Alabama Broadcasting Partners WAKA	Montgomery	Alabama	07/24/02	m

**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
241	CBS Broadcasting Inc. - CBS Mass Media Corp. - CBS Worldwide Inc. - Group W Television Stations, Inc. - Inside Edition Inc. - King World/CC Inc. - King World Productions Inc. - King World Studios West Inc. - KUTV Holdings, Inc. - K.W.M Inc. - Paramount Stations Group of Washington - KBHK -TV - Paramount Stations Group Inc. WKBD-TV - Paramount Stations Group of Ft. Worth/ Dallas, Inc. KTXA-TV - Paramount Stations Group of Philadelphia - WPSG-TV - Paramount Stations Group of Pittsburgh - KDKA-TV - PSG of Oklahoma City LLC KAUT-TV - United Paramount Network - Viacom Inc. - Viacom Broadcasting of Seattle Inc. - KSTW-TV - Visual Frontier, Inc. - WVIT Inc., Paramount Stations Group	New York New York New York New York New York New York Los Angeles New York Los Angeles San Francisco  Southfield Fort Worth  Philadelphia  Pittsburgh  Oklahoma City Los Angeles New York Renton  Burbank Hollywood	New York New York New York New York New York New York California New York California California  Michigan Texas  Pennsylvania  Pennsylvania  Oklahoma California New York Washington  California California	07/24/02	e
242	Meredith Corporation - KPDX - KFXO - KCTV	Beaverton Bend Fairway	Oregon Oregon Kansas	07/25/02	e
243	Time Life Films	New York	New York	07/25/02	e
244	WDBJ Television, Inc. WDBJ-7	Roanoke	Virginia	07/25/02	e
245	Removed				
246	Nexstar Broadcasting of Erie, LLC WFXP-TV/ WJET-TV	Erie	Pennsylvania	07/25/02	e
247	Compact Collections Limited	London	U Kingdom	07/25/02	e

**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
248	Fremantle Media North America, Inc.	New York	New York	07/25/02	e
249	Levy-Gardner-Laven Productions, Inc.	Beverly Hills	California	07/25/02	m
250	Video Voice, Inc. WVVH-TV	New York	New York	07/25/02	m
251	Rebel Rebel, Inc.	Brooklyn	New York	07/25/02	e
252	Midwest Television, Inc.	San Diego	California	07/25/02	e
253	Western Instructional Television, Inc.	Los Angeles	California	07/25/02	e
254	Pacific & Southern Company, Inc. WLBZ 2	Bangor	Maine	07/25/02	e
255	Journal Broadcast Group, Inc. WTMJ	Milwaukee	Wisconsin	07/25/02	e
256	KSLA, LLC	Shreveport	Louisiana	07/25/02	e
257	Journal Broadcast Corporation dba KTNV-TV	Las Vegas	Nevada	07/25/02	e
258	Ellen Perry dba Stardust Pictures	San Francisco	California	07/25/02	e
259	Audio-Visual Copyright Society trading as Screenrights	Neutral Bay	Australia	07/26/02	m
260	Chesapeake Television Inc.	San Antonio	Texas	07/26/02	e
261	Marjorie Poore Productions, Inc.	San Francisco	California	07/26/02	e
262	Central NY News, Inc. WIXT-TV	East Syracuse	New York	07/26/02	e
263	Devillier Donegan Enterprises LP	Washington	DC	07/26/02	e
264	LibCo WSFA-TV	Montgomery	Alabama	07/26/02	e
265	Martha Stewart Living Ommimedia, Inc.	New York	New York	07/26/02	e
266	Jan Krawitz	Stanford	California	07/26/02	e
267	Home Box Office	New York	New York	07/26/02	e
268	WVVA Television, Inc.	Bluefield	West Virginia	07/26/02	e
269	Jewell Television Corporation KLST-TV	San Angelo	Texas	07/26/02	e
270	Quorum of Missouri License LLC KDEB-TV	Springfield	Missouri	07/26/02	e
271	KTTC Television, Inc.	Rochester	Minnesota	07/26/02	e

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
272	Elcom of South Dakota KSFY/KABY/KPRY	Sioux Falls	South Dakota	07/26/02	e
273	Emmis Indiana Broadcasting dba WTHI-TV	Terre Haute	Indiana	07/26/02	e
274	Nexstar Broadcasting of Louisiana dba KTAL-TV	Shreveport	Louisiana	07/26/02	e
275	Spokane Television, Inc. KXLY-TV	Spokane	Washington	07/26/02	e
276	Fox Entertainment Group, Inc.	Beverly Hills	California	07/26/02	m
277	KTLA, Inc.	Los Angeles	California	07/26/02	e
278	WVLI, Inc.	Boston	Massachusettes	07/26/02	e
279	Channel 40, Inc.	Sacramento	California	07/26/02	e
280	KWGN, Inc.	Englewood	Colorado	07/26/02	e
281	KHWB Inc.	Houston	Texas	07/26/02	e
282	Tribune Television Holdings, Inc. WXMI - Tribune Television Company WPHL - Tribune Television Company WPMT - Tribune Television Company WXIN - Tribune Television New Orleans, Inc. WGNO - Tribune Television New Orleans, Inc. WNOL - Tribune Television Company KDAF - Tribune Television Northwest, Inc. KCPQ	Grand Rapids Philadelphia York Indianapolis New Orleans  New Orleans  Dallas Seattle	Michigan Pennsylvania Pennsylvania Indiana Louisiana  Louisiana  Texas Washington	      07/26/02 07/29/02	e
283	Oral Roberts Evangelistic Association	Tulsa	Oklahoma	07/26/02	m
284	Coral Ridge Ministries Media, Inc.	Ft. Lauderdale	Florida	07/26/02	m
285	Quorum Broadcasting of MD LLC WHAG-TV	Hagerstown	Maryland	07/26/02	m
286	Lincoln Broadcasting Company KTSF	Brisbane	California	07/26/02	m
287	Emmis Television Broadcasting LP dba KOIN-TV	Portland	Oregon	07/26/02	e
288	MOSO Productions	Encino	California	07/26/02	m



**2001 Cable Copyright Claims  
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No	Claimant's Name	City	State	Date Recvd.	
289	GT Merchandising & Licensing Corp.	New York	New York	07/26/02	m
290	Central Wyoming College KCWC-TV	Riverton	Wyoming	07/26/02	m
291	Benedek Broadcasting Corporation WIFR-TV	Rockford	Illinois	07/26/02	m
292	Global Evangelism Television dba John Hagee Ministries	San Antonio	Texas	07/26/02	e
293	Smith TV License Holding Inc. KOLO	Reno	Nevada	07/28/02	e
294	World Wrestling Entertainment Inc.	Stamford	Connecticut	07/29/02	e
295	WKEF-TV, NBC 22	Dayton	Ohio	07/29/02	e
296	WRGT-TV, Fox 45	Dayton	Ohio	07/29/02	e
297	Post- Newsweek Stations, Florida, Inc.	Miami	Florida	07/29/02	e
298	Jefferson-Pilot Communications Company of VA WWBT	Richmond	Virginia	07/29/02	e
299	Channel 12 of Beaumont, Inc.	Beaumont	Texas	07/29/02	e
300	Jefferson-Pilot Communications/WBTV, Inc.	Charlotte	North Carolina	07/29/02	e
301	Crystal Pictures, Inc.	Asheville	North Carolina	07/29/02	e
302	KHQA-TV7	Quincy	Illinois	07/29/02	e
303	Delmarva Broadcast Service General Partnership (WMDT-TV)	Orlando	Florida	07/29/02	e
304	Food For Thought Productions	Makanda	Illinois	07/29/02	e
305	Northeast Kansas Broadcast Service, Inc. (KTKA-TV)	Orlando	Florida	07/29/02	e
306	KMEG-TV	Dakota Dunes	South Dakota	07/29/02	e
307	WILX	Lansing	Michigan	07/29/02	e
308	Community Broadcasting Service WABI-TV	Bangor	Maine	07/29/02	e
309	KHQ, Inc. - KNDO - KNDU	Yakima Kennewich	Washington Washington	07/29/02	e

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
310	The Canadian Broadcasting Corporation	Ottawa, Ontario	Canada	07/29/02	e
311	Teddy Bear Productions	San Francisco	California	07/29/02	e
312	Jasinski TV	Scottsdale	Arizona	07/29/02	e
313	Red Horse LLC	Santa Monica	California	07/29/02	e
314	Hawthorne Communications	Fairfield	Iowa	07/29/02	e
315	Script To Screen Productions	Santa Ana	California	07/29/02	e
316	Family Products LLP	Van Nuys	California	07/29/02	e
317	Together Again Productions	Malibu	California	07/29/02	e
318	Cable News Network LP,LLP	Atlanta	Georgia	07/29/02	e
319	XFL, LLC	Stamford	Connecticut	07/29/02	e
320	UPA Industries, Inc. Harvey Entertainment, Inc.	Beverly Hills New York	California New York	07/29/02	e
321	Carsey-Werner- Mandabach, LLC	Studio City	California	07/29/02	e
322	WPIX, Inc.	New York	New York	07/29/02	e
323	WGN Continential Broadcasting Company	Chicago	Illinois	07/29/02	e
324	The Christian Broadcasting Network, Inc.	Virginia Beach	Virginia	07/29/02	e
325	National Hockey League (Non-Game)	New York	New York	07/29/02	e
326	Transworld International, Inc.	Cleveland	Ohio	07/29/02	e
327	WMTW Broadcast Group, LLC	Auburn	Maine	07/29/02	m
328	Diversified Broadcasting, Inc. WCJB	Gainesville	Florida	07/29/02	m
329	Nexstar Broadcasting of Abilene KTAB-TV	Abilene	Texas	07/29/02	m
330	Sinclair Media I, Inc. WPGH-TV	Pittsburgh	Pennsylvania	07/29/02	m
331	ABC Family Worldwide, Inc.	Burbank	California	07/29/02	m
332	McKinnon Broadcasting Co., Channel 51 of San Diego (KUSI)	San Diego	California	07/29/02	m

**2001 Cable Copyright Claims  
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No	Claimant's Name	City	State	Date Recvd.	
333	Clear Channel Television KMOL-TV	San Antonio	Texas	07/29/02	m
334	Benedek Broadcasting Corporation WTVY-TV	Dothan	Alabama	07/29/02	m
335	Post-Newsweek Stations KSAT-TV	San Antonio	Texas	07/29/02	e
336	The Summit Media Group	New York	New York	07/29/02	m
337	Warner Bros. Domestic Television Distribution	Burbank	California	07/29/02	e
338	Screen Media Ventures, LLC	New York	New York	07/29/02	e
339	WSJV Television, Inc.	Elkhart	Indiana	07/29/02	e
340	KATV, LLC	Little Rock	Arkansas	07/30/02	m
341	Belo Kentucky, Inc. WHAS-TV	Louisville	Kentucky	07/30/02	m
342	Allbritton Communications WJLA-TV	Washington	DC	07/30/02	m
343	WSET, Inc. WSET-TV	Lynchburg	Virginia	07/30/02	m
344	KTUL, Inc.	Tulsa	Oklahoma	07/30/02	m
345	Harrisburg Television, Inc. WHTM-TV	Harrisburg	Pennsylvania	07/30/02	m
346	TV Alabama, Inc. - WCFT-TV - WJSU-TV	Birmingham	Alabama	07/30/02	m
347	WCIV, LLC	Mt. Pleasant	South Carolina	07/30/02	m
348	Raycom America, Inc. dba WTOG-TV	Savannah	Georgia	07/30/02	m
349	Sainte Sepulveda, Inc. KBVU-TV	Modesto	California	07/30/02	m
350	Youngstown Television, L.L.C. WKBN-TV	Youngstown	Ohio	07/30/02	m
351	KMOV-TV, Inc. KMOV-TV	St. Louis	Missouri	07/30/02	m
352	WWL TV, Inc.	New Orleans	Louisiana	07/30/02	m
353	KENS-TV, Inc.	San Antonio	Texas	07/30/02	m
354	WFAA TV, L.P.	Dallas	Texas	07/30/02	m
355	KTVB-TV	Boise	Idaho	07/30/02	m

**2001 Cable Copyright Claims  
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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
356	King Broadcasting Company - KING-TV - KONG-TV - KGW-TV	Seattle Seattle Portland	Washington Washington Oregon	07/30/02	m
357	KVUE-TV, Inc. KVUE	Austin	Texas	07/30/02	m
358	KTVK, Inc.	Phoenix	Arizona	07/30/02	m
359	KASW	Phoenix	Arizona	07/30/02	m
360	KREM-TV	Spokane	Washington	07/30/02	m
361	KSKN-TV	Spokane	Washington	07/30/02	m
362	NASCAR Digital Entertainment, Ltd.	Daytona Beach	Florida	07/30/02	h
363	National Basketball Association (Non-Game)	New York	New York	07/30/02	h
364	Crystal Cathedral Ministries	Garden Grove	California	07/30/02	m
365	HSN LP Home Shopping En Espagnol GP AST, LLC	St. Petersburg	Florida	07/30/02	m
366	Saga Communications Corp.	Victoria	Texas	07/30/02	e
367	Surtsey Productions Inc.	Victoria	Texas	07/30/02	e
368	WCLF-TV22, Christian Television Corp.	North Largo	Florida	07/30/02	e
369	WGGB-TV	Springfield	Massachusetts	07/30/02	e
370	National Broadcasting Company Inc.	New York	New York	07/30/02	e
371	NBC Enterprises, Inc.	Burbank	California	07/30/02	e
372	CNBC, Inc.	Fort Lee	New Jersey	07/30/02	e

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Final List**

No	Claimant's Name	City	State	Date Recvd.	
373	National Broadcasting Company, Inc. - WNBC-TV - WCAU-TV - KNBC-TV - WMAQ-TV - WRC-TV - Outlet Broadcasting Inc. WVIT-TV - Outlet Broadcasting Inc. WJAR-TV - Outlet Broadcasting Inc. WCMH-TV - Birmingham Broadcasting Inc. WVTM-TV - Station Venture Operations LP KNSD-TV - Station Venture Operations LP KXAS-TV - NBC Subsidiary Inc. WTVJ-TV - NBC Subsidiary Inc. WNCN-TV	New York Bala Cynwyd Burbank Chicago Washington West Hartford Cranston Columbus Birmingham San Diego Fort Worth Miami Raleigh	New York Pennsylvania California Illinois D.C. Connecticut Rhode Island Ohio Alabama California Texas Florida North Carolina	07/30/02 07/31/02 07/31/02	e
374	Ragdoll Ltd.	New York	New York	07/30/02	e
375	Galloway Productions	Mount Pleasant	South Carolina	07/30/02	e
376	WXTV License Partnership, G.P. WXTV(TV)	Los Angeles	California	07/30/02	e
377	WKOW Television, Inc.	Madison	Wisconsin	07/30/02	e
378	SFM Entertainment LLC	New York	New York	07/30/02	e
379	WFMJ Television, Inc.	Youngstown	Ohio	07/30/02	e
380	Nathan Adolfsen	Los Angeles	California	07/30/02	e
381	Film Matters Inc. dba TV Matters	Phoenix	Arizona	07/30/02	e
382	Crowing Rooster Arts, Inc.	New York	New York	07/30/02	e
383	Federal Broadcasting Co. dba WSTM-TV	Syracuse	New York	07/30/02	e
384	European Pictures, B.V.	Leiden	Netherlands	07/30/02	e
385	WLOS	Asheville	North Carolina	07/30/02	e
386	DreamWorks LLC	Glendale	California	07/30/02	e
387	Scripps Howard Broadcasting Company	Cincinnati	Ohio	07/30/02	e
388	Oliver Productions Inc.	Washington	DC	07/30/02	e

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
389	Jefferson-Pilot Communications - WBTW	Charlotte	North Carolina	07/30/02	e
390	Freedom Broadcasting of Texas, Inc.	Beaumont	Texas	07/30/02	e
391	WLAJ, Freedom Broadcasting of Michigan	Lansing	Michigan	07/30/02	e
392	Lewis Broadcasting Corp. WLTZ	Columbus	Georgia	07/30/02	e
393	Media General Communications, Inc. KIMT-TV	Mason City	Iowa	07/30/02	e
394	Modern Entertainment, Ltd.	Encino	California	07/30/02	e
395	Emmis Television Broadcasting, L.P. - WLUK-TV - WSAZ Newschannel 3 - WVUE	Green Bay Huntington New Orleans	Wisconsin West Virginia Louisiana	07/30/02	e
396	WCNC-TV/NBC 6	Charlotte	North Carolina	07/30/02	e
397	KHOU-TV LP	Houston	Texas	07/30/02	e
398	Marty Stouffer Productions, Ltd.	Aspen	Colorado	07/31/02	e
399	Hearst Entertainment, Inc.	New York	New York	07/31/02	m
400	Jeopardy Productions, Inc.	Culver City	California	07/31/02	m
401	Califon Productions, Inc.	Culver City	California	07/31/02	m
402	Columbia Pictures Television, Inc.	Culver City	California	07/31/02	m
403	McGraw- Hill Broadcasting Co.	Denver	Colorado	07/31/02	m
404	The Goodman Group	Bethesda	Maryland	07/31/02	m
405	SESAC, Inc.	New York	New York	07/31/02	m
406	National Public Radio	Washington	DC	07/31/02	m
407	VideoIndiana, Inc. WTHR-TV	Indianapolis	Indiana	07/31/02	m
408	WBNS-TV, Inc.	Columbus	Ohio	07/31/02	h
409	National Collegiate Athletic Association	Indianapolis	Indiana	07/31/02	h

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Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
410	Family Worship Center Church, Inc.	Baton Rouge	Louisiana	07/31/02	h
411	Hearst-Argyle Television, Inc.	New York	New York	07/31/02	h
412	The Hearst Corporation	New York	New York	07/31/02	h
413	Channel 49 Acquisition Corporation	Hampton	Virginia	07/31/02	h
414	Bell Broadcasting, LLC	Hampton	Virginia	07/31/02	m
415	Young Broadcasting Inc.	New York	New York	07/31/02	h
416	AB Dolly, LLC	West Chester	Pennsylvania	07/31/02	h
417	Adler Media, Inc.	Sherman Oaks	California	07/31/02	h
418	Amazing Facts, Inc.	Rocklin	California	07/31/02	h
419	American Religious Town Hall, Inc.	Dallas	Texas	07/31/02	h
420	Big League Golf, Inc.	Maitland	Florida	07/31/02	h
421	Catholic Communications Corporation	Springfield	Massachusetts	07/31/02	h
422	Cottonwood Christian Center	Los Alamitos	California	07/31/02	h
423	Crenshaw Christian Center	Los Angeles	California	07/31/02	h
424	Faith For Today, Inc.	Simi Valley	California	07/31/02	h
425	Grizzly Adams Productions, Inc.	Baker	Oregon	07/31/02	h
426	IT IS WRITTEN	Simi Valley	California	07/31/02	h
427	Jalbert Productions, Inc.	Huntington	New York	07/31/02	h
428	The John F. Kennedy Center for the Performing Arts	Washington	DC	07/31/02	h
429	Rhema Bible Church aka Kenneth Hagin Ministries	Broken Arrow	Oklahoma	07/31/02	h
430	Life in the Word, Inc.	Fenton	Missouri	07/31/02	h
431	O. Atlas Enterprises, Inc.	Beverly Hills	California	07/31/02	h
432	RBC Ministries	Grand Rapids	Michigan	07/31/02	h

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Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
433	Ron Phillips Ministries	Hixon	Tennessee	07/31/02	h
434	Sandra Carter Productions	New York	New York	07/31/02	h
435	Speak the Word Church International	Golden Valley	Minnesota	07/31/02	h
436	T.D. Jakes Ministries	Dallas	Texas	07/31/02	h
437	Total Gym Fitness, LLC	West Chester	Pennsylvania	07/31/02	h
438	Zola Levitt Ministries, Inc.	Dallas	Texas	07/31/02	h
439	Gray Florida Holdings, Inc.	Panama City	Florida	07/31/02	h
440	WRDW-TV, Inc.	North Augusta	South Carolina	07/31/02	h
441	Gray Kentucky Television, Inc.	Lexington	Kentucky	07/31/02	h
442	KOLN/KGIN, Inc.	Lincoln	Nebraska	07/31/02	h
443	WITN-TV, Inc.	Washington	North Carolina	07/31/02	h
444	WVLT-TV, Inc.	Knoxville	Tennessee	07/31/02	h
445	WEAU-TV, Inc.	Eau Claire	Wisconsin	07/31/02	h
446	Gray Communications of Texas-Sherman, Inc.	Sherman	Texas	07/31/02	h
447	Gray Communication of Texas, Inc.	Waco	Texas	07/31/02	h
448	Independence Television Company, Inc. - WDRB - WFTE	Louisville	Kentucky	07/31/02	h
449	Idaho Independent TV, Inc. KTRV	Nampa	Idaho	07/31/02	h
450	Century Development Corporation KGNS	Laredo	Texas	07/31/02	h



**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
451	LibCo, Inc. - KAIT-TV - KPLC - WAVE3-TV - WIS - WFIE-TV - WSFA-TV - WLOX-TV - WTOL-TV - WALB-TV - KCBD-TV	Jonesboro Lake Charles Louisville Columbia Evansville Montgomery Biloxi Toledo Albany Lubbock	Arkansas Louisiana Kentucky South Carolina Indiana Alabama Mississippi Ohio Georgia Texas	07/31/02	h
452	CivCo - KLTV-TV - KTRE-TV	Tyler Pollock	Texas Texas	07/31/02	m
453	Georgia Television Company dba WSB-TV	Atlanta	Georgia	07/31/02	m
454	WSOC Television, Inc.	Charlotte	North Carolina	07/31/02	m
455	WHIO-TV Holdings, Inc.	Dayton	Ohio	07/31/02	m
456	WJAC-TV, Inc.	Johnstown	Pennsylvania	07/31/02	m
457	WFTV, Inc.	Orlando	Florida	07/31/02	m
458	WPXI-TV, Inc.	Pittsburgh	Pennsylvania	07/31/02	m
459	KIRO, Inc. dba KIRO-TV	Seattle	Washington	07/31/02	m
460	WTOV-TV Holdings, Inc.	Steubenville	Ohio	07/31/02	m
461	KTVU Partnership	Oakland	California	07/31/02	m
462	KTVU Partnership dba KAME TV	Reno	Nevada	07/31/02	m
463	KTVU Partnership dba KICU	San Jose	California	07/31/02	m
464	Rysler Entertainment	Santa Monica	California	07/31/02	m
465	KATC Communications, Inc.	Lafayette	Louisiana	07/31/02	m
466	WLEX Communications, LLC	Lexington	Kentucky	07/31/02	m
467	MG Broadcasting of Birmingham Holdings LLC	Birmingham	Alabama	07/31/02	m

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
468	Media General Operations, Inc. - WKRK - WFLA	Mobile Tampa	Alabama Florida	07/31/02	m
469	Media General Communications, Inc. - WSAV - KBSD - KBSH-TV - KWCH - KBSL - WJTV - WNCT-TV - WDEF-TV - WSLA-TV	Savannah Dodge City Hays Wichita Goodland Jackson Greenville Chattanooga Roanoke	Georgia Kansas Kansas Kansas Kansas Mississippi North Carolina Tennessee Virginia	07/31/02	e
470	Media General Broadcasting, Inc. - WNEG-TV - WTVQ-TV - WSPA-TV - WJHL-TV	Toccoa Lexington Spartanburg Johnson City	Georgia Kentucky South Carolina Tennessee	07/31/02	m
471	Peak Media of Pennsylvania, LLC	Johnstown	Pennsylvania	07/31/02	m
472	Clearlake Productions, Inc.	West Palm Beach	Florida	07/31/02	m
473	Media General Broadcasting of South Carolina Holdings, Inc.	Florence	South Carolina	07/31/02	m
474	The Living Century LLC	Los Angeles	California	07/31/02	m
475	Tribune Entertainment Company	Los Angeles	California	07/31/02	m
476	Tribune Television Company	Hartford	Connecticut	07/31/02	m
477	First Look Media, Inc.	Los Angeles	California	07/31/02	m
478	Liberty Broadcasting Network, Inc.	Lynchburg	Virginia	07/31/02	e
479	KMEX License Partnership G.P. KMEX-TV	Los Angeles	California	07/31/02	e
480	WLTN License Partnership WLTN(TV)	Los Angeles	California	07/31/02	e
481	Univision Network Limited Partnership	Los Angeles	California	07/31/02	e
482	Center for Educational Telecommunications	Berkeley	California	07/31/02	e

**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
483	In Touch Ministries, Inc.	Atlanta	Georgia	07/31/02	e
484	Nexstar Broadcasting of Abilene (KTAB-TV)	Abilene	Texas	07/31/02	e
485	Norman Jerry "Jed" Riffe	Berkeley	California	07/31/02	e
486	WDKY	Lexington	Kentucky	07/31/02	e
487	Teddy Bear Productions	San Francisco	California	07/31/02	e
488	Media Venture Management, Inc.	Naples	Florida	07/31/02	e
489	Louisiana Television Broadcasting WBRZ-TV	Baton Rouge	Louisiana	07/31/02	e
490	NewsChannel 5 Network, L.P.	Nashville	Tennessee	07/31/02	e
491	KION-TV KCBA-TV	Salinas	California	07/31/02	e
492	Fisher Broadcasting- Portland TV LLC - KATU-TV	Portland	Oregon	07/31/02	e
493	Mission Broadcasting of Joplin	Joplin	Missouri	07/31/02	e
494	Philomath Films	Los Angeles	California	07/31/02	e
495	Raycom America, Inc. dba WMC-TV	Memphis	Tennessee	07/31/02	e
496	White Knight Broadcasting of Shreveport License Corp. - KSHV-TV	Shreveport	Louisiana	07/31/02	e
497	ComCorp of Texas License Corp. - KMSS-TV	Shreveport	Louisiana	07/31/02	e
498	Jaffe Braunstein Films, Ltd.	Los Angeles	California	07/31/02	e
499	Sunday August 4 <sup>th</sup> , Jimmy B's	St. Pete Beach	Florida	07/31/02	e
500	WCLF-TV22, Christian Television Corp.	North Largo	Florida	07/31/02	e
501	Valley Broadcasting Company Yuma Broadcasting Company	Las Vegas	Nevada	07/31/02	e
502	Benedek Broadcasting Corp. dba KKTV - Deborah J. Bullock	Colorado Springs Elbert	Colorado Colorado	07/31/02	e

**2001 Cable Copyright Claims  
Final List**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Recvd.</b>	
503	Not in use				
504	Emmis Television License Corp. of Topeka KSNT-TV	Topeka	Kansas	07/29/02 08/02/02	m
505	WGCL, Inc., Meredith Corporation	Atlanta	Georgia	07/30/02 08/02/02	m
506	Not in Use				
507	Telco Productiions, Inc.	Santa Monica	California	07/30/02 08/02/02	m
508	Tennessee Broadcasting Partners WBBJ	Jackson	Tennessee	07/30/02 08/05/02	m
509	North Carolina Broadcasting Partners - WCCB	Charlotte	North Carolina	07/30/02 08/05/02	m
510	Not in Use				
511	Not in Use				
512	Westwind Communications, LLC KBAK-TV	Bakersfield	California	07/31/02 08/05/02	m
513	Not in Use				
514	KFTY Television	Santa Rosa	California	07/31/02 08/05/02	m
515	Smith Television Group	Anchorage	Alaska	07/31/02 08/05/02	m
516	WCSC, Inc.	Charleston	South Carolina	07/31/02 08/05/02	m
517	Artist Collections Group dba Worldwide Subsidy Group	Beverly Hills	California	07/31/02 08/05/02	m
518	Worldwide Subsidy Group dba Independent Producers Group	San Antonio	Texas	07/31/02 08/05/02	m
519	Not in Use				

**2001 Cable Copyright Claims  
Final List**

No	Claimant's Name	City	State	Date Recvd.	
520	Raycom America, Inc. (KFVS-TV)	Cape Girardeau	Missouri	7/26/02 9/3/02	m
521	Charles Schuerhoff dba CS Associates	Lincoln	Massachusetts	07/30/02 08/05/02	m
522	Carolina Capital Communications, Inc. - WKFT	Fayetteville	North Carolina	07/01/02	m
523	Fei Hu Films	Santa Barbara	California	07/4/02	e
524	Removed				
525	The Corporation for General Trade dba WKJG-TV	Fort Wayne	Indiana	07/12/02	e
526	ACME Television Licenses of Missouri - KPLR-TV	St. Louis	Missouri	7/26/02	e
527	Not in use				
528	VHR Springfield License, Inc. KOLR-TV	Brentwood	Tennessee	07/09/02	m
529	Persona Grata Productions	San Francisco	California	07/07/02	e
530	NPG of Texas (KVIA-TV)	El Paso	Texas	7/31/02	e
531	The Consortium for Mathematics and Its Applications, Inc. (COMAP, Inc.)	Lexington	Massachusetts	7/25/02	e
532	FTM Productions	Los Angeles	California	7/23/02	e
533	Buena Vista Television Walt Disney Television	Burbank	California	7/23/02	e
534	AFMA Collections	Los Angeles	California	7/23/02	e
535	Hasbro, Inc.	Pawtucket	Rhode Island	7/24/02	
536	Holston Valley Broadcasting Corporation WKPT-TV	Kingsport	Tennessee	7/29/02	m

COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

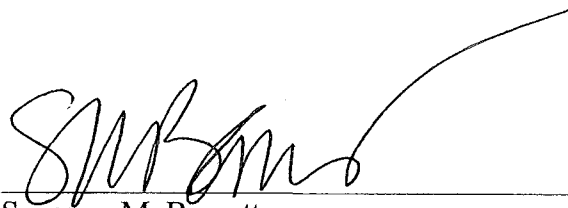
**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

1. 2008-2 CARP CD 2000 - Joint Notice of Intent to Participate and Comments on the Existence of Controversies (9/30/2002)
2. 2002-8 CARP CD 2000 – Notice of Intent to Participate Fintage Publishing (9/19/2002)
3. 2003-2 CARP CD 2001 – Joint Notice of Intent to Participate and Comments on the Existence of Controversies
4. 2002-2 CARP CD 93-97 – Phase II Cable Royalty Distribution Report, Redacted Public Version (4/16/2001)
5. 2000-2 CARP CD 93-97 - ORDER (6/22/2000)
6. 2000-2 CARP CD 93-97 – ORDER (9/22/2000)
7. 2000 Cable Copyright Claims Final List
8. 2001 Cable Copyright Claims Final List
9. 2002 Cable Copyright Claims Final List
10. 2003 Cable Copyright Claims Final List
11. Cable Royalty Distribution Report dated April 6, 2001 (Redacted).

The CRB has a file copy of the unredacted, Confidential Phase II Cable Royalty Distribution Report (Confidential) dated April 16, 2001. The Confidential Report is subject to a General Protective Order and the Judges will not release or distribute a copy of this Report except on motion of the requesting party, with due notice to all parties bound by the General Protective Order and an opportunity for response regarding disclosure of the Report and its contents.

SIGNED this 26<sup>th</sup> day of October, 2012.



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Suzanne M. Barnett  
Chief Copyright Royalty Judge

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
1	Babe Winkelman Productions Inc.	Brainerd	Minnesota	7/1/03
2	Broadcast Music, Inc.	New York	New York	7/1/03
3	GT Merchandising and Licensing LLC	New York	New York	7/1/03
4	KSL-TV division of Bonneville Int. Corp.	Kaysville	Utah	7/1/03
5	Lives and Legacies Films	McLean	Virginia	7/1/03
6	Metropolitan Opera Assoc. Inc.(WTTW)	New York	New York	7/1/03
7	Mid State Television, Inc. WMFD-TV	Mansfield	Ohio	7/1/03
8	Peter Miller Films, Inc. ( KQED)	New York	New York	7/1/03
9	Public Broadcasting Service (PBS)	Alexandria	Virginia	7/1/03
10	Stephen J. Cannell Productions, Inc.	Hollywood	California	7/1/03
11	Trustees of Columbia University	New York	New York	7/1/03
12	WGEM Television	Quincy	Illinois	7/1/03
13	Wind and Stars Productions Group	Alexandria	Virginia	7/1/03
14	WREX Television, LLC	Rockford	Illinois	7/1/03
15	Yanni Inc. ( KUHT)	West Palm Beach	Florida	7/1/03
16	BBC Worldwide Americas, Inc.( KCTS)	New York	New York	7/2/03
17	Beacon Productions, Inc.	Watertown	Massachusetts	7/2/03
18	Big Productions(KUHT)	Stillwater	Oklahoma	7/2/03
19	Denver Center for Performing Arts (WTTW)	Denver	Colorado	7/2/03
20	Diamond Island Productions, LLC (KQED)	Pacifica	California	7/2/03
21	Fisher Broadcasting- Portland TVLLC. KATU	Portland	Oregon	7/2/03
22	Independent Television Service, Inc. (KTCA)	San Francisco	California	7/2/03
23	KARK Inc.	Little Rock	Arkansas	7/2/03
24	KTBS, Inc.	Shreveport	Louisiana	7/2/03
25	LeSea Broadcasting Corp.	South Bend	Indiana	7/2/03
26	Pikes Peak Broadcasting Company (KJCT)	Grand Junction	Colorado	7/2/03



**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
27	Pikes Peak Broadcasting Company ( KRDO)	Colorado Springs	Colorado	7/2/03
28	Porch Light Entertainment, Inc.	Los Angeles	California	7/2/03
29	CINAR Corporation	Montreal Quebec	Canada	7/3/03
30	Family Communications, Inc.	Pittsburgh	Pennsylvania	7/3/03
31	World Wrestling Entertainment, Inc.	Stamford	Connecticut	7/3/03
32	Michiana Telecasting Corp. WNDU-TV	South Bend	Indiana	7/5/03
33	Paramount Pictures Big Ticket Television, Inc., Big Ticket Pictures, Inc., Big Ticket Productions, Inc.	Los Angeles	California	7/7/03
34	Chelsey Broadcasting Company (WHOI-TV)	Creve Coeur	Illinois	7/7/03
35	Fred Friendly Seminars, Inc.	New York	New York	7/7/03
36	Hometime	Chaska	Minnesota	7/7/03
37	In Touch Ministries, Inc. KTTV-TV	Atlanta	Georgia	7/7/03
38	LIN Television Corp. (WWLP)	Chicopee	Massachusetts	7/7/03
39	Morris Network of Alabama, Inc.	Dothan	Alabama	7/7/03
40	National Geographic Society	Washington	DC	7/7/03
41	Nexstar Broadcasting NE Penn. (WBRE-TV)	Wilkes-Barre	Pennsylvania	7/7/03
42	Paramount Pictures, Viacom Company	Los Angeles	California	7/7/03
43	Quorum of Missouri, LLC (KDEB-TV)	Springfield	Missouri	7/7/03
44	Santa Fe Ventures, Inc.	Albuquerque	New Mexico	7/7/03
45	SJL Northeast, LLC (WBNG-TV)	Johnson City	New York	7/7/03
46	SJL of Pennsylvania, Inc. WICU	Erie	Pennsylvania	7/7/03
47	Spectator Films	West Hollywood	California	7/7/03
48	Spelling Television Inc.	Los Angeles	California	7/7/03
49	Steve White Films	Studio City	California	7/7/03
50	Sullivan Entertainment International Inc.	Toronto Ontario	Canada	7/7/03
51	VHR Springfield License (KOLR-TV)	Brentwood	Tennessee	7/7/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
52	WEHT-TV	Evansville	Indiana	7/7/03
53	Worldvision Enterprises, Inc. Republic Distribution Corporation Republic Entertainment, Inc. Republic Pictures Enterprises	Los Angeles	California	7/7/03
54	WPSD-TV, LLC	Paducah	Kentucky	7/7/03
55	Apple Valley Broadcasting, Inc. (KVEW)	Yakima	Washington	7/8/03
56	Dallas County Community College District	Dallas	Texas	7/8/03
57	General Mills Sales, Inc.	Minneapolis	Minnesota	7/8/03
58	Heritage Broadcasting Company of Mich.	Cadillac	Michigan	7/8/03
59	Indiana Broadcasting, LLC (WANE-TV)	Fort Wayne	Indiana	7/8/03
60	KSEE Television, Inc.	Fresno	California	7/8/03
61	LIN Television Corp. WAVY-TV	Portsmouth	Virginia	7/8/03
62	LIN Television Corp. WVBT-TV	Portsmouth	Virginia	7/8/03
63	Littion Syndications	Sullivan's Island	South Carolina	7/8/03
64	Recording Industry Association of America	Washington	DC	7/8/03
65	WBKO	Bowling Green	Kentucky	7/8/03
66	CF Entertainment, Inc.	Beverly Hills	California	7/9/03
67	ComCorp of El Paso License Corp	Lafayette	Los Angeles	7/9/03
68	D.L. Taffner, LTD.	Los Angeles	California	7/9/03
69	Indiana Broadcasting, LLC (WISH-TV)	Indianapolis	Indiana	7/9/03
70	Intelecom Intelligent Telecommunications	Pasadena	California	7/9/03
71	Journal Broadcast Group, Inc.	Lansing	Michigan	7/9/03
72	Kenneth Lauren Burns	Walpole	New Hampshire	7/9/03
73	KETK Licensee L.P.	Baltimore	Maryland	7/9/03
74	KMEG-TV	Dakota Dunes	South Dakota	7/9/03
75	Primeland Television, Inc. ( WLFI-TV)	West Lafayette	Indiana	7/9/03
76	Quartet International, Inc.	Pearl River	New York	7/9/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
77	Rhombus International Inc.	Toronto	Ontario	7/9/03
78	Screen Media Ventures, LLC	New York	New York	7/9/03
79	Summit Media Group	New York	New York	7/9/03
80	The History Makers	Chicago	Illinois	7/9/03
81	United Feature Syndicate, Inc.	New York	New York	7/9/03
82	WNTZ-48, Inc.	Carencro	Los Angeles	7/9/03
83	WVNY Television	Burlington	Vermont	7/9/03
84	Capitol Broadcasting Company, Inc.	Raleigh	North Carolina	7/10/03
85	Curators of University of Missouri KOMU-TV	Columbia	Missouri	7/10/03
86	Emmis Television Broadcasting WSAZ 3	Hunington	West Virginia	7/10/03
87	Film Matters d/b/a TV Matters	Phoenix	Arizona	7/10/03
88	Genesis Intermedia, Inc.	Van Nuys	California	7/10/03
89	Hawthorne Communications, Inc.	Fairfield	Iowa	7/10/03
90	Jasinski TV	Scottsdale	Arizona	7/10/03
91	New Line Cinema Corp New Line Distribution New Line Productions, Inc. New Line Television, Inc.	New York	New York	7/10/03
92	Ontario Educational Communications Authority (TV Ontario)	Toronto	Ontario	7/10/03
93	Public Affairs Television, Inc.	New York	New York	7/10/03
94	Red Horse LLC	Beverly Hills	California	7/10/03
95	Script to Screen Productions, Inc.	Santa Ana	California	7/10/03
96	Catticus Corporation and Quest Productions	Berkeley	California	7/11/03
97	Great Plains National Instructional Television Library	Lincoln	Nebraska	7/11/03
98	Jewell Television Corp KLST-TV	San Angelo	Texas	7/11/03
99	Journal Broadcast Group WTMJ	Milwaukee	Wisconsin	7/11/03
100	Lumiere Productions, Inc.	New York	New York	7/11/03
101	Nomadic Pictures	Chicago	Illinois	7/11/03
102	Quorum Broadcasting of Indiana WTVW	Evansville	Indiana	7/11/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
103	WLAJ Freedom Broadcasting of Michigan	Lansing	Michigan	7/11/03
104	Woodgrain Productions Inc.	Winnipeg Maitoba	Canada	7/11/03
105	WPTA-TV, Inc.	Fort Wayne	Indiana	7/11/03
106	WWMT Freedom Broadcasting of Michigan	Kalamazoo	Michigan	7/11/03
107	KARZ Productions	New York	New York	7/13/03
108	Allied Communications, Inc.	New York	New York	7/14/03
109	Capital Broadcasting Company	Raleigh	North Carolina	7/14/03
110	Community Broadcasting Service WABI-TV	Bangor	Maine	7/14/03
111	Cornerstone Television WKBS-TV47	Wall	Pennsylvania	7/14/03
112	Cornerstone Television WPCB	Wall	Pennsylvania	7/14/03
113	Jefferson Pilot Communications Company	Richmond	Virginia	7/14/03
114	KSLA, LLC	Shreveport	Louisiana	7/14/03
115	KWWL Television	Waterloo	Iowa	7/14/03
116	Lincoln Broadcasting Company KTSF	Brisbane	California	7/14/03
117	Majorie Poore Productions	San Francisco	California	7/14/03
118	Marty Stouffer Productions Ltd.	Aspen	Colorado	7/14/03
119	Michigan Magazine Co.	Rose City	Michigan	7/14/03
120	Post Newsweek Stations San Antonio KSAT	San Antonio	Texas	7/14/03
121	Raycom Media, Inc. WOIO-TV	Montgomery	Alabama	7/14/03
122	Raycom Media, WUAB TV	Montgomery	Alabama	7/14/03
123	WEAR Licensee, LLC	Pensacola	Florida	7/14/03
124	Berkow & Berkow Curriculum Development	Chico	California	7/15/03
125	Califon Productions, Inc.	Culver City	California	7/15/03
126	Chelsey Broadcasting Company ( KHQA)	Quincy	Illinois	7/15/03
127	Diversified Broadcasting Inc. WCJB	Gainesville	Florida	7/15/03
128	Gulf-California Broadcast Comp. KESQ-TV	Palm Springs	California	7/15/03
129	Guthy Renker	Palm Desert	California	7/15/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
130	Jeopardy Productions, Inc.	Culver City	California	7/15/03
131	KAMC TV (VHR Broadcasting)	Lubbock	Texas	7/15/03
132	Kost Broadcast Sales	Chicago	Illinois	7/15/03
133	MAC an AVA Motion Pictures Productions	Monterey	California	7/15/03
134	MG/Perin, Inc.	New York	New York	7/15/03
135	NASCAR Digital Entertainment, Ltd	Daytona Beach	Florida	7/15/03
136	National Basketball Association	New York	New York	7/15/03
137	National Hockey League ( Game)	New York	New York	7/15/03
138	NFL Films	Mt Laurel	New Jersey	7/15/03
139	Noe Corp. LLC	Monroe	Louisiana	7/15/03
140	PGA Tour	Ponte Verde Beach	Florida	7/15/03
141	Post Newsweek Stations ( WJXT)	Jacksonville	Florida	7/15/03
142	Quorum of Texas ( KLBK TV)	Andover	Massachusetts	7/15/03
143	S&S Productions Inc.	Toronto Ontario	Canada	7/15/03
144	SFX Television	Washington	DC	7/15/03
145	Sony Pictures Television Inc.	Culver City	California	7/15/03
146	Steve Rotfeld Productions, Inc.	Bryn Mawr	Pennsylvania	7/15/03
147	WNBA	Secaucus	New Jersey	7/15/03
148	WVVA Television, Inc.	Bluefield	West Virginia	7/15/03
149	Chelsey Broadcasting of Youngstown( WYTV)	Youngstown	Ohio	7/16/03
150	Christian Broadcasting Network, Inc.	Virginia Beach	Virginia	7/16/03
151	DBA FASE Productions	Los Angeles	California	7/16/03
152	Elcom of South Dakota KSFY:KABY:KPRY	Sioux Falls	South Dakota	7/16/03
153	Federal Broadcasting Co. WLUC-TV	Negaunee	Michigan	7/16/03
154	Luminart Productions	Sedona	Arizona	7/16/03
155	Paul Eriksen - KTVO - WTVM	Columbus	Ohio	7/16/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
156	WIXT-TV	East Syracuse	New York	7/16/03
157	Wood License	Grand Rapids	Michigan	7/16/03
158	12WKRCTV	Cincinnati	Ohio	7/17/03
159	American Documentary, Inc.	New York	New York	7/17/03
160	ASCAP	New York	New York	7/17/03
161	Capital Communications (WOI-TV)	West Des Moines	Iowa	7/17/03
162	Citadel Communications (KCAU-TV)	Sioux City	Iowa	7/17/03
163	Citadel Communications (KLKN-TV)	Lincoln	Nebraska	7/17/03
164	Claudia R. Levin	Northampton	Massachusetts	7/17/03
165	COMAP	Lexington	Massachusetts	7/17/03
166	Coronet Communications (WHBF-TV)	Rock Island	Illinois	7/17/03
167	Emmis Television Broadcasting (KOIN-TV)	Portland	Oregon	7/17/03
168	Fisher Broadcasting Idaho TV LLC	Seattle	Washington	7/17/03
169	Food For Thought Productions	Makanda	Illinois	7/17/03
170	Fremantle Media North America, Inc.	New York	New York	7/17/03
171	KBJR-TV License, Inc.	Duluth	Minnesota	7/17/03
172	MacNeil/Lehrer Productions	Arlington	Virginia	7/17/03
173	Metro Goldwyn Mayer Studios Inc. Orion Pictures Corp MCEG Sterling Pictures United Artists Pictures Danjaq LLC Heritage Entertainment Inc. Epic Productions Inc. Golydwn Films, Inc. Delta Library Company Motion Pictures Corp	Los Angeles	California	7/17/03
174	Nelvana Limited	Toronto Ontario	Canada	7/17/03
175	Nexstar Broadcasting of Midwest, WTWO-TV	Terre Haute	Indiana	7/17/03
176	NPG of Oregon, Inc. KTVZ	Bend	Oregon	7/17/03
177	Philomath Films	Los Angeles	California	7/17/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
178	Smith Television Group, Inc.	Anchorage	Alaska	7/17/03
179	Television Wisconsin, Inc, WISC-TV	Madison	Wisconsin	7/17/03
180	Tony Brown Productions	New York	New York	7/17/03
181	WAOW/WYOW Television Inc.	Wausau	Wisconsin	7/17/03
182	WCSC, Inc	Charleston	South Carolina	7/17/03
183	WEEK TV	East Peoria	Illinois	7/17/03
184	WKBT-TV Queen B Television, LLC	La Crosse	Wisconsin	7/17/03
185	ABC Family Worldwide, Inc. ABC Family Properties, Inc. ABC Kids Worldwide, LLC ABC Children's Network, Inc. BVS Entertainment, Inc. BVS International Services, Inc. BVS Domestic Services, Inc. MTM Enterprises, Inc. MTM Entertainment, Inc. International Family Entertainment, Inc.	Burbank	California	7/18/03
186	Alabama Broadcasting Partners (WAKA)	Montgomery	Alabama	7/18/03
187	Barnstormer Productions	Del Mar	California	7/18/03
188	Body Electric Corporation of America	Orchard Park	New York	7/18/03
189	Central NY News, Inc. (WOKR-TV)	Rochester	New York	7/18/03
190	Emmis Television License Corp. KMTV	Omaha	Nebraska	7/18/03
191	Issues TV	Bedford Hills	New York	7/18/03
192	KTTC Television, Inc.	Rochester	Minnesota	7/18/03
193	KTVQ Communications, Inc.	Billings	Montana	7/18/03
194	Lyons Partnership, L.P. Lyons Group	Allen	Texas	7/18/03
195	Sit and Be Fit	Spokane	Washington	7/18/03
196	Agency for Instructional Technology	Bloomington	Indiana	7/19/03
197	Davenport Films	Delaplane	Virginia	7/20/03
198	Adler Media, Inc.	Sherman Oaks	California	7/21/03
199	AFMA Collections	Los Angeles	California	7/21/03

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
200	Amazing Facts, Inc.	Rocklin	California	7/21/03
201	American Religious Town Hall, Inc.	Dallas	Texas	7/21/03
202	Apostrophe S Productions	New York	New York	7/21/03
203	Atlantic Media Group	Conway	South Carolina	7/21/03
204	Better Grades Seminars, LLC	West Chester	Pennsylvania	7/21/03
205	Big League Golf, Inc.	Maitland	Florida	7/21/03
206	Catholic Communications Corporation	Springfield	Massachusetts	7/21/03
207	Channel 32 Montgomery, LLC WNCN-TV	Montgomery	Alabama	7/21/03
208	Commissioner of Baseball	New York	New York	7/21/03
209	AGICOA	Kaiserstr	Muchen	7/21/03
210	Cottonwood Christian Center	Los Alamitos	California	7/21/03
211	Crenshaw Christian Center	Los Angeles	California	7/21/03
212	Dragon House Productions	Houston	Texas	7/21/03
213	Eclipse Television & Sports Marketing, LLC	Vail	Colorado	7/21/03
214	Educational Film Center	Annandale	Virginia	7/21/03
215	Ellen Perry	Menlo Park	California	7/21/03
216	Faith For Today, Inc.	Simi Valley	California	7/21/03
217	Freedom Broadcasting, Inc.	Schenectady	New York	7/21/03
218	Grand Strand Television A Div of Diversified Communications	Conway	South Carolina	7/21/03
219	Grizzly Adams Productions, Inc.	Baker	Oregon	7/21/03
220	Hispanic Heritage Awards Foundation	Washington	DC	7/21/03
221	Independent Production Fund, Inc.	New York	New York	7/21/03
222	IT IS WRITTEN	Simi Valley	California	7/21/03
223	Jalbert Productions, Inc.	Huntington	New York	7/21/03
224	Life in the Word, Inc.	Fenton	Missouri	7/21/03
225	Major League Baseball Properties, Inc.	New York	New York	7/21/03



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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
226	Media General Communications. WSAV-TV	Savannah	Georgia	7/21/03
227	New York Road Runners Club, Inc.	New York	New York	7/21/03
228	O. Atlas Enterprises, Inc.	Los Angeles	California	7/21/03
229	Phil Slater Associates	Lancashire	England	7/21/03
230	Post Newsweek Stations WKMG-TV	Orlando	Florida	7/21/03
231	Powerbase Fitness, LLC	West Chester	Pennsylvania	7/21/03
232	RBC Ministries	Grand Rapids	Michigan	7/21/03
233	Red River Broadcast Co. LLC (KDLT)	Sioux Falls	South Dakota	7/21/03
234	Reginald B. Cherry Ministries	Houston	Texas	7/21/03
235	Rhema Bible Church	Broken Arrow	Oklahoma	7/21/03
236	Ron Phillips Ministries	Hixon	Tennessee	7/21/03
237	Sandra Carter Productions	New York	New York	7/21/03
238	Speak the Word Church International	Golden Valley	Minnesota	7/21/03
239	T.D. Jakes Ministries	Dallas	Texas	7/21/03
240	Total Gym Fitness, LLC	West Chester	Pennsylvania	7/21/03
241	Urban Latino TV LLC	New York	New York	7/21/03
242	Ward Productions, Inc.	Los Angeles	California	7/21/03
243	Zola Levitt Ministries, Inc.	Dallas	Texas	7/21/03
244	Alvin H. Perlmutter, Inc.	New York	New York	7/22/03
245	Dick Clark Productions, Inc.	Burbank	California	7/22/03
246	Freedom Broadcasting of Texas	Beaumont	Texas	7/22/03
247	Global Evangelism Television, Inc.	San Antonio	Texas	7/22/03
248	International Telecommunications Srv.	Pleasant Gap	Pennsylvania	7/22/03
249	Soda Mountain Broadcasting, Inc. KDFK-TV KDRV-TV	Klamath Falls Medford	Oregon Oregon	7/22/03 7/22/03
250	KEZI, Inc.	Eugene	Oregon	7/22/03
251	KGTV	San Diego	California	7/22/03

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
252	KTIV Television, Inc.	Sioux City	Iowa	7/22/03
253	KY3, Inc.	Springfield	Missouri	7/22/03
254	Michael Jaffe Films, Ltd	Beverly Hills	California	7/22/03
255	Norman Jerry "Jed" Riffe	Berkeley	California	7/22/03
256	Randoll Limited	New York	New York	7/22/03
257	Universal City Studios Productions LLLP	Universal City	California	7/22/03
258	WBGH	Binghamton	New York	7/22/03
259	WIVT	Binghamton	New York	7/22/03
260	ABC Holdings Company, Inc. KABC-TV	Glendale	California	7/23/03
261	ABC, Inc. KFSN-TV	Fresno	California	7/23/03
262	ABC, Inc. ( WPVI-TV)	Philadelphia	Pennsylvania	7/23/03
263	ABC, Inc. (WTVD-TV)	Durham	North Carolina	7/23/03
264	Americas Black Forum, Inc.	Washington	DC	7/23/03
265	Arkansas Television Company (KTHV-TV)	McLean	Virginia	7/23/03
266	Buena Vista Television	Burbank	California	7/23/03
267	CBS Broadcasting, Inc.	New York	New York	7/23/03
	CBS Mass Media, Corp.	New York	New York	7/23/03
	CBS Worldwide Inc,	New York	New York	7/23/03
	Group W Television Stations, Inc.	New York	New York	7/23/03
	Inside Edition Inc.	New York	New York	7/23/03
	King World Productions Inc.	New York	New York	7/23/03
	King World Studios, West Inc.	Santa Monica	California	7/23/03
	KUTV Holdings, Inc.	New York	New York	7/23/03
	KWM Inc.	Santa Monica	California	7/23/03
	Paramount Stations Group Inc.	Southfield	Michigan	7/23/03
Paramount Stations Group (KTXA)	Forth Worth	Texas	7/23/03	
Paramount Stations Group (WPSG)	Philadelphia	Pennsylvania	7/23/03	
268	Combined Comm. Corp. (WZZM-TV)	McLean	Virginia	7/23/03
269	Detroit News, Inc. ( WUSA-TV)	McLean	Virginia	7/23/03
270	Emmis Indiana Broadcasting, (WTHI-TV)	Terre Haute	Indiana	7/23/03
271	Emmis Television Broadcasting (WLUK-TV)	Green Bay	Wisconsin	7/23/03

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
272	Eye Productions Inc.	New York	New York	7/23/03
273	Fisher Broadcasting Seattle TV LLC	Seattle	Washington	7/23/03
274	Gannett River States Publishing. (WJXX-TV)	McLean	Virginia	7/23/03
275	Gannett Pacific Corp (WBIR-TV)	McLean	Virginia	7/23/03
276	Gannett Georgia, L.P. (WMAZ-TV)	McLean	Virginia	7/23/03
277	Gannett Georgia, L.P. ( WXIA-TV)	McLean	Virginia	7/23/03
278	Hallmark Entertainment Distribution LLC	New York	New York	7/23/03
279	Jefferson-Pilot Communications WBTV , Inc.	Charlotte	North Carolina	7/23/03
280	KGO Television, Inc.	San Francisco	California	7/23/03
281	KSNW-TV	Wichita	Kansas	7/23/03
	KSNC-TV	Great Bend	Kansas	7/23/03
	KSNG-TV	Garden City	Kansas	7/23/03
	KSNK-TV	Oberlin	Kansas	7/23/03
282	KTRK Television	Houston	Texas	7/23/03
283	Multimedia Entertainment, Inc. (WGRZ)	McLean	Virginia	7/23/03
284	Multimedia Holdings Corp. (KARE-TV)	McLean	Virginia	7/23/03
285	Multimedia Holdings Corp. (KPNX-TV)	McLean	Virginia	7/23/03
286	Multimedia Holdings Corp. (WTLV-TV)	McLean	Virginia	7/23/03
287	Multimedia KSDK, Inc,	McLean	Virginia	7/23/03
288	Pacific and Southern Comp. (WLBZ-TV)	McLean	Virginia	7/23/03
289	Pacific and Southern Comp. (WTSP-TV)	McLean	Virginia	7/23/03
290	Paul Rich Bennett Productions	Los Angeles	California	7/23/03
291	Persephone Productions	Falls Church	Virginia	7/23/03
292	Raycom America, Inc. KFVS-TV	Cape Girardeau	Missouri	7/23/03
293	Sinclair Acquisition IV WICD-TV	Champaign	Illinois	7/23/03
294	Sinclair Acquisition IV WICS-TV	Springfield	Illinois	7/23/03
295	Tennessee Broadcasting Partners, Inc.	Jackson	Tennessee	7/23/03
296	Western International Syndication	Los Angeles	California	7/23/03

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
297	West Virginia Media Holdings (WTRF-TV)	Charleston	West Virginia	7/23/03
298	WFMY Television Corp	McLean	Virginia	7/23/03
299	WKOW Television, Inc.	Madison	Wisconsin	7/23/03
300	WKYC-TV	McLean	Virginia	7/23/03
301	WLS Television, Inc.	Chicago	Illinois	7/23/03
302	WTVG, Inc.	Toledo	Ohio	7/23/03
303	American Broadcasting Company WABC-TV	New York	New York	7/24/03
304	Art 21, Inc.	New York	New York	7/24/03
305	Belo Kentucky, Inc. WHAS TV	Louisville	Kentucky	7/24/03
306	Carsey Werner Company LLC	Studio City	California	7/24/03
307	Channel 49 Acquisition Corp.	Hampton	Virginia	7/24/03
308	Chesapeake Television, Inc.	San Antonio	Texas	7/24/03
309	Coral Ridge Ministries Media, Inc.	Ft. Lauderdale	Florida	7/24/03
310	Crystal Pictures, Inc.	Asheville	North Carolina	7/24/03
311	Flint License Subsidiary (WJRT-TV)	Flint	Michigan	7/24/30
312	Hearst Argyle Television, Inc.	New York	New York	7/24/03
313	The Hearst Corporation	New York	New York	7/24/03
314	KASW, Inc.	Phoenix	Arizona	7/24/03
315	KENS-TV, Inc.	San Antonio	Texas	7/24/03
316	KHOU-TV LP	Houston	Texas	7/24/03
317	King Broadcasting Comp. KING TV	Seattle	Washington	7/24/03
318	King Broadcasting Comp. KREM-TV	Spokane	Virginia	7/24/03
319	KMOV-TV, Inc.	St Louis	Missouri	7/24/03
320	KONG TV, Inc. KING TV	Seattle	Washington	7/24/03
321	KSKN, Inc.	Spokane	Virginia	7/24/03
322	KTVB-TV, Inc.	Boise	Idaho	7/24/03
323	KTVK, Inc.	Phoenix	Arizona	7/24/03

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
324	KVUE TV	Austin	Texas	7/24/03
325	KXTV, Inc.	McLean	Virginia	7/24/03
326	Lilly Broadcasting LLC WENY-TV	Horseheads	New York	7/24/03
327	Mary Rawson, Charlee Brodsky, Estate of Stephanie Byram	Pittsburg	Pennsylvania	7/24/03
328	Multimedia Holdings Corp. (KUSA-TV)	McLean	Virginia	7/24/03
329	Productions Zone3 Inc.	Montreal Quebec	Canada	7/24/03
	The Hearst Corp.. WPBF:KCWE:WMOR	New York	New York	7/24/03
330	Video Voice , Inc. WVVH-TV	Southampton	New York	7/24/03
331	WCNC-TV/NBC6	Charlotte	North Carolina	7/24/03
332	West Virginia Media Holdings, LLC	Charleston	West Virginia	7/24/03
333	WFAA TV, L.P. WFAA TV	Dallas	Texas	7/24/03
334	WSJV Television, Inc.	Elkhart	Indiana	7/24/03
335	WTVH,LLC	Syracuse	New York	7/24/03
336	WWL TV, Inc.	New Orleans	Louisiana	7/24/03
337	WXOW-TV WQOW TV	La Crosse Eau Claire	Wisconsin Wisconsin	7/24/03 7/24/03
338	Young Broadcasting Inc.	New York	New York	7/24/03
	Tall Pony Productions, LLC	Malibu	California	7/25/03
	AGICOA	Geneva	Switzerland	7/25/03
339	Central Wyoming College	Riverton	Wyoming	7/25/03
340	KMTR-TV	Springfield	Oregon	7/25/03
341	Canadian Broadcasting Corp.	Ottawa	Ontario	7/25/03
342	Columbia Broadcasting Partners (WOLO-TV)	Columbia	South Carolina	7/25/03
343	KHWB Inc.	Houston	Texas	7/25/03
344	KPLR, Inc.	St. Louis	Missouri	7/25/03
345	KVOS TV	Bellingham	Washington	7/25/03

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
346	Welk Group	Santa Monica	California	7/25/03
347	Nexstar Broadcasting of Wichita Falls KFDX	Wichita Falls	Texas	7/25/03
348	Oliver Productions Inc.	Washington	DC	7/25/03
349	Lyons Partnership Lyons Group	Allen	Texas	7/25/03
350	Post Newsweek Stations Florida	Miami	Florida	7/25/03
351	Saga Broadcasting (KAVU- TV)	Victoria	Texas	7/25/03
352	Tall Pony Productions, LLC	Malibu	California	7/25/03
353	Tribune Broadcast Holdings, Inc.	Indianapolis	Indiana	7/25/03
354	Tribune Television Company WPHL : WPMT : KDAF : WTIC : WXIN	Philadelphia	Pennsylvania	7/25/03
355	Tribune Television Holdings, Inc.	Grand Rapids	Michigan	7/25/03
356	Tribune Television New Orleans	New Orleans	Louisiana	7/25/03
357	WLVI Inc.	Boston	Massachusetts	7/25/03
358	WDBJ Television, Inc.	Roanoke	Virginia	7/25/03
359	West Virginia Media Holdings WOWK-TV	Charleston	West Virginia	7/25/03
360	WAFF-TV	Huntsville	Virginia	7/25/03
361	Big Comfy Corp.	Toronto	Ontario	7/28/03
362	Catamount Broadcasting of Chico Redding	Chico	California	7/28/03
363	Center for Educational Telecommunications	Berkeley	California	7/28/03
364	Channel 12 of Beaumont Inc. ( KBMT )	Beaumont	Texas	7/28/03
365	Channel 51 of San Diego ( KUSI )	San Diego	California	7/28/03
366	Channel 40, Inc.	Sacramento	California	7/28/03
367	Classic Media, Inc. UPA Productions of America Harvey Entertainment, Inc.	New York New York New York	New York New York New York	7/28/03 7/28/03 7/28/03
368	Clear Channel Broadcasting, Inc.	Tulsa	Oklahoma	7/28/03
369	Eastern North Carolina Broadcasting Corp. (WCTI)	New Bern	North Carolina	7/28/03

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
370	Freedom Broadcasting of Tennessee, Inc.	Chattanooga	Tennessee	7/28/03
371	Federal Broadcasting Company WSTM-TV	Syracuse	New York	7/28/03
372	Fintage Publishing Collection B.V.	Leiden	Netherlands	7/28/03
373	Warner Bros. Domestic Television Distr.	Burbank	California	7/28/03
374	AGICOA	Geneva	Switzerland	7/28/03
375	Chesapeake Television	San Antonio	Texas	7/28/03
376	Nexstar Broadcasting of Midland/Odessa	Midland	Texas	7/28/03
377	KSWO Television Co. Inc.	Lawton	Oklahoma	7/28/03
378	KTLA Inc.	Los Angeles	California	7/28/03
379	KWGN Inc.	Greenwood Vilg.	Colorado	7/28/03
380	Centex Television (KXXV-TV)	Waco	Texas	7/28/03
381	Midwest Television Inc.	San Diego	California	7/28/03
382	Mission Broadcasting, Inc. ( KRBC-TV )	Abilene	Texas	7/28/03
383	Mission Broadcasting, Inc. ( WYOU-TV)	Scranton	Pennsylvania	7/28/03
384	NC Broadcasting Partners (WCCB)	Charlotte	North Carolina	7/28/03
385	NewsChannel 5 Network ( WTVF)	Nashville	Tennessee	7/28/03
386	Nexstar Broadcasting of Abilene (KTAB TV)	Abilene	Texas	7/28/03
387	Nexstar Broadcasting of Beaumont (KBTV)	Port Authur	Texas	7/28/03
388	Nexstar Broadcasting of Champaign ( WCIA)	Champaign	Illinois	7/28/03
389	Nexstar Broadcasting of Joplin (KSNF-TV 16)	Joplin	Missouri	7/28/03
390	Nexstar of Broadcasting of Peoria ( WMBD)	Peoria	Illinois	7/28/03
391	Euro Pro Corp. Bruce Nash Entertainment Response Management	Laurent Quebec Hollywood Encinatas	Canada California California	7/28/03 7/28/03 7/28/03
392	Pacific and Southern Comp. (WLTX-TV)	McLean	Virginia	7/28/03
393	Audio-Visual Copyright Society Screenrights	South Wales	Australia	7/28/03

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
394	Scripps Howard Broadcasting Comp Tampa Bay Television ,Inc. Channel 7 of Detroit, Inc.	Cincinnati Tampa Southfield	Ohio Florida Michigan	7/28/03 7/28/03 7/28/03
395	Stainless Broadcasting, LP	Vestal	New York	7/28/03
396	Tribune Television Northwest, Inc.	Seattle	Washington	7/28/03
397	WLOS	Asheville	North Carolina	7/28/03
398	WPIX, Inc.	New York	New York	7/28/03
399	Birmingham Broadcasting (WVTM-TV)	Birmingham	Alabama	7/29/03
400	Clear Channel Television	Harrisburg	Pennsylvania	7/29/03
401	Clear Channel Television WLYH	Harrisburg	Pennsylvania	7/29/03
402	Compact Collections Limited	London	United Kingdom	7/29/03
403	DIC Entertainment	Burbank	California	7/29/03
404	Fisher Broadcasting S.E.	Seattle	Washington	7/29/03
405	Holston Valley Broadcasting Corp.	Kingsport	Tennessee	7/29/03
	John Burnstein	Lincolnton	Maine	7/29/03
406	KGUN-TV	Tucson	Arizona	7/29/03
407	KOAA-TV	Pueblo	Colorado	7/29/03
408	Landsburg Company	Toluca Lake	California	7/29/03
409	Martha Stewart Living Omnimedia, Inc.	New York	New York	7/29/03
410	Mission Broadcasting Inc. KACB	San Angelo	Texas	7/29/03
411	NBC Subsidiary ( KNBC-TV)	Burbank	California	7/29/03
412	NBC Subsidiary ( KNTV-TV)	San Jose	California	7/29/03
413	NBC Stations Management ( WCAU-TV)	Bala Cynwyd	Pennsylvania	7/29/03
414	NBC Subsidiary ( WMAQ-TV)	Chicago	Illinois	7/29/03
415	NBC Subsidiary (WRC-TV)	Washington	DC	7/29/03
416	National Broadcasting Company (WNBC-TV)	New York	New York	7/29/03
417	National Football League (NFL)	New York	New York	7/29/03



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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
418	Nexstar Broadcasting of Midwest ( KQTV)	St. Joseph	Missouri	7/29/03
419	Outlet Broadcasting, Inc., WCMH-TV	Columbus	Ohio	7/29/03
420	Outlet Broadcasting Inc. (WJAR-TV)	Cranston	Rhode Island	7/29/03
421	Outlet Broadcasting, Inc., WVIT-TV	West Hartford	Connecticut	7/29/03
422	Pappas Telecasting of Midlands (KPTM)	Omaha	Nebraska	7/29/03
423	Productions Vendome II Inc.	Montreal	Quebec	7/29/03
424	Raycom National, Inc. (WFLX-TV)	West Palm Beach	Florida	7/29/03
425	Raycom America, Inc. (WTNZ-TV)	Knoxville	Tennessee	7/29/03
426	Raycom National ( WXIX-TV)	Cincinnati	Ohio	7/29/03
427	SESAC, Inc.	New York	New York	7/29/03
428	SFM Entertainment LLC	New York	New York	7/29/03
429	Slim Goodbody Corporation	Lincolnville	Maine	7/29/03
430	Station Venture Operations ( KNSD-TV)	San Diego	California	7/29/03
431	Station Venture Operations ( KXAS-TV)	Fort Worth	Texas	7/29/03
432	WEYI Broadcasting, Inc.	Clio	Michigan	7/29/03
433	WFMJ Television, Inc.	Youngstown	Ohio	7/29/03
434	WKBW-TV License, Inc.	Buffalo	New York	7/29/03
435	Nexstar Broadcasting of Roc., (WROC-TV8)	Rochester	New York	7/29/03
436	Raycom America, Inc. (WTOC-TV)	Savannah	Georgia	7/29/03
437	Crystal Cathedral Ministries USA Broadcasting Productions, Inc. Interavtive Corp Studios USA	Garden Grove New York New York New York	California New York New York New York	7/30/03
438	HSN LP Home Shopping En Espangol GP AST LLC	St. Petersburg St. Petersburg St. Petersburg	Florida Florida Florida	7/30/3
439	Jim Scalem Productions LLC Mirabal Scalem Productions Liberace Foundation Performing Arts Hay House, Inc.	New York New York Woodland Hills Carlsbad	New York New York New York California	7/30/03

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<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
440	Bastet Broadcasting, Inc. (WFXP-TV66)	Erie	Pennsylvania	7/30/03
441	CNBC, Inc.	Fort Lee	New Jersey	7/30/03
442	CNN LP	Atlanta	Georgia	7/30/03
443	Canadian Screenwriters Collection Society	Toronto Ontario	Canada	7/30/03
444	Delmarva Broadcast Service (WMDT-TV)	Orlando	Florida	7/30/03
445	Lion Television Limited	London	England	7/30/03
446	Emmis Television License of Topeka	Topeka	Kansas	7/30/03
447	Fox Entertainment Group, Inc.	Beverly Hills	California	7/30/03
448	Licensee of (WTAP-TV)	Parkersburg	West Virginia	7/30/03
449	Intersport Inc.			7/30/03
450	Liberty Broadcasting Network, Inc.	Lynchburg	Virginia	7/30/03
451	Mission Broadcasting, Inc. ( KODE-TV) 12	Joplin	Missouri	7/30/03
452	Modern Entertainment, Ltd	Encino	California	7/30/03
453	NBC Enterprises, Inc.	Burbank	California	7/30/03
454	NBC Subsidiary (WNCN-TV)	Raleigh	North Carolina	7/30/03
455	NBC Subsidiary ( WTVJ-TV)	Miami	Florida	7/30/03
456	National Broadcasting Company	New York	New York	7/30/03
457	National Collegiate Athletic Assoc.	Indianapolis	Indiana	7/30/03
458	Nexstar Broadcasting (WJET-TV)	Erie	Pennsylvania	7/30/03
459	Northeast Kansas Broadcast ( KTKA-TV)	Topeka	Kansas	7/30/03
460	Post Newsweek Stations (WDIV)	Detroit	Michigan	7/30/03
461	Scholastic Entertainment Inc.	New York	New York	7/30/03
462	Ripping Friends Productions Inc.	Toronto Ontario	Canada	7/30/03
463	Telemundo of San Antonio ( KVDA-TV)	San Antonio	Texas	7/30/03
464	TVL Broadcasting, Inc.	Toledo	Ohio	7/30/03
465	Telemundo (WSCV-TV)	Miramar	Florida	7/30/03
466	Telemundo ( WSNS-TV)	Chicago	Illinois	7/30/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
467	WAND (TV) Partnership	Decatur	Illinois	7/30/03
468	Transworld International, Inc. ( TWI)	Cleveland	Ohio	7/30/03
469	WPRI-TV	East Providence	Rhode Island	7/30/30
470	Abilene- Sweetwater Broadcasting KTXS-TV	Abilene	Texas	7/31/03
471	Ackerly Group	Salinas	California	7/31/03
472	Advanced Metabolic Research	Portland	Oregon	7/31/03
473	Allbitton Communications WJLA-TV	Arlington	Virginia	7/31/03
474	Appalachian Broadcasting Corp.	Bristol	Virginia	7/31/03
475	Ardustry Home Entertainment	Den Haag	Netherlands	7/31/03
476	CCI Entertainment Ltd.	Toronto	Ontario	7/31/03
477	KAEF-TV Arcata	Eureka	California	7/31/03
478	California Broadcasting (KRCR-TV)	Redding	California	7/31/03
479	Century Development Corp.	Laredo	Texas	7/31/03
480	KLTV- CivCo	Tyler	Texas	7/31/03
481	KTRE-TV- CivCo	Pollok	Texas	7/31/03
482	KMEX License Partnership	Los Angeles	California	7/31/03
483	Univision Network Limited Partnership	Los Angeles	California	7/31/03
484	WLTV License Partnership	Los Angeles	California	7/31/03
485	WXTV License Partnership	Los Angeles	California	7/31/03
486	Dreamworks LLC	Glendale	California	7/31/03
487	Eagle Communications, Inc. (KECI-TV)	Missoula	Montana	7/31/03
488	Eagle Communications, Inc. (KCFW-TV)	Kalispell	Montana	7/31/03
489	KCBA-TV	Salinas	California	7/31/03
490	Family Stations ( KFTL-TV)	Stockton	California	7/31/03
491	Georgia Television Company WSB-TV	Atlanta	Georgia	7/31/03
492	Goodman Group, LLC	Bethesda	Maryland	7/31/03
493	Gray Communications of Texas	Huntsville	Texas	7/31/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
494	Gray Communications of Texas-Sherman	Sherman	Texas	7/31/03
495	Gray Florida Holdings, Inc.	Panama City	Florida	7/31/03
496	Gray Kentucky Television, Inc.	Lexington	Kentucky	7/31/03
497	Gray MidAmerica TV (WBKO-TV)	Atlanta	Georgia	7/31/03
498	Gray Television of Nevada	Reno	Nevada	7/31/03
499	Griffin Entities, LLC KOTV	Tulsa	Oklahoma	7/31/03
500	Griffin Entities, LLC KWTW	Oklahoma City	Oklahoma	7/31/03
501	Harrisburg Television, Inc. WHTM	Harrisburg	Pennsylvania	7/31/03
502	Hubbard Broadcasting, Inc. KSTC-TV	St. Paul	Minnesota	7/31/03
503	Hubbard Broadcasting (KSTP)	St. Paul	Minnesota	7/31/03
504	Idaho Independent KTRV Fox 12	Nampa	Idaho	7/31/03
505	JDG Television KPOM-TV	Fort Smith	Arizona	7/31/03
506	KAAL, LLC	St. Paul	Minnesota	7/31/03
507	Broadcast Development KAME	Reno	Nevada	7/31/03
508	KATC Communications	Lafayette	Louisiana	7/31/03
509	KATV LLC	Little Rock	Arkansas	7/31/03
510	KIRO, Inc.	Seattle	Washington	7/31/03
511	KOB-TV	St. Paul	Minnesota	7/31/03
512	KOBF-TV LLC	St. Paul	Minnesota	7/31/03
513	KOLN/KGIN, Inc.	Lincoln	Nebraska	7/31/03
514	KSAX-TV( KRFW-TV)	St. Paul	Minnesota	7/31/03
515	KTUL, LLC	Tulsa	Oklahoma	7/31/03
516	KTVU Partnership	Oakland	California	7/31/03
517	KTVU Partnership Cox Broadcasting (KICU)	San Jose	California	7/31/03
518	LibCo, Inc.	Albany	Georgia	7/31/03
519	LibCo, Inc. of Nevada (KAIT)	Jonesboro	Arizona	7/31/03
520	LibCo, Inc. (KCBD)	Lubbock	Texas	7/31/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
521	LibCo, Inc. ( KPLC)	Lake Charles	Louisiana	7/31/03
522	LibCo, Inc. (WAVE 3 TV)	Louisville	Kentucky	7/31/03
523	LibCo, Inc. (WFIE-TV)	Evansville	Indiana	7/31/03
524	LibCo, Inc. (WIS)	Columbia	South Carolina	7/31/03
525	LibCo, Inc. (WLOX)	Biloxi	Mississippi	7/31/03
526	LibCo, Inc. (WSFA)	Montgomery	Alabama	7/31/03
527	LibCo, Inc. ( WTOL)	Toledo	Ohio	7/31/03
528	Lima Communication Corp. (WLIO)	Lima	Ohio	7/31/03
529	MG Broadcasting of Birmingham Holdings	Birmingham	Alabama	7/31/03
530	McGraw-Hill Broadcasting (KERO)	Bakersfield	California	7/31/03
531	McGraw- Hill Broadcasting (KMGH)	Denver	Colorado	7/31/03
532	McGraw- Hill Broadcasting (WRTV)	Indianapolis	Indiana	7/31/03
533	Media General Operations ( WFLA)	Tampa	Florida	7/31/03
534	Media General Broadcasting Group ( KBSD)	Dodge City	Kansas	7/31/03
535	Media General Communications ( KBSH)	Hays	Kansas	7/31/03
536	Media General Communications ( KBSL )	Goodland	Kansas	7/31/03
537	Media General Broadcasting ( KIMT )	Mason City	Iowa	7/31/03
538	Media General Communication ( KWCH )	Hutchinson	Kansas	7/31/03
539	Media General Broadcasting ( WBTW)	Florence	South Carolina	7/31/03
540	Media General Communication ( WDEF)	Chattanooga	Tennessee	7/31/03
541	Media General Communications ( WJHL)	Johnson City	Tennessee	7/31/03
542	WJTV Newschannel 12 Media General	Jackson	Mississippi	7/31/03
543	Media General Broadcasting (WKRG)	Mobile	Alabama	7/31/03
544	Media General Comminations ( WNCT)	Greenville	North Carolina	7/31/03
545	Media General Broadcasting ( WNEG)	Toccoa	Georgia	7/31/03
546	WRBL-TV Media General Broad S. Carolina	Columbus	Georgia	7/31/03
547	Media General Broadcasting ( WSPA)	Spartanburg	South Carolina	7/31/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
548	Media General Comm. WTVQ-TV/DT	Lexington	Kentucky	7/31/03
549	Productions Charlotte Inc.	Longueuil	Quebec	7/31/03
550	Sphere Media Inc.	Longueuil	Quebec	7/31/03
551	Meredith Corp. (KCTV)	Fairway	Kansas	7/31/03
552	Meredith Corp. ( KFXO)	Bend	Oregon	7/31/03
553	Meredith Corp. ( KPDX)	Beaverton	Oregon	7/31/03
554	Meredith Corp. ( KPTV)	Beaverton	Oregon	7/31/03
555	Meredith Corp. (KVVU)	Henderson	Nevada	7/31/03
556	Meredith Corp. (WSMV)	Nashville	Tennessee	7/31/03
557	NEPSK,Inc. (WAGM)	Presque Isle	Maine	7/31/03
558	National Public Radio (NPR)	Washington	DC	7/31/03
559	New York Times Management Services (KFOR)	Oklahoma City	Oklahoma	7/31/03
560	New York Times Management Services (KFMS)	Fort Smith	Arizona	7/31/03
561	New York Times Management Services (WHO-TV)	Des Moines	Iowa	7/31/03
562	New York Times Management Services (WHNT)	Huntsville	Alabama	7/31/03
563	New York Times Management Services (WQAD )	Moline	Illinois	7/31/03
564	New York Times Management Services (WREG)	Memphis	Tennessee	7/31/03
565	New York Times Management Services (WTKR)	Norfolk	Virginia	7/31/03
566	New York Times Management Services (WNEP)	Moosic	Pennsylvania	7/31/03
567	New River Media	Washington	DC	7/31/03
568	Nexstar Broadcasting of Louisiana ( KTLA)	Shreveport	Louisiana	7/31/03
569	Peak Media of Pennsylvania	Johnstown	Pennsylvania	7/31/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
570	Raycom America ( WECT)	Wilmington	North Carolina	7/31/03
571	Raycom America ( WMC)	Memphis	Tennessee	7/31/03
572	Red River Broadcast ( KVRN)	Fargo	North Dakota	7/31/03
573	Rysler Entertainment ( KTVT)	Santa Monica	California	7/31/03
574	Spokane Television ( KXLY)	Spokane	Washington	7/31/03
575	Entrada Productions Inc.	Toronto Ontario	Canada	7/31/03
576	Stanley S. Hubbard Revocable Trust ( KOBR)	St Paul	Minnesota	7/31/03
577	Sunbeam Television Corp. WSVN	Miami	Florida	7/31/03
578	Tribune Entertainment Company ( WGN)	Los Angeles	California	7/31/03
579	TV Alabama Inc. WCFT	Birmingham	Alabama	7/31/03
580	TV Alabama Inc. ( WJSU)	Birmingham	Alabama	7/31/03
581	United States Olympic Committee	Colorado Springs	Colorado	7/31/03
582	WBNS-TV, Inc.	Columbus	Ohio	7/31/03
583	WCIV,LLC	Charleston	South Carolina	7/31/03
584	WCLF-TV 22 Christian Television Corp.	Largo	Florida	7/31/03
585	WDIO-TV LLC	St. Paul	Minnesota	7/31/03
586	WDIO-TV, LLC ( WIRT TV)	St. Paul	Minnesota	7/31/03
587	WDRB-TV Independence TV Company	Louisville	Kentucky	7/31/03
588	WEAU-TV, Inc.	Eau Claire	Wisconsin	7/31/03
589	WFSB-TV 3	Hartford	Connecticut	7/31/03
590	WFTE-TV Independence TV Company	Louisville	Kentucky	7/31/03
591	WFTV, Inc.	Orlando	Florida	7/31/03
592	WGCL, Inc. ( WGNX)	Atlanta	Georgia	7/31/03
593	WGN Continental Broadcasting Company	Chicago	Illinois	7/31/03
594	WHDH-TV	Boston	Massachusetts	7/31/03
595	WHEC-TV, LLC	St. Paul	Minnesota	7/31/03
596	WHIO-TV Holdings, Inc.	Daytona	Ohio	7/31/03

**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
597	WHLT-TV 22	Hattiesburg	Mississippi	7/31/03
598	WHNS Fox Carolina	Greenville	South Carolina	7/31/03
599	WJAC-TV (WPXI-TV)	Johnstown	Pennsylvania	7/31/03
600	WLEX Communications LLC	Lexington	Kentucky	7/31/03
601	WNMU-TV Channel 13	Marquette	Michigan	7/31/03
602	WNYT-TV LLC	St. Paul	Minnesota	7/31/03
603	WPXI, Inc.	Pittsburgh	Pennsylvania	7/31/03
604	WRDW-TV, Inc.	North Augusta	South Carolina	7/31/03
605	WSLS-TV	Roanoke	Virginia	7/31/03
606	WSET, Incorporated	Lynchburg	Virginia	7/31/03
607	WSOC Television	Charlotte	North Carolina	7/31/03
608	VideoIndiana, Inc. (WTHR TV)	Indianapolis	Indiana	7/31/03
609	WITN-TV	Washington	North Carolina	7/31/03
610	WTOV-TV Holdings	Steubenville	Ohio	7/31/03
611	WTVR-TV	Richmond	Virginia	7/31/03
612	WVLT-TV	Knoxville	Tennessee	7/31/03
613	Westwind Communications (KBAK)	Bakersfield	California	7/31/03
614	KRQE-TV	Albuquerque	New Mexico	7/31/03
615	Wyoming Channel 2, Inc.	Little Rock	Arkansas	7/31/03
616	Chelsey Broadcasting Company	Cheyenne	Wyoming	8/01/03
617	Pacem Distribution International	Los Angeles	California	8/01/03
618	Quorum Broadcasting MD WHAG	Hagerstown	Maryland	8/1/03
619	Telco Productions, Inc.	Santa Monica	California	8/1/03
620	WGME Inc.	Portland	Maine	8/1/03
621	Global Vision Inc. (KQED)	New York	New York	8/11/03 7/31/03
622	Worldwide Subsidy Group, LLC	Beverly Hills	California	8/5/03 7/31/03



**2002 Cable Copyright Claims  
As of October 29, 2003**

<b>No</b>	<b>Claimant's Name</b>	<b>City</b>	<b>State</b>	<b>Date Rec'd.</b>
623	Independent Producers Group	Beverly Hills	California	8/5/03 7/31/03
624	Vine's Eye Productions Inc.	Liberty	Missouri	8/22/93 7/7/03
625	King Broadcasting Comp. KGW-TV	Portland	Oregon	7/24/03

COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.

*In re*

DISTRIBUTION OF THE 2000, 2001, 2002,  
and 2003 CABLE ROYALTY FUNDS

DOCKET NO. 2008-2 CRB CD 2000-03  
(Phase II)

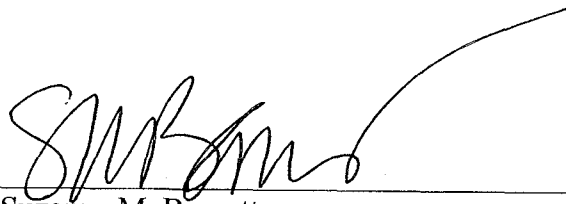
**CERTIFICATION OF DOCUMENTS FROM  
COPYRIGHT ROYALTY PROCEEDINGS**

I certify that, under my direction, the staff of the Copyright Royalty Board (CRB) has made a reasonable search of available files at the CRB relating to proceedings before the Copyright Arbitration Royalty Panels, predecessors to the CRB. I certify that the documents attached to this Certification are true and correct copies of documents maintained in the offices of the CRB. The attached and certified documents are:

1. 2008-2 CARP CD 2000 - Joint Notice of Intent to Participate and Comments on the Existence of Controversies (9/30/2002)
2. 2002-8 CARP CD 2000 – Notice of Intent to Participate Fintage Publishing (9/19/2002)
3. 2003-2 CARP CD 2001 – Joint Notice of Intent to Participate and Comments on the Existence of Controversies
4. 2002-2 CARP CD 93-97 – Phase II Cable Royalty Distribution Report, Redacted Public Version (4/16/2001)
5. 2000-2 CARP CD 93-97 - ORDER (6/22/2000)
6. 2000-2 CARP CD 93-97 – ORDER (9/22/2000)
7. 2000 Cable Copyright Claims Final List
8. 2001 Cable Copyright Claims Final List
9. 2002 Cable Copyright Claims Final List
10. 2003 Cable Copyright Claims Final List
11. Cable Royalty Distribution Report dated April 6, 2001 (Redacted).

The CRB has a file copy of the unredacted, Confidential Phase II Cable Royalty Distribution Report (Confidential) dated April 16, 2001. The Confidential Report is subject to a General Protective Order and the Judges will not release or distribute a copy of this Report except on motion of the requesting party, with due notice to all parties bound by the General Protective Order and an opportunity for response regarding disclosure of the Report and its contents.

SIGNED this 26<sup>th</sup> day of October, 2012.

A handwritten signature in black ink, appearing to read 'SMBarnett', written over a horizontal line.

Suzanne M. Barnett  
Chief Copyright Royalty Judge

## 2003 Cable Copyright Claims

### FINAL LIST

**NOTE: Claim No. 127A was added on 12/5/05—Copy of claim was in file but inadvertently was not assigned a number; it now has been assigned its own number.**

**Note regarding joint claims: Notation of “(joint claim)” denotes that joint claim is filed on behalf of more than 10 joint copyright owners, and only the entity filing the claim is listed. Otherwise, all joint copyright owners are listed.**

No	Claimant's Name	City	State	Date Recvd.
1	Vine's Eye Productions, Inc.	Liberty	Missouri	7/1/04
2	Egeda (joint claim)	Madrid	Spain	7/1/04
3	GT Merchandising & Licensing LLC	New York	New York	7/1/04
4	WEAR Licensee, LLC	Pensacola	Florida	7/1/04
5	Not in Use			
6	General Mills Sales, Inc.	Minneapolis	Minnesota	7/1/04
7	WGEM	Quincy	Illinois	7/1/04
8	Kenneth L. Burns	Walpole	New Hampshire	7/1/04
9	Metropolitan Opera Assoc. Inc.	New York	New York	7/1/04
10	Western Instructional Television	Los Angeles	California	7/1/04
11	Yanni, Inc.	West Palm Beach	Florida	7/1/04
12	Hometime Video Publishing Inc.	Chaska	Minnesota	7/1/04
13	Broadcast Music, Inc. (BMI) (joint claim)	New York	New York	7/1/04
14	John F. Kennedy Center for the Performing Arts	Washington	D.C.	7/2/04
15	Michigan Magazine Co., Inc.	Rose City	Michigan	7/2/04
16	Nexstar Broadcasting, Inc. (WBRE-TV 28)	Wilkes-Barre	Pennsylvania	7/2/04
17	Slim Goodbody Corporation	Lincolnville	Maine	7/2/04
18	Barrington Broadcasting Corporation, LLC (WHOI-TV)	Creve Coeur	Illinois	7/2/04
19	Carsey-Werner-Mandabach, LLC The Carsey-Werner Company, LLC	Studio City Studio City	California California	7/2/04

## 2003 Cable Copyright Claims

### FINAL LIST

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No	Claimant's Name	City	State	Date Recvd.
20	Nexstar Broadcasting, Inc. (WMBD-TV 31)	Peoria	Illinois	7/2/04
21	Persephone Productions	Falls Church	Virginia	7/2/04
22	Spectacor Films	Los Angeles	California	7/2/04
23	Steve White Films	Studio City	California	7/2/04
24	Promark Entertainment Group	Los Angeles	California	7/2/04
25	Universal City Studios Productions LLLP (joint claim)	Universal City	California	7/2/04
26	The Curators of the University of Missouri (KOMU-TV)	Columbia	Missouri	7/2/04
27	Diamond Island Productions, LLC	Pacifica	California	7/2/04
28	Marjorie Poore Productions, Inc.	San Francisco	California	7/2/04
29	Santa Fe Productions, Inc.	Albuquerque	New Mexico	7/3/04
30	Big Comfy Corp	Toronto (Ontario)	Canada	7/5/04
31	Not in Use			
32	S & S Productions, Inc.	Toronto (Ontario)	Canada	7/5/04
33	Lawas Productions	Pacific Palisades	California	7/5/04
34	Educational Film Center	Annandale	Virginia	7/6/04
35	Sullivan Entertainment International, Inc.	Toronto (Ontario)	Canada	7/6/04
36	Madeline Amgott	New York	New York	7/6/04
37	The Summit Media Group	New York	New York	7/6/04
38	KEYC-TV/United Communications	N. Mankato	Minnesota	7/6/04
39	Fred Friendly Seminars, Inc.	New York	New York	7/6/04

## 2003 Cable Copyright Claims

### FINAL LIST

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No	Claimant's Name	City	State	Date Recvd.
40	Trustees of Columbia University in the City of New York	New York	New York	7/6/04
41	Babe Winkelman Productions, Inc.	Baxter	Minnesota	7/6/04
42	LIN Television Corporation DBA WAVY-TV	Portsmouth	Virginia	7/6/04
43	LIN Television Corporation DBA WVBT-TV	Portsmouth	Virginia	7/6/04
44	Community Broadcasting Service (WABI-TV)	Bangor	Maine	7/6/04
45	LIN Television Corporation	Chicopee	Massachusetts	7/6/04
46	WGME, Inc. (WGME-TV)	Portland	Maine	7/6/04
47	Central NY News, Inc. (WOKR-TV)	Rochester	New York	7/7/04
48	MacNeil/Lehrer Productions	Arlington	Virginia	7/7/04
49	Thomas Davenport d/b/a Davenport Films	Delaplane	Virginia	7/7/04
50	International Telecommunications Services, Inc.	Reston or Pleasant Gap	Virginia or Pennsylvania	7/7/04
51	KY3, Inc.	Springfield	Missouri	7/7/04
52	WKOW Television, Inc. (WKOW)	Madison	WI	7/7/04
53	Intelecom Intelligent Telecommunications	Pasadena	California	7/7/04
54	WVVA Television, Inc.	Bluefield	West Virginia	7/7/04
55	KTIV Television, Inc.	Sioux City	Iowa	7/7/04
56	Bonneville International Corporation	Salt Lake City	Utah	7/7/04
57	Zola Levitt Ministries, Inc.	Dallas	Texas	7/7/04
58	Ward Productions, Inc.	Los Angeles	California	7/7/04

## 2003 Cable Copyright Claims

### FINAL LIST

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No	Claimant's Name	City	State	Date Recvd.
59	Urban Latino TV, LLC	New York	New York	7/7/04
60	Ultimate Choice, Inc.	Jacksonville	Florida	7/7/04
61	Total Gym Fitness	West Chester	Pennsylvania	7/7/04
62	T.D. Jakes Ministries	Dallas	Texas	7/7/04
63	Speak the Word Church International	Golden Valley	Minnesota	7/7/04
64	Sandra Carter Productions	Long Island City	New York	7/7/04
65	Ron Phillips Ministries	Hixon	Tennessee	7/7/04
66	Remodeling Today, Inc. d/b/a Today's Homeowner with Danny Lipford	Mobile	Alabama	7/7/04
67	Reginald B. Cherry Ministries	Houston	Texas	7/7/04
68	RBC Ministries	Grand Rapids	Michigan	7/7/04
69	O. Atlas Enterprises, Inc.	Los Angeles	California	7/7/04
70	New York Road Runners Club, Inc.	New York	New York	7/7/04
71	Life in the Word, Inc.	Fenton	Missouri	7/7/04
72	Rhema Bible Church aka Kenneth Hagin Ministries	Broken Arrow	Oaklahoma	7/7/04
73	Jalbert Productions, Inc.	Huntington	New York	7/7/04
74	It Is Written	Simi Valley	California	7/7/04
75	Hortus, Ltd.	Little Rock	Arkansas	7/7/04
76	Hispanic Heritage Awards Foundation	Washington	D.C.	7/7/04
77	Grizzly Adams Productions, Inc.	Baker	Oregon	7/7/04
78	Faith For Today, Inc.	Simi Valley	California	7/7/04

## 2003 Cable Copyright Claims

### FINAL LIST

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**Note regarding joint claims: Notation of “(joint claim)” denotes that joint claim is filed on behalf of more than 10 joint copyright owners, and only the entity filing the claim is listed. Otherwise, all joint copyright owners are listed.**

No	Claimant's Name	City	State	Date Recvd.
79	Evangelical Lutheran Church in America	Chicago	Illinois	7/7/04
80	Eclipse Television & Sports Marketing, LLC	Vail	Colorado	7/7/04
81	Dragon House Productions	Houston	Texas	7/7/04
82	CRW Medical Productions	Dumfries	Virginia	7/7/04
83	Crenshaw Christian Center	Los Angeles	California	7/7/04
84	Cottonwood Christian Center	Los Alamitos	California	7/7/04
85	Catholic Communications Corporation	Springfield	Massachusetts	7/7/04
86	Better Grades Seminars, LLC	West Chester	Pennsylvania	7/7/04
87	Artist & Idea Management, Ltd.	New York	New York	7/7/04
88	American Religious Town Hall, Inc.	Dallas	Texas	7/7/04
89	Amazing Facts, Inc.	Rocklin	California	7/7/04
90	D.L. Taffner Ltd.	Encino	California	7/7/04
91	Public Broadcasting Service (joint claim)	Alexandria	Virginia	7/7/04
92	The Ontario Educational Communications Authority (known as TVOntario)	Toronto (Ontario)	Canada	7/8/04
93	Journal Broadcast Corporation (WSYM-TV)	Lansing	Michigan	7/8/04
94	General Learning Communications	Northbrook	Illinois	7/8/04
95	Big Productions	Stillwater	Oaklahoma	7/8/04
96	KTTC Television, Inc.	Rochester	Minnesota	7/8/04
97	WCBI-TV, LLC	Savannah	Georgia	7/8/04
98	WEHT-TV	Evansville	Indiana	7/8/04



## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
99	NGHT, Inc. d/b/a National Geographic Television and Film	Washington	D.C.	7/8/04
100	Sound Venture Productions Ottawa Limited	Ottawa (Ontario)	Canada	7/9/04
101	WDHN	Webb	Alabama	7/9/04
102	Fisher Broadcasting—Idaho TV LLC	Seattle	Washington	7/9/04
103	Vulcan Productions, Inc.	Seattle	Washington	7/9/04
104	MG/Perin, Inc.	New York	New York	7/9/04
105	Emmis Television Broadcasting, L.P. d/b/a WSAZ NewsChannel 3	Huntington	West Virginia	7/9/04
106	Two Cats Productions Ltd.	New York	New York	7/9/04
107	KBJR-TV License, Inc. (KBJR-TV)	Duluth	Minnesota	7/9/04
108	Indiana Broadcasting, LLC (WANE-TV)	Fort Wayne	Indiana	7/9/04
109	Post-Newsweek Stations, San Antonio, LP d/b/a KSAT-TV	San Antonio	Texas	7/9/04
110	Hawthorne Communications, Inc.	Los Angeles	California	7/12/04
111	Not in Use			
112	Allied Communications, Inc.	New York	New York	7/12/04
113	Red Horse LLC	Los Angeles	California	7/12/04
114	WPSD-TV, LLC	Paducah	Kentucky	7/12/04
115	WAOW/WYOW Television, Inc.	Wausau	Wisconsin	7/12/04
116	West Virginia Media Holdings, LLC (WTRF-TV)	Charleston	West Virginia	7/12/04
117	KSLA, LLC	Montgomery	Alabama	7/12/04

## 2003 Cable Copyright Claims

### FINAL LIST

**NOTE: Claim No. 127A was added on 12/5/05—Copy of claim was in file but inadvertently was not assigned a number; it now has been assigned its own number.**

**Note regarding joint claims: Notation of “(joint claim)” denotes that joint claim is filed on behalf of more than 10 joint copyright owners, and only the entity filing the claim is listed. Otherwise, all joint copyright owners are listed.**

No	Claimant's Name	City	State	Date Recvd.
118	Cookie Jar Entertainment Inc.	Montreal (Quebec)	Canada	7/12/04
119	Barrington Broadcasting Quincy Corp.	Quincy	Illinois	7/13/04
120	Litton Syndications	Sullivan's Island	South Carolina	7/13/04
121	Mission Broadcasting, Inc. (WYOU-TV)	Scranton	Pennsylvania	7/13/04
122	In Touch Ministries	Atlanta	Georgia	7/13/04
123	Television Wisconsin, Inc. (WISC-TV)	Madison	Wisconsin	7/13/04
124	Pikes Peak Broadcasting Company	Colorado Springs	Colorado	7/13/04
125	Media General Communications, Inc. DBA WSAV-TV	Savannah	Georgia	7/13/04
126	Emmis Television License Corporation of Topeka	Topeka	Kansas	7/13/04
127	Spelling Television, Inc.	Los Angeles	California	7/13/04
127 A	Paramount Pictures, a Viacom Company	Los Angeles	California	7/13/04
128	Big Ticket Television, Inc. Big Ticket Pictures, Inc. Big Ticket Productions, Inc.	Los Angeles Los Angeles Los Angeles	California California California	7/13/04
129	Journal Broadcast Group (WTMJ)	Milwaukee	Wisconsin	7/13/04
130	Freedom Broadcasting of New York	Schenectady	New York	7/13/04
131	Quartet International, Inc.	Pearl River	New York	7/13/04
132	West Virginia Media Holdings, LLC	Charleston	West Virginia	7/13/04
133	WPTA-TV, Inc.	Fort Wayne	Indiana	7/13/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
134	Metro Goldwyn Mayer Studios, Inc. Orion Pictures Corp. Goldwyn Films, Inc. MCEG Sterling Entertainment Delta Library Company Heritage Entertainment, Inc. Goldwyn Entertainment Company Epic Productions MGM Television Entertainment, Inc. United Artists Pictures, Inc.	Los Angeles Los Angeles Los Angeles Los Angeles Los Angeles Los Angeles Los Angeles Los Angeles Los Angeles Los Angeles	California California California California California California California California California California	7/13/04
135	Raycom America, Inc. (WTVM)	Montgomery	Alabama	7/14/04
136	KTVO License Subsidiary, Inc. (KTVO)	Montgomery	Alabama	7/14/04
137	WLUC License Subsidiary, Inc. (WLUC)	Montgomery	Alabama	7/14/04
138	WWMT—Freedom Broadcasting of Michigan, Inc.	Kalamazoo	Michigan	7/14/04
139	Indiana Broadcasting, LLC (WISH-TV)	Indianapolis	Indiana	7/14/04
140	Primeland Television, Inc. (WLFI-TV)	West Lafayette	Indiana	7/14/04
141	WLAJ—Freedom Broadcasting of Michigan, Inc.	Lansing	Michigan	7/14/04
142	FremantleMedia North America, Inc.	New York	New York	7/14/04
143	Elcom of Virginia, Inc. (WTVR-TV)	Montgomery	Alabama	7/14/04
144	Tennessee Broadcast Partners, Inc.	Jackson	Tennessee	7/14/04
145	Nexstar Broadcasting Inc. (KSNF-TV 16)	Joplin	Missouri	7/14/04
146	Michael Jaffe Films Ltd.	Los Angeles	California	7/14/04
147	I.F.T.A. Collections (fka AFMA Collections) (joint claim)	Los Angeles	California	7/14/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
148	Worldvision Enterprises, Inc. Republic Distribution Corporation Republic Entertainment, Inc. Republic Pictures Enterprises, Inc.	Los Angeles Los Angeles Los Angeles Los Angeles	California California California California	7/14/04
149	Video Voice, Inc. (WVVH-TV)	New York	New York	7/14/04
150	Berkow and Berkow Curriculum Development	Chico	California	7/14/04
151	Two Cats Productions Ltd.	New York	New York	7/14/04
152	Noe Corp. L.L.C. (KNOE-TV8)	Monroe	Louisiana	7/14/04
153	American Society of Composers, Authors & Publishers (ASCAP) (joint claim)	New York	New York	7/15/04
154	Recording Industry Association of America, Inc. (RIAA) (joint claim)	Washington	D.C.	7/15/04
155	Woodgrain Productions Inc.	Elie (Manitoba)	Canada	7/15/04
156	Alabama Broadcasting Partners (WAKA)	Montgomery	Alabama	7/15/04
157	Lyons Partnership, L.P. d/b/a TheLyons Group	Allen	Texas	7/15/04
158	Alvin H. Perlmutter, Inc.	New York	New York	7/15/04
159	South Dakota Television LLC (KSFY/KABY/KPRY)	Sioux Falls	South Dakota	7/15/04
160	McGraw-Hill Broadcasting Company, Inc. (KGTV)	San Diego	California	7/15/04
161	Multimedia Holdings Corporation (KARE)	McLean	Virginia	7/15/04
162	Arkansas Television Company (KTHV-TV)	McLean	Virginia	7/15/04
163	Gannett Pacific Corporation (WBIR-TV)	McLean	Virginia	7/15/04
164	World Wrestling Entertainment, Inc.	Stamford	Connecticut	7/15/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
165	WFMY Television Corp. (WFMY-TV)	McLean	Virginia	7/15/04
166	Multimedia Entertainment, Inc. (WGRZ-TV)	McLean	Virginia	7/15/04
167	Pacific and Southern Company, Inc. (WLBZ-TV)	McLean	Virginia	7/15/04
168	Pacific and Southern Company, Inc. (WLTX-TV)	McLean	Virginia	7/15/04
169	Gannett Georgia, L.P. (WMAZ-TV)	McLean	Virginia	7/15/04
170	Gannett Georgia, L.P. (WXIA-TV)	McLean	Virginia	7/15/04
171	Combined Communications Corporation of Oklahoma, Inc. (WZZM-TV)	McLean	Virginia	7/15/04
172	Public Affairs Television, Inc.	New York	New York	7/15/04
173	The Caticus Corporation and Quest Productions	Berkeley	California	7/15/04
174	Productions Zone3, Inc.	Montreal (Quebec)	Canada	7/15/04
175	Sesame Workshop	New York	New York	7/15/04
176	McGraw-Hill Broadcasting Company, Inc. (KMGH-TV)	Denver	Colorado	7/15/04
177	Raycom America, Inc.	Montgomery	Alabama	7/15/04
178	Nexstar Broadcasting, Inc. (WTWO-TV2)	Terre Haute	Indiana	7/15/04
179	Nexstar Broadcasting, Inc. (WTVW)	Evansville	Indiana	7/15/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
180	ABC Family Worldwide, Inc. (formerly Fox Family Worldwide, Inc.)	Burbank	California	7/15/04
	ABC Family Properties, Inc. (formerly Fox Family Properties, Inc.)	Burbank	California	
	ABC Kids Worldwide, LLC (formerly Fox Kids Worldwide, LLC)	Burbank	California	
	ABC Children's Network, Inc. (formerly Fox Children's Network, Inc.)	Burbank	California	
	BVS Entertainment, Inc. (formerly Saban Entertainment, Inc.)	Burbank	California	
	BVS Domestic Services, Inc. (formerly Saban Domestic Services, Inc.)	Burbank	California	
	MTM Enterprises, Inc.	Burbank	California	
	MTM Entertainment, Inc.	Burbank	California	
	International Family Entertainment, Inc.	Burbank	California	
	BVS International Services, Inc. (formerly Saban International Services, Inc.)	Burbank	California	
181	Multimedia Holdings Corporation (KUSA-TV)	McLean	Virginia	7/16/04
182	Pacific and Southern Company, Inc. (WCSH-TV)	McLean	Virginia	7/16/04
183	Marty Stouffer/Marty Stouffer Productions Ltd.	Aspen	Colorado	7/16/04
184	WDBJ Television, Inc. (WDBJ-7)	Roanoke	Virginia	7/16/04
185	The Duncan Group Inc.	Milwaukee	Wisconsin	7/16/04
186	Post-Newsweek Stations, Orlando, Inc.	Orlando	Florida	7/16/04
187	Pacific and Southern Company, Inc. (WTSP-TV)	McLean	Virginia	7/16/04
188	New River Media, Inc.	Washington	D.C.	7/16/04
189	West Virginia Media Holdings LLC (WOWK-TV)	Huntington	West Virginia	7/16/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
190	Piedmont Television of Springfield LLC (KSPR)	Springfield	Missouri	7/16/04
191	Michiana Telecasting Corp. (WNDU-TV)	South Bend	Indiana	7/16/04
192	Nexstar Broadcasting, Inc. DBA KBTW-TV	Port Arthur	Texas	7/17/04
193	Great Plains National Instructional Television Library	Lincoln	Nebraska	7/18/04
194	The Detroit News, Inc. (WUSA-TV)	McLean	Virginia	7/19/04
195	Atlantic Media Group dba WWMB-TV	Conway	South Carolina	7/19/04
196	Grand Strand Television dba WPDE-TV	Conway	South Carolina	7/19/04
197	BBC Worldwide Americas Inc.	New York	New York	7/19/04
198	KDSM Licensee, LLC	Des Moines	Iowa	7/19/04
199	Mission Broadcasting, Inc. (KOLR(TV))	Scranton	Pennsylvania	7/19/04
200	Dallas County Community College District	Dallas	Texas	7/19/04
201	Filmoption Internationale Inc.	Westmount (Quebec)	Canada	7/19/04
202	The American Documentary, Inc.	New York	New York	7/19/04
203	Nexstar Broadcasting, Inc. (WHAG-TV)	Hagerstown	Maryland	7/19/04
204	Family Communications, Inc.	Pittsburgh	Pennsylvania	7/19/04
205	Martha Stewart Living Omnimedia, Inc.	New York	New York	7/19/04
206	WOOD License Company, LLC	Grand Rapids	Michigan	7/19/04
207	New Line Cinema Corp. New Line Distributions, Inc. New Line Productions, Inc. New Line Television, Inc.	New York New York New York New York	New York New York New York New York	7/19/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
208	NewsChannel 5 Network LP (WTVF)	Nashville	Tennessee	7/19/04
209	Midwest Television, Inc.	San Diego	California	7/19/04
210	Sugar Pictures LLC	Brooklyn	New York	7/19/04
211	KMTR-TV/The Ackerley Media Group, Inc.	Springfield	Oregon	7/19/04
212	Fisher Broadcasting—Seattle TV, LLC (KOMO 4 Television)	Seattle	Washington	7/19/04
213	Telco Productions, Inc.	Santa Monica	California	7/20/04
214	Porchlight Entertainment, Inc.	Los Angeles	California	7/20/04
215	Clear Channel Communications, Inc. (Local 12)	Cincinnati	Ohio	7/20/04
216	Chesapeake Television, Inc.	San Antonio	Texas	7/20/04
217	Canadian Screenwriters Collection Society (joint claim)	Toronto (Ontario)	Canada	7/20/04
218	KXTV, Inc. (KXTV-TV)	McLean	Virginia	7/20/04
219	Jefferson-Pilot Communications/WBTV, Inc.	Charlotte	North Carolina	7/20/04
220	Valley Broadcasting Company	Las Vegas	Nevada	7/20/04
221	Apple Valley Broadcasting, Inc. (KVEW)	Yakima	Washington	7/20/04
222	Western International Syndication	Los Angeles	California	7/20/04
223	Citadel Communications LLC (KLKN-TV)	Lincoln	Nebraska	7/21/04
224	Citadel Communications Co., Ltd. (KCAU-TV)	Sioux City	Iowa	7/21/04
225	Coronet Communications Co. (WHBF-TV)	Rock Island	Illinois	7/21/04
226	Capital Communications Co., Inc. (WOI-TV)	West Des Moines	Iowa	7/21/04



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No	Claimant's Name	City	State	Date Recvd.
227	Clear Channel Broadcasting, Inc./WOAI-TV	San Antonio	Texas	7/21/04
228	Buena Vista Television	Burbank	California	7/21/04
229	WKYC-TV, Inc. (WKYC-TV)	McLean	Virginia	7/21/04
230	dick clark productions, inc.	Burbank	California	7/21/04
231	Journal Broadcast Group, Inc. (KMIR 6)	Palm Desert	California	7/21/04
232	CBS Broadcasting Inc. (joint claim)	New York	New York	7/21/04
233	Jaffe/Braunstein Films, Ltd.	Los Angeles	California	7/21/04
234	WBRZ	Baton Rouge	Louisiana	7/21/04
235	Emmis Television License Corporation (KMTV)	Omaha	Nebraska	7/21/04
236	Modern Entertainment, Ltd.	Encino	California	7/21/04
237	Fox Entertainment Group, Inc. (joint claim)	Beverly Hills	California	7/21/04
238	Castle Works Inc.	New York	New York	7/22/04
239	Zipporah Films, Inc.	Cambridge	Massachusetts	7/22/04
240	KCOP	Los Angeles	California	7/22/04
241	Multimedia Holdings Corporation (WTLV-TV)	McLean	Virginia	7/22/04
242	Fox Television Stations of Philadelphia, Inc.	Philadelphia	Pennsylvania	7/22/04
243	Gannett River States Publishing Corp. (WJXX-TV)	McLean	Virginia	7/22/04
244	Fox Television Stations of Birmingham, Inc.	Birmingham	Alabama	7/22/04
245	KDVR	Denver	Colorado	7/22/04
246	KMSP	Eden Prairie	Minnesota	7/22/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
247	WFTC	Eden Prairie	Minnesota	7/22/04
248	Not in Use			
249	Nexstar Broadcasting Group, Inc. (WJET TV 24)	Erie	Pennsylvania	7/22/04
250	Bastet Broadcasting, Inc. (WFXP-TV66)	Erie	Pennsylvania	7/22/04
251	Raycom America, Inc. dba WECT-TV	Wilmington	North Carolina	7/22/04
252	Euro-Pro  Goldmine Productions Bruce Nash Entertainment Response Management	Ville St. Laurent (Quebec) Los Angeles Hollywood Encinatas	Canada  California California California	7/22/04
253	Rhombus Media Inc.	Toronto (Ontario)	Canada	7/22/04
254	Post Newsweek-Stations, Florida, Inc.	Miami	Florida	7/22/04
255	Fox Television Stations, Inc. (WNYW)	New York	New York	7/22/04
256	Fox Television Stations, Inc. (KTTV)	Los Angeles	California	7/22/04
257	Fox Television Stations, Inc. (WFLD)	Chicago	Illinois	7/22/04
258	Fox Television Stations, Inc. (WFXT)	Dedham	Massachusetts	7/22/04
259	Fox Television Stations, Inc. (KRIV)	Houston	Texas	7/22/04
260	Fox Television Stations, Inc. (KSTU)	Salt Lake City	Utah	7/22/04
261	Fox Television Stations, Inc. (WHBQ-TV)	Memphis	Tennessee	7/22/04
262	Fox Television Stations, Inc. (WTTG)	Washington	D.C.	7/22/04
263	NW Communications of Texas, Inc. (KDFW)	Dallas	Texas	7/22/04
264	NW Communications of Texas, Inc. (KDFI)	Dallas	Texas	7/22/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
265	NW Communications of Phoenix, Inc. (KSAZ-TV)	Phoenix	Arizona	7/22/04
266	NW Communications of Tampa, Inc. (WTVT)	Tampa	Florida	7/22/04
267	Champion Entertainment Inc.	Houston	Texas	7/22/04
268	New World Communications of Atlanta, Inc. (WAGA)	Atlanta	Georgia	7/22/04
269	NW Communications of Detroit, Inc. (WJBK)	Southfield	Michigan	7/22/04
270	NW Communications of Milwaukee, Inc. (WITI)	Milwaukee	Wisconsin	7/22/04
271	NW Communications of Ohio, Inc. (WJW)	Cleveland	Ohio	7/22/04
272	New World Communications of Kansas City, Inc. (WDAF-TV)	Kansas City	Missouri	7/22/04
273	New World Communications of St. Louis, Inc. (KTVI)	St. Louis	Missouri	7/22/04
274	Not in Use			
275	WWOR-TV, Inc. (WWOR-TV)	Secaucus	New Jersey	7/22/04
276	UTV of Baltimore, Inc. (WUTB)	Baltimore	Maryland	7/22/04
277	Clear Channel Television (WHP)	Harrisburg	Pennsylvania	7/22/04
278	Oregon Television, Inc. (WOFL)	Lake Mary	Florida	7/22/04
279	Clear Channel Television (WLYH)	Harrisburg	Pennsylvania	7/22/04
280	UTV of San Francisco, Inc. (KTXH)	Houston	Texas	7/22/04
281	Fox/UTV Holdings, Inc. (KUTP)	Los Angeles	California	7/22/04
282	Fox/UTV Holdings, Inc. (WFTC)	Los Angeles	California	7/22/04

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No	Claimant's Name	City	State	Date Recvd.
283	Fox/UTV Holdings, Inc. (KMSP)	Los Angeles	California	7/22/04
284	KCOP Television, Inc. (KCOP)	Los Angeles	California	7/22/04
285	Fox Television Stations, Inc. (KDVR)	Los Angeles	California	7/22/04
286	CF Entertainment, Inc.	Beverly Hills	California	7/23/04
287	Emmis Television Broadcasting, L.P. (WLUK-TV (Channel 11))	Green Bay	Wisconsin	7/23/04
288	Multimedia Holdings Corporation (KPNX-TV)	McLean	Virginia	7/23/04
289	Multimedia KSDK, Inc. (KSDK-TV)	McLean	Virginia	7/23/04
290	Nexstar Broadcasting, Inc. dba KQTV (KQTV/ Nexstar Broadcasting, Inc.)	St. Joseph	Missouri	7/23/04
291	New Voyage Communications, Inc.	Washington	D.C.	7/23/04
292	Ragdoll Limited	Buckinghamshire	United Kingdom	7/23/04
293	WTVH, LLC	Syracuse	New York	7/23/04
294	Emily A. Hart	Evanston	Illinois	7/23/04
295	Cornerstone Television, Inc. (WPCB)	Wall	Pennsylvania	7/23/04
296	Cornerstone Television, Inc. (WKBS-TV 47)	Wall	Pennsylvania	7/23/04
297	The Welk Group d/b/a Lawrence Welk Syndication	Santa Monica	California	7/23/04
298	The Christian Broadcasting Network, Inc.	Virginia Beach	Virginia	7/23/04
299	The Office of the Commissioner of Baseball (joint claim)	New York	New York	7/23/04
300	Major League Baseball Properties, Inc.	New York	New York	7/23/04
301	Jeopardy Productions, Inc.	Culver City	California	7/23/04

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No	Claimant's Name	City	State	Date Recvd.
302	Califon Productions, Inc.	Culver City	California	7/23/04
303	Sony Pictures Television, Inc. (joint claim)	Culver City	California	7/23/04
304	Allbritton Communications Co. (WJLA-TV)	Arlington	Virginia	7/23/04
305	WSET, Incorporated (WSET-TV)	Lynchburg	Virginia	7/23/04
306	KTUL, LLC (KTUL)	Tulsa	Oklahoma	7/23/04
307	KATV, LLC (KATV)	Little Rock	Arkansas	7/23/04
308	Harrisburg Televison, Inc. (WHTM)	Harrisburg	Pennsylvania	7/23/04
309	TV Alabama Inc. (WCFT-TV)	Birmingham	Alabama	7/23/04
310	TV Alabama Inc. (WJSU-TV)	Birmingham	Alabama	7/23/04
311	Not in use			
312	Post-Newsweek Stations, Florida, Inc. (WJXT)	Jacksonville	Florida	7/23/04
313	North Carolina Broadcasting Partners (WCCB-TV)	Charlotte	North Carolina	7/24/04
314	Raycom America, Inc. (WTOC-TV)	Montgomery	Alabama	7/24/04
315	Independent Television Service	San Francisco	California	7/24/04
316	Houston Enterprises, Inc.	Indianapolis	Indiana	7/26/04
317	WSJV Television, Inc.	Elkhart	Indiana	7/26/04
318	Coral Ridge Ministries Media, Inc.	Fort Lauderdale	Florida	7/26/04
319	Lincoln Broadcasting Company (KTSF)	Brisbane	California	7/26/04
320	Channel 32 Montgomery, LLC (WNCN-TV)	Montgomery	Alabama	7/26/04
321	Nelvana Limited (TV Programs)	Toronto (Ontario)	Canada	7/26/04
322	Nelvana Limited (Motion Pictures)	Toronto (Ontario)	Canada	7/26/04

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No	Claimant's Name	City	State	Date Recvd.
323	Body Electric Corporation of America	Orchard Park	New York	7/26/04
324	Minden Television Corporation	Shreveport	Louisiana	7/26/04
325	WAFF 48 TV	Huntsville	Alabama	7/26/04
326	Home Box Office, Inc.	New York	New York	7/26/04
327	Clear Channel Broadcasting Licenses, Inc. (WTEV)	Jacksonville	Florida	7/26/04
328	Raycom America, Inc. dba WTNZ-TV	Montgomery	Alabama	7/26/04
329	Raycom National, Inc. dba WFLX-TV	Montgomery	Alabama	7/26/04
330	Raycom National, Inc. dba WXIX-TV	Cincinnati	Ohio	7/26/04
331	Global Evangelism Television, Inc. dba John Hagee Ministries	San Antonio	Texas	7/26/04
332	Sit and Be Fit	Spokane	Washington	7/26/04
333	KTBS, Inc.	Shreveport	Louisiana	7/26/04
334	Intertainment Licensing GmbH Junior TV GmbH & Co. KG Tele-Munchen KirchMedia GmbH & Co. KG a A. Rialto Film GmbH EuroArts Medien AG	Ismaning Unterfohring Munich Unterfohring Berlin Berlin	Germany Germany Germany Germany Germany Germany	7/27/04
335	QueenB Television (WKBT)	La Crosse	Wisconsin	7/27/04
336	Scholastic Entertainment Inc.	New York	New York	7/27/04
337	Holston Valley Broadcasting Corporation	Kingsport	Tennessee	7/27/04
338	Nexstar Broadcasting, Inc. (KDEB-TV)	Springfield	Missouri	7/27/04
339	Jefferson-Pilot Communications Company of Virginia	Richmond	Virginia	7/27/04

## 2003 Cable Copyright Claims

### FINAL LIST

**NOTE: Claim No. 127A was added on 12/5/05—Copy of claim was in file but inadvertently was not assigned a number; it now has been assigned its own number.**

**Note regarding joint claims: Notation of “(joint claim)” denotes that joint claim is filed on behalf of more than 10 joint copyright owners, and only the entity filing the claim is listed. Otherwise, all joint copyright owners are listed.**

No	Claimant's Name	City	State	Date Recvd.
340	WSTM License Subsidiary, Inc. (WSTM)	Montgomery	Alabama	7/27/04
341	ABC, Inc. (KFSN-TV)	Fresno	California	7/27/04
342	ABC, Inc. (WTVD(TV))	Durham	North Carolina	7/27/04
343	American Broadcasting Companies, Inc. (WABC-TV)	New York	New York	7/27/04
344	ABC, Inc. (WPVI-TV)	Philadelphia	Pennsylvania	7/27/04
345	WTVG, Inc. (WTVG(TV))	Toledo	Ohio	7/27/04
346	SFM Entertainment LLC	New York	New York	7/27/04
347	James Gideon Cannings	New York	New York	7/27/04
348	NVG-Duluth II, LLC (KDLH)	Duluth	Minnesota	7/27/04
349	WLS Television, Inc. (WLS-TV)	Chicago	Illinois	7/27/04
350	KTRK Television, Inc.	Houston	Texas	7/27/04
351	Red River Broadcast Co., LLC (KDLT-TV)	Sioux Falls	South Dakota	7/27/04
352	Scripps Howard Broadcasting Company Tampa Bay Television, Inc. Channel 7 of Detroit, Inc.	Cincinnati Tampa Southfield	Ohio Florida Michigan	7/27/04
353	WSTM License Subsidiary, Inc. (WSTM)	Montgomery	Alabama	7/27/04
354	SJL of Kansas Corp. KSNW-TV KSNC-TV KSNG-TV KSNK-TV	Wichita Wichita Great Bend Garden City Oberlin	Kansas Kansas Kansas Kansas Kansas	7/27/04
355	CNN LP, LLLP	Atlanta	Georgia	7/27/04
356	Raycom America, Inc. (WMC-TV)	Montgomery	Alabama	7/27/04

## 2003 Cable Copyright Claims

### FINAL LIST

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No	Claimant's Name	City	State	Date Recvd.
357	KFDX TV 3	Wichita Falls	Texas	7/27/04
358	Larry H. Miller Communications Corporation (KJZZ) (news program)	Salt Lake City	Utah	7/27/04
359	Guthy-Renker	Palm Desert	California	7/27/04
360	Transworld International, Inc.	Cleveland	Ohio	7/27/04
361	NFL Films	Mt. Laurel	New Jersey	7/27/04
362	Clear Channel Entertainment, Inc.	Washington	D.C.	7/27/04
363	Steve Rotfeld Productions, Inc.	Bryn Mawr	Pennsylvania	7/27/04
364	NASCAR Digital Entertainment Ltd.	Daytona Beach	Florida	7/27/04
365	National Football League (game) (joint claim)	New York	New York	7/27/04
366	National Basketball Association (non-game) (joint claim)	New York	New York	7/27/04
367	National Basketball Association (game)	New York	New York	7/27/04
368	National Hockey League (non-game) (joint claim)	New York	New York	7/27/04
369	National Hockey League (game) (joint claim)	New York	New York	7/27/04
370	WNBA Enterprises, LLC (game) (joint claim)	Secaucus	New Jersey	7/27/04
371	Hearst-Argyle Stations, Inc. Hearst-Argyle Properties, Inc. Orlando Hearst-Argyle Television, Inc. Ohio/Oklahoma Hearst-Argyle Television, Inc. New Orleans Hearst-Argyle Television, Inc. Des Moines Hearst-Argyle Television, Inc. Jackson Hearst-Argyle Television, Inc. Arkansas Hearst-Argyle Television, Inc.	New York New York New York New York New York New York New York New York	New York New York New York New York New York New York New York New York	7/28/04
372	Channel 49 Acquisition Corporation	Hampton	Virginia	7/28/04



## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
373	The Hearst Corporation	New York	New York	7/28/04
374	Young Broadcasting Inc. (joint claim)	New York	New York	7/28/04
375	Audio-Visual Copyright Society trading as Screenrights (joint claim)	Neutral Bay	Australia	7/28/04
376	AGICOA (joint claim)	Geneva	Switzerland	7/28/04
377	Eastern North Carolina Broadcasting Corporation	New Bern	North Carolina	7/28/04
378	Raycom National, Inc. (WOIO-TV)	Montgomery	Alabama	7/28/04
379	Raycom National, Inc. (WUAB-TV)	Montgomery	Alabama	7/28/04
380	Centex Television LP	Waco	Texas	7/28/04
381	WUTV Licensee, LLC	Grand Island	New York	7/28/04
382	New York Television, Inc. (WNYO)	Buffalo	New York	7/28/04
383	Larry H. Miller Communications Corporation (KJZZ) (sports broadcast)	Salt Lake City	Utah	7/28/04
384	KSWO Television Co.	Lawton	Oklahoma	7/28/04
385	Not in use			
386	WXOW-TV WQQQ-TV	La Crosse Eau Claire	Wisconsin Wisconsin	7/28/04
387	Emmis Broadcasting, L.P. d/b/a WTHI-TV	Terre Haute	Indiana	7/28/04
388	NPG of Oregon, Inc. News-Press & Gazette Company	Bend St. Joseph	Oregon Missouri	7/28/04
389	Lives and Legacies Films Inc.	McLean	Virginia	7/28/04
390	Post Newsweek Stations, Michigan, Inc. (WDIV)	Detroit	Michigan	7/28/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
391	American Broadcasting Companies, Inc.	New York	New York	7/28/04
392	ABC Holding Company, Inc.	Glendale	California	7/28/04
393	Jana R. Cason	Little Rock	Arkansas	7/28/04
394	WEEK-TV License, Inc. (WEEK-TV)	East Peoria	Illinois	7/28/04
395	Media General Communications, Inc. dba WSAV-TV	Savannah	Georgia	7/28/04
396	Channel 51 of San Diego	San Diego	California	7/28/04
397	Thomas Broadcasting Company	Oak Hill	West Virginia	7/28/04
398	The Landsburg Company	Toluca Lake	California	7/28/04
399	Flint License Subsidiary (WJRT-TV)	Flint	Michigan	7/28/04
400	Chesapeake Television, Inc. (KOVN-TV)	West Sacramento	California	7/28/04
401	Spokane Television, Inc.	Spokane	Washington	7/28/04
402	Sandra L. Northrop	Alexandria	Virginia	7/29/04
403	B & A Productions, LLC	Beverly Hills	California	7/29/04
404	MPI Media Productions International, Inc.	New York	New York	7/29/04
405	Kensington Communications Inc.	Toronto (Ontario)	Canada	7/29/04
406	Canadian Broadcasting Corporation (joint claim)	Ottawa (Ontario)	Canada	7/29/04
407	Crystal Cathedral Ministries	Garden Grove	California	7/29/04
408	Television Station Group, LLC (WBNG-TV)	Johnson City	New York	7/29/04
409	Nexstar Broadcasting Group, Inc.	Irving	Texas	7/29/04
410	Oliver Productions Inc.	Washington	D.C.	7/29/04

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No	Claimant's Name	City	State	Date Recvd.
411	KEVN Inc.	Rapid City	South Dakota	7/29/04
412	Mission Broadcasting Inc.	Wadsworth	Ohio	7/29/04
413	Not in Use			
414	Central New York News Inc. (WIXT-TV)	East Syracuse	New York	7/29/04
415	Larry H. Miller Communications Corporation (KJZZ) (game show)	Salt Lake City	Utah	7/29/04
416	Raycom America, Inc. (KFVS-TV)	Cape Girardeau	Missouri	7/29/04
417	CCI Entertainment Ltd.	Toronto (Ontario)	Canada	7/29/04
418	Compact Collections Limited (joint claim)	London	United Kingdom	7/29/04
419	Nexstar Broadcasting Inc. dba KMID	Midland	Texas	7/29/04
420	Post-Newsweek Stations, Houston, LP, d/b/a KPRC-TV	Houston	Texas	7/29/04
421	Chelsey Broadcasting Company of Youngstown, LLC (WYTV)	Youngstown	Ohio	7/29/04
422	RL 101, Inc.	Longwood	Florida	7/29/04
423	Fisher Broadcasting - Portland L.L.C.	Portland	Oregon	7/29/04
424	KHQ Incorporated (KNDO-TV)	Yakima	Washington	7/29/04
425	KHQ Incorporated (KNDU-TV)	Kennewick	Washington	7/29/04
426	Brigham Young University (KBYU-TV)	Provo	Utah	7/29/04
427	Tribune Television Holdings, Inc.	Grand Rapids	Michigan	7/29/04
428	Center for Educational Telecommunications	Berkeley	California	7/29/04
429	Tribune Television Company	Indianapolis	Indiana	7/29/04
430	Tribune Broadcast Holdings, Inc.	Indianapolis	Indiana	7/29/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
431	Tony Brown Productions Inc.	New York	New York	7/29/04
432	Gray Television Group, Inc.	Albany	Georgia	7/30/04
433	WKBW-TV License, Inc. (WKBW-TV)	Buffalo	New York	7/30/04
434	KPAX Communications Inc.	Missoula	Montana	7/30/04
435	King Broadcasting Company dba KREM-TV	Spokane	Washington	7/30/04
436	Belo Kentucky, Inc. (WHAS-TV)	Louisville	Kentucky	7/30/04
437	KTVK, Inc.	Phoenix	Arizona	7/30/04
438	KSKN	Spokane	Washington	7/30/04
439	KENS-TV, Inc.	San Antonio	Texas	7/30/04
440	KVUE Television, Inc. (KVUE)	Austin	Texas	7/30/04
441	King Broadcasting Company (KING-TV)	Seattle	Washington	7/30/04
442	KASW, Inc.	Phoenix	Arizona	7/30/04
443	KTVB-TV, Inc.	Boise	Idaho	7/30/04
444	KHOU-TV LP	Houston	Texas	7/30/04
445	WFAA TV, LP (WFAA TV)	Dallas	Texas	7/30/04
446	KMOV-TV, Inc. (KMOV-TV)	St. Louis	Missouri	7/30/04
447	WWL -TV, Inc.	New Orleans	Louisiana	7/30/04
448	WCNC-TV	Charlotte	North Carolina	7/30/04
449	King Broadcasting Co. dba KGW	Portland	Oregon	7/30/04
450	Piedmont Television of Youngstown, LLC (WKBN-TV)	Youngstown	Ohio	7/30/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
451	Educational Information Center d/b/a WCPE Radio	Wake Forest	North Carolina	7/30/04
452	National Public Radio, Inc. (joint claim)	Washington	D.C.	7/30/04
453	SESAC, Inc.	New York	New York	7/30/04
454	National Collegiate Athletic Association (joint claim)	Indianapolis	Indiana	7/30/04
455	Tribune Television New Orleans, Inc.	New Orleans	Louisiana	7/30/04
456	Food for Thought Productions	Makanda	Illinois	7/30/04
457	South Carolina Broadcasting Partners (WOLO-TV)	Columbia	South Carolina	7/30/04
458	VideoIndiana, Inc. (WTHR-TV)	Indianapolis	Indiana	7/30/04
459	Lewis Broadcasting Corporation (WLTZ)	Columbus	Georgia	7/30/04
460	KMEG-TV	Dakota Dunes	South Dakota	7/30/04
461	Fintage Publishing and Collection B.V. (joint claim)		The Netherlands	7/30/04
462	HSN LP AST LLC USA Broadcasting Productions, Inc. InterActive Corp. Jim Scalem Productions Mirabel Scalem Productions	St. Petersburg St. Petersburg New York New York New York New York	Florida Florida New York New York New York New York	7/30/04
463	Mission Broadcasting, Inc. (KODE-TV 12)	Joplin	Missouri	7/30/04
464	Yerosha Productions, Inc.	New York	New York	7/30/04
465	WBAK-TV	Farmersburg	Indiana	7/30/04
466	Screen Media Ventures, LLC	New York	New York	7/30/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
467	KGO Television, Inc. (KGO-TV)	San Francisco	California	7/30/04
468	Warner Bros. Domestic Television Distribution (joint claim)	Burbank	California	7/30/04
469	WBNS-TV	Columbus	Ohio	7/30/04
470	Liberty Broadcasting Network, Inc.	Lynchburg	Virginia	7/30/04
471	Channel 6, Inc. (KCEN-TV)	Temple	Texas	7/30/04
472	KPLR, Inc.	St. Louis	Missouri	7/30/04
473	Sinclair Acquisition IV d/b/a WICS-TV	Springfield	Illinois	7/30/04
474	Agency for Instructional Technology	Bloomington	Indiana	7/30/04
475	Nexstar Broadcasting of Louisiana, LLC dba KTAL-TV	Shreveport	Louisiana	7/30/04
476	NBC Stations Management	Bala Cynwyd	Pennsylvania	7/30/04
477	Sinclair Acquisition IV d/b/a WICD-TV	Champaign	Illinois	7/30/04
478	KXAN, Inc.	Austin	Texas	7/30/04
479	NBC Susidiary (KNBC-TV) Inc.	Burbank	California	7/30/04
480	J and G Productions, Inc.	Houston	Texas	7/30/04
481	NBC Subsidiary (KNTV-TV), Inc.	San Jose	California	7/30/04
482	54 Broadcasting, Inc.	Austin	Texas	7/30/04
483	The Goodman Group, LLC (joint claim)	Bethesda	Maryland	7/30/04
484	Outlet Broadcasting, Inc.	Cranston	Rhode Island	7/30/04
485	Messenger Films, Inc.	Virginia Beach	Virginia	7/30/04
486	Birmingham Broadcasting (WVTM-TV), LLC	Birmingham	Alabama	7/30/04

## 2003 Cable Copyright Claims

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No	Claimant's Name	City	State	Date Recvd.
487	Productions Vendome II Inc.	Montreal (Quebec)	Canada	7/30/04
488	Outlet Broadcasting, Inc.	West Hartford	Connecticut	7/30/04
489	KTVQ Communications, Inc.	Billings	Montana	7/30/04
490	NBC Subsidiary (WRC-TV), Inc.	Washington	D.C.	7/30/04
491	Outlet Broadcasting Inc.	Columbus	Ohio	7/30/04
492	NBC Subsidiary (WMAQ-TV), Inc.	Chicago	Illinois	7/30/04
493	Eye Productions, Inc. CBS Broadcasting, Inc.	New York New York	New York New York	7/30/04
494	National Broadcasting Company, Inc.	New York	New York	7/30/04
495	WAND(TV) Partnership	Decatur	Illinois	7/30/04
496	Station Venture Operations, LP	Fort Worth	Texas	7/30/04
497	CNBC, Inc.	Englewood Cliffs	New Jersey	7/30/04
498	NBC Universal, Inc.	New York	New York	7/30/04
499	DIC Entertainment Corp.	Burbank	California	7/30/04
500	NBC Enterprises, Inc.	Burbank	California	7/30/04
501	Central Wyoming College	Riverton	Wyoming	7/30/04
502	Tribune Television Company	Hartford	Connecticut	7/30/04
503	Tribune Television Company	York	Pennsylvania	7/30/04
504	WPIX, Inc.	New York	New York	7/30/04
505	Tribune Television Company	Philadelphia	Pennsylvania	7/30/04
506	WLVI, Inc.	Boston	Massachusetts	7/30/04
507	WGN Continental Broadcasting Company	Chicago	Illinois	7/30/04

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No	Claimant's Name	City	State	Date Recvd.
508	Tribune Entertainment Company	Los Angeles	California	7/30/04
509	KWGN, Inc.	Greenwood Village	Colorado	7/30/04
510	Channel 40, Inc.	Sacramento	California	7/30/04
511	KTLA, Inc.	Los Angeles	California	7/30/04
512	KHWB, Inc.	Houston	Texas	7/30/04
513	Tribune Television Company	Dallas	Texas	7/30/04
514	Tribune Television Northwest, Inc.	Seattle	Washington	7/30/04
515	Lin Television Corporation	Providence	Rhode Island	7/31/04
516	Not in Use			7/31/04
517	Nexstar Broadcasting Group, Inc. (KTAB-TV)	Abilene	Texas	8/1/04
518	Mission Broadcasting, Inc. (KRBC-TV)	Abilene	Texas	8/1/04
519	Mission Broadcasting, Inc. (KSAN-TV)	San Angelo	Texas	8/1/04
520	WFMJ Television, Inc. (WFMJ)	Youngstown	Ohio	8/1/04
521	Dreamworks LLC	Glendale	California	8/1/04
522	Nexstar Broadcasting, Inc.	Champaign	Illinois	8/2/04
523	Devillier Donegan Enterprises, LP	Washington	D.C.	8/2/04
524	Nexstar Broadcasting, Inc. (WROC-TV)	Rochester	New York	8/2/04
525	Not in use			
526	Freedom Broadcasting of Tennessee, Inc. dba WTVC-Newschannel 9	Chattanooga	Tennessee	8/2/04



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No	Claimant's Name	City	State	Date Recvd.
527	Classic Media, Inc. Big Idea, Inc. Harvey Entertainment, Inc. UPA Productions of America	New York New York New York New York	New York New York New York New York	8/2/04
528	Not in Use			
529	KEZI, Inc. (KEZI-TV)	Eugene	Oregon	8/2/04
530	KBWB License, Inc. (KBWB-TV)	San Francisco	California	8/2/04
531	KDRV-TV KDKF-TV	Medford Klamath Falls	Oregon Oregon	8/2/04
532	Family Worship Center, Inc.	Baton Rouge	Louisiana	8/2/04
533	Reading Broadcasting, Inc.	Reading	Pennsylvania	8/2/04
534	WCSC, Inc. (WCSC)	Charleston	South Carolina	8/2/04
535	Telemundo Subsidiary (KSTS-TV), Inc.	San Jose	California	8/2/04
536	Raycom National, Inc. (KASA-TV)	Montgomery	Alabama	8/2/04
537	Nexstar Broadcasting Group, Inc. dba KAMR-TV	Amarillo	Texas	8/2/04
538	WNJU License Corp.	Teterboro	New Jersey	8/2/04
539	Sainte Partners II, L.P. (KRVU-LP)	Modesto	California	8/2/04
540	Telemundo of Northern California Licensee Corporation	San Jose	California	8/2/04
541	KMEX License Partnership, G.P. (KMEX-TV)	Los Angeles	California	8/2/04
542	Sainte Sepulveda, Inc. (KBVU)	Modesto	California	8/2/04
543	WLTV License Partnership, G.P. (WLTV(TV))	Los Angeles	California	8/2/04

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No	Claimant's Name	City	State	Date Recvd.
544	WXTV License Partnership, G.P. (WXTV(TV))	Los Angeles	California	8/2/04
545	Univision Network Limited Partnership	Los Angeles	California	8/2/04
546	KHQ, Incorporated	Spokane	Washington	8/2/04
547	Worldwide Subsidy Group LLC (joint claim)	Los Angeles	California	8/2/04
548	The Heritage Networks, LLC	New York	New York	8/2/04
549	Independent Producers Group (joint claim)	Los Angeles	California	8/10/04
550	Mid State Television, Inc. (WMFD-TV)	Mansfield	Ohio	8/2/04
551	McGraw-Hill Broadcasting Company, Inc. (WRTV)	Indianapolis	Indiana	8/2/04
552	McGraw-Hill Broadcasting Company, Inc. (KERO-TV 23)	Bakersfield	California	8/2/04
553	Sunbeam Television Corporation (WSVN)	Miami	Florida	8/2/04
554	WHDH-TV (WHDH)	Boston	Massachusetts	8/2/04
555	NEPSK, Inc. (WAGM)	Presque Isle	Maine	8/2/04
556	New York Times Management Services (WHNT-TV)	Huntsville	Alabama	8/2/04
557	New York Times Management Services (WREG-TV)	Memphis	Tennessee	8/2/04
558	New York Times Management Services (WQAD-TV)	Moline	Illinois	8/2/04
559	New York Times Management Services (WNEP-TV)	Moosic	Pennsylvania	8/2/04
560	New York Times Management Services (KFSM-TV)	Fort Smith	Arkansas	8/2/04

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No	Claimant's Name	City	State	Date Recvd.
561	New York Times Management Services (WTKR-TV)	Norfolk	Virginia	8/2/04
562	New York Times Management Services (WHO-TV)	Des Moines	Louisiana	8/2/04
563	The Stanley S. Hubbard Revocable Trust (KOB TV)	St. Paul	Minnesota	8/2/04
564	WHEC-TV, LLC (WHEC-TV)	St. Paul	Minnesota	8/2/04
565	WNYT-TV, LLC (WNYT-TV)	St. Paul	Minnesota	8/2/04
566	KOB-TV, LLC (KOB-TV)	St. Paul	Minnesota	8/2/04
567	KSTP-TV, LLC (KSTP TV)	St. Paul	Minnesota	8/2/04
568	KSAX-TV, Inc. (KSAX TV)	St. Paul	Minnesota	8/2/04
569	KSAX-TV, Inc. (KRWF TV)	St. Paul	Minnesota	8/2/04
570	KOB-TV, LLC (KOB TV)	St. Paul	Minnesota	8/2/04
571	WDIO-TV, LLC (WDIO TV)	St. Paul	Minnesota	8/2/04
572	KAAL-TV, LLC (KAAL-TV)	St. Paul	Minnesota	8/2/04
573	KSTC TV, LLC (KSTC TV)	St. Paul	Minnesota	8/2/04
574	WDIO-TV, LLC (WIRT TV)	St. Paul	Minnesota	8/2/04
575	Griffin Entities, L.L.C. (KWTV)	Oklahoma City	Oklahoma	8/2/04
576	Griffin Entities, L.L.C. (KOTV)	Tulsa	Oklahoma	8/2/04
577	Red River Broadcast Co., L.L.C. (KVRR)	Fargo	North Dakota	8/2/04
578	JDG Television, Inc. (KPOM-TV)	Fort Smith	Arkansas	8/2/04
579	KVVU Broadcasting Corporation	Henderson	Nevada	8/2/04
580	WFTV-TV (WFTV, Inc.)	Orlando	Florida	8/2/04

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No	Claimant's Name	City	State	Date Recvd.
581	Broadcast Development Corp. (KAME-TV)	Reno	Nevada	8/2/04
582	WPXI, Inc.	Pittsburgh	Pennsylvania	8/2/04
583	WJAC-TV (WPXI-TV Holdings, Inc.)	Johnstown	Pennsylvania	8/2/04
584	WHIO-TV Holdings, Inc.	Dayton	Ohio	8/2/04
585	WTOV-TV Holdings, Inc.	Steubenville	Ohio	8/2/04
586	KTVU Partnership (KTVU(TV))	Oakland	California	8/2/04
587	Meredith Corporation (KPDX (TV))	Beaverton	Oregon	8/2/04
588	Meredith Corporation (KPTV(TV))	Beaverton	Oregon	8/2/04
589	Meredith Corporation (KFXO-LP)	Bend	Oregon	8/2/04
590	KIRO, Inc. dba KIRO-TV	Seattle	Washington	8/2/04
591	Georgia Television Company dba WSB-TV	Atlanta	Georgia	8/2/04
592	WSOC Television, Inc.	Charlotte	North Carolina	8/2/04
593	WHNS Fox Carolina—Meredith Corporation	Greenville	South Carolina	8/2/04
594	Meredith Corporation (KCTV)	Fairway	Kansas	8/2/04
595	WFSB-TV3 (WFSB)	Hartford	Connecticut	8/2/04
596	KTVU Partnership (KICU-TV)	San Jose	California	8/2/04
597	Meredith Corporation dba WSMV-TV	Nashville	Tennessee	8/2/04
598	WGCL, Inc. (WGCL)	Atlanta	Georgia	8/2/04
599	Peak Media of Pennsylvania, LLC (WWCP)	Johnstown	Pennsylvania	8/2/04
600	Rysher Entertainment	Santa Monica	California	8/2/04
601	Idaho Independent TV, Inc. dba KTRV Fox 12	Nampa	Idaho	8/2/04

## 2003 Cable Copyright Claims

### FINAL LIST

**NOTE: Claim No. 127A was added on 12/5/05—Copy of claim was in file but inadvertently was not assigned a number; it now has been assigned its own number.**

**Note regarding joint claims: Notation of “(joint claim)” denotes that joint claim is filed on behalf of more than 10 joint copyright owners, and only the entity filing the claim is listed. Otherwise, all joint copyright owners are listed.**

No	Claimant's Name	City	State	Date Recvd.
602	WDRB-TV (Independence Television Company)	Louisville	Kentucky	8/2/04
603	WFTE-TV (Independence Television Company)	Louisville	Kentucky	8/2/04
604	Lima Communications Corporation (WLIO)	Lima	Ohio	8/2/04
605	Century Development Corporation	Laredo	Texas	8/2/04
606	Media General Broadcasting of South Carolina Holdings, Inc. (WNEG-TV)	Toccoa	Georgia	8/2/04
607	Media General Broadcasting (WSPA-TV)	Spartanburg	South Carolina	8/2/04
608	Media General Communications, Inc. (WJHL-TV)	Johnson City	Tennessee	8/2/04
609	Media General Broadcasting Group, Inc. (KBSD-TV)	Dodge City	Kansas	8/2/04
610	LibCo, Inc.	Jonesboro	Arkansas	8/2/04
611	KTRE-TV—CivCo, Inc.	Pollok	Texas	8/2/04
612	KLTV—CivCo, Inc.	Tyler	Texas	8/2/04
613	Media General Communications, Inc. (KBSH-TV)	Hays	Kansas	8/2/04
614	Media General Communications, Inc. (KWCH-TV)	Wichita	Kansas	8/2/04
615	Media General Communications, Inc. (KBSL-TV)	Goodland	Kansas	8/2/04
616	Media General Broadcasting of South Carolina Holdings, Inc. (KIMT-TV)	Mason City	Iowa	8/2/04
617	Media General Broadcasting of South Carolina Holdings, Inc. (WRBL(TV))	Columbus	Georgia	8/2/04

## 2003 Cable Copyright Claims

### FINAL LIST

**NOTE: Claim No. 127A was added on 12/5/05—Copy of claim was in file but inadvertently was not assigned a number; it now has been assigned its own number.**

**Note regarding joint claims: Notation of “(joint claim)” denotes that joint claim is filed on behalf of more than 10 joint copyright owners, and only the entity filing the claim is listed. Otherwise, all joint copyright owners are listed.**

No	Claimant's Name	City	State	Date Recvd.
618	Media General Communications, Inc. (WTVQ-TV)	Lexington	Kentucky	8/2/04
619	WJTV Newschannel 12	Jackson	Mississippi	8/2/04
620	Media General Communications, Inc. (WNCT-TV)	Greenville	North Carolina	8/2/04
621	Media General Communications, Inc. (WSLS-TV)	Roanoke	Virginia	8/2/04
622	Media General Broadcasting of South Carolina Holdings, Inc.	Mobile	Alabama	8/2/04
623	Media General Operations, Inc.	Tampa	Florida	8/2/04
624	WHLT-TV 22	Hattiesburg	Mississippi	8/2/04
625	Media General Communications, Inc. (WIAT(TV))	Birmingham	Alabama	8/2/04
626	KATC Communications, Inc.	Lafayette	Louisiana	8/2/04
627	WLEX Communications, LLC	Lexington	Kentucky	8/2/04
628	LibCo (WFIE-TV)	Evansville	Indiana	8/2/04
629	LibCo, Inc.	Montgomery	Alabama	8/2/04
630	LibCo, Inc.	Biloxi	Mississippi	8/2/04
631	Libco, Inc.	Lake Charles	Louisiana	8/2/04
632	Libco, Inc.	Louisville	Kentucky	8/2/04
633	LibCo, Inc.	Columbia	South Carolina	8/2/04
634	LibCo, Inc.	Toledo	Ohio	8/2/04
635	LibCo, Inc.	Albany	Georgia	8/2/04

## 2003 Cable Copyright Claims

### FINAL LIST

**NOTE: Claim No. 127A was added on 12/5/05—Copy of claim was in file but inadvertently was not assigned a number; it now has been assigned its own number.**

**Note regarding joint claims: Notation of “(joint claim)” denotes that joint claim is filed on behalf of more than 10 joint copyright owners, and only the entity filing the claim is listed. Otherwise, all joint copyright owners are listed.**

No	Claimant's Name	City	State	Date Recvd.
636	LibCo, Inc. (KCBD)	Lubbock	Texas	8/2/04



The Register of Copyrights  
of the  
United States of America

Library of Congress  
Department 17  
Washington, D.C. 20540

(202) 707-8350

September 13, 2002

The Honorable Henry H. Kennedy, Jr.  
United States District Court for the  
District of Columbia  
333 Constitution Avenue, N.W.  
Washington, D.C. 20001

Re: United States v. Raul C. Galaz,  
Criminal No. 02-230

Dear Judge Kennedy:

The United States Copyright Office ("the Office") thanks the Court for the opportunity to submit the following Victim Impact Statement.

The Copyright Office is a service unit of the Library of Congress and has responsibility for administering the compulsory licenses established by title 17, United States Code, and the Copyright Arbitration Royalty Panels that set rates and terms and determine the distribution of royalties.

A compulsory license is a statutory copyright licensing scheme whereby copyright owners are required to license their works to users at a government-fixed price and under government-set terms and conditions. Section 111 of title 17 of the United States Code allows a cable system to retransmit both radio and television broadcast programming to its subscribers who pay a fee for such service. Likewise, section 119 of title 17 of the United States Code allows a satellite carrier to retransmit television (but not radio) broadcast programming to satellite home dish owners for their private home viewing. Cable systems and satellite carriers are required to submit royalties to the Copyright Office for the carriage of each signal on a semiannual basis in accordance with prescribed statutory royalty rates. These royalties are distributed later to the copyright owners of the broadcast programming.

The first step in the distribution process is that copyright owners claiming to be entitled to cable and satellite royalties are required to file with the Librarian of Congress ("Librarian") claims during the month of July each year for the previous calendar year's royalties. 17 U.S.C. §§ 111(d)(4)(A), 119(b)(4)(A). Once the claims to the cable and satellite royalty funds have been filed with the Copyright Office, the Office examines each claim to determine the timeliness and legal sufficiency of the claim. However, the Office accepts the information provided in each claim as facially valid and, therefore, does not look behind the information provided in the claim.



-2-

The current filing system is founded on trust—trust that the copyright owners and the agents filing claims are providing the Office with truthful information and are authorized to file such claims. Thus, in order to ensure that copyright owners with legitimate claims are rightfully compensated, the system depends upon the honesty of those filing claims. Raul Galaz has broken that trust, and his criminal actions constitute an attack on the integrity of the entire royalty fee distribution process created by Congress.

As Mr. Galaz has admitted, he filed with the Copyright Office several false cable and satellite claims using various “false and fraudulent aliases and fictitious business entities” in order to receive cable and satellite royalties for several years to which he was not entitled. *Factual Proffer*, filed June 20, 2002, at 1-2. One such fictitious business entity was Tracee Productions. Mr. Galaz filed cable and satellite claims for the years 1994-1996 in the name of Tracee Productions claiming an ownership interest in the cable and satellite royalty funds for the program “Garfield and Friends.” *Id.* at 1-3. As a result of his fraudulent submission of claims relating to “Garfield and Friends,” Mr. Galaz “converted to his own benefit” over \$328,000 of cable and satellite royalty funds. *Id.* at 3.

The Librarian can distribute only those royalties that are not in controversy. 17 U.S.C. §§ 111(d)(4)(B), 119(b)(4)(B). Thus, if copyright owners are able to agree on how the royalties are to be divided among themselves, the Librarian is authorized to distribute the funds. If, however, copyright owners are not able to reach a settlement regarding the division of the royalties, then the Librarian must convene a Copyright Arbitration Royalty Panel (“CARP”) to determine the distribution of the royalties. *Id.* The CARP is comprised of three arbitrators who hear evidence from the copyright owners on how the royalties should be distributed. This is a more costly route, as both the Library’s administrative costs and the arbitrators’ fees are deducted from the funds to be distributed. 17 U.S.C. §§ 801(d), 802(h)(1). Therefore, settlement among the copyright owners is desirable because it avoids the considerable costs of a proceeding before a CARP.

The filing of false claims significantly decreases, if not totally eliminates, the possibility of settlement. When the legitimacy of a particular claimant is at issue, there is a controversy regarding the distribution of the funds, and a CARP must be empaneled to resolve the controversy. For example, as the Court is aware, Mr. Galaz was a participant in the recently concluded CARP proceeding to determine the distribution of 1997 cable royalty funds in the syndicated programming category. The need for this proceeding arose in part because there were questions surrounding the legitimacy of certain claims filed by Mr. Galaz. The Motion Picture Association of America (“MPAA”) deemed it necessary to challenge Mr. Galaz’s eligibility to file claims on behalf of certain copyright owners in a CARP proceeding. The CARP found that Mr. Galaz “made a number of unrealistic assertions about names of parties, companies, and organization names, and royalty claimant status.” CARP Report, dated April 16, 2001, at 42. In fact, it is my understanding that Mr. Galaz has admitted that he testified falsely before the CARP in order to conceal his criminal actions.

The end result is that Mr. Galaz’s deceit increased the costs of the CARP proceeding because of the time the CARP spent determining the validity of Mr. Galaz’s claims. Consequently, legitimate copyright owners have suffered a significant delay in receiving their royalties, and the royalties they ultimately receive will be reduced by the cost of that proceeding.

-3-

The ramifications of Mr. Galaz's crime extend beyond the 1997 cable distribution proceeding. Mr. Galaz, or entities in which he has an interest, have filed cable and satellite claims for the years 1998 through 2001. The Office cannot accept these claims at face value, as the Office has no confidence in the veracity of the information provided therein. Thus, before commencing proceedings to distribute those funds, the Office will need to investigate the veracity of the provided information. Such investigation will increase the Library's administrative costs and will delay the receipt of royalties by legitimate copyright owners.

In addition, the Office will need to reexamine the claims filing system as a whole to determine whether safeguards can be put into place to prevent such flouting of the system in the future. Such safeguards likely will lead to a more costly system, as the Office can no longer afford to accept each claim at face value. Any changes to the filing system which the Office implements likely will lead to more stringent filing requirements, thus making the filing of claims more onerous on all copyright owners. More stringent filing requirements may also increase the amount of time needed for the Office to process the claims, thus resulting in greater administrative expense.

Finally, the Office feels strongly that Mr. Galaz must serve significant jail time for his crime. His criminal actions have resulted in the obtaining by false pretenses of significant funds from the cable and satellite royalty pools deposited with the Copyright Office that should have gone to legitimate copyright owners. His actions have increased administrative costs and delayed the receipt of royalties by legitimate copyright owners.

Furthermore, the Office has reason to believe that Mr. Galaz is continuing to conduct business in the usual course. On the day before his plea hearing, Mr. Galaz was at the Office examining cable and satellite claims. In order to better ensure that Mr. Galaz does not again wreak havoc on the claims filing system and given the administrative costs associated with his future participation in distribution proceedings, the Office also requests that the Court ban Mr. Galaz or any entity in which he has an interest from filing with the Office future cable or satellite claims and from pursuing claims which he or such entities have already filed. The Office requests that such a ban be imposed as part of his sentence and/or as a condition of his supervised release. Such a ban would not infringe Mr. Galaz's rights, as he is not a copyright owner and merely acts as an agent for those copyright owners who have a valid claim. Nor would the rights of those copyright owners represented by him be compromised. Those copyright owners could either file or pursue their claims themselves or could seek new agents to file or pursue claims on their behalf.

To that end, the Office requests that the Court order Mr. Galaz to release all copyright owners with whom he has a contractual relationship from their obligation to have their claims filed or pursued by him or by any entity in which he has an interest. Pursuant to the mandate agreement posted on the website of the Independent Producers Group, such copyright owners have granted to Mr. Galaz the exclusive right to apply for and collect cable and satellite royalties on their behalf. Therefore, these copyright owners are contractually bound to use him or an entity in which he has an interest to act as their agent before the Office. Moreover, it is our understanding that he has every intention of enforcing these agreements and is currently pursuing legal action against copyright owners who, having learned of his fraudulent activities, seek to void their agreements and obtain new representation. Ordering Mr. Galaz

-4-

to release these copyright owners from their contractual obligation will allow them to pursue their claims without incurring the expense to void their contract with Mr. Galaz and will allow them to pursue their claims as they see fit. In addition, such an order would better ensure that Mr. Galaz derives no further financial benefit from this enterprise.

The Copyright Office takes a dim view of the filing of false claims. Accordingly, the Office requests that the Court impose a sentence commensurate with the gravity of Mr. Galaz's crime.

Respectfully submitted,



Marybeth Peters  
Register of Copyrights

U.S. DISTRICT COURT  
DISTRICT OF COLUMBIA

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

2002 MAY 29 PM 4:45

UNITED STATES OF AMERICA, )  
MAYER-WHITTINGTON )  
CLERK )  
Plaintiff, )  
 )  
v. )  
 )  
Raul C. GALAZ, )  
 )  
 )  
Defendant. )  
\_\_\_\_\_ )

Criminal No: 02-230

**FILED**

MAY 30 2002

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

**PLEA AGREEMENT**

The defendant, defense counsel and the undersigned on behalf of the United States have executed the attached plea agreement in resolving criminal prosecution of the identified activities.

May 29, 2002  
DATE

ROSCOE C. HOWARD, JR.  
United States Attorney  
for the District of Columbia

By: William H. Bowne III  
William H. Bowne, III  
Trial Attorney, Crim. Div., Fraud Section  
1400 New York Avenue, N.W.  
Washington, D.C.  
Tel: 202-514-7023

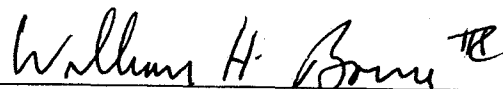
U.S. District and Bankruptcy Courts  
for the District of Columbia  
A TRUE COPY 10/10/12  
ANGELA D. CAESAR, Clerk  
By: Sherry Ann  
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the Plea Agreement in this case was served this day by first-class mail on counsel for defendant Raul C. Galaz at the following address:

Whitney C. Ellerman, Esq.  
Janis, Schuelke & Wechsler  
1728 Massachusetts Avenue, N.W.  
Washington, D.C.

Dated: May 29, 2002



---

William H. Bowne, III  
Trial Attorney, U.S. Dept. Of Justice  
Criminal Division, Fraud Section  
10<sup>th</sup> and Constitution Avenues, N.W.  
Bond Building  
Washington, D.C. 20530  
Tel: (202) 514-7023

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	)	CRIMINAL NO.:
v.	)	VIOLATION
RAUL GALAZ	)	18 U.S.C. § 1341
	)	(Mail Fraud)

---

PLEA AGREEMENT

Pursuant to Rule 11 of the Federal Rules of Criminal Procedure, the United States of America, by the Fraud Section and the defendant, Raul Galaz, and his attorney agree as follows:

1. Defendant Galaz will waive Indictment and plead guilty in the United States District Court for the District of Columbia to the crime charged in the Information filed in the matter charging one count of Mail Fraud in violation of Title 18 United States Code § 1341.

2. Defendant Galaz is entering this agreement and is pleading guilty freely and voluntarily without promise or benefit of any kind, other than contained herein, and without threats, force, intimidation, or coercion of any kind.

3. The defendant knowingly, voluntarily, and truthfully admits the facts contained in the attached Information as the factual basis for Plea.

4. The defendant shall enter a plea of guilty to a one-count Information charging defendant with mail fraud, (18 U.S.C. § 1341), for engaging in a scheme and artifice to defraud the United States and the Motion Picture Association of America of money and property by making false statements and representations to the United States Copyright Office and to the Motion Picture Association of America and by giving materially false sworn testimony in a statutorily mandated administrative proceeding convened by the Library of Congress.

5. The defendant understands the nature of the offense to which he is pleading guilty, and the elements thereof, including the penalties provided by law. The charge

carries a maximum sentence of imprisonment for a term not to exceed five (5) years, a \$250,000 fine, or both, with a mandatory special assessment of \$100. The defendant understands that the Court may impose a term of Supervised Release to follow any incarceration, in accordance with Title 18, United States Code, Section 3583, and that, in this case, the authorized term of supervised release is not more than three years.

6. The defendant agrees to cooperate completely, candidly, and truthfully in the present investigation of a scheme to defraud the United States Copyright office and the Motion Picture Association of America. Specifically, the defendant agrees:

- a. To provide complete, truthful, and candid disclosure of information and all records, writings, tangible objects, or other requested materials of any kind or description that he has which relate directly or indirectly to the subject of this investigation;
- b. To answer completely, truthfully, and candidly all questions put to him by attorneys and law enforcement officials during the course of this investigation;
- c. To make himself available for interviews by attorneys and law enforcement officers of the government upon request and reasonable notice;
- d. Not to attempt to protect any person or entity through false information or omission, nor falsely to implicate any person or entity;
- e. To comply with any and all reasonable requests from federal government authorities with respect to the specific assistance that he shall provide;
- f. To answer, at trial, before the grand jury, or at any hearing or administrative proceeding arising out of this investigation, all questions put to him by the court or by the attorney for any party completely, truthfully, and candidly; and

- g. To provide a full and complete accounting of all assets to the Probation Office including real or intangible, held by him or in any other name for his benefit.

7. Pursuant to U.S.S.G. § 1B1.8, the United States and defendant agree that since defendant has agreed to cooperate with the United States, information provided by defendant about: 1) fraudulent claims and representations made in the name of Bill Taylor and Tracee Productions; 2) fraudulent claims and representations made in the names of eight other fictitious persons and associated companies identified paragraph 11 of Count 1 of the attached Information; and 3) false statements made during an administrative hearing conducted by a Copyright Arbitration Royalty Panel convened by the Library of Congress to determine 1997 copyright cable and satellite retransmission royalty distribution, shall not be held against him, except as follows:

- a. information that was known to the United States prior to the date this plea agreement and the interview of the defendant pursuant to an interview agreement;
- b. in a prosecution for perjury or giving a false statement pursuant to paragraph 12 of this agreement; and
- c. if there is a breach of this agreement by defendant as determined under the provisions of paragraphs 11 and 12. In the event of such a breach, the United States retains the right to make use of information and statements provided by defendant as described in paragraph 11.

8. Nothing in this plea agreement restricts the Court's or the Probation Office's access to information and records in the possession of the United States. Further, nothing in this agreement prevents the government in any way from prosecuting the defendant should the defendant provide false, untruthful or perjurious information or testimony.



9. In return for the defendant's full and truthful cooperation and his plea of guilty to the charges described in paragraph 1 of this agreement, the Fraud Section agrees to bring no additional criminal charges in the District of Columbia or any other judicial district against the defendant relating to or arising from the matters identified in the Criminal Information to which the defendant will plea guilty .

10. Should any other prosecuting jurisdiction attempt to use truthful information the defendant provides pursuant to this agreement against the defendant, the United States agrees, upon request, to contact that jurisdiction and ask that jurisdiction to abide by the provision contained in paragraph 8 of this agreement. The parties understand that the prosecuting jurisdiction retains discretion over whether to use such information.

11. If defendant fails to make a complete, truthful, and candid disclosure of information to federal law enforcement officers, government attorneys, and grand juries conducting this investigation, or to the Court, and/or if he fails to comply with any other of the material conditions and terms set forth in this agreement, he will have committed a material breach of the agreement which will release the government from its promises and commitments made in this agreement. Upon defendant's failure to comply with any of the terms and conditions set forth in this agreement, the government may fully prosecute him on all criminal charges that can be brought against him. In such a prosecution, the United States will have the right to make derivative use of any statement made by defendant pursuant to this cooperation agreement, and to impeach defendant with any such statements. Defendant waives any right to claim that evidence presented in such prosecution is tainted by virtue of the statements he has made.

12. In the event of a dispute as to whether defendant has knowingly given materially false, incomplete or misleading information in fulfilling the terms of his cooperation agreement or whether defendant has knowingly committed any other material breach of this agreement, and if the United States wants to exercise its rights under

paragraph 11, and if defendant so requests, the matter shall be submitted to the Court and shall be determined by the Court in an appropriate proceeding at which defendant's disclosures and documents shall be admissible and at which time the United States shall have the burden to establish the same by a preponderance of the evidence.

13. At all briefing and interviewing sessions conducted by investigators and/or attorneys for the government, defendant shall be entitled to the presence, advice, and assistance of counsel, unless waived.

14. This agreement is premised on the assumption that up to the time of sentencing defendant will have committed no new offenses since pleading guilty in this matter. Should it be determined, using a probable cause standard, that defendant has committed new offenses, the government may take whatever position it believes appropriate as to the sentence and terms of release. In addition, if in this plea agreement the United States has agreed to recommend or refrain from recommending to the sentencing judge a particular resolution of any sentencing issue, the Government reserves the right to full allocution in any post-sentence litigation in order to defend the sentencing judge's ultimate decision on such issues.

15. The defendant understands and acknowledges that the offenses with which he will be charged are subject to the provisions and guidelines of the "Sentencing Reform Act of 1984," Title 28, United States Code, Section 994(a).

16. The United States cannot and does not make any promise or representation as to what sentence the defendant will receive or what fines or restitution, if any, he may be ordered to pay. The defendant understands that the sentence and the sentencing guidelines applicable to his case will be determined solely by the Court, with the assistance of the United States Probation office, and that he will not be permitted to withdraw his plea regardless of the sentence calculated by the United States Probation office or imposed by the Court.

17. Defendant Galaz understands and acknowledges that he may receive any sentence within the statutory maximums for the offenses of conviction.

18. Defendant and the United States agree to recommend the following regarding the Sentencing Guidelines, but the Defendant understands such recommendations are not binding on the Probation Office or the Court, and further, that the Court may impose any sentence within the maximum statutory sentence for the offense of conviction:

- a. The applicable Guideline is § 2F1.1.
- b. The base offense level under § 2F1.1 is 6.
- c. The amount of loss and intended loss to the government was more than \$320,000 and less than \$350,000 and increases the offense level by 8 under § 2F1.1(b)(1).
- d. The offense involved more than minimal planning and warrants a 2 level increase under § 2F1.1(b)(2).
- e. The government reserves the right to argue and present evidence at sentencing demonstrating that the Defendant attempted to obstruct the administration of justice by providing materially false sworn testimony in a statutorily mandated administrative proceeding sanctioned by the Library of Congress and warrants a 2 level increase under § 3C1.1. However, the defendant reserves the right to argue the non-applicability of this enhancement.
- f. The United States will recommend a reduction of 3 levels under § 3E1.1(b), if the Defendant clearly demonstrates acceptance of responsibility for the instant offense, including cooperating fully with the presentence report writer, with the Court, and the Library of Congress in all proceedings arising from this matter, and by complying with the other provisions of this Agreement. If

the Defendant fails to do so, the United States may take any position it deems appropriate with respect to this reduction.

- g. The parties agree that no other sentencing enhancement provisions apply and recognize however, that their determination is not binding on either the Court or the Probation Department.
- h. The government reserves the right to argue at sentencing that correct adjusted offense level is 15 and that the Defendant should receive a sentence that includes an 18 month period of incarceration.

19. Defendant understands that the recommendations contained in paragraph 18 is not binding on the sentencing judge or the Probation Office, and that he will not be entitled to withdraw his plea in the event that either the sentencing judge or the Probation Office does not accept or follow these recommendations.

20. At the time of sentencing, the United States will advise the sentencing judge and the probation office of the full nature, extent, and value of any cooperation provided by defendant to the United States.

21. Defendant Galaz understands that the Court may impose a fine, restitution, costs of incarceration, and costs of supervision.

22. The United States reserves the right to allocute in all respects as to the nature and seriousness of the offense and to make a recommendation as to sentencing. The attorney for the United States will inform the sentencing Judge and the Probation Office of (1) this agreement; (2) the nature and extent of defendant Galaz's activities with respect to this case; and (3) all other information in its possession relevant to sentencing.

23. Defendant Galaz agrees that if the Court does not accept his plea of guilty to the Information, this agreement shall be null and void.

24. Defendant understands that this agreement is binding only upon the Fraud Section of the Department of Justice. This agreement does not bind the Civil Division of


any United States Attorney's Office, the Tax Division of the Department of Justice, nor does it bind any state or local prosecutor. It also does not bar or compromise any civil or administrative claim pending or that may be made against the defendant. The United States will, however, bring this agreement and the full extent of defendant's cooperation to the attention of other prosecuting offices if requested.

25. This agreement constitutes the entire agreement between the United States and defendant Galaz. No other promises, agreements, or representations exist or have been made to defendant Galaz or his attorneys by the Department of Justice in connection with this case. This agreement may be amended only by a writing signed by all parties.

Dated this 29<sup>th</sup> day of May, 2002.


FOR THE DEFENDANT

  
RAUL GALAZ

  
WHITNEY C. ELLERMAN  
Janis, Schuelke & Wechsler  
1728 Massachusetts Ave., N.W.  
Washington, D.C. 20036  
(202) 861-0600

FOR THE UNITED STATES

JOSHUA R. HOCHBERG  
CHIEF, FRAUD SECTION  
FOR THE DEPARTMENT OF JUSTICE

By:   
WILLIAM H. BOWNE  
Trial Attorney, Fraud Section  
U.S. Department of Justice  
1400 New York Ave., N.W., Rm. 4114  
Washington, D.C. 20005  
(202) 514-7023

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MAY 27 PM 4:45

UNITED STATES OF AMERICA, )  
MAYER-WHITTINGTON )  
CLERK )  
Plaintiff, )  
v. )  
Raul C. GALAZ, )  
Defendant. )

Criminal No: 02-230

Count 1: 18 U.S.C. § 1341  
(Mail Fraud)

**KENNEDY, JR. J. INK**

MAY 30 2002

INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of Columbia charges:

COUNT 1 (Mail Fraud)

At all times relevant to this Information:

Background

1. Defendant Raul C. GALAZ resided in either California or Texas and was an attorney licenced to practice law in the State of California specializing in the field of entertainment law.

2. The United States Copyright Office (hereinafter "Copyright Office") is located in the District of Columbia and is a component of the Library of Congress, a part of the legislative branch of the Government of the United States. The Copyright Office collects copyright royalty payments from cable and satellite companies that retransmit programs to system subscribers and distributes royalty fees to the owners of the copyrighted programs.

U.S. District and Bankruptcy Courts  
for the District of Columbia  
TRUE COPY 10/10/12  
ANGELA D. CAESAR, Clerk  
By Sherry Stein  
Deputy Clerk

3. During July of each calendar year, copyright owners must file claims with the Copyright Office for the prior calendar year which identify the program copyright owner, the program claimed, one cable or satellite system involved in the program's retransmission, and date of retransmission.

4. The Motion Picture Association of America (hereinafter "MPAA") is located in the District of Columbia and is a non-profit trade organization which, on behalf of represented parties, collects copyright royalty payments from the Copyright Office and distributes the funds to copyright owners and/or beneficial interest holders.

5. In or about March 1998, defendant Raul C. GALAZ, as principal founder, started Artist Collections Group, a California limited liability company, created to collect cable and satellite copyright retransmission royalties and other secondary royalty rights throughout the world. Artist Collections Group conducted business under the name Worldwide Subsidy Group.

6. In or about August, 1999, defendant Raul C. GALAZ, as the principal founder, started Worldwide Subsidy Group, a Texas limited liability company created to collect cable and satellite copyright retransmission royalties in the United States. Worldwide Subsidy Group conducted business under the name Independent Producers Group.

#### The Scheme and Artifice to Defraud

7. Beginning in or about July 1995, and continuing through in or about March 2001, the exact dates being unknown, in the District of Columbia and elsewhere, the defendant,

Raul C. GALAZ,

devised and intended to devise a scheme and artifice to defraud and to obtain money and property from the Copyright Office and the MPAA, by means of materially false and fraudulent pretenses, representations and promises.

Purpose of the Scheme and Artifice

8. It was the purpose of the scheme for defendant Raul C. GALAZ to fraudulently obtain cable and satellite retransmission royalties from the Copyright Office and the MPAA by falsely representing that fictitious business entities were owners, or agents of owners, of copyrighted programs and were entitled to receive royalty fees, which fees defendant Raul C. GALAZ converted to his own personal use.

Manner and Means of the Scheme and Artifice

9. It was a part of the scheme and artifice that defendant Raul C. GALAZ identified programs retransmitted on cable and satellite systems for which retransmission royalties were previously unclaimed.

10. It was a further part of the scheme and artifice that defendant Raul C. GALAZ made fraudulent submissions to the Copyright Office in which he used false and fraudulent aliases and fictitious business entities to claim entitlement to cable and satellite system retransmission royalties as detailed below:

MAILING DATE	CLAIM YEAR	ALIAS	FICTITIOUS BUSINESS ENTITY	PROGRAM
7/28/95	1994	Bill Taylor	Tracee Productions	Garfield and Friends
7/30/96	1995	Bill Taylor	Tracee Productions	Garfield and Friends



7/05/97	1996	Bill Taylor	Tracee Productions	Garfield and Friends
7/20/97	1996	Bennett Stablich	Agman Animation	Bone Chillers
7/10/98	1997	Bennett Stablich	Agman Animation	Bone Chillers
7/22/97	1996	Harry Lough	BAL Productions	Unsolved Mysteries
7/18/97	1996	John Motoran	Blink Productions	Blinky Bill
7/28/98	1996	John Motoran	Blink Productions	The People's Court
7/08/97	1996	Helen Reed	Golden Parachute Distribution	Goosebumps
7/08/98	1997	Helen Reed	Golden Parachute Distribution	Goosebumps
7/13/97	1996	George Palt	KickFilm Distribution	Walker, Texas Ranger
7/13/97	1996	James Hitchman	Pointe Media	Moesha
7/24/97	1996	Joel Sachs	Sachs Associates	Bananas In Pajamas
7/12/98	1997	Joel Sachs	Sachs Associates	Bananas In Pajamas
7/03/97	1996	Fred Demann	Tier Media	Teenage Mutant Ninja Turtles
7/13/98	1997	Fred Demann	Tier Media	Teenage Mutant Ninja Turtles

11. It was a further part of the scheme and artifice that defendant Raul C. GALAZ used various methods, means, and devices to misrepresent to the Copyright Office and the MPAA that cable and satellite retransmission royalties were due and owing, including but not limited to:

(a) the use of false aliases in applications to and in correspondence with the Copyright Office and the MPAA;

(b) the use of a telephone answering service in the name of fictitious business entities;

(c) the rental of private mail depositories in the name of fictitious business entities for the purpose of receiving correspondence from the Copyright Office and the MPAA;

(d) the opening of accounts at stock brokerage firms for Tracee Productions using the alias Francisco Dias;

(e) the opening of additional stock brokerage accounts under multiple false aliases by transferring stolen proceeds;

(f) the opening of an offshore bank account in Antigua in the name of Artist Collections Group, a Bahamas corporation;

(g) the transferring of \$129,000.00 of stolen proceeds to the Artist Collections Group offshore bank account;

(h) arranging the retention of an attorney to negotiate a settlement with the original owners of the copyright royalty rights to "Garfield and Friends."

12. It was a further part of the scheme and artifice that defendant Raul C. GALAZ converted to his own benefit the following sums of money to which he was not entitled, based on his fraudulent submission of claims relating to "Garfield and Friends":

<u>MPAA Check Number</u>	<u>Date</u>	<u>Amount of the Check</u>
(1) 00005813	12/17/96	\$80,700.00
(2) 00005907	4/07/97	\$17,916.00
(3) 00006324	2/09/98	\$189,984.00
(4) 00006419	4/23/98	\$39,703.00

13. It was a further part of the scheme and artifice that defendant Raul C. GALAZ concealed and perpetuated his scheme by testifying falsely under oath at a statutorily convened Copyright Arbitration Royalty Panel administrative proceeding that: (1) he was not Bill Taylor; (2) he did not have any involvement or interest in companies he represented in particular, Tracee Productions and the other companies identified in paragraph 10; and (3) he never filed a claim without authorization.

Execution of the Scheme and Artifice to Defraud

14. On or about July 31, 1997, the exact date being unknown, in the District of Columbia and elsewhere, the defendant,

Raul C. GALAZ,

for the purpose of executing the above-described scheme and artifice, and attempting to do so, placed and caused to be placed in an authorized depository for mail matter, to wit, an envelope containing a Tracee Productions claim for 1996 copyright retransmission royalties for the program "Garfield and Friends" and caused such matter to be delivered by the United States Postal Service according to the directions thereon from California to the United States Copyright Office located in Washington, D.C.

All in violation of Title 18, United States Code, Sections 1341 and 2.

May 29, 2002  
DATE

ROSCOE C. HOWARD, JR.  
United States Attorney  
for the District of Columbia

By: William H. Bowne  
William H. Bowne, III  
Trial Attorney, Crim. Div., Fraud Section  
1400 New York Avenue, N.W.  
Washington, D.C.  
Tel: 202-514-7023

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,  
*Plaintiff*

v.

RAUL C. GALAZ,  
*Defendant*

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§

Case No. 02-0230-01 (HHK)

**DEFENDANT'S MOTION FOR CLARIFICATION ON  
RULING OR, ALTERNATIVELY, MODIFICATION OF JUDGMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant Raul C. Galaz ("Raul Galaz") hereby submits *Defendant's Motion for Clarification on Ruling or, Alternatively, Modification of Judgment*, on the following grounds:

**I. FACTS**

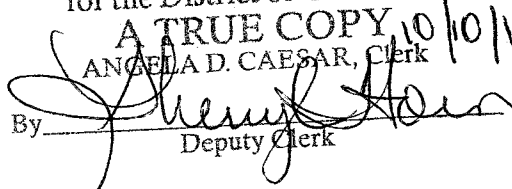
In June 2002, Raul Galaz pled guilty to one count of mail fraud, and was sentenced to a prison term of 18 months, with three years of supervised release. Raul Galaz was released from incarceration in May 2004, and has been under supervised release since such date. One and one-half years remain on Raul Galaz's term of supervised release.

Other than the standard conditions adopted by the probation office, Raul Galaz was also ordered to comply with certain special conditions during supervised release, including:

"[Raul Galaz] shall file no further claims with the United States Copyright Office unless he presents written authorization from the company verifying his representation."<sup>1</sup>

<sup>1</sup> See Exh. A at p.3. The special condition was prompted by a request of Raul Galaz's business competitor, the Motion Picture Association of America ("MPAA"). The MPAA asked that Raul

U.S. District and Bankruptcy Courts  
for the District of Columbia

A TRUE COPY  
ANGELA D. CAESAR, Clerk  
By   
Deputy Clerk

RECEIVED

NOV 10 2005

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

Raul Galaz's crime emanated from actions taken 8-10 years ago, the false application and receipt of television royalties distributed by the U.S. Copyright Office. As was explained to the Court at the sentencing hearing, Raul Galaz had legitimately participated in the profession of television royalty collection for many years, was an expert in the field, and it was the means by which he would be most capable of satisfying his restitution obligations. See Exh. B, at pages 8-11. After hearing the arguments, and its review of the Pre-Sentence Investigation Report, the Court expressly declined to accept the suggestions of Mr. Galaz's business competitor to preclude his further participation in the television royalty collection business. Rather, the Court determined that Raul Galaz could continue to participate in the profession during the term of his supervised release, subject to the caveat set forth above. This condition was written into Raul Galaz's Judgment as one of several conditions of his supervised release, see Exh. A at p.3, and is further reflected by the transcript of the sentencing proceeding. See Exh. B, at pages 8-11, 14.

Despite the Court's explicit ruling, Raul Galaz was informed by his assigned Probation Officer that Raul Galaz's participation in the business of television royalty collection is precluded without first securing the Probation Officer's consent. Therefore, on June 6, 2005, Raul Galaz requested approval for his part-time employment in the field (in addition to his full-time employment with a law firm, with whom he has been employed for 14 months), and provided the Probation Officer with the aforementioned rulings of the Court. Raul Galaz further explained

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Galaz be ordered to pay restitution of approximately \$2.5 Million, even though Raul Galaz had illicitly received substantially less, approximately \$330,000. The MPAA also requested that Raul Galaz no longer be allowed to take part in the profession of television royalty collection.

the significant benefit of his participation in such profession, and offered to accommodate any concerns the Probation Officer might have regarding such participation, if any (e.g., no access to financial accounts, etc.). Raul Galaz additionally provided materials relevant to his character, such as a letter of reference from the Camp Administrator of his place of incarceration, attesting as to his character. See Exh. C.

On August 31, 2005, Raul Galaz's request was formally denied. Raul Galaz requested a written explanation for the denial, but was provided none. At his monthly face-to-face meeting with his Probation Officer, Raul Galaz was informed that the basis for denial was not his lack of trustworthiness, but rather the Probation Officer's "inability to monitor" his activities. No further clarification was provided as to the meaning of this explanation, nor was Raul Galaz asked for suggestions as how his activities could be monitored.

Notwithstanding the foregoing, Raul Galaz was directed by his Probation Officer to "write to his Judge" in order to obtain clarification on the matter. Upon doing so, Raul Galaz was informed that his request must be submitted in a motion format and, consequently, this motion was filed.

## II. ARGUMENT

### A. The Court has Already Addressed the Merits of whether Defendant Should Be Precluded from Engaging in his former Profession.

As is evident from the transcript of Raul Galaz's sentencing hearing, the Court has already explicitly addressed the merits of whether Raul Galaz should be precluded from engaging in the profession of television royalty collection, and made a ruling upon such issue sufficient to address

the reasonable concerns of the Court. See Exh. B, at pages 8-11, 14. The determination by Raul Galaz's Probation Officer that Raul Galaz is precluded from participating in such profession, even if compliant with all other terms of his supervised release, effectively supplants the determination of this Court.

The Probation Office is a division of the Department of Justice, and its role is to execute the Judgment of the Court. Although the Probation Office may utilize certain amounts of discretion in the rendition of its duties, it may not impose restrictions that directly affront the rulings of the sentencing Court, as such restrictions would effectively constitute additional punishment that the Probation Office has no authority to render or administer.

**B. In the Alternative, the Court Should Modify its Judgment to Expressly Allow Defendant to Engage in his former Profession.**

**1. Good Cause Exists to Allow Defendant to Engage in his former Profession.**

**Current Employment.** Raul Galaz is 43 years old. Despite having a law degree from Stanford University and twelve years experience as a practicing attorney, Raul Galaz is currently employed as a legal assistant in a law firm, making only \$14.00 per hour, i.e., \$29,120 annually. He has no health insurance, and after taxes, he receives \$2,240 monthly, of which \$1,000 is paid in restitution and child support. After payments for rent, food and necessary incidentals (e.g., gasoline), very little disposable income exists. Raul Galaz has applied for numerous positions in the legal field and other fields. In the few positions for which he has received interviews, his employment has been summarily foreclosed because of his prior conviction.<sup>2</sup> Additionally, as a

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<sup>2</sup> In an attempt to better his situation, Raul Galaz concluded coursework necessary to engage in

policy, the Probation Office for the Western District of Texas precludes self-employment and, consequently, Raul Galaz is not allowed to engage in any entrepreneurial venture, irrespective of its greater profitability.

Raul Galaz is an expert in the field for which he was previously engaged. He has requested to work in the profession on a part-time basis, and will receive much-needed compensation for his efforts. Due to his conviction, employment opportunities are very limited, and employment in his former field will further prepare him for his desired return to such profession in one and one-half years, when his supervised release concludes.

**Factors Relevant to Consideration of Request.** Several factors should be considered in connection with Raul Galaz's request to engage in his prior profession.

(i) **Responsibilities are unrelated to criminal conviction.** Although the industry for which Raul Galaz is proposing part-time employment is the same as that for which his conviction was related, his proposed employment does not involve the acts for which he was convicted, i.e., the filing of claims to television programs and receipt of monies. Specifically, Raul Galaz is proposing that he be allowed to engage in the computer analysis of claims that have already been on file with the U.S. Copyright Office for several years, and to advocate the rights associated therewith in connection with public proceedings before the U.S. Copyright Office. He does not propose that

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the real estate profession. He secured employment in this field subject to securing his real estate license, but on two occasions the Texas Real Estate Commission has summarily denied his licensure based on his conviction, and as recently as October 31, 2005.



he will be filing new claims or collecting monies. There is literally no overlap between the activities for which Raul Galaz would be employed and the crime for which he was convicted.

(ii) **Age of Prior Criminal Acts.** The acts for which Raul Galaz was convicted occurred between 8 and 10 years ago, i.e., they were not a recent occurrence, and no allegation has been made to suggest that Raul Galaz has engaged in any criminal act since such time.

(iii) **Likelihood of Repeating Criminal Acts.** Raul Galaz was not indicted for the crime that he committed. Rather, he came forward on his own volition in order to admit his wrongdoing, prior to ever being contacted by authorities, and without the protection of any plea agreement. His acts reflected unqualified contrition, the authorities did not view him as a continuing threat, and for these reasons alone it should be appreciated that he would not engage in any actions of a similar nature.

(iv) **Recommendation of Incarcerating Institution.** In what is a rare occurrence, Raul Galaz secured a letter of recommendation from the Camp Administrator, i.e., senior official, of the Federal Prison Camp where he was incarcerated. The letter was written in the context of Raul Galaz's attempt to be licensed in the real estate industry. According to the letter of recommendation:

During his incarceration, Mr. Galaz was assigned to the minimum security satellite camp. He maintained clear conduct throughout his time here, participated in recommended programs, and consistently received outstanding work reports on several different assignments. He voluntarily assisted his Unit Counselor in processing inmate work detail payrolls, and maintained an excellent relationship with staff and other inmates.

Mr. Galaz was careful to always abide by the rules . . . . While at this facility, he fit the public's perception of the "model prisoner", working to rehabilitate himself and

develop skills in new areas to prepare for release. Mr. Galaz' efforts were noted by staff, as evidenced by their recommendation to send him to a halfway house prior to release.

Additionally, I selected him to participate in a community service project helping to build a new Boys and Girls Club facility in Three Rivers [Texas]. Only inmates with outstanding records of adjustment who can be trusted to act appropriately in the community and represent the Bureau of Prisons well are selected for these outside projects. In my judgment, Mr. Galaz is such an individual. If granted the opportunity to become a real estate agent, I believe he will also represent that industry well.

In conclusion, I must advise I rarely write letters of recommendation for former inmates. I thought it was warranted in this case to show our appreciation to Mr. Galaz for his volunteer work while at our facility and to assist him in continuing his efforts to successfully re-establish himself in the community.

See Exhibit C.

The recommendation is not uniquely applicable to the practice of real estate. It is a reflection of how the incarcerating institution viewed Mr. Galaz' character, which was overwhelmingly positive.

(v) **Safeguards to Avoid Opportunity for Criminal Acts.** Safeguards can be set in place in order to avoid even the suggestion of future impropriety on Raul Galaz's part. Raul Galaz has offered that he not have access to the financial accounts of the employing company, and to make no new filings for television programs on behalf of the employing company.

(vi) **Consequences for Future Criminal Acts.** Raul Galaz is abundantly aware that if he were to engage in any further crimes, he would be convicted of such crimes *and* have his supervised release violated.

(vii) **Status of Restitution.** Raul Galaz has complied with his restitution obligations, and much

more. When he commenced his supervised release, he had approximately \$330,000 of restitution obligations, and an obligation to make payment of \$500 per month. After one year, his outstanding restitution obligations are now less than \$300,000. This reduction is the product of ardent efforts commenced even while he was incarcerated, and he has been diligent in making his monthly restitution payments.

Realistically, however, without allowing Raul Galaz to participate in the business for which he is most knowledgeable, he will be unable to satisfy his restitution obligations in any reasonable time frame. Moreover, the longer a period that he is prohibited from participating in such business, the less likely that he will be capable of returning to such profession following his supervised release. Following his plea in June 2002, Raul Galaz removed himself from the industry of television royalty collection. Because of the length of time between his plea and eventual incarceration, he has not participated in such industry for over three years, and any longer delay will substantially prejudice his ability to return to this profession.

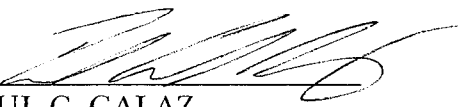
### **III. CONCLUSION**

At this time, Raul Galaz is requesting that the Court clarify that its Judgment in the above matter entitles him to engage in the profession of television royalty collection during his period of supervised release, subject only to the caveat already set forth in the Judgment rendered by the Court, or alternatively issue an Order expressly allowing Raul Galaz to engage in the

profession of television royalty collection, subject to his obligation to comply with his other requirements of supervised release.

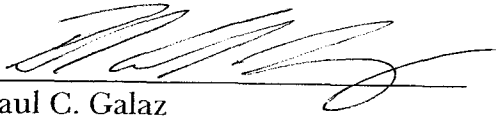
Respectfully submitted,

Raul C. Galaz  
130 Talavera Parkway, #1234  
San Antonio, Texas 78232  
Telephone: (210) 789-9084

By:   
RAUL C. GALAZ  
*Pro Se*

**REQUEST FOR ORAL HEARING**

Pursuant to U.S. District Court, District of Columbia, Local Rule LCrR 47, Movant Raul Galaz hereby requests an oral hearing on this matter.

  
Raul C. Galaz

**EXHIBIT A**

UNITED STATES DISTRICT COURT  
for the District of Columbia

UNITED STATES OF AMERICA

v.

RAUL C. GALAZ

Defendant.

Case Number CR 02-0230-01

FILED

DEC 23 2002

JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)

The defendant, RAUL C. GALAZ, was represented by Whitney C. Ellerman, Esquire.

The defendant pled guilty to count 1 of the Information on June 20, 2002. Accordingly, the defendant is adjudged guilty such count, involving the following offense:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>	<u>Count Number(s)</u>
18 USC 1341	MAIL FRAUD	July 29 1998	1

As pronounced on NOVEMBER 15, 2002, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The mandatory special assessment is included in the portion of this Judgment that imposes the Criminal Monetary Penalties.

It is further ordered that the defendant shall notify the United States Attorney and the Clerk's Office for this district with 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances that might affect the ability to pay.

Signed this the 23<sup>rd</sup> day of DECEMBER, 2002.

2002 DEC 23 10 54 AM

U.S. DISTRICT COURT

RECORDED & INDEXED  
NOV 29 2002  
U.S. DISTRICT COURT

*Henry H. Kennedy, Jr.*  
HENRY H. KENNEDY, JR.  
United States District Judge

United States District Court  
For the District of Columbia  
A TRUE COPY  
NANCY MAYER WHITTINGTON, Clerk  
By *Delores Nathan*  
Deputy Clerk

Defendant's SSN: 441-74-4475  
Defendant's Date of Birth: 11/02/82  
Defendant's USM No.: 24950-016  
Defendant's address: 2318 Sawgrass Ridge, San Antonio, Texas 78235-1241

Defendant: RAUL C. GALAZ  
Case Number: CR 02-0230-01

Judgment No. 02-01

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 18 MONTHS.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant shall be imprisoned FCI in the Western District of Texas.

The defendant shall voluntarily surrender for service of sentence at the institution designated by the Bureau of Prisons when notified to report by the United States Marshal, Probation Office or Pretrial Services Office.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal



### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

The defendant shall refrain from any unlawful use of a controlled substance.

The mandatory drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by the probation office of this court set forth on the next page. The defendant shall also comply with the following special conditions:


The defendant shall file no further claims with the United States Copyright Office unless he presents written authorization from the company verifying his representation.

The defendant shall provide the Probation Office with access to any requested financial information.


The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

 Date 7/13/04

Defendant

 Date 7/13/04

U.S. Probation Officer/Designated Witness

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a true and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.
- 6) The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any such controlled substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth below under **SCHEDULE OF PAYMENTS** heading.

Count	Assessment	Fine	Restitution
1	\$100.00	\$4,000.00	\$328,303.00
<b>TOTALS:</b>	\$100.00	\$4,000.00	\$328,303.00

**FINE**

The interest requirement was not waived or modified.

The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(i). All of the payment options under Schedule of Payments section may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

**RESTITUTION**

The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

Name of Payee	* Total Amount of Loss	Amount of Restitution Ordered	Priority Order or Percentage of Payment
Mollon Picture Association of America 1600 Eye Street NW, Washington, D.C. 20006 Attn: Marsha E. Kessler	\$328,303.00	\$328,303.00	
<b>TOTALS:</b>		\$328,303.00	

**SCHEDULE OF PAYMENTS**

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:  
No less than \$500.00 a month.

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of

**EXHIBIT B**

1. THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

----- x  
UNITED STATES OF AMERICA,  
02-0230 "

Plaintiff,

v.

RAUL GALAZ (PR),

Defendant.  
----- x

x

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x

Docket No. CR

Washington, D.C.

November 15, 2002

11:15 a.m.

TRANSCRIPT OF SENTENCING  
BEFORE THE HONORABLE HENRY H. KENNEDY, JR.  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Plaintiff: WILLIAM BOWNE, III, ESQ.

For the Defendant: WHITNEY ELLERMAN, ESQ.

DOLORES A. BYERS, CSR, RPR  
Official Court Reporter " "

P R O C E E D I N G S

THE CLERK: United States of America versus Raul Galaz. Criminal Action 02-0230, Whitney Ellerman for the government, William Bowne, the third, for the defendant. Probation Officer George Neal.

THE COURT: I think it's just the opposite. Good morning.

Mr. Ellerman, you represent the defendant, don't you?

MR. ELLERMAN: I do, Your Honor.

THE COURT: And Mr. Bowne represents the government.

Mr. Galaz is before the Court this morning to be sentenced. The procedure that I will follow is that I will first hear from Mr. Ellerman, Mr. Galaz's attorney. I will then here from Mr. Bowne. I'll then hear from Mr. Ellerman again if Mr. Bowne should say anything that was not anticipated during the first presentation and then I'll finally hear from Mr. Galaz.

I have read the presentence report in this case, the government's sentencing memorandum which was devoted to whether the Court should impose a two-level enhancement for obstruction of justice for Mr. Galaz's false testimony before the Copyright Arbitration Royalty Panel.

I understand that that now has been a matter that has been resolved in the sense that it's not contested that Mr. Galaz should receive such an enhancement. I've also read the defendant's memorandum in aid of sentencing. I've also read the victim impact statement of the Motion Picture

Association of America. Also, there were letters written on Mr. Galaz's behalf by friends and his wife, And I've read those.

Are you ready to proceed, Mr. Ellerman?

MR. ELLERMAN: I am, Your Honor.

THE COURT: Mr. Bowne, are you?

MR. BOWNE: Yes, Your Honor.

THE COURT: You may proceed.

MR. ELLERMAN: Good morning, Your Honor.

This is somewhat an unusual case as the Court, I'm sure, is aware where there is very little dispute between what Mr. Galaz is seeking from the Court and what the government is seeking. Most of this is set out in our papers in Mr. Galaz's sentencing memo. And, as the Court already pointed out, the government's memo has addressed pretty much exclusively to the two-point enhancement that we are not contesting.

Instead of going through each of the arguments that have already been set out in defendant's memorandum, I just want to highlight a few things for the Court. First, as is pointed out in there, Mr. Galaz has a background that but-for this experience in his life has been exemplary. He has no criminal history as the Court knows from reading his background. He was a very successful undergraduate student, a very successful law student at a top law school. He was a successful businessman. And he then did something which brought him here for which he is profoundly, profoundly regretful because he -- " "

THE COURT: He did several things, didn't he?

MR. ELLERMAN: He did several things, Your Honor, all linked to the same set of events. And, again, he's profoundly regretful for what he did. And if the Court gives him the opportunity, I believe he will express that to Your Honor.

I also want to point out to the Court that he has a very supportive family. Many of them are here on this side of the courtroom. He has his father, his wife, his sisters. Spouses and friends of his sisters are here to support him which, as the Court knows, is important in terms of whatever sentence the Court imposes, when he is to go back into society and resume his life, having a supportive family makes it so much more likely that he's going to be able to be on a path that is productive and proper. And I would ask the Court to at least take that into consideration.

Again, the requested sentence that we're seeking is what the government, I believe, is also seeking which is contained in the memorandum which is what is contained in the plea agreement and that plea agreement significantly is the result of a very early cooperation effort by Mr. Galaz. Shortly, within days of coming to my office and meeting with me and my partner Dick Janus we contacted the government at Mr. Galaz's request and started a procedure where he engaged in several lengthy proffer sessions all at his initiation where he provided them with everything he knew about this background.

Again, that was early and it was at his own initiative which is, in part, why we believe the



three-point acceptance of responsibility enhancement or just a reduction is appropriate. So, again, we would ask that the Court follow what was in the plea agreement and what is set forth in the defendant's memorandum in aid of sentencing.

Thank you.

THE COURT: Mr. Bowne?

MR. BOWNE: Thank you, Your Honor.

Your Honor, the government is very cognizant of the fact that the loss in this case is one element that the court needs to consider and it's significant, \$328,000, which the Defendant Galaz or which Mr. Galaz received as a result of his activities. But it's more widespread than that. There was also damage to the entire system of compensation for copyright owners. And that is best explained in the written presentation that was made by the United States Copyright Office which I received and forwarded to the Court. You should have received that. I don't know if you have or not. But it was acknowledged by the presentence writer, the probation officer.

THE COURT: Well, whatever he acknowledged I have.

MR. BOWNE: Okay. And it went on to explain the fact that the copyright office is now going to have to change the way it does business. It had previously relied on the trust of the claimants to only file lawful claims, claims for property that they owned and that has now all changed.

An additional element of damage that will be

incurred in the future is the collateral damage and that's the damage to the copyright holders who have in the past been able to receive their royalty payments as expeditiously as possible. Now there will be increased administrative costs and delay. The costs will be deducted from the amounts received prorata and the delay in processing those claims will be extended.

The government agrees to every representation that it made in the plea agreement. And there's just one issue for the Court's determination that remains outstanding and that is that the government agreed to three-level departure based on acceptance of responsibility and that was contingent on the defendant's continued cooperation not only with the government but with the Court and the probation officer and the presentence investigation.

During the course of the presentence investigation in the preliminary report, it appeared that there may have been some misstatements or false information provided by the defendant to the probation officer. The government provided additional documentation to challenge this and at this time I don't know ultimately how the probation officer made a determination or what the determination was, whether or not there was any attempts to deceive them in providing information.

If the probation office is satisfied that they received truthful information from Defendant Galaz as to his assets and his income stream, then the government would support the award of the three-level downward departure.

If, however, the Court finds that the defendant was not truthful in providing information to the copyright office or there was any attempt to deceive the presentence report writer, then the government would exercise its rights under the plea agreement and not recommend a downward departure. That's really for the Court's determination based on what the presentence report writer determined.

THE COURT: Well, what the presentence writer determined is in the presentence report.

MR. BOWNE: I read that and it made reference to an addendum, that certain information that the government presented would be addressed in the addendum. I don't know what the final determination was, whether or not the presentence report writer believes that the defendant had completely cooperated with them.

THE COURT: Mr. Neal was not the writer of this report.

PROBATION OFFICER: Your Honor, the final report is a record of the probation office.

MR. BOWNE: In that case, Your Honor, the government would advocate that the Court award the three-level reduction for acceptance of responsibility and that the Court find that the defendant is at a level 15 and requires or would receive an 18-month period of incarceration.

The government also asks that the Court orders full restitution in the amount of \$328,000, that the Court set an appropriate fine in the Court's discretion, that a fine is warranted in this matter and that an appropriate

fine should be determined by the Court.

THE COURT: Mr. Ellerman in his memorandum requested the Court to recommend to the Federal Bureau of Prisons that any sentence that Mr. Galaz serve be served in a halfway house. What, if any, response do you have?

MR. BOWNE: We would oppose a halfway house, Your Honor. We agreed to any institution, penal institution and a level of the least restrictive incarceration but incarceration not in a halfway house but in a facility itself.

The government, also, believes that it's in the public interest to support the request by the victims specifically the United States Copyright Office, that the defendant be precluded from being associated with any claims filed with the United States Copyright Office during any term of incarceration or period of supervised release. We think that's appropriate under the circumstances.

And, finally, the victims, the copyright office and MPAA have provided the Court with written presentations. However, if the Court should have any questions, I'm advised that both the copyright office and MPAA have representatives attending today's proceeding if the Court should have questions for them.

THE COURT: As I said, I read the letter which was extensive.

MR. BOWNE: Thank you, Your Honor.

THE COURT: Mr. Ellerman.

MR. ELLERMAN: Very briefly because, as I stated before, it appears the government and the defendant are

essentially on the same page but just to address a few points.

The Court just raised with Mr. Bowne the defendant's request that he serve his sentence in a halfway house. I just would like to reiterate, although those arguments are in my papers, in this case, although I realize it would be unusual in a level 15 sentencing given his back ground and his circumstances that he is someone who would be appropriate to serve his entire sentence in a halfway house, given that he has children to whom he has a financial obligation that he wants and intends to fulfill, given the strictly economic nature of the offense, given that most of the acts that occurred here occurred several years ago and given his contrition which is evidenced by his cooperation and his willingness to accept full responsibility for what he did, the sooner Mr. Galaz can work the sooner he can pay restitution and the sooner he can support his family and those are all important policy objectives.

The counter objective is that he serve punishment. Being in a halfway house is punishment. And I think the government's interest in seeing that there is some consequence to his actions can be served by a recommendation to the Bureau of Prisons that he serve the entire sentence in a halfway house.

There is, also, a request that Mr. Bowne just made in terms of having the Court involved in Mr. Galaz's activities after he serves whatever sentence the Court imposes. Presumably that would be some restrictions on his

involvement in the copyright business during some period of supervisory release. I would ask the Court, given again that the sooner he works, the sooner he can pay restitution, that there must be some allowance for Mr. Galaz to earn a living.

It is clear that he will not be practicing law any time in the near future. He has an expertise in this area. Mr. Galaz fully appreciates that the Court is concerned about the possibility that if he's allowed to do -- to have some involvement in that business that these issues that have happened before could happen again.

And Mr. Galaz can appreciate if the Court would want to impose some restrictions on that ability. What Mr. Galaz requests is that it not be a complete restriction. If the Court is inclined to impose some restrictions, that it do it in such a way that he can still use his expertise in a way that doesn't put any risk to the public but at the same time allows him to earn a living.

And there are several different ways that he can do that. For instance, he can act as a consultant to a different business. He would not be the person interfacing with clients or seeking clients but he could be a consultant to various businesses that are in the copyright office. Again, the point is that he not be completely precluded from working in that business.

Mr. Galaz's request as to a fine which is that the Court not impose one or impose one at the low end of the guidelines is in defendant's memorandum and the reasons for that are obvious. His financial picture is not good.

It's not going to get better. And he fully intends on making restitution but at some point he can only do so much particularly if there are restrictions on his ability to work when he finishes whatever sentence the Court imposes on him.

Thank you.

If I may, Your Honor, one other -- at the end there is a request for self-surrender. I don't believe the government addressed that. But, again, Mr. Galaz would ask that the Court allow him to self-surrender to the Bureau of Prisons. Given that he has two children, two small children, he would ask that that date be set sometime after Christmas of this year. Perhaps January 1st would be an appropriate date so he can at least spend the Christmas holidays with his children before serving a sentence.

Thank you.

THE COURT: Mr. Galaz.

THE DEFENDANT: I've had a lot of time to think about this. My first contact with Mr. Bowne occurred September of or July of last year. And in some respects it has been good for me from the standpoint that it has been -- it has given me time to reflect upon what I've done and I guess really focus on my life's priorities. But it has been bad at the same time because it's something you just want to get over with.

I am profoundly sorry for everything that I've done and, like I said, a lot of good and bad have come of it. It has actually helped me with my family." " And I don't think I really could have or I could have -- I should have

foreseen the pain that has resulted and not so much to me but to my family. And I'm not being terribly articulate.

I guess if I had anything to say it's just that I am sincerely regretful for everything I've done. And I apologize to -- it's too many to apologize to particularly my family. It's just the hardest thing in the world to try to explain it to them and to try to keep it from my kids who will learn about it when they get older. But for the time being I don't want them to know. And it's becoming increasingly difficult because the publication surrounded some of my activities. I'm just hoping that it doesn't get back to a parent of one of their friends.

That's all I have to say. Thank you, Your Honor.

**THE COURT:** It's not unusual that this Court is in the position of rendering a sentence that does not fully serve any one's interests. So be it. That is how the sentencing regime works.

Mr. Galaz, I don't know -- there are two separate pictures painted of you. One is of a person who made one bad mistake. Mr. Ellerman I think was correct and pointed out that the several things that you did, the several criminal acts you did originated from one scheme. But to be sure there were several things over an extended period of time including lying before the Copyright Arbitration Review Panel and this from a person who unlike most of the people who come before me has had the best of everything.

And I, as I indicated, I read your wife's letter, a very, very, very articulate letter explaining something about your background and how you weren't born with a



silver spoon in your mouth, I have no reason to doubt anything that's said. But I can't -- it's simple beyond dispute that the people who come before me and, indeed, the people who just travel this earth you are a favored person. And to use your privilege the way you did is just awful and harmful, harmful in a way that no sentence is going to be able to really compensate for.

The Court will not impose restitution in any amount other than that agreed upon. The Court has considered the MPAA's letter and statement of loss. To attempt to fully compensate those injuries or loss is beyond the scope of this proceeding and the Court simply will not do that. The Court, again, though understands that there is a lot of loss here that Mr. Bowie talks about -- the damage to the system. That simple can't be repaired, period.

This is the sentence of the Court which, of course, pursuant to the Sentencing Reform Act of 1984. It is hereby ordered that Raul Galaz be committed to the custody of the Bureau of Prisons to be imprisoned for a term of 18 months. The Court will not recommend that the sentence be served in a halfway house.

It is ordered that the defendant make restitution in the amount of of America to the attention of Marsha E. Kessler, vice president.

It is also ordered that the defendant pay a fine in the amount of \$4,000. Payment of the fine should be submitted at not less than \$500 per month. " "

It is further ordered that the defendant pay a

special assessment of \$100. The special assessment is due immediately and shall be paid to the Clerk of the Court.

Within thirty days of any change of address, mailing or residence, the defendant shall notify the Clerk of the Court for the U.S. District Court of the change until such time as the financial obligation is paid in full.

Upon release from imprisonment the defendant shall be placed on supervised release for a term of three years. Within 72 hours of release from the custody of the Bureau of Prisons he shall report to the United States Probation Office in the district to which he is released.

Mr. Galaz shall abide by the general conditions of supervision adopted by the U.S. Probation Office. In addition Mr. Galaz shall comply with the following special conditions.

He shall provide the probation office with access to any requested financial information. Any financial information requested by the United States Probation Office shall be honored. Mr. Galaz shall not incur any new credit charges or open any additional lines of credit without the approval of the United States Probation Office.

Mr. Galaz shall file no further claims with the U.S. Copyright Office unless he presents written authorization from the company verifying his representation.

The requirement of periodic drug testing is waived. The Court recommends that Mr. Galaz be imprisoned in the Southern District of Texas.

That is correct, is it not, Mr. Ellerman?

MR. ELLERMAN: The western.

THE COURT: To the Western District of Texas.

Mr. Galaz will be permitted to self report at such time as he is ordered to do so by the United States Probation Office.

Mr. Galaz, you have ten days in which to note an appeal.

Mr. Bowne, anything further?

MR. BOWNE: No, Your Honor.

THE COURT: Mr. Ellerman?

MR. ELLERMAN: No, Your Honor.

THE COURT: Good day.

(Whereupon, at 11:42 a.m., the sentencing in the above-entitled matter concluded.)

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CERTIFICATE OF COURT REPORTER

I hereby certify that the foregoing is a correct transcript in the proceedings in the above-entitled matter.

DOLORES A. BYERS, CSR, RPR

OFFICIAL COURT REPORTER

**EXHIBIT C**



U.S. Department of Justice  
Federal Bureau of Prisons  
*Federal Correctional Institution*

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P.O. Box 4000  
Three Rivers, Texas 78071

September 28, 2004

Texas Real Estate Commission  
Post Office Box 12188  
Austin, TX 78711-2188

Re: Raul Galaz - Real Estate License Application

Dear Commission Members:

I have been asked by Mr. Galaz to provide a summary of his progress while incarcerated at this facility for your review as part of his application for a real estate license. Mr. Galaz indicated that in cases of persons convicted of a crime, the Commission can consider factors such as the person's rehabilitative efforts while incarcerated and recommendations from law enforcement authorities.

Mr. Galaz was incarcerated at the Federal Correctional Institution in Three Rivers, Texas, from February 10, 2003 through April 14, 2004, at which time he was transferred to a halfway house in San Antonio prior to release. He successfully completed that program, and was released from Bureau of Prisons' custody via a good conduct time release on May 28, 2004.

During his incarceration, Mr. Galaz was assigned to the minimum security satellite camp. He maintained clear conduct throughout his time here, participated in recommended programs, and consistently received outstanding work reports on several different assignments. He voluntarily assisted his Unit Counselor in processing inmate work detail payrolls, and maintained an excellent relationship with staff and other inmates.

Mr. Galaz was careful to always abide by the rules, which is notable when his background as an attorney is considered. His background and experience gave him the capability to become a "jailhouse lawyer", but Mr. Galaz demonstrated respect for authority at all times by his behavior and demeanor. While at this facility, he fit the public's perception of the "model prisoner", working to rehabilitate himself and develop skills in new areas to prepare for release.

Mr. Galaz' efforts were noted by staff, as evidenced by their recommendation to send him to a halfway house prior to release.

Additionally, I selected him to participate in a community service project helping to build a new Boys and Girls Club facility in Three Rivers. Only inmates with outstanding records of adjustment who can be trusted to act appropriately in the community and represent the Bureau of Prisons well are selected for these outside projects. In my judgement, Mr. Galaz is such an individual. If granted the opportunity to become a real estate agent, I believe he will also represent that industry well.

In conclusion, I must advise I rarely write letters of recommendation for former inmates. I thought it was warranted in this case to show our appreciation to Mr. Galaz for his volunteer work while at our facility and to assist him in continuing his efforts to successfully re-establish himself in the community. Thank you for your consideration in his case.

Sincerely,

Michael Ginster  
Camp Administrator

**CERTIFICATE OF SERVICE**

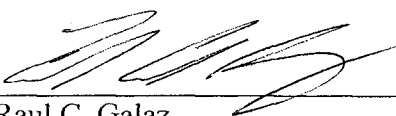
I hereby certify that on the 8th day of November, 2005 a true and correct copy of *Defendant's Motion for Clarification on Ruling or, Alternatively, Modification of Judgment* was served upon the following persons:

**VIA U.S. MAIL to the following:**

William Bowne III  
Trial Attorney  
U.S. Department of Justice  
1400 New York Ave., N.W., Rm. 4114  
Washington, D.C. 20005  
(202) 514-7023

Brian D. Shaffer  
Sr. Probation Officer  
U.S. Probation Office,  
District of Columbia  
2800 E. Barrett Prettyman  
333 Constitution Ave., N.W.  
Washington, D.C. 20001  
(202) 565-1338

Mark Hewett  
U.S. Probation Office,  
Western District of Texas  
727 E. Durango Blvd., Ste. 310  
San Antonio, TX 78206-1200  
(210) 472-6590

  
\_\_\_\_\_  
Raul C. Galaz

**CABLE CLAIM - - COPYRIGHT ARBITRATION ROYALTY PANEL**

Artist Collections Group, a California limited liability company, d/b/a Worldwide Subsidy Group does hereby file, on behalf of itself and all other parties listed on the attached Exhibit A, a claim to compulsory license fees pursuant to 17 U.S.C. Section 111(d)(4)(A) and 37 C.F.R. Section 252.3 for secondary transmissions by cable systems during the period January 1, 2000 through December 31, 2000. All parties in whose names the claim herein is filed have duly authorized the above party to make this filing on their behalf. In compliance with 37 C.F.R. Section 252.3, said claimant hereby furnishes the following information:

- 1 The full legal name of the persons or entities claiming compulsory license fees is.  
See attached Exhibit A.
- 2 The full address of the place of the claimants place of business, including phone/fax number is:  
9903 Santa Monica Blvd., #655, Beverly Hills, California 90212, (310) 446-1768 (phone), (310) 446-9978 (fax)
3. The nature of the copyrighted works whose secondary transmissions provide the basis of the claim is: TELEVISION PROGRAMS AND/OR WORKS INCLUDED IN SUCH PROGRAMMING OR TRANSMISSION
4. On the basis of information and belief, our copyrighted programs (i) "Young America Outdoors", (ii) "Pokemon", (iii) "Creslo A. Dollar", (iv) "All News Channel" were the subject of primary transmissions by television stations (i) WGN, Chicago, (ii) KTLA, Los Angeles, (iii) KTLA, Los Angeles, (iv) KMOV, St. Louis on (i) May 13, 2000, (ii) July 24, 2000, (iii) July 16, 2000, (iv) June 10, 2000, and were retransmitted on a distant signal basis on those dates by cable systems known as (i) Allen's Cable TV Service Inc., (ii) NPG Cable Inc., (iii) NPG Cable Inc., (iv) Fidelity Cable which serve (i) Morgan City, LA, (ii) Mammoth Lakes, CA, (iii) Mammoth Lakes, CA, (iv) Rolla, MO. The claimants of the foregoing programs are (i) Grandolph Juravic Entertainment, LLC, (ii) Shogakukan Production Company, Ltd., (iii) Creslo A. Dollar Ministries, and (iv) Conus Communications.

If there are any questions concerning this claim, please contact the undersigned. All correspondence should be sent to Worldwide Subsidy Group, 9903 Santa Monica Blvd., #655, Beverly Hills, California 90212. (310) 446-1768 (phone), (310) 446-9978 (fax).

Artist Collections Group LLC d/b/a Worldwide Subsidy Group  
9903 Santa Monica Blvd., #655  
Beverly Hills, California 90212

By (signature) 

Typed/Printed Name: Marian Oshita

Title: Vice-President

Date: July 31, 2001



Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
1st Mirade Pictures	3439 West Cahuenga Blvd.	Hollywood, CA 90068	Simon Bibiyan	323-874-6000	323-874-4252
3DD Entertainment	190 Camden High Street	London NW1 8QP	Julie King	44-207-428-1800	44-207-428-1818
A&E Television Network	235 E. 45th	New York, NY 10017	Phyllis Lares	212-210-1370	212-210-1308
Abrams Gentle Entertainment	244 W 54th St., 9th Floor	New York, NY 10019	John Gentile	212-757-0700	212-765-1987
Academy of Television Arts and Sciences	5220 Lankershim Blvd.	North Hollywood, CA	Herb Jellinek	818-754-2800	818-769-9034
Advantage Media Group	4298 Bright Bay Way	Ellicott City, MD 21042	Michael P. DuMonceau	410-465-0532	410-992-8063
Alain Siritsky Productions	[see South Hope Street Productions]				
American Film Institute (AFI)	2021 North Western Ave	Los Angeles, CA 90027	Bruce Neiner	323-856-7725	323-462-7683
American Film Investment Corporation dba Golden Films	2400 Sand Hill Road, Ste. 201	Menlo Park, CA 94025	Diane Eskanazi	650-854-5777	650-854-1578
Anheuser-Busch Companies, Inc	One Busch Place	St. Louis, MO 63118	Debbie Norman	314-577-7088	314-577-3835
Ardent Productions	The Old Stables, Bagshot Park	Bagshot, Surrey Gu19 5PJ	Malcolm Eldridge	44-1276-700-800	44-1276-700-801
Artist Collections Group LLC dba Worldwide Subsidy Group	9903 Santa Monica Blvd., #655	Beverly Hills, CA 90212	Raul Galaz	210-490-1418	210-490-9779
AVA Productions B.V.	J. Muyskenweg, 22	NL-1096 CJ Amsterdam	Willy Lindwer	31-20-568-9999	31-20-568-9995
Aviva International LLC	850 Old Country Road, 2nd Floor	Belmont, CA 94002	Michael Lopez	650-631-3601	650-631-3616
BBC Worldwide	747 3rd Avenue, 6th Floor	New York, NY 10017	Matthew Miller	212-705-9300	212-888-0576
BBL Distribution	7800 Beverly Blvd., Ste. 337	Los Angeles, CA 90212	Ron Weaver	323-575-4504	323-575-3820
Beacon Communications Corp.	1041 N. Formosa Ave., Santa Monica Bldg., Ste. 207	Los Angeles, CA 90046	Tom Bliss	310-260-7000	310-260-7050
Bell-Phillip Television Productions, Inc.	7800 Beverly Blvd., Ste. 337	Los Angeles, CA 90212	Ron Weaver	323-575-4504	323-575-3820

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Benny Hinn Ministeries	P.O. Box 16847	Irving, TX 75016	Carolyn Robinson	972-629-2222	972-677-1239
Beyond International Ltd	53-55 Brisbane Street	Surrey Hills NSW 2010, Australia	Fiona Crago	61-2-9281-1266	61-2-9281-1261
Big Events Company	CSI House, 177-187 Arthur Road	London SW198AE UK	Alex Fraiser	44-20-8946-0056	44-20-8944-5710
BKS Entertainment	250 West 54th St., Ste. 807	New York, NY 10019	Robert Silberberg	212-765-5555	212-765-8840
C/F International, Inc.	Box 4, 2550 Willow Lane	Thousand Oaks, CA 91361	Scott Bolton	805-446-6505	805-446-6501
Cappy Productions	118 East 57th Street	New York, NY 10022	Nancy Baffa	212-249-1800	212-439-9165
Cascade	Cowcaddens	Glasgow G2 3PR	Adrian Howells	44-141-300-3000	44-141-300-3256
Cascade Films Pty Ltd	c/o Roth Warren, Solicitors, Level 5, 121 Flinders Lane	Melbourne VIC 3000, Australia	Bryce Menzies	61-3-9650-5888	61-3-9650-9440
Central City Productions	223 W. Erie, Ste. 7NW	Chicago, IL 60610	Jennifer Jackson	312-664-5900	312-664-5894
Chesler/Perlmutter Productions	129 Yorkville Ave., Suite 200	Toronto, Ont. M5R 1C4	David Perlmutter	416-927-0016	416-960-8447
Chonon Intellectual Properties Ltd.	Vernon House, 40 Shaftesbury Avenue	London, W1V7DD, U.K.	Jeremy Banks	44-207-434-1880	44-207-434-1882
CLT-Ufa S.A.	45 Boulevard Pierre Frieden	L-1543 Luxembourg	George Meintz	352-421-423-945	352-421-423-998
Community Television Foundation of South Florida, Inc.	14901 NE 20th Avenue	Miami, FL 33181	Linda O'Bryon	305-949-8321	305-949-9772
Conus Communications	3415 University Avenue	St. Paul/Minneapolis, MN 55414	Terry O'Reilly	651-642-4645	651-642-4680
Corday Productions	c/o Goldman & Kagan, 1801 Century Park East, #2222	Los Angeles, CA 90067	Bary Felsen, Esq.	310-552-1707	310-552-7938
Cosgrove-Meurer Productions	4303 W. Verdugo	Burbank, CA 91505	John Cosgrove	818-843-5600	818-843-8585
Creative Children's Group Ltd.	[see Litton Syndications]				
Cresto A. Dollar Ministeries	c/o Brewer, et al., 1159 Cottonwood Lane, Ste. 150	Irving, TX 75038	David Joe, Esq.	972-870-9898	972-870-9053

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Cromwell Productions	Suite 11, Central Chambers, Cooks Alley	Stratford-Upon-Avon, CV37 6QN	Steve Gilham	44-1789-415-210	44-1789-415210
Daniel Hernandez Productions	397 Bay Shore Avenue	Long Beach, CA 90803	Daniel Hernandez	562-439-6901	562-856-8941
David Finch Distribution Ltd fka David Finch Associates	P O. Box 264, Walton-on- Thames	Surrey KT12 3YR England	David Finch	44-1932-882733	44-1932-882108
Decode Entertainment, Inc.	512 King Street East, Ste 104	Toronto, Ontario Canada M5A 1M1	Neil Court	416-363-8034	416-363-8919
Distraction Formats	35, rue Washington	75008 Paris FRANCE	Grant Ross	33-142-89-1450	33-142-89-1840
DreamWorks SKG	100 Universal Plaza, Bldg. 10	Universal City, CA 91608	Julie Jenkins	818-733-6803	818-733-6377
Eagle Mountain Int'l Church (Kenneth Copeland Ministries)	c/o Brewer, 1159 Cottonwood Lane, Ste. 150	Irving, TX 75038	David Joe, Esq.	972-870-9898	972-870-9053
Eagle Rock Entertainment	22 Armoury Way	Wandsworth, London U.K SW18 1EZ	Geoff Kempin	44-208-870-5670	44-208-874-2333
EM.TV & Merchandising AG	Belastrasse 11	D-85774 Unterföhring, Germany	Dr. Matthias Schultze	49-89-99-500-625	49-89-99-500-616
Eroki Films USA, Inc.	16501 Ventura Blvd. Ste 606	Encino, CA 91436	Ricki Ames	818-907-6503	818-907-6506
Entertainment Rights PLC fka SKD Media (Sleepy Kid Co.)	31 St Petersburg Place	London W2 4LA	Rob Dargue	44-20-7243-4499	44-20-7243-4778
ESPN	605 Third Ave., 11th Floor	NY, NY 10158-0180	Ben Nichols	212-916-9200	212-916-9325
Fédération Internationale de Football Association	FIFA House, 11 Hiltzigug, 8030	Zurich, Switzerland	Roger Finer	41-1-384-9595	41-1-384-9696
Filmline International 1999 Inc.	410 St-Nicolas Street, Suite 10	Montreal Qc Canada H2Y 2P5	Rénee Hebert	514-288-5888	514-288-8083
Films By Jove	11325 Sunshine Terrace	Studio City, CA 91604	Joan Borsten	818-506-2490	818-752-0387
Fintage House Publishing and Collection	Schipholweg 79	2316 ZL Leiden, Netherlands	Ernst Bakker	31-71-565-9996	31-71-565-9990
Five Star Productions aka 5 Star Productions	430 S. Congress Avenue	Delray Beach, FL 33445	Steve Lampel	561-279-7827	561-279-4808
Flesh and Blood Inc.	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada	Heleen Asimakis	416-586-9991	416-586-9992

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Flying Tomato Films	11755 Victory Blvd., Ste. 103	North Hollywood, CA 91606	Tony Nassour	818-752-1939	818-752-2161
France Animation	14, Rue Alexander Parodi	75010 Paris	Katherine Lebailly	33-1-53-35-90-92	33-1-53-35-9091
Freewheelin' Films, Ltd.	Box 599	Aspen, CO 81612	Rodney Jacobs	970-925-2640	970-925-9369
Funimation	6851 N.E. Loop 820, Ste. 247	Ft. Worth, TX 76180	Daniel Cocanougher	817-788-0627	817-788-0628
Gabriel Communications	c/o Serling Rooks & Ferrara LLP	254 West 54th, 14th Floor	Wayne Rooks, Esq	212-245-7300	212-586-5175
Golden Films Finance Corporation dba Golden Films	2400 Sand Hill Road, Ste. 201	Menlo Park, CA 94025	Diane Eskanazi	650-854-5777	650-854-1578
Gorky Studios	[see Magus]				
Grandolph Juravic Entertainment, LLC	R F D. 1680 Bordeaux	Long Grove, IL 60047	Gary Grandolph	847-537-4007	847-537-4222
Greenlight International B.V.	Amperestraat 10	1221 GJ Hilversum, The Netherlands	Rick van den Heuvel	31-35-642-0677	31-35-642-0668
Grupo Televisa, S.A.	[see Televisa, S.A. de C.V.]				
GTSP Records	c/o Steve Callas Assoc., 12424 Wilshire Blvd., Ste. 1150	Los Angeles, CA 90025	Steve Callas	310-826-1164	310-826-7986
Holden Productions	3800 Commerce St., #209	Dallas, TX 75226	Mickey Holden	214-370-3957	214-370-3957
Home Enterprises	3411 Silverside Road	Wilmington, DE 19810	Bob Nightengale	800-572-5260	302-479-7977
Human Voices Pty Ltd.	Level 1, 111 Nott Street	Port Melbourne VIC 3207, Australia	David Redman	61-3-9645-4811	61-3-9646-1588
Image Entertainment, Inc.	9933 Oso Avenue	Chatsworth, CA 91311	Shannon Van Dorn	818-407-9100	818-407-9331
Integrity Global Marketing	4735 Belpar St. N.W.	Canton, OH 44718	Kristan Markopoulos	303-479-2891	303-479-2893
Jay Ward Productions	8200 Sunset Blvd.	Los Angeles, CA 90046	Tiffany Ward	323-650-2941	323-650-2940
JCS Entertainment II	4676 Admiralty Way, Ste. 300	Marina Del Rey, CA 90292	J.C Shardo	310-448-2977	310-821-0073

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Kid Friendly Productions	2550 Cattleman Way	Paso Robles, CA 93446	Jeff Hoops	805-227-0590	805-227-0591
Knight Scenes Incorporated	1333 H St. NW, West Tower, 10th Floor	Washington, D.C. 20005	Graham Knight	202-289-2201	202-289-2765
Lacey Entertainment	1414 Avenue of the Americas, 3rd Floor	New York, NY 10019	Brian Lacey	212-754-5482	212-754-5481
LaFonda Partners	4401 Albert Circle	Lake Oswego, OR 97035	Julie Lafond	503-639-8780	503-639-9281
Libra Films	[see Magus Entertainment]				
Lifetime Television	309 W. 49th St.	New York, NY 10019	Lucy Burkes	212-424-7166	212-957-4447
Link Television Entertainment	10339 Whipple Street	Toluca Lake, CA 91602	Jo Kavanagh- Payne	818-508-9300	818-508-0800
Lipscomb Entertainment	P.O. Box 291598	Los Angeles, CA 90029	Steve Lipscomb	323-953-8842	323-860-8615
Litton Syndications	2213 Middle St., 2nd Floor	Sullivan's Island, SC 29482	Pete Sniderman	843-883-5060	843-883-9957
Magus Entertainment	Imperestraat 10, 1221 GJ Hilversum	The Netherlands	Rick van den Heuvel	31-35-642-0677	31-35-642-0668
Mainframe Entertainment	710-1045 Howe St.	Vancouver, BC Canada V6Z 2A9	Helen Chapman	604-714-2600	604-714-2641
Mark Anthony Entertainment	1375 Broadway, 21st Floor	New York, NY 10018	Tony Insteliano	212-271-2359	212-937-0406
Mega Entertainment International	150 West 25th Street, # 503	New York, NY 10001	Mor Sommer	212-242-0088	212-242-0808
Minotaur International Ltd.	160 Great Portland St.	London W1N 5TB	Nigel Gibbons	44-20-7299-5000	44-20-7299-5777
Mom U.S.A. Inc.	[see Litton Syndications]				
Muggers Films	First Floor, 111 Nott Street	Port Melbourne VIC 3207, Australia		613-9646-0955	613-9646-1588
Music & Media International	8756 Holloway Dr.	West Hollywood, CA 90069	Billy Meshel	310-360-7777	310-380-7778
Myriad Pictures	421 South Beverly Drive, 5th Floor	Beverly Hills, CA 90212, USA	Kaytie Dinh	310-789-4500	310-789-4545

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Nabisco, Inc.	c/o Cokin Communications, 75 Washington Blvd.	Stamford, CT 06901	Jeff Cokin	203-977-0550	203-977-0555
National Academy of Television Arts and Sciences	111 W. 57th Street	New York, NY 10019	John Cannon	212-586-8424	212-246-8129
New Dominion Pictures LLC	1000 Film Way	Suffok, VA 23434	Kristen Eppley	757-923-1300	757-923-1340
New Visions Syndication, Inc.	P O. Box 599	Aspen, CO 81611	Rodney Jacobs	970-925-2640	970-952-9369
NuHart Hair Clinics, Inc	Seven Parkway Center, 875 Greentree Road, Ste. 240	Pittsburg, PA 15220	Micaela Mendez	412-928-4607	412-928-4620
NuHart Hair Solutions, Inc	1414 Avenue of the Americas, Ste. 403	New York, NY 10019	Micaela Mendez	212-917-9260	212-371-6124
NVC Arts	The Forum, 74-80 Camden St.	London NW1 0EG, UK	Seamus Keys	44-20-7388-3833	44-20-7383-7174
O. Allas Enterprise, Inc. aka Allas Enterprises	8383 Washire Blvd., Ste. 339	Los Angeles, CA 90211	Barbara Allas	323-782-3525	323-782-3530
Over the Edge-TV	401 Morris Avenue, Studio 1	Springfield, NJ 07081	Harry O	973-379-6805	973-379-6807
Passport International Productions	10520 Magnolia Blvd.	North Hollywood, CA 91601	Ettore Bolla	818-760-1500	818-760-1532
Planet Pictures	4764 Park Granada, Suite 208	Calabasas, CA 91302	Jenny Hayden	818-222-9000	818-222-4370
Promark Television Inc.	323 S Doheny Dr., #301	Los Angeles, CA 90048	David Levine	310-276-3020	310-276-3840
Quartet International	20 Bullemut Dr.	Pearl River, NY 10965	Harvey Chertok	914-735-8700	914-735-8999
Raycom Sports	2315 Coliseum Center Drive, Ste. 200	Charlotte, NC 28217	Collin Smith	704-378-4487	704-378-4461
Reel Media International	4516 Lovers Lane, Suite 178	Dallas, TX 75225	Tom T. Moore	214-521-3301	214-522-3448
Richard Gabai	c/o Check Entertainment, 5633 Noble Avenue	Van Nuys, CA 91411, U.S.A.	Jessica Gabai	818-997-9669	818-997-9668
Sandra Carter Productions	230 W. 79th St., #102	New York, NY 10024	Sandra Carter	212-246-4765	212-246-4953
Sarrazin Couture Entertainment	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada	Helen Asimakis	416-586-9991	416-586-9992

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Scholastic Productions, Inc.	524 Broadway, 5th Floor	New York, NY	Andrea Sporer	212-343-7547	212-343-6100
Scott Free Productions	9348 Civic Center Dr., Mezz Flr.	Beverly Hills, CA 90210	Edith Myers	310-360-2250	310-888-4111
Shogakukan Production Co. Ltd.	Shinko-Building, Shinkan, 2-12 Kanda Ogawamachi	Chiyoda-ku, Tokyo 101- 8415, Japan	Akiko Kotake, AK Company Ltd.	81-3-3404-7671	81-3-3404-7274
Showtime Television	10880 Wilshire Blvd., Suite 1600	Los Angeles, CA 90024	Gary Hango	310-234-5200	310-234-5399
Sky Visual	133 Dowling Street	Woolloomooloo NSW 2011, Australia	Tina Dalton- Hagege	61-2-9331-0877	61-2-9357-4126
South Hope Street Music (aka Click Productions)	6399 Wilshire Boulevard, Ste 1007	Los Angeles, California 90048	Kelly Cutts	323-655-6845	323-655-6849
Sportsworld	6 Henrietta Street, Covent Garden	London WC2E 8PS UK	Richard Kaye	44-207-240-9626	44-207-240-9636
St. Jude Children's Hospital	501 St. Jude's Place	Memphis, TN 38105	Dutch Van Duzee	901-524-0306	901-523-6610
Storm Entertainment Inc.	225 Santa Monica Boulevard, Suite 601	Santa Monica, CA 90401	Susan K Nickels	310-656-2500	310-656-2510
Streamline Pictures	8624 Wilshire Blvd.	Beverly Hills, CA 90211	Carl Macek	310-659-7690	310-273-6076
Taurus 7 Film Corp.	600 Peel, Suite 245	Montreal, Quebec H3C 2H1, Canada	Stephanie Michaud	514-939-6331	514-939-6331
Team Communications Group aka Team Entertainment Group	11818 Wilshire Blvd., 2nd Floor	Los Angeles, CA 90025	Eric Elias	310-442-3500	310-442-3501
TearDrop Golf	8350 N. Le High	Morton Grove, IL 60053	Joe Cioni	847-966-6300	847-966-1355
Televisi3n, S.A. de C.V.	Ave. Vasco de Quiroga No 2000, Edif. "A"	Col. Zedec Santa Fe, 01210, Mexico City	Patricio Velarde	786-265-4840	786-265-2267
Televisa Internacional, S.A.	6355 Northwest 38th Street	Miami, Florida 33166	Patricio Velarde	786-265-4840	786-265-2267
Televisa, S.A. de C.V.	Ave. Vasco de Quiroga No. 2000, Edif. "A"	Col. Zedec Santa Fe, 01210, Mexico City	Patricio Velarde	786-265-4840	786-265-2267
Tepuy International	2745 Ponce de Leon Blvd.	Coral Gables, FL 33134	Ignacio Barrera	305-774-0033	305-774-0331
TF1 International/CiBy D.A.	305 Avenue Le Jour Se Leve	9265 Boulogne, Cedex, France	Daniel Preljocaj	33-1-41-41-2209	33-1-41-41-4234

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
The City Productions Inc.	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada	Helen Asimakis	416-586-9991	416-586-9992
Thomas Horton Associates	408 Bryant Circle, Suite K	Ojai, CA 93023	Jean Horton Game	805-646-7866	805-645-3600
Tide Entertainment	1120 Gator Trail	Palm Beach, FL 33409	Jason Ealon	800-793-3945	561-683-0444
Timberwolf Productions	8051 State Highway 34	Marble Hill, MO 63764	Buck McNeely	573-204-1900	573-204-1999
Today's Homeowner	1480 Cody Road South	Mobile, AL 36695	Danny Lipford	334-633-4420	334-633-2043
Tremendous Entertainment	17113 Minnetoka Blvd	Minnetonka, MN 55345	Germaine Deagan	952-258-0220	952-258-0155
TV Guide	2121 Ave of Americas, 4th Floor	New York, NY 10036	Alex Tarter	610-293-8907	610-293-6200
TV Matters	De Ruyterkade 142	1011 AC Amsterdam, Netherlands	J.W. Bosman Jansen	31-20-627-2126	31-20-620-7939
TVD Productions	38 Fernwood	Montgomery, IL 60538	Tim Hay	630-896-2850	630-717-7574
TV-Loonland AG	Münchener Str. 16, 85774 Unterföhring	München, Germany	Konstantin Von Reden-Lütcken	49-89-205-08-117	49-89-205-08-199
The Television Syndication Company, Inc.	501 Sabal Lake Drive, Ste. 105	Longwood, FL 32779	Cassie Yde	407-788-6407	407-788-4397
United Negro College Fund	8260 Willow Oaks Corporate Drive	Fairfax, VA 22031	Sydney Avent	703-205-3442	703-205-3578
United States Olympic Committee	One Olympic Plaza	Colorado Springs, CO 80909	Greg Downey	719-578-4971	719-575-4020
Video Tours Inc.	15 New Britain Avenue	Unionville, CT 06085	Susanne LaFrance	860-675-0828	860-675-9716
Videocine, S.A. de C.V.	Ave. Vasco de Quiroga No. 2000, Edif. "A"	Col. Zedec Santa Fe, 01210, Mexico City	Patricio Velarde	786-265-4840	786-265-2267
Vivavision Inc. Ita Productions JBM Inc.	1973 Falardeau	Montreal (Quebec) H2K 2L9 Canada	Jean-Patrick Lebeux	514-527-9000	514-527-9625
Wai Lana Yoga	P.O. Box 6146	Malibu, CA 90264	Sunil Khemani	805-986-3557	805-986-5447
Watercourse Road Productions LLC	100 N. Hope Ave., Ste 18	Santa Barbara, CA 93110	Tom Moyer	805-962-6688	805-962-8423



Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Wave Entertainment	26 Punch Street	Artamon, NSW 2064, Australia	Matthew Gee	61-2-9966-8839	61-2-9966-8841
West 175 Enterprises, Inc.	2203 Airport Way Street, Ste. 801	Seattle, WA 98134	Marla Poland	206-233-0750	206-233-0753
Wild Heart Productions	133 Dowling Street	Woolloomooloo NSW 2011, Australia	Tina Dalton-Hagege	61-2-9331-0877	61-2-9357-4126
Wild Visuals	133 Dowling Street	Woolloomooloo NSW 2011, Australia	Tina Dalton-Hagege	61-2-9331-0877	61-2-9357-4126
Winchester Entertainment PLC	29/30 Kingly Street	London W1R 5LB	Chris Craib	44-207 851 6500	44-207 851 6505
Worldwide Pants, Inc.	1697 Broadway	New York, NY 10019	Amy Rubin	212-975-5546	212-975-6225
Yoram Gross	62-68 Church Street	Camperdown NSW 2050, Australia	Kelly O'Meara	61-2-9519-1366	61-2-9519-1258

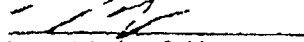
**CABLE CLAIM -- COPYRIGHT ARBITRATION ROYALTY PANEL**

**Worldwide Subsidy Group, a Texas limited liability company, d/b/a Independent Producers Group, does hereby file, on behalf of itself and all other parties listed on the attached Exhibit A, a claim to compulsory license fees pursuant to 17 U.S.C. Section 111(d)(4)(A) and 37 C.F.R. Section 252.3 for secondary transmissions by cable systems during the period January 1, 2000 through December 31, 2000. All parties in whose names the claim herein is filed have duly authorized the above party to make this filing on their behalf. In compliance with 37 C.F.R. Section 252.3, said claimant hereby furnishes the following information:**

1. The full legal name of the persons or entities claiming compulsory license fees is.  
**See attached Exhibit A.**
2. The full address of the place of the claimants place of business, including phone/fax number is:  
**19275 Stone Oak Parkway, #711, San Antonio, Texas 78258, (210) 490-9887 (phone), (210) 490-9779 (fax)**
3. The nature of the copyrighted works whose secondary transmissions provide the basis of the claim is: **TELEVISION PROGRAMS AND/OR WORKS INCLUDED IN SUCH PROGRAMMING OR TRANSMISSION**
4. On the basis of information and belief, our copyrighted programs (i) "Singsation", (ii) "Fishing University", (iii) "Bloomberg Money", (iv) "Home Again with Bob Vila" were the subject of primary transmissions by television stations (i) WGN, Chicago, (ii) WGN, Chicago, (iii) KRON, San Francisco, (iv) WBZ, Boston on (i) June 18, 2000, (ii) February 5, 2000, (iii) April 7, 2000, (iv) July 23, 2000, and were retransmitted on a distant signal basis on those dates by cable systems known as (i) Allen's Cable TV Service Inc., (ii) Allen's Cable TV Service Inc., (iii) Charter Communications L.P., (iv) Frontier Vision Operating LP which serves (i) Morgan City, LA, (ii) Morgan City, LA, (iii) Gilroy, CA, (iv) Lincoln, NH. The claimants of the foregoing programs are (i) Willie Wilson Productions, Inc., (ii) Fishing University LLC, (iii) Bloomberg L.P./Bloomberg Television, and (iv) BVTV, Inc.

If there are any questions concerning this claim, please contact the undersigned. All correspondence should be sent to Independent Producers Group, 19275 Stone Oak Parkway, #711, San Antonio, Texas 78258, (210) 490-9887 (phone), (210) 490-9779 (fax)

**Worldwide Subsidy Group LLC d/b/a Independent Producers Group  
19275 Stone Oak Parkway, #711  
San Antonio, Texas 78258**

By (signature):   
Typed/Printed Name: Marian Oshita  
Title: Vice-President

Date: July 31, 2001

## Worldwide Subsidy Group d/b/a Independent Producers Group

Exhibit A

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Adler Media Inc.	6849 Old Dominion Dr., Ste. 360	McLean, VA 22101	Larry Adler	703-556-8880	703-556-9289
America's Black Forum, Inc.	1710 Connecticut Ave. NW	Washington, D.C. 20009	Byron Lewis	202-833-3915	202-833-9065
Amity Film & Video Productions Ltd.	30 High Street, First Floor	Godalming, Surrey GU7 1DZ, U.K.	Colin Wood	44-148-352-7277	44-148-342-1491
Atlantic Film Corporation	Celtic House, Amberly Place	Windsor, Berks SL4 1TN	Jamie Doran	44-1753-842-222	44-1753-842-244
Atlantic Film Partners, c/o Wigmore Co.	88 Baker Street	London W1U 6TQ, U.K.	Keith Evans	44-207-487-3677	44-207-487-5667
Beckmann International	Meadow Court, West Street	Ramsey, Isle of Man, IM8 1AE British Isles	Michael Souter	44-1624-816-585	44-1624-816-589
Bloomberg L.P./Bloomberg Television	499 Park Avenue	New York, NY 10022	Karl Kilb	212-318-2371	212-893-5371
BVTV, Inc.	20 Rascally Rabbit Road	Marstons Mills, MA 02648	Robert J. Vila	508-428-3171	508-428-3179
C21C Limited	55 Loundoun Road	London NW80DL, U.K.	Angus Margerison	44-208-955-2559	44-208-956-2574
Canamedia Productions Ltd.	1670 Bayview Ave., Ste 408	Toronto, ON, Canada M4G 3C2	Les Harris	416-483-7446	416-483-7529
Candid Camera, Inc.	650 Lighthouse Avenue	Pacific Grove, CA 93950	L.G. Konya	831-625-3788	831-625-3835
Central City Holdings	[see Central City Productions, Inc.]				
Central City Productions, Inc.	223 W. Erie, Ste. 7NW	Chicago, IL 60610	Rosemary Jackson	312-664-5900	312-664-5894
Children's Medical Foundation	2777 Stemmons Freeway, #1025	Dallas, TX 75207	Betsy Field Mackay	214-456-5303	214-456-5301
CineGroupe Images Inc.	1151, Alexandre-DeSeve Street	Montreal, Quebec H2L 2T7	Elaine Bigras	514-849-8925	514-849-9846
Computer Personalities Systems, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103	Lawrence Lichtenstein, Trustee	215-665-3000	215-665-3165
Coral Pictures Corporation	4380 NW 128th Street	Miami, FL 33139	Maricarmen Tredunio	305-688-7475	305-688-2379
Direct 2U, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103	Lawrence Lichtenstein, Trustee	215-665-3000	215-665-3165

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Direct Cinema, Ltd.	P.O. Box 10003	Santa Monica, CA 90410	Mitchell Block	310-636-8200	310-636-8228
Equestrian Vision	Horsham Road	Horsham, West Sussex RH13 8BP U.K.	Jamie Hawkesfield	44-1403-864-173	44-1403-865-321
Farm Journal Electronic Media Company	25 Executive Drive, Ste A	Lafayette, IN 47905	Nathan Van Der Male	765-449-8000	765-449-8010
Feed the Children, Inc.	P.O. Box 36	Oklahoma City, OK 73101	Lami Sue Jones	405-942-0228	405-945-4024
Fishing University, LLC	290 Leatherwood Drive	Winchester, TN 37398	Bill Balsley	931-962-9000	931-962-9064
Glistening Clowns Electronic Publ. Co. Ltd.	Estate Office, Exbury	Southampton SO45 1AZ, U.K.	Nick De Rothschild	44-2380-891-203	44-2380-243-380
Global Response LLC	708 South Third St., #108	Minneapolis, MN 55415	Steven Hoyt	612-338-7787	612-338-7797
Granada Media International	London Television Ctr., Upper Ground	London, SE1 9LT U.K.	Talia Griffith	44-207-491-1441	44-207-389-8745
GRB Entertainment	13400 Riverside Drive	Sherman Oaks, CA 91423	George Telagadis	818-728-7600	818-728-7601
Hawthorne Direct	300 N. 16th Street	Fairfield, Iowa 52556	Bob Moore	641-472-3800	641-472-4553
HLB Productions	1057 31st Street South	Birmingham, AL 35205	Jennifer Jones	205-939-3614	205-933-5288
Inca	67 Castleinau, Barnes	London SW13 9RT U.K.	William Woollard	44-208-748-9600	44-208-748-9607
Jefferson Pilot Sports	One Julian Price Place	Charlotte, NC 28208	Roger Roebuck	704-374-3826	704-374-3859
K2 Media Group	5 Park Plaza	Irvine, CA 92614	Dr. Robert Kuhn	949-756-2200	949-622-7800
Life Outreach International	1801 W. Euless Blvd	Euless, TX 76040	Joyce Gardiner	817-267-4211	817-685-1972
Mampre Media International	5123 Del Monte Dr., Ste. 7	Houston, TX 77056	Virginia Mampre	713-960-9849	713-960-8811
Mark Anthony Entertainment	1375 Broadway, 21st Floor	New York, NY 10018	Tony Insteliano	212-271-2359	212-937-0406
Martha Stewart Living Omnimedia, Inc.	20 West 43rd St., 25th Floor	New York, NY 10036	Greg Blatt	212-827-8000	212-827-8289

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
Marty Stouffer Productions Ltd.	P.O. Box 5057	Aspen, CO 81612	Mary Ridings	970-925-5536	970-925-3820
MBC Teleproductions	300 E. Rock Road	Allentown, PA 18103	Bob Croesus	610-791-5880	610-791-6922
Mentom Barraclough Carey Productions Ltd.	[see Mentom Int'l Distr. Ltd.]				
Mentom International Distribution Ltd.	43 Whitfield Street	London W1T 4HA, U.K.	David Leach	44-207-258-6832	44-207-258-6889
Meredith Corporation	1716 Locust Street	Des Moines, IA 50309	Douglas Lowe	515-284-2166	515-284-3933
Midwest Center for Stress & Anxiety, Inc.	106 N. Church St., #200	Oak Harbor, OH 43449	David B. Bassett	310-589-3180	310-589-3183
Multimedia Group of Canada	261 du St-Sacrement St.	Montreal, Quebec, Canada H2Y 3V2	Sari Buksner	514-844-3635	514-844-4990
Mustang Marketing, Inc.	4630 Campus Dr., Ste. 300C	Newport Beach, CA	Mark Colosi	800-208-6119	714-436-4770
Network Programs International	3150 Ocana Avenue	Long Beach, CA 90808	Richard Shaw	562-421-1672	562-421-1482
NTS Program Sales	111 N. Country Road	Port Jefferson, NY 11777	Theodore George	516-696-2401	516-696-5310
Pacific Family Entertainment LLC	642 South B St., Ste. A	Tustin, CA 92780	Tim Cook	714-669-4900	714-669-4905
Paul Feldman	133 Whitehouse Ave., Boreham Wood	Herts WD6 1HB, U.K.	Paul Feldman	44-208-953-9929	44-208-953-0802
Peter Rodgers Organization	1800 N. Highland Ave., Ste. 100	Hollywood, CA 90028	Jennifer Grimm	323-962-1778	323-962-7174
Phil Slater Associates	32 Ash Street	Fleetwood, Lancashire, U.K.	Phil Slater	44-1253-770-510	44-1253-776-729
PMT, Ltd.	785 Cressman Rd.	Harleysville, PA 19438	Mark H. Tuttle	610-584-5370	610-584-6795
Questar Video	680 North Lake Shore Dr., #900	Chicago, IL 60611	Bob Norris	312-266-9400	312-266-9400
Ron Hazelton Productions, Inc.	161 West 61st, Ste. 22F	New York, NY 10023	William Maguire	908-232-2389	908-232-2375
Sophistory Limited	3 Quayside Street	Edinburgh EH6 6EJ, U.K.	Ken Maliphant	44-7831-364-075	

Claimant	Address	City, State, Country	Contact Person	Telephone	Fax
St. Jude Children's Research Hospital	501 St. Jude's Place	Memphis, TN 38105	Aggie Alexander	901-524-0305	901-523-6610
Stilson & Stilson	1192 E. Draper Parkway, #404	Draper, UT 84020	Andy Naud	801-566-1616	801-816-1393
Tapestry International Ltd.	11 Hanover Square, 14th Floor	New York, NY 10005	David McNulty	212-505-2288	212-505-5059
TF1 International	1 quai du Point du Jour	92656 Boulogne, Cedex, France	Jean Louis Capra	33-41-41-2654	33-41-41-4232
TV Matters	De Ruyterkade 142	1011 AC Amsterdam, Netherlands	J.W. Bosman Jansen	31-20-627-2126	31-20-620-7939
Twin Cities Public TV	172 East Fourth Street	St. Paul, MN 55101	Michael Watkins	651-229-1375	651-229-1570
Unapix Entertainment, Inc.	15910 Ventura Blvd., 9th Floor	Encino, CA 91436	Cheryl Freeman	818-784-3337	818-784-0461
Uniworld Group	100 Sixth Avenue	New York, New York 10013	Gery Cantas	212-219-7224	212-219-1939
Video Professor, Inc.	1310 Wadsworth Blvd.	Lakewood, CO 80215	Bettye Harrison	303-232-1244	303-232-7211
Video/Media Distribution Inc.	1050 North State Street	Chicago, IL 60610	Sheldon H. Beugen	312-944-4700	312-944-1582
Whamo Entertainment	1850 South Sepulveda Blvd., #201	Los Angeles, CA 90025	Joseph Szew	310-477-0338	310-477-8116
Willie Wilson Productions, Inc.	P.O. Box 129	Matterson, IL 60443	Willie L. Wilson	800-872-6712	708-283-8106
World Events Productions	1 S. Memorial Drive, Ste. 2000	St. Louis, MO 63102	William J. Alverson	314-345-1025	314-345-1090
World Events Productions Ltd.	[see World Events Productions]		Dan Neumann		

CABLE CLAIM - - COPYRIGHT ARBITRATION ROYALTY PANEL

000517

Artist Collections Group, a California limited liability company, dba Worldwide Subsidy Group does hereby file, on behalf of itself and all other parties listed on the attached Exhibit A, a claim to compulsory license fees pursuant to 17 U.S.C. Section 111(d)(4)(A) and 37 C.F.R. Section 252.3 for secondary transmissions by cable systems during the period January 1, 2001 through December 31, 2001. All parties in whose names the claim herein is filed have duly authorized the above party to make this filing on their behalf. In compliance with 37 C.F.R. Section 252.3, said claimant hereby furnishes the following information:

1. The full legal name of the persons or entities claiming compulsory license fees is:  
See attached Exhibit A.

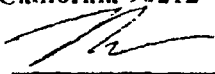
2. The full address of the place of the claimants place of business, including phone/fax number is: 9903 Santa Monica Blvd., #655, Beverly Hills, California 90212, (310) 446-1768 (phone), (310) 446-9978 (fax)

3. The nature of the copyrighted works whose secondary transmissions provide the basis of the claim is:  
TELEVISION PROGRAMS AND/OR WORKS INCLUDED IN SUCH PROGRAMMING OR TRANSMISSION

4. On the basis of information and belief, our copyrighted programs (i) "Animal Adventures", (ii) "Critter Gitters", (iii) "Game Warden Wildlife Journal", (iv) "Singsation!", (v) "Creflo A. Dollar Jr." were the subject of a primary transmission by television station (i) KMGH, Denver, (ii) KTVU, Oakland, (iii) KABC, Los Angeles, (iv) WGN, Chicago, (v) WAGA, Atlanta on (i) July 7, 2001, (ii) April 7, 2001, (iii) January 6, 2001, (iv) February 18, 2001, (v) February 18, 2001, and were retransmitted on a distant signal basis on that date by cable systems known as (i) GCI Cable, Inc., (ii) Cox Communications, (iii) NPG Cable Corp. of Arizona, (iv) Allen's Cable TV Service, (v) Northland Cable TV Properties Seven which serve (i) Bethel, Alaska, (ii) Eureka, California, (iii) Blythe, California, (iv) Morgan City, Louisiana, (v) Sandersville, Georgia. The claimants of the foregoing programs are (i) Video Tours Inc./Litton Syndications, (ii) Watercourse Road Productions LLC, (iii) Grandolph Juravic Entertainment, LLC (iv) Willie Wilson Productions, Inc., and (v) Creflo A. Dollar Ministries.

If there are any questions concerning this claim, please contact the undersigned. All correspondence should be sent to Worldwide Subsidy Group, 9903 Santa Monica Blvd., #655, Beverly Hills, California 90212, (310) 446-1768 (phone), (310) 446-9978 (fax), e-mail: worldwidesg@bigplanet.com.

Artist Collections Group, LLC  
dba Worldwide Subsidy Group  
9903 Santa Monica Blvd., #655  
Beverly Hills, California 90212

By (signature):   
Typed/Printed Name: Marian Oshita  
Title: President

Date: July 31, 2002

**RECEIVED**

U.S. post 7/31/02  
AUG 05 2002

GENERAL COUNSEL  
OF COPYRIGHT

Claimant	Address	City, State, Country
1st Miracle Pictures	3439 West Cahuenga Blvd.	Hollywood, CA 90068
3DD Entertainment Ltd.	190 Camden High Street	London NW1 8QP
A&E Television Network	235 E. 45th	New York, NY 10017
A.G. Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
A.V. Video-Million Dollars Enterprises	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
ABC Cineproducciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Abrams Gentile Entertainment	244 W. 54th St., 9th Floor	New York, NY 10019
Academy of Television Arts and Sciences	5220 Lankershim Blvd.	North Hollywood, CA
Acuario Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Adams Golf	2801 East Plano Parkway	Plano, TX 75074
Advantage Media Group	4298 Bright Bay Way	Ellicott City, MD 21042
Adventure Pictures Ltd.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Aguila Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Aiete Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Alameda Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Aldebaran Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Aleph Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Alfa Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Alianza Cinematografica Mexicana	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain



Claimant	Address	City, State, Country
Alpha Centauri	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
America Producciones, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
American Film Institute (AFI)	2021 North Western Ave.	Los Angeles, CA 90027
American Film Investment Corporation dba Golden Films Entertainment	2400 Sand Hill Road, Ste. 201	Menlo Park, CA 94025
Anheuser-Busch Companies, Inc.	One Busch Place	St. Louis, MO 63118
Arco Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Ardent Productions	The Old Stables, Bagshot Park	Bagshot, Surrey Gu19 5PJ
Arenafilm Pty Ltd.	Level 2, 270 Devonshire Street	Surry Hills, NSW 2010, Australia
Arenal Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Argentina Sono Film Saci	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Argos Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Aries Cinematografica Argentina, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Artist and Idea Management, Ltd.	1 Astor Place, 5-S	New York, NY 10003
Artist Collections Group LLC dba Worldwide Subsidy Group	9903 Santa Monica Blvd., #655	Beverly Hills, CA 90212
Asbrell Productions, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Atenea Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Allantic 2000	9080 Santa Monica Blvd.	Los Angeles, CA
Allantic Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Audio Servicios Larsa, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
Audio Video Los Angeles	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Australian Broadcasting Corporation	700 Harris Street	Ultimo, NSW 2007, Australia
AVA Productions B.V.	J. Muyskenweg, 22	NL-1096 CJ Amsterdam
Aviva International LLC	850 Old Country Road, 2nd Floor	Belmont, CA 94002
Azteca Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
B.R.B. Internacional, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Bausan Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
BBC Worldwide Americas, Inc.	747 3rd Avenue, 6th Floor	New York, NY 10017
BBL Distribution	7800 Beverly Blvd., Ste. 337	Los Angeles, CA 90212
Beacon Communications Corp.	1041 N. Formosa Ave., Santa Monica Bldg., Ste. 207	Los Angeles, CA 90046
Bell-Phillip Television Productions, Inc.	7800 Beverly Blvd., Ste. 337	Los Angeles, CA 90212
Benny Hinn Ministries	P.O. Box 16847	Irving, TX 75016
Big Events Company	CSI House, 177-187 Arthur Road	London SW198AE UK
BKS Entertainment	250 West 54th St., Ste. 807	New York, NY 10019
Bocaboca Producciones, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Boutique Casual	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
C/F International, Inc.	Box 4, 2550 Willow Lane	Thousand Oaks, CA 91361
Cabrera Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Canal Caracol/Television Federal	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
Cappy Productions	118 East 57th Street	New York, NY 10022
Capricornio Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Canel Producciones Audiovisuales, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cascade	Cowcaddens	Glasgow G2 3PR
Cascade Films Pty Ltd	c/o Roth Warren, Solicitors, Level 5, 121 Flinders Lane	Melbourne VIC 3000, Australia
Centpro Television	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Central City Productions	223 W. Erie, Ste. 7NW	Chicago, IL 60610
Centre D'Estudis Cinematografics De Catalunya	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Centro De Producciones Audiovisuales, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cesar Fernandez Ardavin Ruiz	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Channel Four Television	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cheaters International	4516 Lovers Lane, Box 104	Dallas, TX 75225
Chesler/Perlmutter Productions	129 Yorkville Ave., Suite 200	Toronto, Ont. M5R 1C4
Chicago Scorpion, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Chorion Intellectual Properties Ltd.	Vernon House, 40 Shaftesbury Avenue	London, W1V7DD, U.K.
Cifesa-Compania Industrial Film Espanol	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cima Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cine Falcon Producciones, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cine Vision, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
Cinematografica Calderon, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Coloso	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica De Occidente, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Eji, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Filmex, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Galindo/Filmadora	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Grovas	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Intercontinental	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Jalisco, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Latinoamerica	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Marco Polo, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Roca S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Sol, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematografica Tabasco, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinematograficas Rosario	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinemax-Producciones Laser	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cineproducciones Internacionales, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cineproducciones Irvsa De Mexico, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cinetel	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
Cometa Prod.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Compania Audiovisual Imaginografo, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Compania Mexicana De Peliculas	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Computer Personalities Systems, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103
Conacite Uno	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Conus Communications Company L.P.	3415 University Avenue	St. Paul/Minneapolis, MN 55414
Corday Productions	c/o Goldman & Kagan, 1801 Century Park East, #2222	Los Angeles, CA 90067
Cosgrove-Meurer Productions	4303 W. Verdugo	Burbank, CA 91505
Costa Fims, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Creative Children's Group Ltd.	[see Litton Syndications]	
Creflo A. Dollar Ministries	c/o Brewer, et al., 1159 Cottonwood Lane, Ste. 150	Irving, TX 75038
Cromosoma, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cromwell Productions	Suite 11, Central Chambers, Cooks Alley	Stratford-Upon-Avon, CV37 6QN
Cub-Mex, S.A. - Elite Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cumbre Films, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cyril De Rouve	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Cyrk, S.A. Film & Video Prod.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
D'An Fran Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Daniel Hernandez Productions	397 Bay Shore Avenue	Long Beach, CA 90803

Claimant	Address	City, State, Country
David Finch Distribution Ltd. fka David Finch Associates	P.O. Box 264, Walton-on-Thames	Surrey KT12 3YR England
Decode Entertainment, Inc.	512 King Street East, Ste. 104	Toronto, Ontario Canada M5A 1M1
Delsa Distribuciones Delgado Sanchez, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Diafragma Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Diagrama Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Diamante Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Diana Internacional Films, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Direct 2U, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103
Dirsol, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Distraction Formats	35, rue Washington	75008 Paris FRANCE
D'Ocon Films Productions, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
DreamWorks SKG	100 Universal Plaza, Bldg. 10	Universal City, CA 91608
Eagle Mountain Int'l Church (Kenneth Copeland Ministries)	c/o Brewer, 1159 Cottonwood Lane, Ste. 150	Irving, TX 75038
Eagle Rock Entertainment	22 Armoury Way	Wandsworth, London U.K. SW18 1EZ
EICTV	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
El Gran Bablazo	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
El Teatro Campesino	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Elias Querejeta P.C., S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
EMAV	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
Enid Blyton Limited	[see Chorion Intellectual Properties Ltd.]	
Enoki Films USA, Inc.	16501 Ventura Blvd., Ste. 606	Encino, CA 91436
Enrique Cerezo P.C., S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Enriqueta Foret Jimeno	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Ensueno Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Entertainment Rights PLC fka SKD Media (Sleepy Kid Co. Ltd.)	31 St. Petersburg Place	London W2 4LA
Entidad De Gestion De Derechos De Los Productores Audiovisuales ("Egeda")	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Escuela De Cine De La Comunidad De Madrid (E.C.A.M.)	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Esmeralda Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
ESPN	605 Third Ave., 11th Floor	NY, NY 10158-0180
Estela Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Estrella Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Estudios America, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Estudios Churubusco Azteca, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
European Pictures B.V.	Schipholweg 79	2316 ZL Leiden, Netherlands
Euskal Telebista, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Excalibur Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
F. Mier, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
F.O.R.T.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
Faro Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Fédération Internationale de Football Association	FIFA House, 11 Hitzigug, 8030	Zurich, Switzerland
Fernando Soler	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Ficcion Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Fiesta Film Inc.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Figaro Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Filmadora Chapultepec	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Filmar	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Filmayer International, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Filmex	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Filmline International 1999 Inc.	410 St-Nicolas Street, Suite 10	Montreal Qc. Canada H2Y 2P5
Filmoimagen, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Films By Jove	11325 Sunshine Terrace	Studio City, CA 91604
Films Mundiales	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Fintage House Publishing and Collection	Schipholweg 79	2316 ZL Leiden, Netherlands
Fishing University, LLC	290 Leatherwood Drive	Winchester, TN 37398
Fitness Quest, Inc.	1400 Raff Road SW	Canton, OH 44750
Five Star Productions aka 5 Star Productions	430 S. Congress Avenue	Delray Beach, FL 33445
Flashpoint (UK) Ltd.	66 Wigmore	London W1A 3RT, U.K.
Flesh and Blood Inc.	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada



Claimant	Address	City, State, Country
Flying Tomato Films	11755 Victory Blvd., Ste. 103	North Hollywood, CA 91606
Focus Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
France Animation	14, Rue Alexander Parodi	75010 Paris
Freewheelin' Films, Ltd.	Box 599	Aspen, CO 81612
Frontera Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Funimation	6851 N.E. Loop 820, Ste. 247	Ft. Worth, TX 76180
Gabriel Communications	c/o Serling Rooks & Ferrara LLP, 254 West 54th, 14th Floor	New York, NY 10019
Gaumont International	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Gazcon Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Gazcon Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
General Belgrano	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Gestevisión Telecinco, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Global Response LLC	708 South Third St., #108	Minneapolis, MN 85415
Golden Films Finance Corporation dba Golden Films Entertainment Gonafilm, S.A.	2400 Sand Hill Road, Ste. 201	Menlo Park, CA 94025
Gorky Studios	[see Magus]	
Goyri Y López Asociados	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Grandolph Juravic Entertainment, LLC	R.F.D. 1680 Bordeaux	Long Grove, IL 60047
Greenlight Entertainment B.V.	Amperestraat 10	1221 GJ Hilversum, The Netherlands
Gregorio Waterstein	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
Grupo Cine Arte, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Grupo De Produccion Audiovisual Internacional ICAIC	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Grupo Galindo S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Grupo Imagen Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Grupo Laser	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Grupo Televisa, S.A.	[see Televisa, S.A. de C.V.]	
GTSP Records	c/o Steve Cailas Assoc., 12424 Wilshire Blvd., Ste. 1150	Los Angeles, CA 90025
Herederos De Don Miguel Tudela Lopez	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Hermes Films Internacional, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Hispamer Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
HLB Productions	1057 31st Street South	Birmingham, AL 35205
Holden Productions	3800 Commerce St., #209	Dallas, TX 75226
Home Enterprises	3411 Silverside Road	Wilmington, DE 19810
Human Voices Pty Ltd.	Level 1, 111 Nott Street	Port Melbourne VIC 3207, Australia
Iberoamericana Films Produccion, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
ICAIC	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Image Entertainment, Inc.	9933 Oso Avenue	Chatsworth, CA 91311
Impulsora Cinematografica	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Instituto Mexicano De Cinematografia	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Integrity Global Marketing	4735 Belpar St. N.W.	Canton, OH 44718

Claimant	Address	City, State, Country
Inter Cartel, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Interbalsa, S.A./Películas Digitales, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Internacional Cinematografica	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Irati Filmak, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Ismael Gonzalez, P.C.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Izaro Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Jay Ward Productions	8200 Sunset Blvd.	Los Angeles, CA 90046
JCS Entertainment II	4676 Admiralty Way, Ste. 300	Marina Del Rey, CA 90292
Jorge Aguirre	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Jorge Duran Chavez	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Jose Frade, P.C., S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Jose Maria Blay Castillo Produccion	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
JTV Production Group	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Kid Friendly Productions	2550 Cattleman Way	Paso Robles, CA 93446
Kinnevik Media Properties	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Knight Scenes Incorporated	1333 H St. NW, West Tower, 10th Floor	Washington, D.C. 20005
Lacey Entertainment	1414 Avenue of the Americas, 3rd Floor	New York, NY 10019
LaFonda Partners	4401 Albert Circle	Lake Oswego, OR 97035
Laro Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Larsa, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

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Laser Amadeus	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Les Distributions Rozon Inc./ Just For Laughs	2101 St. Laurent Blvd.	Montreal (Quebec) Canada H2X 2T5
Lester Welch Productions, Inc.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Libra Films	[see Magus Entertainment]	
Lifetime Entertainment Services dba Lifetime Television	309 W. 49th St.	New York, NY 10019
Lince Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Link Television Entertainment	10339 Whipple Street	Toluca Lake, CA 91602
Lipscomb Entertainment	P.O. Box 291598	Los Angeles, CA 90029
Litton Syndications	2213 Middle St., 2nd Floor	Sullivan's Island, SC 29482
Lola Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Los Tigres Del Norte	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Lotus Films Internacional, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
M.V.Z. Catering, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Maestranza Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Magnum Y Variedades En Video, S.A. / Rana Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Magus Entertainment	mperestraat 10, 1221 GJ Hilversum	The Netherlands
Mainframe Entertainment	710-1045 Howe St.	Vancouver, BC Canada V6Z 2A9
Maleta Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Mansfield Television Distribution Company	9291 Pikes Peak Way	Parker, CO 80138
Marathon International	74, Rue Bonaparte	75006 Paris, France

Claimant	Address	City, State, Country
Marea Suave	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Mark Anthony Entertainment	1375 Broadway, 21st Floor	New York, NY 10018
Marte Films Internacional S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Mate Production, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Matouk Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Medio Metro Limitada	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Mega Entertainment International	150 West 25th Street, # 503	New York, NY 10001
Messidor Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Metro De Oro Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Metro Oro Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Mexcinema Video Corp. - Producciones Potosi, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Miguel Angel Martinez Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Milenia Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Minotaur International Ltd.	160 Great Portland St.	London W1N 5TB
Mom U.S.A. Inc.	[see Litton Syndications]	
Motion Pictures, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Muggers Films	First Floor, 111 Nott Street	Port Melbourne VIC 3207, Australia
Music & Media International	8756 Holloway Dr.	West Hollywood, CA 90069
Nabisco, Inc.	c/o Cokin Communications, 75 Washington Blvd.	Stamford, CT 06901
Nacional Cinematografica	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Nanitta Inversiones, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
National Academy of Television Arts and Sciences	111 W. 57th Street	New York, NY 10019
Neptuno Films Productions, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
New Dominion Pictures LLC	1000 Film Way	Suffok, VA 23434
New Vision De Mexico, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
New Visions Syndication, Inc.	P.O. Box 599	Aspen, CO 81611
Noski Productions, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Nu/Hart Hair Clinics, Inc.	Seven Parkway Center, 875 Greentree Road, Ste. 240	Pittsburg, PA 15220
Nu/Hart Hair Solutions, Inc.	1414 Avenue of the Americas, Ste. 403	New York, NY 10019
NVC Arts	The Forum, 74-80 Camden St.	London NW1 0EG, UK
O. Atlas Enterprise, Inc. aka Atlas Enterprises	8383 Wilshire Blvd., Ste. 339	Los Angeles, CA 90211
Olympia Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Origen Producciones Cinematograficas, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Orofilms, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Orsen & Brett, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Over the Edge-TV	401 Morris Avenue, Studio 1	Springfield, NJ 07081
P.C. Marujita Diaz (MD)	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
P.R.P. Producciones De Cine Y Television, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Panamerican Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Panorama Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Passionfruit Productions Pty Ltd.	Unit 2/3 Lowe Street	Clovely 2031, Australia

Claimant	Address	City, State, Country
Passport International Productions	10520 Magnolia Blvd.	North Hollywood, CA 91601
Pathe Fund Limited	Kent House, Market Place	London W1N 8AR, U.K.
Patria Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Pedro Maso Producciones Cinematograficas, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Películas Cinemax, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Películas Digitales, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Películas Mundiales/TV Producciones, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Películas Y Videos Internacionales, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Pelímex, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Planet Pictures	4764 Park Granada, Suite 208	Calabasas, CA 91302
Ploygram Iberica, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
PM Entertainment	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Posa Film, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Postproduccion Profesional	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Premier Productions	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Prod. Aguirre Valdes	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Prodifilms, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Produc. Interna. Reynoso	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Aguila	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Baja Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
Producciones Calderon	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Carlos Amador	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones CCSA	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Cinematograficas Aner	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Cinematograficas, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Corsa	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Escorpion	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Filmicas Agrasanchez, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Gaer	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Galubi, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Gonzalo Elvira, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Jaguar	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Juno	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Laser	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Latinas Americanas, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Matouk	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Mercurio	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Piramide	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Potosi	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain



Claimant	Address	City, State, Country
Producciones Potosi, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Raul De Anda, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Rosas Priego, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Tijuana	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Torreón, S.A. Ce Cuernavaca	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Universal	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Viejo, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Zaracarias, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Producciones Zyonya	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Promark Television Inc.	323 S. Doheny Dr., #301	Los Angeles, CA 90048
Psychic Readers Network	c/o Klein, Zelman, et al., 485 Madison Ave	New York, NY 10022
Pyrene, P.V., S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Quartet International, Inc.	20 Butternut Dr.	Pearl River, NY 10965
Questar Video aka Questar, Inc.	680 North Lake Shore Dr., #900	Chicago, IL 60611
R.M. Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Radeant Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Rafael Sabater Producciones	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Rafael Salvador Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Raycom Sports	2315 Coliseum Center Drive, Ste. 200	Charlotte, NC 28217
Red Apple Entertainment Corporation	1 St. Clair Avenue West, Suite 503	Toronto, Ontario M4V 1K7

Claimant	Address	City, State, Country
Reel Funds International, Inc. dba Reel Media International Richard Gabai	4516 Lovers Lane, Suite 178 c/o Check Entertainment, 5633 Noble Avenue	Dallas, TX 75225 Van Nuys, CA 91411, U.S.A.
Rocabruno, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Rosas Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Royal S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
RTI Colombia	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
S.T.P.C.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Sabre Television, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Saena, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Samuel Menkes Pilo	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Sandra Carter Productions	230 W. 79th St., #102	New York, NY 10024
Sanen, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Sarrazin Couture Entertainment	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada
Scholastic Productions, Inc.	524 Broadway, 5th Floor	New York, NY
Scott Free Productions	9348 Civic Center Dr., Mezz Fir.	Beverly Hills, CA 90210
SEKAM	Postbus 581, 1000 AN	Amsterdam, Netherlands
Sergio Lieman Asseo.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Share Total, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Showtime Television	10880 Wilshire Blvd., Suite 1600	Los Angeles, CA 90024
Sky Visuals	133 Dowling Street	Woolloomooloo NSW 2011, Australia

Claimant	Address	City, State, Country
Soyecine (Sociedad General De Cine, S.A.)	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Sol, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Splendid Film GmbH	Alsdorfer Strasse 3	D-50933 Koln (Cologne) Germany
Sportsworld	6 Henrietta Street, Covent Garden	London WC2E 8PS UK
St Jude Children's Hospital	501 St. Jude's Place	Memphis, TN 38105
Star Line T.V. Productions, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Stone Stanley Entertainment	1040 N. Las Palmas	Hollywood, CA 90038
Streamline Pictures	8624 Wilshire Blvd.	Beverly Hills, CA 90211
Sur Cinematografica Argentina	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Tabare-Antoni Ribas	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Tauo Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Team Communications Group aka Team Entertainment Group	11818 Wilshire Blvd., 2nd Floor	Los Angeles, CA 90025
TearDrop Golf	8350 N. Le High	Morton Grove, IL 60053
Tecnicos Y Manuales	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Tele Talia Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Telefe (Televisión Federal Internacional, S.A.)	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Telemundo	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Telerey, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Televisine	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Televisine, S.A. de C.V.	Ave. Vasco de Quiroga No. 2000, Edif. "A"	Col. Zedec Santa Fe, 01210, Mexico City

Claimant	Address	City, State, Country
Televisa Internacional, S.A.	6355 Northwest 36th Street	Miami, Florida 33166
Televisa, S.A. de C.V.	Ave. Vasco de Quiroga No. 2000, Edif. "A"	Col. Zedec Santa Fe, 01210, Mexico City
Televisio De Catalunya, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Television De Galicia, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuejo de Alarcón, Madrid 28223, Spain
Television Espanola	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuejo de Alarcón, Madrid 28223, Spain
Tele-Voz	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Tepuy International	2745 Ponce de Leon Blvd.	Coral Gables, FL 33134
TF1 International S.A.	123-125, Rue Jean-Jacques Rousseau	92138 Issy-Les-Moulineaux, France
TF1 International/CiBy D.A.	305 Avenue Le Jour Se Leve	9265 Boulogne, Cedex, France
The City Productions Inc.	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada
The Media Source	520 N. Highland Ave.	Upper Nyack, NY 10960
The Television Syndication Company, Inc.	501 Sabal Lake Drive, Ste. 105	Longwood, FL 32779
Thomas Horton Associates	408 Bryant Circle, Suite K	Ojai, CA 93023
Tiburón TV, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Tide Entertainment	1120 Gator Trail	Palm Beach, FL 33409
Tijuana	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Timberwolf Productions	8051 State Highway 34	Marble Hill, MO 63764
Today's Homeowner	1480 Cody Road South	Mobile, AL 36695
Tomasol Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Tremendous Entertainment	17113 Minnetoka Blvd.	Minnetonka, MN 55345
Urban Latino TV, LLC	1 Astor Place, 5-S	New York, NY 10003
TV Guide	2121 Ave of Americas, 4th Floor	New York, NY 10036

Claimant	Address	City, State, Country
TV Matters	De Ruyterkade 142	1011 AC Amsterdam, Netherlands
TVD Productions	38 Fernwood	Montgomery, IL 60538
TV-Loonland AG	Münchener Str. 16, 85774 Unterföhring	München, Germany
United Negro College Fund	8260 Willow Oaks Corporate Drive	Fairfax, VA 22031
United States Olympic Committee	One Olympic Plaza	Colorado Springs, CO 80909
Universidad Del Cine	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Urban Latino TV, LLC	1 Astor Place, 5-S	New York, NY 10003
Vanguard Films	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Venevision Internacional	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Vertigo Productions Pty Ltd.	3 Butler Drive	Hendon 5014, Australia
Video Mercury Films, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Video Producciones, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Video Tours Inc.	15 New Britain Avenue	Unionville, CT 06085
Video Universal, S.A. De C.V.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Videocine, S.A. de C.V.	Ave. Vasco de Quiroga No. 2000, Edif. "A"	Col. Zedec Santa Fe, 01210, Mexico City
Videofon, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Videomedia, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Vientinueve, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Vivavision Inc. fka Productions JBM Inc.	1973 Falardeau	Montreal (Quebec) H2K 2L9 Canada
Vulcano P.C.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Vulpi Yuri, S.A.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain

Claimant	Address	City, State, Country
Wanda Films, S.L.	c/o EGEDA, Luis Buñuel, 2 - 3º. Ciudad de la Imagen	Pozuelo de Alarcón, Madrid 28223, Spain
Watercourse Road Productions LLC	100 N. Hope Ave., Ste. 18	Santa Barbara, CA 93110
Wave Entertainment	26 Punch Street	Artarmon, NSW 2064, Australia
West 175 Enterprises, Inc.	2203 Airport Way Street, Ste. 801	Seattle, WA 98134
Wild Heart Productions	133 Dowling Street	Woolloomooloo NSW 2011, Australia
Wild Visuals	133 Dowling Street	Woolloomooloo NSW 2011, Australia
Willie Wilson Productions, Inc.	P.O. Box 129	Matterson, IL 60443
Winchester Entertainment PLC	29/30 Kingly Street	London W1R 5LB
Worldwide Pants, Inc.	1697 Broadway	New York, NY 10019
Yoram Gross	62-68 Church Street	Camperdown NSW 2050, Australia

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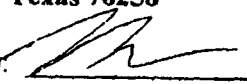
**CABLE CLAIM -- COPYRIGHT ARBITRATION ROYALTY PANEL**

**Worldwide Subsidy Group, a Texas limited liability company, dba Independent Producers Group** does hereby file, on behalf of itself and all other parties listed on the attached Exhibit A, a claim to compulsory license fees pursuant to 17 U.S.C. Section 111(d)(4)(A) and 37 C.F.R. Section 252.3 for secondary transmissions by cable systems during the period January 1, 2001 through December 31, 2001. All parties in whose names the claim herein is filed have duly authorized the above party to make this filing on their behalf. In compliance with 37 C.F.R. Section 252.3, said claimant hereby furnishes the following information:

1. The full legal name of the persons or entities claiming compulsory license fees is:  
See attached Exhibit A.
2. The full address of the place of the claimants place of business, including phone/fax number is: 2318 Sawgrass Ridge, San Antonio, Texas 78258, (830) 438-8881 (phone), (830) 438-8882 (fax)
3. The nature of the copyrighted works whose secondary transmissions provide the basis of the claim is: TELEVISION PROGRAMS AND/OR WORKS INCLUDED IN SUCH PROGRAMMING OR TRANSMISSION
4. On the basis of information and belief, our copyrighted programs (i) "Titanium Knives", (ii) "Home Again With Bob Vila", (iii) "Feed The Children", (iv) "Jack Van Impe Presents", (v) "Better Homes and Gardens" were the subject of a primary transmission by television stations (i) KTVU, Oakland, (ii) WBZ, Boston, (iii) WSBK, Boston, (iv) WDCB, Washington, (v) WBZ, Boston on (i) March 2, 2001, (ii) November 17, 2001, (iii) October 28, 2001, (iv) November 12, 2001, (v) February 11, 2001, and were retransmitted on a distant signal basis on those dates by cable systems known as (i) Cox Communications, (ii) Adelphia Communications, (iii) Bee Line, Inc., (iv) Comcast Cablevision, (v) Adelphia Communications which serve (i) Eureka, California, (ii) Lincoln, New Hampshire, (iii) Millinocket, Maine, (iv) Salisbury, Maryland, (v) Lincoln, New Hampshire. The claimants of the foregoing programs are (i) Best Direct (International) Ltd., (ii) BTVV, Inc., (iii) Feed The Children, Inc., (iv) Jack Van Impe Ministries International, and (v) Meredith Corporation.

If there are any questions concerning this claim, please contact the undersigned. Please send a copy of any correspondence to Independent Producers Group, 2318 Sawgrass Ridge, San Antonio, Texas 78258, (830) 438-8881 (phone), (830) 438-8882 (fax), e-mail: info@independentproducers.org.

**Worldwide Subsidy Group, LLC**  
**dba Independent Producers Group**  
2318 Sawgrass Ridge  
San Antonio, Texas 78258

By (signature):   
Typed/Printed Name: Marian Oshita  
Title: President

Date: July 31, 2002

**RECEIVED**  
*U.S. postmark 7/31/02 ax*  
AUG 05 2002  
GENERAL COUNSEL  
OF COPYRIGHT

Claimant	Address	City, State, Country
Amity Film & Video Productions Ltd.	30 High Street, First Floor	Godalming, Surrey GU7 1DZ, U.K.
As Seen On TV	2444 Innovation Way	Rochester, NY 14624
Atlantic Film Corporation	Celtic House, Amberly Place	Windsor, Berks SL4 1TN
Atlantic Film Partners, c/o Wigmore Co.	88 Baker Street	London W1U 6TQ, U.K.
Beckmann International	Meadow Court, West Street	Ramsey, Isle of Man, 1M8 1AE British Isles
Best Direct (International) Ltd.	167 Imperial Drive	Harrow, Middlesex HA2 7JP, U.K.
Big Feats Entertainment, L.P.	c/o HIT Entertainment, 830 South Greenville Avenue	Allen, TX 75002
Billy Graham Evangelistic Association	1300 Harmon Place	Minneapolis, MN 55403
Bob Ross, Inc.	P.O. Box 946	Sterling, VA 20167
Breakthrough Films & Television	122 Sherbourne Street	Toronto, Ontario, M5A 2R4 Canada
BVTV, Inc.	115 Kingston St., 3rd Floor	Boston, MA 02111
C21C Limited	55 Loundoun Road	London NW80DL, U.K.
Cambium Film & Video Productions Ltd.	[see CCI Entertainment]	
Carol Reynolds Productions, Inc.	199 Bay Street, Ste. 5300	Toronto, Ontario, M5L 1B9 Canada
CCI Entertainment	18 Dupont St.	Toronto, Ontario, M5R 1V2 Canada
CCI Releasing	[see CCI Entertainment]	
Cinemaginaire Inc.	5144, boul. Saint-Laurent	Montreal, Quebec, Canada H2T1R8
Cinemavault Releasing Inc.	[see S Entertainment, Inc.]	
Cirque du Soleil	8400 2nd Avenue	Montreal, Quebec, Canada H1Z 4M6



Claimant	Address	City, State, Country
Cogeco Radio-Television Inc.	3720 Boul. Industriel	Sherbrooke, Quebec, Canada J1L 1Z9
Devillier Donegan Enterprises, L.P.	4401 Connecticut Avenue, N.W.	Washington, D.C. 20008
Direct Cinema, Ltd.	P.O. Box 10003	Santa Monica, CA 90410
Dragon Tales Productions	[see Breakthrough Films]	
Ego Film Arts	80 Niagra Street	Toronto, Ontario, M5V 1C5 Canada
Envoy Productions	660 Mason Ridge Center Drive	St. Louis, MO 63141
Equestrian Vision	Horsham Road	Horsham, West Sussex RH13 8BP U.K.
Farm Journal Electronic Media Company	25 Executive Drive, Ste. A	Lafayette, IN 47905
Feed the Children, Inc.	P.O. Box 36	Oklahoma City, OK 73101
Firing Line	c/o National Review, 215 Lexington Avenue	New York, NY 10016
Florentine Films / Hott Productions, Inc.	20 Kingsley Ave.	Haydenville, MA 01039
Glittering Clowns Electronic Publ. Co. Ltd.	Estate Office, Exbury	Southampton SO45 1AZ, U.K.
Great Plains National Instructional Library	1800 North 33rd St.	Lincoln, NE 68583
Hawthorne Direct	300 N. 16th Street	Fairfield, Iowa 52556
Imagex Ltd.	1190 Barrington St., 4th Floor	Halifax, Nova Scotia, Canada B3H 2R4
Inca	67 Castelnau, Barnes	London SW13 9RT U.K.
Instant Amoureux Inc.	[see Cinemaginaire Inc.]	
Jack Van Impe Ministries International	1718 Northfield Drive	Rochester Hills, MI 48309
Jefferson Pilot Sports	One Julian Price Place	Charlotte, NC 28208
K2 Media Group	5 Park Plaza	Irvine, CA 92614

Claimant	Address	City, State, Country
Kevin Spencer, Inc.	2740 B Queensview Drive	Ottawa, Ontario, Canada K2B 2A2
King Motion Picture Corporation	1702 Canada Trust Tower, 10104-103rd	Edmonton, Alberta, Canada T5J 0H8
Laura Cadieux Inc.	[see Cinemaginaire Inc.]	
Lawrence Welk Syndication	2700 Pennsylvania Avenue	Santa Monica, CA 90404
Le Confessional Inc.	[see Cinemaginaire Inc.]	
Le Pain Inc.	[see Cinemaginaire Inc.]	
Les Productions Videofilms Limitee	296, rue St-Paul ouest, Ste. 400	Montreal, Quebec, Canada H2Y 2A3
Life Outreach International	1801 W. Euless Blvd.	Euless, TX 76040
Little M Productions	[see Breakthrough Films]	
Lyons Partnership, L.P.	c/o HIT Entertainment, 830 South Greenville Avenue	Allen, TX 75002
Marty Stouffer Productions Ltd.	P.O. Box 5057	Aspen, CO 81612
Mentorn Barraclough Carey Productions Ltd.	[see Mentorn Int'l Distr. Ltd.]	
Mentorn International Distribution Ltd.	43 Whitfield Street	London W1T 4HA, U.K.
Meredith Corporation	1716 Locust Street	Des Moines, IA 50309
Midwest Center for Stress & Anxiety, Inc.	106 N. Church St., #200	Oak Harbor, OH 43449
Montreal vu par Inc.	[see Cinemaginaire Inc.]	
Mr. Showbiz Productions	[see Breakthrough Films]	
Multimedia Group of Canada	261 du St-Sacrement St.	Montreal, Quebec, Canada H2Y 3V2

Claimant	Address	City, State, Country
Nancy's Notions, Ltd.	333 Beichl Ave.	Beaver Dam, WI 53916
Network Programs International	3150 Ocana Avenue	Long Beach, CA 90808
Ontario Educational Communications Authority	Box 200, Station Q	Toronto, Ontario, M4T 2T1 Canada
Pacific Family Entertainment LLC	642 South B St., Ste. A	Tustin, CA 92780
Paradigm Pictures Corporation	344 Dupont Street, Ste. 206	Toronto, Ontario, M5R 1V9 Canada
Paul Feldman	133 Whitehouse Ave., Boreham Wood	Herts WD6 1HB, U.K.
Peter Rodgers Organization	1800 N. Highland Ave., Ste. 412	Hollywood, CA 90028
Phil Slater Associates	32 Ash Street	Fleetwood, Lancashire, U.K.
PMT, Ltd.	785 Cressman Rd.	Harleysville, PA 19438
Popular History Company	[see Breakthrough Films]	
Production Le Jour Inc.	[see Cinemaginaire Inc.]	
Production Le Siege Inc.	[see Cinemaginaire Inc.]	
Productions Pixcom, Inc.	1720 rue du Canal	Montreal, Quebec, Canada H3K 3E6
Queen Light Productions	[see Breakthrough Films]	
Ron Hazelton Productions, Inc.	161 West 61st, Ste. 22F	New York, NY 10023
S Entertainment (1997) Inc.	[see S Entertainment, Inc.]	
S Entertainment Holdings Inc.	[see S Entertainment, Inc.]	
S Entertainment, Inc.	434 Queen Street East	Toronto, Ontario, M5A 1T5 Canada

Claimant	Address	City, State, Country
Salem Baptist Church of Chicago, Inc.	11800 South Indiana Ave.	Chicago, IL 60628
SC Entertainment Holdings Inc.	[see S Entertainment, Inc.]	
SC Entertainment International Inc.	[see S Entertainment, Inc.]	
Shadow Lake Productions	[see Breakthrough Films]	
Simply Fishing, Inc.	1890 Center Street	Hugo, MI 55038
Small World Productions, Inc.	120 Lakeside Ave., #210	Seattle, WA 98122
Sophistry Limited	3 Quayside Street	Edinburgh EH6 6EJ, U.K.
Sound Venture Productions Ottawa Ltd.	126 York Street, Ste. 219	Ottawa, Ontario, Canada K1N 5T5
Sullivan Entertainment International	110 Davenport Road	Toronto, Ontario, M5R 3R3 Canada
Tapestry International Ltd.	11 Hanover Square, 14th Floor	New York, NY 10005
Tempur Pedic Inc.	1713 Jaggie Fox Way	Lexington, KY 40511
The Friendly Kitchen Co.	[see Breakthrough Films]	
Thump Records, Inc.	P.O. Box 445	Walnut, CA 91788
Twin Cities Public Television	[see Beckmann International]	
Unapix Entertainment, Inc.	15910 Ventura Blvd., 9th Floor	Encino, CA 91436
Venevision International	550 Baltimore Way, Ste. 900	Coral Gables, Florida 33134
Video/Media Distribution Inc.	1050 North State Street	Chicago, IL 60610
Westwind Pictures Ltd. (fka 591755 Saskatchewan Ltd.)	#402-2206 Dewdney Ave.	Regina, Saskatchewan, Canada S4R 1H3

Claimant	Address	City, State, Country
Whamo Entertainment	1850 South Sepulveda Blvd., #201	Los Angeles, CA 90025
Whidbey Island Films, Inc.	3724 Vantage Avenue	Studio City, CA 91604
World Events Productions	1 S. Memorial Drive, Ste. 2000	St. Louis, MO 63102
World Events Productions Ltd.	[see World Events Productions]	
World Wide Pictures	1300 Harmon Place	Minneapolis, MN 55403
Zebby's Zoo Production Inc.	4727 Mill Run Road	New Port Ritchy, FL 34653


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**CABLE CLAIM - - COPYRIGHT ARBITRATION ROYALTY PANEL**

Worldwide Subsidy Group, LLC, a California limited liability company, does hereby file, on behalf of itself and all other parties listed on the attached Exhibit A, a claim to compulsory license fees pursuant to 17 U.S.C. Section 111(d)(4)(A) and 37 C.F.R. Section 252.3 for secondary transmissions by cable systems during the period January 1, 2002 through December 31, 2002. All parties in whose names the claim herein is filed have duly authorized the above party to make this filing on their behalf. In compliance with 37 C.F.R. Section 252.3, said claimant hereby furnishes the following information:

1. The full name of the person or the entity filing claim to royalties, including, address, telephone/fax number: **Worldwide Subsidy Group, LLC, a California limited liability company, 9903 Santa Monica Blvd., #655, Beverly Hills, CA 90212, (310) 446-1768 (phone), (310) 372-1969 (fax)**
2. The full legal name and address of the persons or entities entitled to claim the royalty fees: **See attached Exhibit "A".**
3. The nature of the copyrighted works whose secondary transmissions provide the basis of the claim is: **TELEVISION PROGRAMS AND/OR WORKS INCLUDED IN SUCH PROGRAMMING OR TRANSMISSION**
4. On the basis of information and belief, our copyrighted programs (i) **"World of Wildlife #206: Hunters"**, (ii) **"Creslo Dollar"**, and (iii) **"Critter Gitters"** were the subject of a primary transmission by television station (i) **KUHT-TV, Houston**, (ii) **KCAL, Los Angeles**, and (iii) **KCAL, Los Angeles** on (i) **January 20, 2002**, (ii) **May 26, 2002**, and (iii) **January 12, 2002**, and were retransmitted on a distant signal basis on that date by cable systems known as (i) **Time Warner Communications**, (ii) **Mediacom California LLC**, and (iii) **Mediacom California LLC**, which serve (i) **Port Arthur, Texas**, (ii) **Kern County, California**, and (iii) **Kern County, California**. The claimants of the foregoing programs are (i) **West 175 Productions, Inc.**, (ii) **Creslo A. Dollar Ministries**, and (iii) **Watercourse Road Productions LLC**.

Worldwide Subsidy Group, LLC  
9903 Santa Monica Blvd., #655  
Beverly Hills, CA 90212

By (signature):   
Typed/Printed Name: Marian Oshita  
Title: President

Date: July 15, 2003

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**AUG 5 2003**

**GENERAL COUNSEL  
OF COPYRIGHT**

Claimant	Address	City, State, Country
1st Miracle Pictures	3439 West Cahuenga Blvd.	Hollywood, CA 90068
3DD Entertainment Ltd.	190 Camden High Street	London NW1 8QP
A&E Television Network	235 E. 45th	New York, NY 10017
Abrams Gentile Entertainment	244 W. 54th St., 9th Floor	New York, NY 10019
Academy of Television Arts and Sciences	5220 Lankershim Blvd.	North Hollywood, CA
Adams Golf	2801 East Plano Parkway	Plano, TX 75074
Advantage Media Group	4298 Bright Bay Way	Ellicott City, MD 21042
American Film Institute (AFI)	2021 North Western Ave.	Los Angeles, CA 90027
American Film Investment Corporation dba Golden Films Entertainment	2400 Sand Hill Road, Ste. 201	Menlo Park, CA 94025
Anheuser-Busch Companies, Inc.	One Busch Place	St. Louis, MO 63118
Ardent Productions	The Old Stables, Bagshot Park	Bagshot, Surrey Gu19 5PJ
Artist and Idea Management, Ltd.	1 Astor Place, 5-S	New York, NY 10003
AVA Productions B.V.	J. Muyskenweg, 22	NL-1096 CJ Amsterdam
Aviva International LLC	850 Old Country Road, 2nd Floor	Belmont, CA 94002
BBC Worldwide Americas, Inc.	747 3rd Avenue, 6th Floor	New York, NY 10017
Beacon Communications Corp.	120 Broadway, Suite 200	Santa Monica, CA 90401
Benny Hinn Ministeries	P.O. Box 16847	Irving, TX 75016
Big Events Company	CSI House, 177-187 Arthur Road	London SW198AE UK
BKS Entertainment	250 West 54th St., Ste. 807	New York, NY 10019
C/F International, Inc.	Box 4, 2550 Willow Lane	Thousand Oaks, CA 91361
Cappy Productions	118 East 57th Street	New York, NY 10022
Cascade	Cowcaddens	Glasgow G2 3PR
Central City Productions	223 W. Erie, Ste. 7NW	Chicago, IL 60610

Claimant	Address	City, State, Country
Cheaters International	4516 Lovers Lane, Box 104	Dallas, TX 75225
Chester/Perlmutter Productions	129 Yorkville Ave., Suite 200	Toronto, Ont. M5R 1C4
Conus Communications Company L.P.	3415 University Avenue	St. Paul/Minneapolis, MN 55414
Corday Productions	c/o Goldman & Kagan, 1801 Century Park East, #2222	Los Angeles, CA 90067
Cosgrove-Meurer Productions	4303 W. Verdugo	Burbank, CA 91505
Creative Children's Group Ltd.	[see Litton Syndications]	
Creflo A. Dollar Ministeries	c/o Brewer, et al., 1159 Cottonwood Lane, Ste. 150	Irving, TX 75038
Cromwell Productions	Suite 11, Central Chambers, Cooks Alley	Stratford-Upon-Avon, CV37 6QN
Daniel Hernandez Productions	397 Bay Shore Avenue	Long Beach, CA 90803
David Finch Distribution Ltd. fka David Finch Associates	P.O. Box 264, Walton-on-Thames	Surrey KT12 3YR England
Distraction Formats	35, rue Washington	75008 Paris FRANCE
DreamWorks SKG	100 Universal Plaza, Bldg. 10	Universal City, CA 91608
Eagle Mountain Int'l Church (Kenneth Copeland Ministeries)	c/o Brewer, 1159 Cottonwood Lane, Ste. 150	Irving, TX 75038
Eagle Rock Entertainment	22 Armoury Way	Wandsworth, London U.K. SW18 1EZ
Entertainment Rights PLC fka SKD Media (Sleepy Kid Co. Ltd.)	31 St. Petersburg Place	London W2 4LA
ESPN	605 Third Ave., 11th Floor	NY, NY 10158-0180
Fédération Internationale de Football Association	FIFA House, 11 Hitzigug, 8030	Zurich, Switzerland
Filmline International 1999 Inc.	410 St-Nicolas Street, Suite 10	Montreal Qc. Canada H2Y 2P5
Films By Jove	11325 Sunshine Terrace	Studio City, CA 91604
Fishing University, LLC	290 Leatherwood Drive	Winchester, TN 37398
Five Star Productions aka 5 Star Productions	430 S. Congress Avenue	Delray Beach, FL 33445
Flesh and Blood Inc.	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada



Claimant	Address	City, State, Country
Flying Tomato Films	11755 Victory Blvd., Ste. 103	North Hollywood, CA 91606
France Animation	14, Rue Alexander Parodi	75010 Paris
Freewheelin' Films, Ltd.	Box 599	Aspen, CO 81612
Funimation	6851 N.E. Loop 820, Ste. 247	Ft. Worth, TX 76180
Gabriel Communications	c/o Serling Rooks & Ferrara LLP	254 West 54th, 14th Floor
Golden Films Finance Corporation dba Golden Films Entertainment	2400 Sand Hill Road, Ste. 201	Menlo Park, CA 94025
Gorky Studios	[see Magus]	
Grandolph Juravic Entertainment, LLC	R.F.D. 1680 Bordeaux	Long Grove, IL 60047
Greenlight International B.V.	Amperestraat 10	1221 GJ Hilversum, The Netherlands
GTSP Records	c/o Steve Callas Assoc., 12424 Wilshire Blvd., Ste. 1150	Los Angeles, CA 90025
HLB Productions	1057 31st Street South	Birmingham, AL 35205
Holden Productions	3800 Commerce St., #209	Dallas, TX 75226
Home Enterprises	3411 Silverside Road	Wilmington, DE 19810
Image Entertainment, Inc.	9933 Oso Avenue	Chatsworth, CA 91311
Integrity Global Marketing	4735 Belpar St. N.W.	Canton, OH 44718
Jay Ward Productions	8200 Sunset Blvd.	Los Angeles, CA 90046
JCS Entertainment II	4676 Admiralty Way, Ste. 300	Marina Del Rey, CA 90292
Kid Friendly Productions	2550 Cattleman Way	Paso Robles, CA 93446
Knight Scenes Incorporated	1333 H St. NW, West Tower, 10th Floor	Washington, D.C. 20005
LaFonda Partners	4401 Albert Circle	Lake Oswego, OR 97035
Les Distributions Rozon Inc./Just For Laughs	2101 St. Laurent Blvd.	Montreal (Quebec) Canada
Libra Films	[see Magus Entertainment]	
Lifetime Entertainment Services dba Lifetime Television	309 W. 49th St.	New York, NY 10019

Claimant	Address	City, State, Country
Link Television Entertainment	10339 Whipple Street	Toluca Lake, CA 91602
Lipscomb Entertainment	P.O. Box 291598	Los Angeles, CA 90029
Litton Syndications	2213 Middle St., 2nd Floor	Sullivan's Island, SC 29482
Magus Entertainment	Imperestraat 10, 1221 GJ Hilversum	The Netherlands
Mainframe Entertainment	710-1045 Howe St.	Vancouver, BC Canada V6Z 2A9
Mansfield Television Distribution Company	9291 Pikes Peak Way	Parker, CO 80138
Mark Anthony Entertainment	1375 Broadway, 21st Floor	New York, NY 10018
Mega Entertainment International	150 West 25th Street, # 503	New York, NY 10001
Minotaur International Ltd.	160 Great Portland St.	London W1N 5TB
Mom U.S.A. Inc.	[see Litton Syndications]	
Music & Media International	8756 Holloway Dr.	West Hollywood, CA 90069
Nabisco, Inc.	c/o Cokin Communications, 75 Washington Blvd.	Stamford, CT 06901
National Academy of Television Arts and Sciences	111 W. 57th Street	New York, NY 10019
New Dominion Pictures LLC	1000 Film Way	Suffok, VA 23434
New Visions Syndication, Inc.	P.O. Box 599	Aspen, CO 81611
NVC Arts	The Forum, 74-80 Camden St.	London NW1 0EG, UK
O. Atlas Enterprise, Inc. aka Atlas Enterprises	8383 Wilshire Blvd., Ste. 339	Los Angeles, CA 90211
Over the Edge-TV	401 Morris Avenue, Studio 1	Springfield, NJ 07081
Passport International Productions	10520 Magnolia Blvd.	North Hollywood, CA 91601
Planet Pictures	4764 Park Granada, Suite 208	Calabasas, CA 91302
Promark Television Inc.	323 S. Doheny Dr., #301	Los Angeles, CA 90048
Psychic Readers Network	c/o Klein, Zelman, et al., 485 Madison Ave	New York, NY 10022
Quartet International, Inc.	20 Butternut Dr.	Pearl River, NY 10965

Claimant	Address	City, State, Country
Questar Video aka Questar, Inc.	680 North Lake Shore Dr., #900	Chicago, IL 60611
Raycom Sports	2315 Coliseum Center Drive, Ste. 200	Charlotte, NC 28217
Red Apple Entertainment Corporation	1 St. Clair Avenue West, Suite 503	Toronto, Ontario M4V 1K7
Reel Funds International, Inc. dba Reel Media International	4516 Lovers Lane, Suite 178	Dallas, TX 75225
Sandra Carter Productions	230 W. 79th St., #102	New York, NY 10024
Sarrazin Couture Entertainment	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada
Scholastic Productions, Inc.	524 Broadway, 5th Floor	New York, NY
Scott Free Productions	9348 Civic Center Dr., Mezz Fir.	Beverly Hills, CA 90210
Showtime Television	10880 Wilshire Blvd., Suite 1600	Los Angeles, CA 90024
Splendid Film GmbH	Alsdorfer Strasse 3	D-50933 Koin (Cologne) Germany
Sportsworld	6 Henrietta Street, Covent Garden	London WC2E 8PS UK
St. Jude Children's Hospital	501 St. Jude's Place	Memphis, TN 38105
Streamline Pictures	8624 Wilshire Blvd.	Beverly Hills, CA 90211
Team Communications Group aka Team Entertainment Group	11818 Wilshire Blvd., 2nd Floor	Los Angeles, CA 90025
TearDrop Golf	8350 N. Le High	Morton Grove, IL 60053
Tepuy International	2745 Ponce de Leon Blvd.	Coral Gables, FL 33134
The City Productions Inc.	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada
The Media Source	520 N. Highland Ave.	Upper Nyack, NY 10960
The Television Syndication Company, Inc.	501 Sabal Lake Drive, Ste. 105	Longwood, FL 32779
Thomas Horton Associates	408 Bryant Circle, Suite K	Ojai, CA 93023
Tide Entertainment	1120 Gator Trail	Palm Beach, FL 33409
Timberwolf Productions	8051 State Highway 34	Marble Hill, MO 63764
Today's Homeowner	1480 Cody Road South	Mobile, AL 36695

Claimant	Address	City, State, Country
Tremendous Entertainment	17113 Minnetoka Blvd.	Minnetonka, MN 55345
TV Guide	2121 Ave of Americas, 4th Floor	New York, NY 10036
TV Matters	De Ruyterkade 142	1011 AC Amsterdam, Netherlands
TVD Productions	38 Fernwood	Montgomery, IL 60538
United Negro College Fund	8260 Willow Oaks Corporate Drive	Fairfax, VA 22031
United States Olympic Committee	One Olympic Plaza	Colorado Springs, CO 80909
Urban Latino TV, LLC	1 Astor Place, 5-S	New York, NY 10003
Video Tours Inc.	15 New Britain Avenue	Unionville, CT 06085
Vivavision Inc. fka Productions JBM Inc.	1973 Falardeau	Montreal (Quebec) H2K 2L9 Canada
Watercourse Road Productions LLC	100 N. Hope Ave., Ste. 18	Santa Barbara, CA 93110
West 175 Productions, Inc.	2203 Airport Way Street, Ste. 801	Seattle, WA 98134
Willie Wilson Productions, Inc.	P.O. Box 129	Matterson, IL 60443
Winchester Entertainment PLC	29/30 Kingly Street	London W1R 5LB
Worldwide Pants, Inc.	1697 Broadway	New York, NY 10019
Worldwide Subsidy Group, LLC	9903 Santa Monica Blvd., #655	Beverly Hills, CA 90212

000623

**CABLE CLAIM - - COPYRIGHT ARBITRATION ROYALTY PANEL**

**Independent Producers Group**, an assumed name of **Worldwide Subsidy Group, LLC**, a Texas limited liability company, does hereby file, on behalf of itself and all other parties listed on the attached **Exhibit A**, a claim to compulsory license fees pursuant to 17 U.S.C. Section 111(d)(4)(A) and 37 C.F.R. Section 252.3 for secondary transmissions by cable systems during the period January 1, 2002 through December 31, 2002. All parties in whose names the claim herein is filed have duly authorized the above party to make this filing on their behalf. In compliance with 37 C.F.R. Section 252.3, said claimant hereby furnishes the following information:


1. The full name of the person or the entity filing claim to royalties, including, address, telephone/fax number: **Independent Producers Group**, an assumed name of **Worldwide Subsidy Group, LLC**, a Texas limited liability company, **9903 Santa Monica Blvd., #655, Beverly Hills, CA 90212, (310) 446,1768 (phone), (310) 372-1969 (fax)**

2. The full legal name and address of the persons or entities entitled to claim the royalty fees: **See attached Exhibit "A"**.

3. The nature of the copyrighted works whose secondary transmissions provide the basis of the claim is: **TELEVISION PROGRAMS AND/OR WORKS INCLUDED IN SUCH PROGRAMMING OR TRANSMISSION**

4. On the basis of information and belief, our copyrighted programs (i) "**Feed The Children**" and (ii) "**Bob Vila's Home Again**" were the subject of a primary transmission by television station (i) **KCAL**, Los Angeles, and (ii) **KGO**, San Francisco on (i) **January 27, 2002**, and (ii) **January 14, 2002**, and were retransmitted on a distant signal basis on those dates by cable systems known as (i) **Mediacom California LLC**, and, (ii) **Falcon Cable System Co. II, L.P.** which serve (i) **Kern County, California**, and (ii) **South Lake Tahoe, California**. The claimants of the foregoing programs are (i) **Feed the Children, Inc.**, and (ii) **BVTV, Inc.**

**Independent Producers Group**,  
an assumed name of **Worldwide Subsidy Group, LLC**,  
a Texas limited liability company  
**9903 Santa Monica Blvd., #655**  
**Beverly Hills, CA 90212**

By (signature):   
Typed/Printed Name: Marian Oshita  
Title: President

Date: July 15, 2003

**RECEIVED**

JUL 5 2003

**GENERAL COUNSEL  
OF COPYRIGHT**

Claimant	Address	City, State, Country
Adler Media Inc.	6849 Old Dominion Dr., Ste. 360	McLean, VA 22101
Amity Film & Video Productions Ltd.	30 High Street, First Floor	Godalming, Surrey GU7 1DZ, U.K.
As Seen On TV	2444 Innovation Way	Rochester, NY 14624
Atlantic Film Corporation	Celtic House, Amberly Place	Windsor, Berks SL4 1TN
Atlantic Film Partners, c/o Wigmore Co.	88 Baker Street	London W1U 6TQ, U.K.
Beckmann International	Meadow Court, West Street	Ramsey, Isle of Man, 1M8 1AE British Isles
Best Direct (International) Ltd.	167 Imperial Drive	Harrow, Middlesex HA2 7JP, U.K.
Big Feats Entertainment, L.P.	c/o HIT Entertainment, 830 South Greenville Avenue	Allen, TX 75002
Billy Graham Evangelistic Association	1300 Harmon Place	Minneapolis, MN 55403
Bob Ross, Inc.	P.O. Box 946	Sterling, VA 20167
Breakthrough Films & Television	122 Sherbourne Street	Toronto, Ontario, M5A 2R4 Canada
BVTV, Inc.	115 Kingston St., 3rd Floor	Boston, MA 02111
C21C Limited	[see Beckmann International]	
Cambium Film & Video Productions Ltd.	[see CCI Entertainment]	
Carol Reynolds Productions, Inc.	199 Bay Street, Ste. 5300	Toronto, Ontario, M5L 1B9 Canada
CCI Entertainment	18 Dupont St.	Toronto, Ontario, M5R 1V2 Canada
CCI Releasing	[see CCI Entertainment]	
Cinemaginaire Inc.	5144, boul. Saint-Laurent	Montreal, Quebec, Canada H2T1R8
Cinemavault Releasing Inc.	[see S Entertainment, Inc.]	
Cirque du Soleil Images Inc.	8400 2nd Avenue	Montreal, Quebec, Canada H1Z 4M6
Cogeco Radio-Television Inc.	3720 Boul. Industriel	Sherbrooke, Quebec, Canada J1L 1Z9
Computer Personalities Systems, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103
Devillier Donegan Enterprises, L.P.	4401 Connecticut Avenue, N.W.	Washington, D.C. 20008

Claimant	Address	City, State, Country
Direct 2U Network, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103
Direct Cinema, Ltd.	P.O. Box 10003	Santa Monica, CA 90410
Dragon Tales Productions	[see Breakthrough Films]	
Ego Film Arts	80 Niagra Street	Toronto, Ontario, M5V 1C5 Canada
Electronic Publication Co., Ltd.	[see Beckmann International]	
Equestrian Vision	Horsham Road	Horsham, West Sussex RH13 8BP U.K.
Farm Journal Electronic Media Company	25 Executive Drive, Ste. A	Lafayette, IN 47905
Feed the Children, Inc.	P.O. Box 36	Oklahoma City, OK 73101
Firing Line	c/o National Review, 215 Lexington Avenue	New York, NY 10016
Florentine Films / Hott Productions, Inc.	20 Kingsley Ave.	Haydenville, MA 01039
Glittering Clowns Electronic Publ. Co. Ltd.	Estate Office, Exbury	Southampton SO45 1AZ, U.K.
Global Response LLC	708 South Third St., #108	Minneapolis, MN 55415
Great Plains National Instructional Library	1800 North 33rd St.	Lincoln, NE 68583
Hawthorne Direct, Inc.	300 N. 16th Street	Fairfield, Iowa 52556
Healthy TV, Inc.	[see IWW Media Group, Inc.]	
Imagex Ltd.	1190 Barrington St., 4th Floor	Halifax, Nova Scotia, Canada B3H 2R4
Inca	67 Castelnau, Barnes	London SW13 9RT U.K.
Inner World Video	[see IWW Media Group, Inc.]	
Instant Amoureux Inc.	[see Cinemaginaire Inc.]	
IWW Media Group, Inc.	6232 Hwy 146 North, Suite 600	Baytown, TX 77520
Jack Van Impe Ministries International	1718 Northfield Drive	Rochester Hills, MI 48309
Jefferson Pilot Sports	One Julian Price Place	Charlotte, NC 28208
K2 Media Group	5 Park Plaza	Irvine, CA 92614

Claimant	Address	City, State, Country
Kevin Spencer, Inc.	2740 B Queensview Drive	Ottawa, Ontario, Canada K2B 2A2
King Motion Picture Corporation	1702 Canada Trust Tower, 10104-103rd	Edmonton, Alberta, Canada T5J 0H8
Laura Cadieux Inc.	[see Cinemaginaire Inc.]	
Lawrence Welk Syndication	2700 Pennsylvania Avenue	Santa Monica, CA 90404
Le Confessional Inc.	[see Cinemaginaire Inc.]	
Le Pain Inc.	[see Cinemaginaire Inc.]	
Les Productions Videofilms Limitee	296, rue St-Paul ouest, Ste. 400	Montreal, Quebec, Canada H2Y 2A3
Life Outreach International	1801 W. Eules Blvd.	Eules, TX 76040
Light Duty Productions	[see IWW Media Group, Inc.]	
Little M Productions	[see Breakthrough Films]	
Lyons Partnership, L.P.	c/o HIT Entertainment, 830 South Greenville Avenue	Allen, TX 75002
Marty Stouffer Productions Ltd.	P.O. Box 5057	Aspen, CO 81612
Mentorn Barraclough Carey Productions Ltd.	[see Mentorn Int'l Distr. Ltd.]	
Mentorn International Distribution Ltd.	43 Whitfield Street	London W1T 4HA, U.K.
Meredith Corporation	1716 Locust Street	Des Moines, IA 50309
Midwest Center for Stress & Anxiety, Inc.	106 N. Church St., #200	Oak Harbor, OH 43449
Montreal vu par Inc.	[see Cinemaginaire Inc.]	
Mr. Showbiz Productions	[see Breakthrough Films]	
Multimedia Group of Canada	261 du St-Sacrement St.	Montreal, Quebec, Canada H2Y 3V2
Nancy's Notions, Ltd.	333 Beichl Ave.	Beaver Dam, WI 53916
Network Programs International	3150 Ocana Avenue	Long Beach, CA 90808
Ontario Educational Communications Authority	Box 200, Station Q	Toronto, Ontario, M4T 2T1 Canada
Pacific Family Entertainment LLC	642 South B St., Ste. A	Tustin, CA 92780



Claimant	Address	City, State, Country
Paradigm Pictures Corporation	344 Dupont Street, Ste. 206	Toronto, Ontario, M5R 1V9 Canada
Paul Feldman	133 Whitehouse Ave., Boreham Wood	Herts WD6 1HB, U.K.
Peter Rodgers Organization	1800 N. Highland Ave., Ste. 100	Hollywood, CA 90028
Phil Slater Associates	32 Ash Street	Fleetwood, Lancashire, U.K.
PMT, Ltd.	785 Cressman Rd.	Harleysville, PA 19438
Popular History Company	[see Breakthrough Films]	
Production Le Jour Inc.	[see Cinemaginaire Inc.]	
Production Le Siege Inc.	[see Cinemaginaire Inc.]	
Productions Pixcom, Inc.	1720 rue du Canal	Montreal, Quebec, Canada H3K 3E6
Queen Light Productions	[see Breakthrough Films]	
Questar Video	680 North Lake Shore Dr., #900	Chicago, IL 60611
Reel Enlightenment	[see IWV Media Group, Inc.]	
Ron Hazelton Productions, Inc.	161 West 61st, Ste. 22F	New York, NY 10023
S Entertainment (1997) Inc.	[see S Entertainment, Inc.]	
S Entertainment Holdings Inc.	[see S Entertainment, Inc.]	
S Entertainment, Inc.	434 Queen Street East	Toronto, Ontario, M5A 1T5 Canada
Salem Baptist Church of Chicago, Inc.	11800 South Indiana Ave.	Chicago, IL 60628
Searchright Entertainment	[see IWV Media Group, Inc.]	
SC Entertainment Holdings Inc.	[see S Entertainment, Inc.]	
SC Entertainment International Inc.	[see S Entertainment, Inc.]	
Shadow Lake Productions	[see Breakthrough Films]	
Simply Fishing, Inc.	1890 Center Street	Hugo, MI 55038
Slim Goodbody Corporation	Post Office Box 242	Lincolntonville, ME 04850

Claimant	Address	City, State, Country
Small World Productions, Inc.	120 Lakeside Ave., #210	Seattle, WA 98122
Sophistory Limited	3 Quayside Street	Edinburgh EH6 6EJ, U.K.
Sound Venture Productions Ottawa Ltd.	126 York Street, Ste. 219	Ottawa, Ontario, Canada K1N 5T5
Sullivan Entertainment International	110 Davenport Road	Toronto, Ontario, M5R 3R3 Canada
Tapestry International Ltd.	11 Hanover Square, 14th Floor	New York, NY 10005
The Friendly Kitchen Co.	[see Breakthrough Films]	
Twin Cities Public Television	[see Beckmann International]	
Venevision International	550 Biltmore Way, Ste. 900	Coral Gables, Florida 33134
Video/Media Distribution Inc.	1050 North State Street	Chicago, IL 60610
Westwind Pictures Ltd. (fka 591755 Saskatchewan Ltd.)	#402-2206 Dewdney Ave.	Regina, Saskatchewan, Canada S4R 1H3
Whamo Entertainment	1850 South Sepulveda Blvd., #201	Los Angeles, CA 90025
Whidbey Island Films, Inc.	3724 Vantage Avenue	Studio City, CA 91604
World Events Productions	1 S. Memorial Drive, Ste. 2000	St. Louis, MO 63102
World Events Productions Ltd.	[see World Events Productions]	
World Wide Pictures	1300 Harmon Place	Minneapolis, MN 55403
Zebby's Zoo Production Inc.	4727 Mill Run Road	New Port Ritchy, FL 34653

000547

From: <moshita@bigplanet.com>  
To: <cablecarp@loc.gov>  
Date: Mon, Aug 2, 2004 8:57 PM  
Subject: Cable Joint Claim from Worldwide Subsidy Group LLC

Joint Claim for Cable Retransmission Royalty Fees

In accordance with section 111 of the Copyright Act, 17 U.S.C., and Part 252 of the Copyright Office regulations, 37 CFR 252.1 et seq, the copyright owner claimant named herein files with the Copyright Office of the Library of Congress a claim to royalty payments collected from cable television systems retransmitting copyrighted programming contained on over-the-air television and radio broadcast signals. This joint claim to royalties is for fees collected from cable television systems during calendar year 2003.

Full name and address (including a specific number and street name or rural route) of the person or the entity filing the joint claim to royalties on behalf of copyright owners:

Worldwide Subsidy Group LLC

c/o Jeffrey C. Bogert  
815 Moraga Drive  
Los Angeles, CA 90049

Telephone number of person or entity filing the claim:

310-372-1970

Fax number, if any, of person or entity filing the claim:

310-372-1969

Email:

moshita@bigplanet.com

Contact Person:

Marian Oshita  
9903 Santa Monica Blvd., #655  
Beverly Hills, CA 90212  
310-372-1970 telephone  
310-372-1969 fax  
moshita@bigplanet.com

Statement of authorization for filing joint claim. The parties listed below have duly authorized the person or entity named herein to file this claim on their behalf. Full legal names and address of the copyright owners entitled to claim the joint royalty fees.:

SEE ATTACHMENT LIST

General statement of the nature of the copyright owners' works (examples: motion pictures, syndicated television series, sports broadcasts, music):

television programming, motion pictures, syndicated television series, sports broadcasts

The copyrighted broadcast program Cheaters, which is owned by Cheaters International was the subject of a primary transmission made by broadcast station KTLA, which is licensed to the city of Los Angeles,

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OF COPYRIGHT

on December 21, 2003 and was retransmitted by cable system NPG Cable, Inc., which serves the community of Mammoth Lakes, CA

Claim submitted at 20:56 on 8/2/04. There is 1 attached file.

**Worldwide Subsidy Group**

<b>Claimant</b>	<b>Address</b>	<b>City, State, Country</b>
1st Miracle Pictures	3439 West Cahuenga Blvd.	Hollywood, CA 90068
3DD Entertainment	190 Camden High Street	London NW1 8QP
A&E Television Network	235 E. 45th	New York, NY 10017
Abrams Gentile Entertainment	244 W. 54th St., 9th Floor	New York, NY 10019
Academy of Television Arts and Sciences	5220 Lankershim Blvd.	North Hollywood, CA
ACME Communications, Inc.	10829 Olive Blvd., Suite 202	St. Louis, MO 63141
Adams Golf	2801 East Plano Parkway	Plano, TX 75074
Advantage Media Group	4298 Bright Bay Way	Ellicott City, MD 21042
American Film Institute (AFI)	2021 North Western Ave.	Los Angeles, CA 90027
American Film Investment Corporation dba Golden Films Entertainment	2400 Sand Hill Road, Suite 201	Menlo Park, CA 94025
Anheuser-Busch Companies, Inc.	One Busch Place	St. Louis, MO 63118
Ardent Productions	The Old Stables, Bagshot Park	Bagshot, Surrey Gu19 5PJ
Artist and Idea Management, Ltd.	1 Astor Place, 5-S	New York, NY 10003
AVA Productions B.V.	J. Muyskenweg, 22	NL-1096 CJ Amsterdam
Aviva International LLC	850 Old Country Road, 2nd Floor	Belmont, CA 94002
BBC Worldwide Americas, Inc.	747 3rd Avenue, 6th Floor	New York, NY 10017
Beacon Communications Corp.	120 Broadway, Suite 200	Santa Monica, CA 90401
Benny Hinn Ministries	c/o Brewer, et al., 1702 E. Tyler, Suite 1	Harlingen, TX 78550
Big Events Company	CSI House, 177-187 Arthur Road	London SW198AE UK
BKS Entertainment	250 West 54th St., Suite 807	New York, NY 10019

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**Worldwide Subsidy Group**

<b>Claimant</b>	<b>Address</b>	<b>City, State, Country</b>
C/F International, Inc.	Box 4, 2550 Willow Lane	Thousand Oaks, CA 91361
Cappy Productions	118 East 57th Street	New York, NY 10022
Central City Productions	401 N. Wabash Ave., Suite 608	Chicago, IL 60611-5647
Cheaters International	4516 Lovers Lane, Box 104	Dallas, TX 75225
Chesler/Perlmutter Productions	129Yorkville Ave., Suite 200	Toronto, Ont. M5R 1C4
Computer Personalities Systems, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103
Conus Communications	3415 University Avenue	St. Paul/Minneapolis, MN 55414
Corday Productions	c/o Goldman & Kagan, 1801 Century Park East, #2222	Los Angeles, CA 90067
Cosgrove-Meurer Productions	4303 W. Verdugo	Burbank, CA 91505
Creflo A. Dollar Ministries	c/o Brewer, et al., 1702 E. Tyler, Suite 1	Harlingen, TX 78550
Cromwell Productions	Suite 11, Central Chambers, Cooks Alley	Stratford-Upon-Avon, CV37 6QN
Daniel Hernandez Productions	397 Bay Shore Avenue	Long Beach, CA 90803
David Finch Distribution Ltd. fka David Finch Associates	P.O. Box 264, Walton-on-Thames	Surrey KT12 3YR England
Direct 2U, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103
Distraction Formats	35, rue Washington	75008 Paris FRANCE
Eagle Mountain Int'l Church (Kenneth Copeland Ministries)	c/o Brewer, et al., 1702 E. Tyler, Suite 1	Harlingen, TX 78550
Eagle Rock Entertainment	22 Armoury Way	Wandsworth, London U.K. SW18 1EZ
Entertainment Rights PLC fka SKD Media (Sleepy Kid Co. Ltd.)	31 St. Petersburg Place	London W2 4LA
ESPN	605 Third Ave., 11th Floor	NY, NY 10158-0180
Fédération Internationale de Football Association	FIFA House, 11 Hitzigug, 8030	Zurich, Switzerland

**Worldwide Subsidy Group**

<b>Claimant</b>	<b>Address</b>	<b>City, State, Country</b>
Filmline International 1999 Inc.	410 St-Nicolas Street, Suite 10	Montreal Qc. Canada H2Y 2P5
Films By Jove	11325 Sunshine Terrace	Studio City, CA 91604
Fishing University, LLC	290 Leatherwood Drive	Winchester, TN 37398
Five Star Productions aka 5 Star Productions	430 S. Congress Avenue	Delray Beach, FL 33445
Flesh and Blood Inc.	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada
Flying Tomato Films	11755 Victory Blvd., Suite 103	North Hollywood, CA 91606
France Animation	14, Rue Alexander Parodi	75010 Paris
Freewheelin' Films, Ltd.	Box 599	Aspen, CO 81612
Funimation	6851 N.E. Loop 820, Suite 247	Ft. Worth, TX 76180
Gabriel Communications	c/o Serling Rooks & Ferrara LLP	254 West 54th, 14th Floor
Golden Films Finance Corporation dba Golden Films Entertainment	2400 Sand Hill Road, Suite 201	Menlo Park, CA 94025
Gorky Studios	[see Magus]	
Grandolph Juravic Entertainment, LLC	R.F.D. 1680 Bordeaux	Long Grove, IL 60047
Greenlight International B.V.	Amperestraat 10	1221 GJ Hilversum, The Netherlands
GTSP Records	c/o Steve Callas Assoc., 12424 Wilshire Blvd., Suite 1150	Los Angeles, CA 90025
Healthy TV, Inc.	[see MV Media Group, Inc.]	
HLB Productions	1057 31st Street South	Birmingham, AL 35205
Home Enterprises	407 Philadelphia Pike	Wilmington, DE 19809
Image Entertainment, Inc.	9933 Oso Avenue	Chatsworth, CA 91311
Satsuki Ina	2716 X Street	Sacramento, CA 91518

**Worldwide Subsidy Group**

<b>Claimant</b>	<b>Address</b>	<b>City, State, Country</b>
Inner World Video	[see IWV Media Group, Inc.]	
Integrity Global Marketing	4735 Belpar St. N.W.	Canton, OH 44718
IWV Media Group, Inc.	6232 Hwy 146 North, Suite 600	Baytown, TX 77520
Jay Ward Productions	8200 Sunset Blvd.	Los Angeles, CA 90046
JCS Entertainment II	4676 Admiralty Way, Suite 300	Marina Del Rey, CA 90292
Kid Friendly Productions	2550 Cattleman Way	Paso Robles, CA 93446
Knight Scenes Incorporated	1333 H St. NW, West Tower, 10th Floor	Washington, D.C. 20005
LaFonda Partners	4401 Albert Circle	Lake Oswego, OR 97035
Les Distribution Rozon Inc./Just For Laughs	2101 Boul. St-Laurent	Montréal, QC H2X 2T5 Canada
Lifetime Entertainment Services dba Lifetime Television	309 W. 49th St.	New York, NY 10019
Light Duty Productions	[see IWV Media Group, Inc.]	
Link Television Entertainment	10339 Whipple Street	Toluca Lake, CA 91602
Lipscomb Entertainment	P.O. Box 291598	Los Angeles, CA 90029
Litton Syndications	2213 Middle St., 2nd Floor	Sullivan's Island, SC 29482
Magus Entertainment	mperestraat 10, 1221 GJ Hiiversum	The Netherlands
Mainframe Entertainment	710-1045 Howe St.	Vancouver, BC Canada V6Z 2A9
Mansfield Television Distribution Company	9291 Pikes Peak Way	Parker, CO 80138
Mark Anthony Entertainment	1375 Broadway, 21st Floor	New York, NY 10018
Mega Entertainment International	150 West 25th Street, # 503	New York, NY 10001
Minotaur International Ltd.	160 Great Portland St.	London W1N 5TB
MoneyTV.Net Inc.	251 Jeanell Drive, #3	Carson City, NV 89703



**Worldwide Subsidy Group**

<b>Claimant</b>	<b>Address</b>	<b>City, State, Country</b>
Nabisco, Inc.	c/o Cokin Communications, 75 Washington Blvd.	Stamford, CT 06901
National Academy of Television Arts and Sciences	111 W. 57th Street	New York, NY 10019
Nelson Davis Television Productions	2809 2nd Street, Suite 2	Santa Monica, CA 90405
New Dominion Pictures LLC	1000 Film Way	Suffok, VA 23434
New Visions Syndication, Inc.	P.O. Box 599	Aspen, CO 81611
NVC Arts	The Forum, 74-80 Camden St.	London NW1 0EG, UK
O. Atlas Enterprise, Inc. aka Atlas Enterprises	8383 Wilshire Blvd., Suite 339	Los Angeles, CA 90211
Over the Edge-TV	401 Morris Avenue, Studio 1	Springfield, NJ 07081
Passport International Productions	10520 Magnolia Blvd.	North Hollywood, CA 91601
Planet Pictures	4764 Park Granada, Suite 208	Calabasas, CA 91302
Dr. DW Portee	11243 So. Vermont Avenue	Los Angeles, CA 90044
Practical Sportsman Foundation	14097 Webster Rd., PO Box 1001	Bath, MI 48808
Promark Television Inc.	323 S. Doherty Dr., #301	Los Angeles, CA 90048
Psychic Readers Network	c/o Klein, Zelman, et al., 485 Madison Ave	New York, NY 10022
Quartet International	20 Butternut Dr.	Pearl River, NY 10965
Questar Video aka Questar, Inc.	680 North Lake Shore Dr., #900	Chicago, IL 60611
Raycom Sports	2315 Coliseum Center Drive, Ste. 200	Charlotte, NC 28217
Red Apple Entertainment Corporation	1 St. Clair Avenue West, Suite 503	Toronto, Ontario M4V 1K7
Reel Enlightenment	[see IWV Media Group, Inc.]	
Reel Funds International, Inc. dba Reel Media International	4516 Lovers Lane, Suite 178	Dallas, TX 75225

**Worldwide Subsidy Group**

<b>Claimant</b>	<b>Address</b>	<b>City, State, Country</b>
Sandra Carter Productions	230 W. 79th St., #102	New York, NY 10024
Searchlight Entertainment	[see IWV Media Group, Inc.]	
Scott Free Productions	9348 Civic Center Dr., Mezz Fir.	Beverly Hills, CA 90210
Showtime Television	10880 Wilshire Blvd., Suite 1600	Los Angeles, CA 90024
Southside Christian Palace Community Church	11243 So. Vermont Avenue	Los Angeles, CA 90044
Splendid Film GmbH	Alsdorfer Strasse 3	D-50933 Koln (Cologne) Germany
Sportsworld	6 Henrietta Street; Covent Garden	London WC2E 8PS UK
Streamline Pictures	8624 Wilshire Blvd.	Beverly Hills, CA 90211
Team Communications Group aka Team Entertainment Group	11818 Wilshire Blvd., 2nd Floor	Los Angeles, CA 90025
TearDrop Golf	8350 N. Le High	Morton Grove, IL 60053
Tepuy International	2745 Ponce de Leon Blvd.	Coral Gables, FL 33134
The City Productions Inc.	14 Duncan St., Suite 203	Toronto Ontario M5H 3G8 Canada
The Media Source	520 N. Highland Ave.	Upper Nyack, NY 10960
The Television Syndication Company, Inc.	501 Sabal Lake Drive, Suite 105	Longwood, FL 32779
Thomas Horton Associates	408 Bryant Circle, Suite K	Ojai, CA 93023
Tide Entertainment	1120 Gator Trail	Palm Beach, FL 33409
Timberwolf Productions	8051 State Highway 34	Marble Hill, MO 63764
Today's Homeowner	1480 Cody Road South	Mobile, AL 36695
TV Guide	2121 Ave of Americas, 4th Floor	New York, NY 10036
TV Matters	De Ruyterkade 142	1011 AC Amsterdam, Netherlands

**Worldwide Subsidy Group**

<b>Claimant</b>	<b>Address</b>	<b>City, State, Country</b>
TVD Productions	38 Fernwood	Montgomery, IL 60538
United Negro College Fund	8260 Willow Oaks Corporate Drive	Fairfax, VA 22031
United States Olympic Committee	One Olympic Plaza	Colorado Springs, CO 80909
Urban Latino TV, LLC	1 Astor Place, 5-S	New York, NY 10003
Video Tours Inc.	15 New Britain Avenue	Unionville, CT 06085
Vivavision Inc. fka Productions JBM Inc.	1973 Falardeau	Montreal (Quebec) H2K 2L9 Canada
Watercourse Road Productions LLC	100 N. Hope Ave., Ste. 18	Santa Barbara, CA 98105
West 175 Enterprises, Inc.	1959 N.W., Sock Pl., #3	Seattle, WA 98107
Willie Wilson Productions, Inc.	P.O. Box 129	Matterson, IL 60443
Winchester Entertainment PLC	29/30 Kingly Street	London W1R 5LB
Worldwide Subsidy Group (fka Artist Collections Group LLC)	9903 Santa Monica Blvd., #655	Beverly Hills, CA 90212
W.R. Portee Evangelistic World Outreach, Inc./The W. R. Portee Word Healing Ministry	11243 So. Vermont Avenue	Los Angeles, CA 90044

CABLE CLAIM - - COPYRIGHT ARBITRATION ROYALTY PANEL

Independent Producers Group, an assumed name of Worldwide Subsidy Group, LLC, a Texas limited liability company, does hereby file, on behalf of itself and all other parties listed on the attached Exhibit "A", a claim to compulsory license fees pursuant to 17 U.S.C. Section 111(d)(4)(A) and 37 C.F.R. Section 252.3 for secondary transmissions by cable systems during the period January 1, 2003 through December 31, 2003. All parties in whose names the claim herein is filed have duly authorized the above party to make this filing on their behalf. In compliance with 37 C.F.R. Section 252.3, said claimant hereby furnishes the following information:

- 1. The full name of the person or the entity filing claim to royalties, including, address, telephone/fax number: **Independent Producers Group, an assumed name of Worldwide Subsidy Group, LLC, a Texas limited liability company, c/o Jeffrey C. Bogert, 815 Moraga Drive, Los Angeles, CA 90049, (310) 372-1970 (phone), (310) 372-1969 (fax)**
- 2. The full legal name and address of the persons or entities entitled to claim the royalty fees: **See attached Exhibit "A".**
- 3. The nature of the copyrighted works whose secondary transmissions provide the basis of the claim is: **TELEVISION PROGRAMS AND/OR WORKS INCLUDED IN SUCH PROGRAMMING OR TRANSMISSION**
- 4. On the basis of information and belief, our copyrighted programs (i) "**Feed The Children**" and (ii) "**Bob Vila's Home Again**" were the subject of a primary transmission by television station (i) **KCAL, Los Angeles**, and (ii) **KGO, San Francisco** on (i) **December 21, 2003**, and (ii) **December 6, 2003**, and were retransmitted on a distant signal basis on those dates by cable systems known as (i) **Mediacom California LLC**, and, (ii) **Comcast of Northern California I, Inc.** which serve (i) **Kern County, California**, and (ii) **Yuba City, California**. The claimants of the foregoing programs are (i) **Feed the Children, Inc.**, and (ii) **BVTV, Inc.**

**Independent Producers Group,**  
an assumed name of Worldwide Subsidy Group, LLC,  
a Texas limited liability company  
**9903 Santa Monica Blvd., #655**  
**Beverly Hills, CA 90212**

By (signature): \_\_\_\_\_  
Typed/Printed Name: Marian Oshita  
Title: President

Date: July 15, 2004

*us Postmark*  
*8/2/04 jf*

Independent Producers Group

Claimant	Address	City, State, Country
Amity Film & Video Productions Ltd.	30 High Street, First Floor	Godalming, Surrey GU7 1DZ, U.K.
As Seen On TV	2444 Innovation Way	Rochester, NY 14624
Atlantic Film Corporation	Celtic House, Amberly Place	Windsor, Berks SL4 1TN
Atlantic Film Partners, c/o Wigmore Co.	88 Baker Street	London W1U 6TQ, U.K.
Beckmann International	Meadow Court, West Street	Ramsey, Isle of Man, 1M8 1AE British Isles
Best Direct (International) Ltd.	167 Imperial Drive	Harrow, Middlesex HA2 7JP, U.K.
Big Feats Entertainment, L.P.	c/o HIT Entertainment, 830 South Greenville Avenue	Allen, TX 75002
Billy Graham Evangelistic Association	1300 Harmon Place	Minneapolis, MN 55403
Bob Ross, Inc.	P.O. Box 946	Sterling, VA 20167
Breakthrough Films & Television	122 Sherbourne Street	Toronto, Ontario, M5A 2R4 Canada
BVTV, Inc.	115 Kingston St., 3rd Floor	Boston, MA 02111
C21C Limited	[see Beckmann International]	
Cambium Entertainment Corporation	18 Dupont St.	Toronto, Ontario, M5R 1V2 Canada
Cambium Film & Video Productions Ltd.	[see CCI Entertainment]	
Carol Reynolds Productions, Inc.	199 Bay Street, Suite 5300	Toronto, Ontario, M5L 1B9 Canada
CCI Entertainment	18 Dupont St.	Toronto, Ontario, M5R 1V2 Canada
CCI Releasing	[see CCI Entertainment]	
Cinemaginaire Inc.	5144, boul. Saint-Laurent	Montreal, Quebec, Canada H2T1R8
Cinemavault Releasing Inc.	[see S Entertainment, Inc.]	
Cirque du Soleil Images Inc.	8400 2nd Avenue	Montreal, Quebec, Canada H1Z 4M6
Cogeco Radio-Television Inc.	3720 Boul. Industriel	Sherbrooke, Quebec, Canada J1L 1Z9

#5419

Independent Producers Group

Claimant	Address	City, State, Country
Computer Personalities Systems, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103
Devillier Donegan Enterprises, L.P.	4401 Connecticut Avenue, N.W.	Washington, D.C. 20008
Direct 2U Network, Inc.	c/o Oberman, Rebmann, 1617 JFK Blvd.	Philadelphia, PA 19103
Direct Cinema, Ltd.	P.O. Box 10003	Santa Monica, CA 90410
Dragon Tales Productions	[see Breakthrough Films]	
Ego Film Arts	80 Niagra Street	Toronto, Ontario, M5V 1C5 Canada
Electronic Publication Co., Ltd.	[see Beckmann International]	
Equestrian Vision	Horsham Road	Horsham, West Sussex RH13 8BP U.K.
Farm Journal Electronic Media Company	25 Executive Drive, Suite A	Lafayette, IN 47905
Feed the Children, Inc.	P.O. Box 36	Oklahoma City, OK 73101
Firing Line	c/o National Review, 215 Lexington Avenue	New York, NY 10016
Florentine Films / Hott Productions, Inc.	20 Kingsley Ave.	Haydenville, MA 01039
Glittering Clowns Electronic Publication Co. Ltd.	Estate Office, Exbury	Southampton SO45 1AZ, U.K.
Global Response LLC	708 South Third St., #108	Minneapolis, MN 55415
Great Plains National Instructional Library	1800 North 33rd St.	Lincoln, NE 68583
Hawthorne Direct, Inc.	300 N. 16th Street	Fairfield, Iowa 52556
Imagex Ltd.	1190 Barrington St., 4th Floor	Halifax, Nova Scotia, Canada B3H 2R4
Inca	67 Castleinau, Barnes	London SW13 9RT U.K.
Instant Amoureux Inc.	[see Cinemagineaire Inc.]	
Jack Van Impe Ministries International	1718 Northfield Drive	Rochester Hills, MI 48309
Jefferson Pilot Sports	One Julian Price Place	Charlotte, NC 28208

Independent Producers Group

Claimant	Address	City, State, Country
K2 Media Group	5 Park Plaza	Irvine, CA 92614
Kevin Spencer, Inc.	2740 B Queensview Drive	Ottawa, Ontario, Canada K2B 2A2
King Motion Picture Corporation	1702 Canada Trust Tower, 10104-103rd	Edmonton, Alberta, Canada T5J 0H8
Laura Cadieux Inc.	[see Cinemaginaire Inc.]	
Lawrence Welk Syndication	2700 Pennsylvania Avenue	Santa Monica, CA 90404
Le Confessional Inc.	[see Cinemaginaire Inc.]	
Le Pain Inc.	[see Cinemaginaire Inc.]	
Les Productions Videofilms Limitee	296, rue St-Paul ouest, Suite 400	Montreal, Quebec, Canada H2Y 2A3
Life Outreach International	1801 W. Eulless Blvd.	Eulless, TX 76040
Little M Productions	[see Breakthrough Films]	
L Lyons Partnership, L.P.	c/o HiT Entertainment, 830 South Greenville Avenue	Allen, TX 75002
Mentorn Barracough Carey Productions Ltd.	[see Mentorn International Distribution Ltd.]	
Mentorn International Distribution Ltd.	43 Whitfield Street	London W1T 4HA, U.K.
Meredith Corporation	1716 Locust Street	Des Moines, IA 50309
Midwest Center for Stress & Anxiety, Inc.	106 N. Church St., #200	Oak Harbor, OH 43449
Montreal vu par Inc.	[see Cinemaginaire Inc.]	
Mr. Showbiz Productions	[see Breakthrough Films]	
Multimedia Group of Canada	261 du St-Sacrement St.	Montreal, Quebec, Canada H2Y 3V2
Nancy's Notions, Ltd.	333 Beichl Ave.	Beaver Dam, WI 53916
Network Programs International	3150 Oceana Avenue	Long Beach, CA 90808
Ontario Educational Communications Authority	Box 200, Station Q	Toronto, Ontario, M4T 2T1 Canada

Independent Producers Group

Claimant	Address	City, State, Country
Pacific Family Entertainment LLC	642 South B St., Suite A	Tustin, CA 92780
Paradigm Pictures Corporation	344 Dupont Street, Suite 206	Toronto, Ontario, M5R 1V9 Canada
Paul Feldman	133 Whitehouse Ave., Boreham Wood	Herts WD6 1HB, U.K.
Peter Rodgers Organization	1800 N. Highland Ave., Suite 100	Hollywood, CA 90028
Phil Slater Associates	32 Ash Street	Fleetwood, Lancashire, U.K.
PMT, Ltd.	785 Cressman Rd.	Harleysville, PA 19438
Popular History Company	[see Breakthrough Films]	
Production Le Jour Inc.	[see Cinemaginaire Inc.]	
Production Le Siege Inc.	[see Cinemaginaire Inc.]	
Productions Pixcom, Inc.	1720 rue du Canal	Montreal, Quebec, Canada H3K 3E6
Queen Light Productions	[see Breakthrough Films]	
RCN Television S.A.	Avenida de las Americas	No 65-82 Bogota
Ron Hazelton Productions, Inc.	161 West 61st, Suite 22F	New York, NY 10023
S Entertainment (1997) Inc.	[see S Entertainment, Inc.]	
S Entertainment Holdings Inc.	[see S Entertainment, Inc.]	
S Entertainment, Inc.	434 Queen Street East	Toronto, Ontario, M5A 1T5 Canada
SC Entertainment Holdings Inc.	[see S Entertainment, Inc.]	
SC Entertainment International Inc.	[see S Entertainment, Inc.]	
Shadow Lake Productions	[see Breakthrough Films]	
Simply Fishing, Inc.	1890 Center Street	Hugo, MI 55038
Small World Productions, Inc.	120 Lakeside Ave., #210	Seattle, WA 98122



Independent Producers Group

Claimant	Address	City, State, Country
Sophistry Limited	3 Quayside Street	Edinburgh EH6 6EJ, U.K.
Sound Venture Productions Ottawa Ltd.	126 York Street, Suite 219	Ottawa, Ontario, Canada K1N 5T5
Sullivan Entertainment International	110 Davenport Road	Toronto, Ontario, M5R 3R3 Canada
Tapestry International Ltd.	11 Hanover Square, 14th Floor	New York, NY 10005
The Friendly Kitchen Co.	[see Breakthrough Films]	
Twin Cities Public Television	[see Beckmann International]	
Venevision International	550 Biltmore Way, Suite 900	Coral Gables, Florida 33134
Video/Media Distribution Inc.	1050 North State Street	Chicago, IL 60610
Westwind Pictures Ltd. (fka 591755 Saskatchewan Ltd.)	#402-2206 Dewdney Ave.	Regina, Saskatchewan, Canada S4R 1H3
Whamo Entertainment	1850 South Sepulveda Blvd., #201	Los Angeles, CA 90025
Whidbey Island Films, Inc.	3724 Vantage Avenue	Studio City, CA 91604
World Events Productions	1 S. Memorial Drive, Suite 2000	St. Louis, MO 63102
World Events Productions Ltd.	[see World Events Productions]	
World Wide Pictures	1300 Harmon Place	Minneapolis, MN 55403

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**RECEIVED**

JUL 26 2001

GENERAL COUNSEL  
OF COPYRIGHT

**CANADIAN CLAIMANTS GROUP**  
Before the  
**COPYRIGHT ARBITRATION ROYALTY PANEL**  
Washington, DC 20024

In the Matter of )  
Claims to Cable Royalty Fees )  
pursuant to 17 U.S.C. 111(d)(4)(a) )  
and 37 CFR Section 252 )

The Canadian Broadcasting Corporation (CBC), on behalf of itself and all members of the Canadian Claimants Group listed below, does hereby file a joint claim to compulsory licence fees pursuant to 17 U.S.C. 111(d)(4)(a) and 37 CFR Section 252 for secondary transmissions by cable systems during the period of January 1 to December 31, 2000. The CBC has the express written authorization of each of the members listed below to file this joint claim.

In compliance with 37 CFR Section 252, said claimants hereby furnish the following information:

- (1) The full legal names, addresses, phone numbers, fax numbers, and officers of the organizations claiming compulsory licence fees are:

**1. The Canadian Broadcasting Corporation (CBC)**

Head Office  
250 Lanark Avenue  
Ottawa, Ontario  
K1Z 6R5

Phone: (613) 724-5703  
Facsimile: (613) 724-5113  
Contact: Janice de Freitas

**2. ACPAV/Corporation de développement et de productions  
ACPAV Inc.**

1050 est, boul. René-Lévesque, bureau 200  
Montreal (Québec)  
H2L 2L6

Phone: 514-849-2281  
Facsimile: 514-849-9487  
Contact: Marc Daigle

**3. Air Farce Productions Inc.**

250 Front Street West, Room 8A309  
Toronto, Ontario  
M5V 3G7

Phone: 416-205-3809  
Facsimile: 416-205-3832  
Contact: Nora Cooper

**4. Alberta Filmworks Inc. / Alberta Filmworks Movie One Inc. /  
Alberta Filmworks Movie Two Inc. / Pindrop Productions  
Inc.**

1310 - 11<sup>th</sup> Street, S.W.  
Calgary, AB  
T2R 1G6

Phone: 403-777-9900  
Facsimile: 403-777-9914  
Contact: Jason Lee

**5. Albina Pictures Limited**

24 Ryerson Avenue  
Suite 307  
Toronto, Ontario  
M5T 2P3

Phone: 416-364-3777  
Facsimile: 416-364-7123

**6. Alliance Atlantis Communications Inc.**

121 Bloor Street St. East, Suite 1500  
Toronto, Ontario  
M4W 3M5

Phone: 416-966-7296  
Facsimile: 416-967-1226  
Contact: Lisa Cabral

**7. Amérimage-Spectra Inc./ Amérimage Québec Inc. /  
Amérimage Communications Inc./ Sogestalt 2001 Inc. / Les  
Productions Sogestalt Inc./ Productions Bleu Blanc Rouge  
Inc./ Equipe Spectra Inc.**

822 rue Sherbrooke Est  
Montréal (Québec)  
H2L 1K4

Phone: 514-525-7732  
Facsimile: 514-525-8033  
Contact: Louise Gauthier

**8. Breakthrough Films & Television Inc.**

179 Mavety St.  
Toronto, Ontario  
M6P 2M1

Phone: 416-766-6588  
Facsimile: 416-769-1436  
Contact: Alicja Wicinski

**9. Cambium Film & Video Productions Ltd.**

18 Dupont Street  
Toronto, Ontario  
M5R 1V2

Phone: 416-964-8750  
Facsimile: 416-964-1980  
Contact: Loredana Ruscitti

**10. Canamedia Productions Ltd.**

1670 Bayview Ave., Ste 408  
Toronto, Ontario  
M4G 3C2

Phone: 416-483-7446  
Facsimile: 416-483-7529  
Contact: Heidi Chan

**Reynolds Productions Inc.**

1007 Street West, Suite 1730  
Box 28  
Toronto, Ontario  
M4W 3E2

Phone: 416-926-1663  
Facsimile: 416-920-3165  
Contact: Carol Reynolds

**12. CHUM Limited**

299 Queen St. W.  
Toronto, Ontario  
M5V 2Z5

Phone: 416-591-5757  
Facsimile: 416-340-7005  
Contact: Denise Cooper

**13. Cinar Corporation**

1055 Rene Levesque Blvd. East  
Montréal (Québec)  
H2L 4S5

Phone: 514-843-7070  
Facsimile: 514-843-7080  
Contact: Annick Lavoie

**14. Ciné-Groupe Animation Inc.**

1151, rue Alexandre-De Sève  
Montréal (Québec)  
H2L 2T7

Phone: 514-524-7567  
Facsimile: 514-524-1997  
Contact: Elaine Bigras

**15. Ciné-Groupe Distribution Inc.**

1010, Ste-Catherine, est,  
4<sup>e</sup> étage  
Montréal (Québec)  
H2L 2G3

Phone: 514-849-8925  
Facsimile: 514-849-9846  
Contact: Elaine Bigras

**16. Cinémaginaire inc./Instant Amoureux inc. / Montréal Vu Par inc./Le Confessional inc./Le Pain Inc./ Production Le Siège inc. / Production Le Jour inc./ Laura Cadieux inc.**

5144, boul. Saint-Laurent  
Montréal (Québec)  
H2T 1R8

Phone: 514-272-5505  
Facsimile: 514-272-9841  
Contact: Martin Desroches

**17. Ciné Qua Non Films**

5266 St-Laurent  
Montréal (Québec)  
H2T 1S1

Phone: 514-271-4000  
Facsimile: 514-274-4005  
Contact: Sylvie Gagné

**18. Cirque du Soleil Images Inc.**

8400-2<sup>nd</sup> Avenue  
Montréal (Québec)  
H1Z 4M6

Phone: 514-722-2324  
Facsimile: 514-723-7609  
Contact: Yolande Riccioli

**19. Cirrus Productions Inc./Prouctions Deux Frères, la suite Inc.**

5100, rue Hutchison, Bureau 200  
Outremont (Québec)  
H2V 4A9

Phone: 514-270-1918  
Facsimile: 514-270-1825  
Contact: Elyse Turcotte Marcil

**20. CKWS Television**

170 Queen Street  
Kingston, Ontario  
K7K 1B2

Phone: 705-742-0457  
Facsimile: 705-742-7274  
Contact: Judy Carswell

**21. CKY5-TV**

Polo Park  
Winnipeg, Manitoba  
R3G 0L7

Phone: 204-788-3318  
Facsimile: 204-788-3399  
Contact: Bill Hanson

**22. Cochran Entertainment Inc.**

1969 Upper Water Street,  
Ground Floor at Purdy's Wharf Two  
Halifax, Nova Scotia  
B3J 3R7

Phone: 902-422-8927  
Facsimile: 902-425-8659  
Contact: Randy Dewell

**23. Cogeco Radio-Television Inc. (CKSH-TV)**

3720 Boul. Industriel  
Sherbrooke (Québec)  
J1L 1Z9

Phone: 819-565-9999  
Facsimile: 819-565-3456  
Contact: Louise Day

**24. Communications Claude Heroux Plus**

4984 Place de la Savane, #100  
Montréal (Québec) H4P 1Z6

Phone: 514-738-3737  
Facsimile: 514-738-3290  
Contact: Stephanie Héroux

**25. Craig Broadcast Systems Inc. (CKX-TV)**

2940 Victoria Avenue  
Brandon, Manitoba  
R7B 3Y3

Phone: 403-508-3331  
Facsimile: 403-508-3312  
Contact: Al Thorgeirson

**26. Craig Thompson Productions Inc. / Cottage Country  
Television Inc.**

600 Tweedsmuir Avenue  
Ottawa, Ontario  
K1Z 5P3

Phone: 613-724-9904  
Facsimile: 613-778-5353  
Contact: Craig Thompson



**27. Credo Entertainment Corporation**

120 Sherbrook Street  
Winnipeg, Manitoba  
R3C 2B4

Phone: 204-989-8169  
Facsimile: 204-989-8187  
Contact: Nadine Bisson

**28. Crescent Entertainment Ltd.**

555 Brookesbank Avenue  
Building 9 – Suite 330  
North Vancouver, British Columbia  
V7J 3S5

Phone: 604-983-5992  
Facsimile: 604-983-5015  
Contact: Karen Cameron

**29. Crossroads Christian Communications Inc.**

1295 North Service Road  
Burlington, Ontario  
L7R 4M2

Phone: 905-332-6400  
Facsimile: 905-332-6655  
Contact: Gary Gerard

**30. CTV Television Inc. (CFTO/CICC/CIEW/CIVT/CJOH)**

P.O. Box 9, Station O  
Toronto, Ontario  
M4A 2M9

Phone: 416-332-5039  
Facsimile: 416-332-5054  
Contact: Kathy Scianitti

**31. ECP (Entreprises de Création Panacom Inc.)**

1280 Avenue Bernard, Bureau 300  
Outremont (Québec)  
H2V 1V9

Phone: 514-273-4458  
Facsimile: 514-273-8065  
Contact: Jean Huppé

**32. Ego Film Arts**

80 Niagara Street  
Toronto, Ontario  
M5V 1C5

Phone: 416-703-2137  
Facsimile: 416-504-7161  
Contact: Simone Urol

**33. Ellis Entertainment Corporation**

1300 Yonge Street, Suite 300  
Toronto, Ontario  
M4T 1X3

Phone: 416-924-2186  
Facsimile: 416-924-6115  
Contact: Grace Lo

**34. Emergence Réseaux Inc.**

420, rue St-Martin  
Montréal (Québec)  
H3J 1W2

Phone: 514-931-0066  
Facsimile: 514-931-6465  
Contact: Gilles Pontbriand

**35. Epitome Distribution Inc. / P.W.T. Distribution Inc.,**

220 Bartley Drive  
North York, Ontario  
M4A 1G2

Phone: 416-752-7627  
Facsimile: 416-752-7837  
Contact: Nicole Hamilton

**36. Filmline International Inc.**

410, rue St. Nicolas, Suite 10  
Montréal (Québec)  
H2Y 2P5

Phone: 514-288-5888  
Facsimile: 514-288-8083  
Contact: Renée Hébert

**37. Filmoption International Inc.**

3401, rue St-Antoine ouest  
Westmount (Québec)  
H3Z 1X1

Phone: 514-931-6180  
Facsimile: 514-939-2034  
Contact: Pau Cadieux

**38. Fireworks Media Inc.**

111 George St., 3<sup>rd</sup> Floor  
Toronto, Ontario  
M5A 2N4

Phone: 416-594-4555  
Facsimile: 416-364-4388  
Contact: Naomi Mesbur

**Datafilm Inc.**

5543 Clark Street, Suite 300  
Montréal (Québec)  
H2T 2V5

Phone: 514-273-4252  
Facsimile: 514-273-8689  
Contact: Vincenzo Mignacca

**40. Global Television / Canwest Television Network**

81 Barber Greene Road  
Toronto, Ontario  
M3C 2A2

Phone: 416-446-5539  
Facsimile: 416-446-5502  
Contact: Andrew Janik

**41. ImX Communications Inc. / Imagex Limited / IMX New  
Waterford Inc. / ImX Divine Ryans Inc. / Glace Bay Pictures  
Inc. / ImX Lovdth Inc. / ImX Writers Block Inc. / Ordinary  
Time Productions Ltd. / ImX Angel Flick Inc.**

1190 Barrington Street, 4<sup>th</sup> Floor  
Halifax, Nova Scotia  
B3H 2R4

Phone: 902-422-4000  
Facsimile: 902-442-4427  
Contact: Rob Blackie

**42. Insight Production Company Ltd.**

489 King St. West, Suite 401  
Toronto, Ontario  
M5V 1K4

Phone: 416-596-8118  
Facsimile: 416-596-8270  
Contact: Shannon Farr

**43. Kensington Communications Inc. / Exhibit A Productions Inc.**

451 Adelaide Street, West  
Toronto, Ontario  
M5V 1T1

Phone: 416-504-9822  
Facsimile: 416-504-3608  
Contact: Robert Lang

**44. Kevin Spencer Inc.**

2740 B Queens View Drive  
Ottawa, Ontario  
K2B 2A2

Phone: 613-829-7656  
Facsimile: 613-820-5020  
Contact: Tracy Legault

**45. Kinémage International Inc. (representing Émergence International Inc. // Productions La Fête Inc. / Productions du Cerf / Cimadis / Communications Cirrus Inc. / Cité-Amérique Cinéma Télévision / Productions Jean-Louis Frund Inc. / GPA Films / Productions Télé-Action Inc. / Max Films / Punch! International Inc. / Productions du Regard Inc. / Productions Vic Pelletier Inc. / Voice Art Productions Inc.)**

1280 Bernard Street West, Ste. 100  
Outremont (Québec) H2V 1V9

Phone: 514-271-3355  
Facsimile: 514-276-5730  
Contact: Isabelle Marchand

**46. King Motion Pictures Corporation**

1702 Canada Trust Tower  
Edmonton AB T5J 0H8

Phone: 780-424-2950  
Facsimile: 780-420-0518  
Contact: Douglas Hutton

**Knight Enterprises (The Great Canadian Food Show)**

307 - 99 Fifth Avenue  
Ottawa, Ontario K1S 5P5

Phone: 613-730-1728  
Facsimile: 613-730-0182  
Contact: Christine Overvelde

**48. Lions Gate Films**

2 Bloor Street West, #1001  
Toronto, Ontario  
M4W 3E2

Phone: 416-944-0104  
Facsimile: 416-944-2843  
Contact: Brad Pelman

**49. Match-TV Inc.**

5162, rue St. Laurent, # 200  
Montréal (Québec)  
H2T 1R8

Phone: 514-270-4660  
Facsimile: 514-270-4465  
Contact: Isabelle Gosselin

**50. Melenny Productions**

154, rue Laurier ouest  
Suite 300  
Montréal (Québec)  
H2T 2N7

Phone: 514-270-6170  
Facsimile: 514-270-6988  
Contact: Marie-Claude Poulin

**1. Mentors Productions Inc.**

#318, 8925 - 51<sup>st</sup> Avenue  
Edmonton, Alberta  
T6E 5J3

Phone: 780-413-9285  
Facsimile: 780-465-0580  
Contact: Margaret Mardirossian

**52. MicroTainment Plus International Inc.**

1 Atlantic Avenue  
Suite 103  
Toronto, Ontario M6K 3E7

Phone: 416-537-5004  
Facsimile: 416-537-8984  
Contact: Phil Dunn

**53. Muse Entertainment Enterprises Inc.**

1100, boul. René-Levesque ouest  
Suite 1350  
Montréal (Québec)  
H3B 4N4

Phone: 514-866-6873  
Facsimile: 514-876-3987  
Contact: Kateri Ducros

**54. Nelvana Ltd.**

32 Atlantic Avenue  
Toronto, Ontario  
M6K 1X8

Phone: 416-588-5571 ext. 483  
Facsimile: 416-588-5588  
Contact: Lucy Medeiros

**55. Norflicks Productions Ltd.**

260 Richmond St. West, Suite 607  
Toronto, Ontario M5V 1W5

Phone: 416-351-7758  
Facsimile: 416-205-1258  
Contact: Michael Ulster

**56. Ontario Educational Communications Authority**

2180 Yonge Street,  
Box 200, Station Q  
Toronto, Ontario  
M4T 2T1

Phone: 416-484-2641  
Facsimile: 416-484-6281  
Contact: Pamela J. Taylor

**57. Paradigm Pictures Corporation**

344 Dupont Street, Suite 206  
Toronto, Ontario  
M5R 1V9

Phone: 416-927-7404  
Facsimile: 416-927-9839  
Contact: Ted Remerowski

**58. Peace Arch Entertainment Group Inc.**

302-1132 Hamilton Street  
Vancouver, British Columbia  
V6B 2S2

Phone: 604-681-9308  
Facsimile: 604-681-3299  
Contact: Corina Taylor



**59. Primedia Productions Ltd.**

80 Commisioners Street  
Toronto, Ontario  
M5A 1A8

Phone: 416-466-0037  
Facsimile: 416-469-9612  
Contact: Douglas Dales

**60. Productions Avanti Ciné Vidéo Inc. / 9067-2775 Québec Inc. /  
9067-2825 Québec inc. / 9067-2841 Québec inc. // 9067-2858  
Québec inc. / 9067-2866 Québec Inc.**

225, rue Roy Est, Bureau # 100  
Montréal (Québec)  
H2W 1M5

Phone: 514-288-7000  
Facsimile: 514-288-1675  
Contact: Nathalie Girard

**61. Productions Grand Nord Québec, Inc.**

1600 de Lorimier Avenue, Suite 392  
Montréal (Québec)  
H2K 3W5

Phone: 514-521-7433  
Facsimile: 514-522-3013  
Contact: Ian McLaren

**62. Productions Point de mire (Les)**

154 Laurier Avenue West, Suite 302  
Montréal (Québec)  
H2T 2N7

Phone: 514-278-8922  
Facsimile: 514-278-8925  
Contact: Raymond Gauthier

**63. Productions Vidéofilms Ltée./ Vidéofilms (Chartrand et  
Simonne) Inc. / Les Productons le Pollock Inc.**

296 ouest, rue St. Paul, Suite 400  
Montréal (Québec)  
H2Y 2A3

Phone: 514-844-8611  
Facsimile: 514-844-4034  
Contact: Daniel Demers

**64. Productions Zone 3**

1055, boul. René Levesque, est  
Bureau 300  
Montréal (Québec)  
H2L 4S5

Phone: 514-784-5555  
Facsimile: 514-985-4458  
Contact: Nicole Beausoleil

**65. Protocol Entertainment Inc.**

130 Bloor Street, West  
Toronto, Ontario  
M5S 1N5

Phone: 416-966-2711  
Facsimile: 416-920-4424  
Contact: Jim Woodside

**66. Radical Sheep (Amigo) Inc.**

258 Wallace Avenue, Suite 201  
Toronto, Ontario  
M6P 3M9

Phone: 416-539-0363  
Facsimile: 416-539-0496  
Contact: Laurie McAllister

**67. Raincoast Storylines Ltd.**

8169 Redrooffs Road  
Halfmoon Bay, British Columbia  
V0N 1Y1

Phone: 604-885-9813  
Facsimile: 604-885-9872  
Contact: Bette A. Thompson

**68. Regina Motion Picture Video & Sound / d/b/a Minds Eye  
Pictures**

2201 11<sup>th</sup> Avenue, 3<sup>rd</sup> Floor West  
Regina, Saskatchewan  
S4P 0J8

Phone: 306-359-7113  
Facsimile: 306-359-3466  
Contact: Ursula Thoma

**69. Rhombus Media Inc.**

489 King St.W., Suite 102  
Toronto, Ontario M5V 1L3

Phone: 416-971-7856  
Facsimile: 416-971-9647  
Contact: Philippa King

**70. RSL Entertainment Corp. / 1296676 Ontario Inc.**

9 Price Street  
Toronto, Ontario  
M4W 1Z1

Phone: 416-960-0300  
Facsimile: 416-960-8656  
Contact: Mark Musselman

**71. Run With Us Productions (80922 Canada Ltd.)**

80 Munro Blvd.  
Willowdale, Ontario M2P 1C4

Phone: 416-512-7238  
Facsimile: 416-512-0821  
Contact: Kevin Gillis

**72. S Entertainment Inc. / S Entertainment (1997) Inc. / S  
Entertainment Holdings Inc. / SC Entertainment Holdings Inc. /  
SC Entertainment International Inc. / Cinemavault Releasing  
Inc. / HMD Distribution Inc. / HMD Films Inc.**

434 Queen St. East  
Toronto, Ontario M5A 1T5

Phone: 416-363-6060  
Facsimile: 416-363-2305  
Contact: Nick Stilladis

**73. S & S Productions Inc.**

212 King Street, West, Suite 205  
Toronto, Ontario  
M5H 1K5

Phone: 416-260-0538  
Facsimile: 416-260-1628  
Contact: David Smith

**74. Salter Street Films International Ltd.**

1668 Barrington Street, Suite 500  
Halifax, Nova Scotia  
B3J 2A2

Phone: 902-420-1577  
Facsimile: 902-425-8260  
Contact: Kelly Bray

**75. Shaftesbury Films Inc. / Camilla Films Inc. / Shaftesbury Swann Films Inc. / Prairie Doves Inc. / External Affairs Limited / Two Two Inc. / Shaftesbury Mysteries Inc. / Shaftesbury Mysteries II Inc. / Shaftesbury Mysteries III Inc. / Shaftesbury Kids I Inc.**

163 Queen Street, E. Suite 100  
Toronto, Ontario  
M5A 1S1

Phone: 416-363-1411  
Facsimile: 416-363-1428  
Contact: Scott Garvie

**76. Sienna Films / April One Productions / Stand Off**

110 Spadina Avenue, Suite 800  
Toronto, Ontario M5V 2K4

Phone: 416-763-1126  
Facsimile: 416-763-8825  
Contact: Julia Sereny

**77. Société de télédiffusion du Québec**

1000, rue Fullum  
Montréal (Québec)  
H2K 3L7

Phone: 514-521-2424,  
Facsimile: 514-873-7739  
Contact: Danielle Villemare

**78. Sound Venture Productions Ottawa Ltd. / 1350907 Ontario Ltd.**

219-126 York St.  
Ottawa, Ontario  
K1N 5T5

Phone: 613-241-5111  
Facsimile: 613-241-5010  
Contact: Neil Bregman

**79. Sovicom Inc. / Sovimed Inc.**

1035, ave. Laurier Ouest, 1er étage,  
Outremont (Québec)  
H2V 2L1

Phone: 514-277-6123  
Facsimile: 514-277-1139  
Contact: Guylaine Pelletier

**80. Sphère Média Inc.**

61, St-Charles O. #103  
Longueuil (Québec)  
J4H 1C5

Phone: 450-674-3434  
Facsimile: 450-674-4732  
Contact: Mélanie Lamothe

**81. Summerhill Entertainment Inc.**

56 Shaftesbury Avenue  
Toronto, Ontario  
M4T 1A3

Phone: 416-967-6503  
Facsimile: 416-967-1292  
Contact: Esther Garfin

**82. Sullivan Entertainment International**

110 Davenport Road  
Toronto, Ontario  
M5R 3R3

Phone: 416-921-7177  
Facsimile: 416-921-7538  
Contact: Andrea Seaborn

**83. Thunder Bay Electronics Limited (CKPR / CHFD-TV)**

87 North Hill Street  
Thunder Bay, Ontario  
P7A 5V6

Phone: 807-346-2627  
Facsimile: 807-345-5423  
Contact: Millie Labelle

**84. TVA Group Inc.**

1600, boul. de Maisonneuve, est, 7<sup>e</sup> etage  
Montréal (Québec)  
H2L 4P2

Phone: 514-598-2806  
Facsimile: 514-598-6082  
Contact: Philippe Labelle

**85. TVA International Distribution Inc.**

101 Bloor Street, West, Suite 400  
Toronto, Ontario  
M5S 2Z7

Phone: 416-968-0002  
Facsimile: 416-643-3902  
Contact: Dan Lyon

**86. Undersea Treasures Inc./NG Adventures Inc./Medical  
Mystery Inc./Escape Pictures Inc./20<sup>th</sup> Century Pictures  
Inc./Alton Pictures Inc./Icon Films Inc./Shipwreck Films  
Inc./Cinenova Productions Inc.**

465 King Street West, 6<sup>th</sup> Floor  
Toronto, Ontario  
M5V 1L8

Phone: 416-363-2600  
Facsimile: 416-363-2609  
Contact: Adam Block

**87. Vendôme Télévision Inc.**

4528, avenue Oxford  
Montréal (Québec) H4A 2Y8

Phone: 514-369-4834  
Facsimile: 514-369-4015  
Contact: Ghislaine Mailhot

**88. Vivacllic Inc.**

1973, rue Falardeau  
Montréal (Québec)  
H2K 2L9

Phone: 514-527-9700  
Facsimile: 514-527-0846  
Contact: René Violette

**89. Westwind Pictures Ltd.**

# 402-2206 Dewdney Avenue  
Regina, Saskatchewan  
S4R 1H3

Phone: 306-777-0159  
Facsimile: 306-352-8558  
Contact: Gail Snook



The nature of the copyrighted works whose secondary transmissions provide the basis of the claims are:

**Television Programs, Motion Pictures & Radio Programs**

(3) Identification of several of the joint claimants' works:

- i) On the basis of information and belief, CBC's copyrighted program **The Fifth Estate** was the subject of a primary transmission by television station CBLT, of Toronto, Ontario, on October 11<sup>th</sup> and 18<sup>th</sup>, 2000, and was retransmitted on those dates by a cable system known as **Adelphia**, (owner Parnassos, L.P.) 1 North Main St., Coudersport, PA, 16915 which serves the community of Lackawanna, (Erie County) New York.
- ii) On the basis of information and belief, **S & S Productions Inc.**'s copyrighted program **The Red Green Show** was the subject of a primary transmission by television station CBMT, of Montreal, Quebec, on November 10<sup>th</sup> and 17<sup>th</sup>, 2000, and was retransmitted on those dates by a cable system known as **Bee Line Inc.**, P.O. Box 859, Houlton, ME, 04730-0859 which serves the community of Millinocket, ME.
- iii) On the basis of information and belief, CBC's copyrighted program **The Nature of Things** was the subject of a primary transmission by television station CBUT, of Vancouver, British Columbia, on October 12<sup>th</sup> and 19<sup>th</sup> 2000 and was retransmitted on those dates by a cable system known as **AT&T Broadband**, 900 - 133<sup>rd</sup> St. SW, Everett, WA, 98204 which serves the community of Edmonds, Washington.
- iv) On the basis of information and belief, CBC's copyrighted television program **Le Téléjournal/Le Point** was the subject of a primary transmission by television station CBFT, of Montreal, Quebec, on April 16, 17, 18, 19 and 20, 2000, and was retransmitted on those dates by a cable system known as **Charter Communications (formerly Falcon First Communications)**, 68 Bridge Street, Plattsburgh, NY, 12901 which serves the community of Plattsburgh, New York.
- v) On the basis of information and belief, CBC's copyrighted radio program **This Morning** was the subject of a primary transmission by radio station CBM-FM (English language radio), of Montreal, Quebec, on March 26, 27, 28, 29, 30 2000, and was retransmitted on those dates by a cable system known as **Adelphia Communications (formerly Mountain Cable Company)**, 319 Industrial Lane, Barre, Vermont which serves the community of Montpelier, Vermont.
- vi) On the basis of information and belief, CBC's copyrighted radio program **Le Midi-15** was the subject of a primary transmission by radio station CBF-FM

(French language radio), of Montreal, Quebec, on September 10, 11, 12, 13, and 14, 2000, and was retransmitted on those dates by a cable system known as Charter Communications (formerly Falcon First Communications), 68 Bridge Street, Plattsburgh, NY, 12901 which serves the community of Plattsburgh, New York.

(4) If further information is required, please contact:

Name: Janice de Freitas  
Title: Chairman, Canadian Claimants Group  
& Manager, Rights Administration, CBC  
Tel: (613) 724-5703  
Fax: (613) 724-5113

(5) The Canadian Broadcasting Corporation is the authorized representative of the Canadian Claimants Group. The Canadian Claimants Group and its members are represented before the Copyright Arbitration Royalty Panel and in other matters related to copyright royalty claims and proceedings by:

L. Kendall Satterfield, Esq.  
Finkelstein, Thompson & Loughran  
The Foundry Building, Suite 601  
1055 Thomas Jefferson St., NW  
Washington, D.C. 20007  
Tel.: (202) 337-8000  
Fax: (202) 337-8090

---

Name of Claimant Organization: Canadian Broadcasting Corporation  
/Canadian Claimants Group

Authorized Officer: \_\_\_\_\_

(signature)

(print)

Date: 25 July, 2001

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**



**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

Gabriel Communications  
Associates

**SERLING ROOKS & FERRARA, LLP**  
ATTORNEYS AT LAW  
254 WEST 54TH STREET, 14TH FLOOR  
NEW YORK, NEW YORK 10019

JOSEPH LLOYD SERLING\*  
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THEODORE D. WEIS  
MICHAEL L. MCKOY  
PAMELA L. KLEIN\*  
HAROLD ROSENBLUM  
J. REID HUNTER\*

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FAX: (212) 586-5175

\*ALSO MEMBER NY BAR  
\* MEMBER CA BAR ONLY  
\* MEMBER GA BAR ONLY

WRITER'S E-MAIL:  
wdr@serflp.com

**FACSIMILE MEMO**

Date: March 22, 2000  
From: Wayne D. Rooks, Esq.  
To: Raul Galaz  
Worldwide Subsidiy Group  
Fax#: (210) 490-9779

.....  
page(s) to follow. If any of the pages transmitted are illegible or missing, please contact (212) 245-7300. Our facsimile number is (212) 586-5175. This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged or confidential. If the nature of this message is not the intended recipient, please be advised that any dissemination, distribution or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone collect to the number shown above. We also would appreciate your returning the original message to us at the above address via U.S. Mail. Thank you for your cooperation.  
.....

Dear Raul:

Transmitted herewith is a series of title registrations for various programs owned by Gabriel Associates. Please call me if you have any questions or comments.

Best regards.

Sincerely,

  
Wayne D. Rooks

ATLANTA

LOS ANGELES

NASHVILLE

NEW YORK

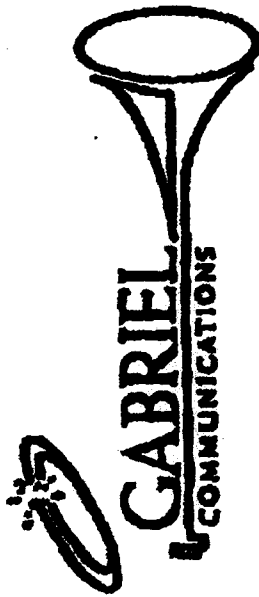
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GABRIEL COMM

PAGE 01



# Fax

125 BELLS  
FOREST CIRCLE  
SUITE 101

NASHVILLE  
TENNESSEE  
37221

PHONE  
615-673-2848  
FAX  
615-673-2848

*Wayne Rooks*

Name: *Wayne Rooks*  
 Organization:  
 Fax: *212 586-5175*  
 Phone: *212-245-7300*  
 From: *RENAE*  
 Date:  
 Subject: *3/22*  
 Page: *13*



Air Date 3/27/99

Worldwide Subsidy Group

TITLE REGISTRATION FORM

Original title of work (if series, please list individual episode titles):

Courtesy Family Reunion Gospel

Alternate title of work:

NONE

Type of work, please indicate all descriptions which apply: FEATURE FILM  TELEFILM  SHORT FILM  SERIES  ANIMATION  DOCUMENTARY  *Live Performance of Music and Stories.*

Coloration of material: COLOR  BLACK AND WHITE

Copyright year 1999 Nationality of title USA

Duration of title 60 min. Original language English

Producing Co. Gabeiel Associates

Director(s) Jim Yockey

Writer(s) NONE

Principal Actors Bill Anderson, Jim Ed Brown, Jeanne Pruett, Johnny Russell

Territorial Information: For foreign titles below. If unknown, please list contact details where foreign language titles can be obtained:

AUSTRALIA \_\_\_\_\_

AUSTRIA \_\_\_\_\_

BELGIUM \_\_\_\_\_

CANADA SAME AS USA

continued on next page

1 of 2







Air date 10/4/99

Worldwide Subsidy Group

TITLE REGISTRATION FORM

1. please list individual episode titles:

Roll Graffiti

NONE

2. all descriptions which apply:  FEATURE FILM  TELEFILM  SHORT  
 NATION  DOCUMENTARY  Live Performance of Music and Spoken

3. color  BLACK AND WHITE

1999      Nationality of title      USA

0 min.      Original language      English

Gabriel Associates

Jim Yockey

NONE

Ray Black, Gene Hasler, Jimmy Glimmer, Frankie Ford  
Jewel Akers

4. list foreign titles below. If unknown, please list contact details where  
to obtain:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SAME AS USA

continued on next page

### TITLE REGISTRATION FORM

**Territorial information: continued**

- DENMARK** \_\_\_\_\_
- POLAND** \_\_\_\_\_
- FRANCE** \_\_\_\_\_
- GERMANY** \_\_\_\_\_
- IRELAND** \_\_\_\_\_
- ITALY** \_\_\_\_\_
- LIECHTENSTEIN** \_\_\_\_\_
- LUXEMBOURG** \_\_\_\_\_
- NETHERLANDS** \_\_\_\_\_
- NEW ZEALAND** \_\_\_\_\_
- NORWAY** \_\_\_\_\_
- SPAIN** \_\_\_\_\_
- SWEDEN** \_\_\_\_\_
- SWITZERLAND** \_\_\_\_\_
- UNITED STATES** Back and Roll Graffiti

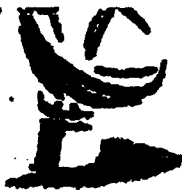
2 of 2

4-7

0847-080-080

0847-080-080

0847-080-080



Art date 1/1/99

Worldwide Subsidy Group

TITLE REGISTRATION FORM

Original title of work (if series, please list individual episode titles):

Country's Family Reunion Celebration

Alternate title of work:

NONE

Type of work, please indicate all descriptions which apply:  FEATURE FILM  TELEFILM  SHORT FILM  SERIES  ANIMATION  DOCUMENTARY  Live Performance of Music & Stocks

Coloration of film/tape:  COLOR  BLACK AND WHITE

Copyright year 1999 Nationality of title USA

Duration of title 60 min. Original language English

Producing Co. Gabriel Associates

Director(s) Jim Yockey

Writer(s) NONE

Principal Actor Bill Anderson, Ian Howard, Jack Greene, Johnny Russell, Billy Walker, JEANNIE SEELY

Territorial information: list foreign titles below. If unknown, please list contact details where foreign language titles can be obtained:

AUSTRALIA \_\_\_\_\_

AUSTRIA \_\_\_\_\_

BELGIUM \_\_\_\_\_

CANADA SAME AS USA

continued on next page

TITLE REGISTRATION FORM

Additional Information: continued

DENMARK	_____
IRELAND	_____
FRANCE	_____
GERMANY	_____
IRELAND	_____
ITALY	_____
LIECHTENSTEIN	_____
LUXEMBOURG	_____
NETHERLANDS	_____
NEW ZEALAND	_____
NORWAY	_____
SPAIN	_____
SWEDEN	_____
SWITZERLAND	_____
UNITED STATES	<u>Counten's Family Reunion Celebration</u>

2 of 2

P. 7

883-888-7488      HOPKINS SUBSIDY GROUP      MAR 18 00 12:03P



Air date 8/29/99

### Worldwide Subedy Group TITLE REGISTRATION FORM

Original title of work (if series, please list individual episode title):

GRASS roots to Bluegrass

Alternate title of work:

NONE

Type of work, please indicate all descriptors which apply:  FEATURE FILM  TELEFILM  SHORT FILM  SERIES  ANIMATION  DOCUMENTARY  Live Performance of Music & Stories

Coloration of film/tape:  COLOR  BLACK AND WHITE

Copyright year 1999 Nationality of title USA

Duration of title 60 min. Original language English

Producing Co. Gabriel Associates

Director(s) Jim Yockey

Version(s) NONE

Principal Actors Mac Wiseman, Jeanette Carter, Kenny Baker, Walter Bold  
JAMES MONROE, Melvin Goins,

Territorial Information: See foreign titles below. If unknown, please list contact details where foreign language titles can be obtained:

AUSTRALIA \_\_\_\_\_

AUSTRIA \_\_\_\_\_

BELGIUM \_\_\_\_\_

CANADA SAME AS USA

continued on next page

# TITLE REGISTRATION FORM

## Technical Information: continued

<b>DENMARK</b>	_____
<b>FINLAND</b>	_____
<b>FRANCE</b>	_____
<b>GERMANY</b>	_____
<b>IRELAND</b>	_____
<b>ITALY</b>	_____
<b>LIECHTENSTEIN</b>	_____
<b>LUXEMBOURG</b>	_____
<b>NETHERLANDS</b>	_____
<b>NEW ZEALAND</b>	_____
<b>NORWAY</b>	_____
<b>SPAIN</b>	_____
<b>SWEDEN</b>	_____
<b>SWITZERLAND</b>	_____
<b>UNITED STATES</b>	<u>GRASSROOTS TO BLUEGRASS</u>

2 of 2



air date 11/20/99

Worldwide Subsidy Group

TITLE REGISTRATION FORM

Original title of work (if series, please list individual episode title):

Country's Family Reunion The Young 'Uns

Alternate title of work:

NONE

Type of work, please indicate all descriptors which apply: FEATURE FILM  TELEFILM  SHORT FILM  SERIES  ANIMATION  DOCUMENTARY  Live Performance of Music & Stories

Coloration of film/tape: COLOR  BLACK AND WHITE

Copyright year 1999 Nationality of title USA

Duration of title 60 Original language English

Producing Co. Gabriel Associates

Director(s) Jim Yockey

Writer(s) NONE

Principal Actors \_\_\_\_\_

Territorial information: list foreign titles below. If unknown, please list contact details where foreign language titles can be obtained:

AUSTRALIA \_\_\_\_\_

AUSTRIA \_\_\_\_\_

BELGIUM \_\_\_\_\_

CANADA SAME AS USA

continued on next page

1 of 2



**TITLE REGISTRATION FORM**

**Territorial Infringings: continued**

<b>DENMARK</b>	_____
<b>FINLAND</b>	_____
<b>FRANCE</b>	_____
<b>GERMANY</b>	_____
<b>IRELAND</b>	_____
<b>ITALY</b>	_____
<b>LICHTENSTEIN</b>	_____
<b>LUXEMBOURG</b>	_____
<b>NETHERLANDS</b>	_____
<b>NEW ZEALAND</b>	_____
<b>NORWAY</b>	_____
<b>SPAIN</b>	_____
<b>SWEDEN</b>	_____
<b>SWITZERLAND</b>	_____
<b>UNITED STATES</b>	<u>Country's Family Remains The Young 'Uns</u>

2 of 2

4-1

322-225-7432

Worldwide Subtitle Group

Mar 18 00 12:53p



Air date 2/21/99

Worldwide Subsidy Group

TITLE REGISTRATION FORM

Original title of work (if series, please list individual episode title):

Stock Car Legends Reunion

Alternate title of work:

NONE

Type of work, please indicate all descriptions which apply: FEATURE FILM  TELEFILM  SHORT FILM  SERIES  ANIMATION  DOCUMENTARY  Live Performance of Music & Stories

Coloration of film/tape: COLOR  BLACK AND WHITE

Copyright year 1999 Nationality of title USA

Duration of title 60 Original language English

Producing Co. Gabeil Associates

Director(s) Jim Yockey

Writer(s) NONE

Principal Actors Eli Gold, Darrell Whinnip, Donnie Allison, Barney Hall

Territorial information: For foreign titles below. If unknown, please list contact details where foreign language titles can be obtained:

AUSTRALIA \_\_\_\_\_

AUSTRIA \_\_\_\_\_

BELGIUM \_\_\_\_\_

CANADA SAME AS USA

continued on next page

1 of 3

### TITLE REGISTRATION FORM

Additional Information: continued

- DENMARK \_\_\_\_\_
- IRELAND \_\_\_\_\_
- FRANCE \_\_\_\_\_
- GERMANY \_\_\_\_\_
- IRELAND \_\_\_\_\_
- ITALY \_\_\_\_\_
- LIECHTENSTEIN \_\_\_\_\_
- LUXEMBOURG \_\_\_\_\_
- NETHERLANDS \_\_\_\_\_
- NEW ZEALAND \_\_\_\_\_
- NORWAY \_\_\_\_\_
- SPAIN \_\_\_\_\_
- SWEDEN \_\_\_\_\_
- SWITZERLAND \_\_\_\_\_
- UNITED STATES Stock Car Legends Reunion

202

Mar 16 00 18:52p Worldwide Subsidiary Group 823-888-7430 P. 7

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

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WORLDWIDE SUBSIDY GROUP, LLC, a )  
Texas Limited Liability Company, )  
dba INDEPENDENT PRODUCERS GROUP; )  
WORLDWIDE SUBSIDY GROUP, LLC, a )  
California Limited Liability )  
Company, formerly named ARTIST )  
COLLECTONS GROUP, LLC, )

Plaintiffs, )

vs. )

Case No. BC 389895

MOTION PICTURE ASSOCIATION OF )  
AMERICA, INC., a New York )  
Corporation doing business in )  
California; and DOES 1 through 10, )  
inclusive, )

Defendants. )

DEPOSITION OF RAUL GALAZ  
LOS ANGELES, CALIFORNIA  
FRIDAY, FEBRUARY 12, 2010

REPORTED BY:  
Alejandria E. Kate  
CSR NO. 11897

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FEBRUARY 12, 2010

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9:17 A.M.

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Deposition of RAUL GALAZ, held at

12

11377 West Olympic Boulevard, Suite 600,

13

Los Angeles, California, before Alejandria E.

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Kate, CSR No. 11897.

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1 A P P E A R A N C E S :

2  
3 PICK & BOYDSTON, L.L.P.  
4 ATTORNEY FOR THE PLAINTIFF  
5 WORLDWIDE SUBSIDY GROUP, L.L.C.:

6 523 West Sixth Street

7 Suite 1134

8 Los Angeles, California 90014-1644

9 BY: BRIAN D. BOYDSTON, ESQ.

10  
11 MITCHELL, SILBERBERG & KNUPP, L.L.P.

12 ATTORNEY FOR THE DEFENDANT  
13 MOTION PICTURE ASSOCIATION OF AMERICA, INC.:

14 11377 West Olympic Boulevard

15 Suite 600

16 Los Angeles, California 90064

17 BY: KARIN G. PAGNANELLI, ESQ.

18 ANDREW C. SPITSER, ESQ.

19 -- AND --

20 STINSON, MORRISON, HECKER L.L.P.

21 1150 18th Street NW

22 Suite 800

23 Washington, D.C. 20036-3816

24 BY: GREGORY O. OLANIRAN, ESQ.

25 LUCY HOLMES PLOVNICK, ESQ.

PHYLLICIA HOFFMAN, ESQ.

1 A. January 2000.

2 Q. Okay. So between 2000 -- between January 2000  
3 and February of 2003, where was the principal place of  
4 business for WSG?

5 A. And I guess I don't know, because that would  
6 be what I would say -- as far as what was the primary  
7 mail receptacle, it was the address that I gave in  
8 Beverly Hills, 9903 Santa Monica Boulevard, in Beverly  
9 Hills. However, I'm not sure where Marion Oshita -- I  
10 know she had a home office, I just don't know the  
11 address.

12 Q. We'll talk about Marion Oshita's operation of  
13 the company a little bit later.

14 But prior to you going to prison, you were  
15 running the company, were you not?

16 A. For part of the time. Not the whole time.

17 Q. When did you stop running the company?

18 A. May 2002, I believe.

19 Q. Okay. And who began running the company in  
20 your place after May of 2002?

21 A. Well, it would have been, jointly,  
22 Marion Oshita and Lisa Galaz.

23 Q. Okay. I see. Got it.

24 And you just don't know what became the  
25 principal place of business for WSG Texas during that

1 information because they weren't getting any  
2 information.

3 Q. Okay. So were you sort of passively receiving  
4 information, or did you taken an active role in making  
5 decisions of the company or providing advice to either  
6 Lisa Galaz or Mr. Boydston?

7 A. I clearly wasn't actively involved.

8 Q. Okay.

9 A. Maybe you don't appreciate the context  
10 within --

11 Q. I've never been in prison, so ...

12 A. Okay. Yeah. Well, but you've seen movies,  
13 I'm sure, you know. It's not a place where you can  
14 conduct business.

15 Q. Okay. And you said you had very little  
16 knowledge of how WSG was operating during the period  
17 that you were in prison. What did you know about how it  
18 operated?

19 A. You know, in a very generalized nature, all I  
20 knew was that Marion Oshita wasn't sharing information  
21 with Lisa Galaz. I presumed that she was carrying on  
22 business in the same manner as -- you know, prior to my  
23 incarceration, but, again, didn't have any firsthand  
24 knowledge.

25 I hadn't spoken with her, with



1 Marion Oshita -- the last time I spoke with  
2 Marion Oshita, as I think I mentioned before, was in  
3 February 2003.

4 Q. And do you know whether or not Marion Oshita  
5 was acting as president of WSG during that period?

6 A. I have no idea how she was holding herself  
7 out.

8 Q. After May of 2002, do you have any  
9 understanding as to whether or not Marion Oshita had the  
10 title of president of WSG?

11 A. I -- I don't recall.

12 Q. Okay. Did you and Marion talk about whether  
13 or not she should be president after you transferred  
14 your interest to her?

15 A. I don't recall. And it wouldn't really be my  
16 decision to make anyway.

17 Q. And did you have a conversation with  
18 Lisa Galaz about whether or not Marion Oshita would be  
19 president of WSG?

20 A. I don't recall.

21 Q. Okay. You don't recall or it may have  
22 happened or it may not have happened?

23 A. It may have happened, it may not have  
24 happened, I just don't recall.

25 Q. Okay. And what is your -- you understand -- I

1 that.

2 MS. PAGNANELLI: It's okay. We've got  
3 it, Brian.

4 MR. OLANIRAN: I'm okay. I'll do what I  
5 have to do.

6 MR. BOYDSTON: All right.

7 MR. OLANIRAN: Now we can go on record.

8 MR. BOYDSTON: I think we've been on the  
9 record.

10 MR. OLANIRAN: We have been?

11 MR. BOYDSTON: Yes.

12 MR. OLANIRAN: Oh, okay. Okay.

13 MR. BOYDSTON: So stipulated?

14 MR. OLANIRAN: So stipulated.

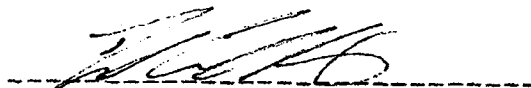
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16 (Time noted: 12:40 p.m.)

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RAUL GALAZ

21

Subscribed and sworn to before me

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this 16th day of February, 2010.

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ALEJANDRIA E. KATE

C E R T I F I C A T E

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STATE OF CALIFORNIA )

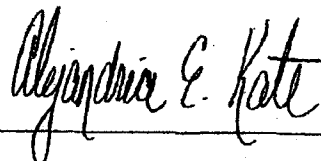
) ss:

COUNTY OF LOS ANGELES )

I, ALEJANDRIA E. KATE, a Registered Professional Reporter and Notary Public within and for the State of California, do hereby certify:

That the foregoing record of proceedings is a full and correct transcript of the stenographic notes taken by me therein.

In witness whereof, I have hereunto set my hand this 16th day of February, 2010.



\_\_\_\_\_  
ALEJANDRIA E. KATE, RPR, CSR

ERRATA SHEET

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NAME OF CASE: "Worldwide Subsidy Group vs. Motion Picture Association of America"

DATE OF DEPOSITION: February 12, 2010

NAME OF WITNESS: RAUL GALAZ

Reason Codes:

- 1. To clarify the record.
- 2. To conform to the facts.
- 3. To correct transcription errors.

Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_  
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RAUL GALAZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

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4 WORLDWIDE SUBSIDY GROUP, LLC, a )  
Texas Limited Liability Company, )  
5 dba INDEPENDENT PRODUCERS GROUP; )  
WORLDWIDE SUBSIDY GROUP, LLC, a )  
6 California Limited Liability )  
Company, formerly named ARTIST )  
7 COLLECTONS GROUP, LLC, )

8 Plaintiffs, )

9 vs. )

Case No. BC 389895

10 MOTION PICTURE ASSOCIATION OF )  
AMERICA, INC., a New York )  
11 Corporation doing business in )  
California; and DOES 1 through 10, )  
12 inclusive, )

13 Defendants. )

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18 DEPOSITION OF DENISE VERNON  
19 LOS ANGELES, CALIFORNIA  
20 THURSDAY, FEBRUARY 11, 2010  
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24 REPORTED BY:  
Alejandria E. Kate  
25 CSR NO. 11897

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FEBRUARY 11, 2010

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9:11 A.M.

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Los Angeles, California, before Alejandria E.

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Kate, CSR No. 11897.

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1 A P P E A R A N C E S:

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PICK & BOYDSTON, L.L.P.

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ATTORNEY FOR THE PLAINTIFF

WORLDWIDE SUBSIDY GROUP, L.L.C.:

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523 West Sixth Street

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BY: BRIAN D. BOYDSTON, ESQ.

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MITCHELL, SILBERBERG & KNUPP, L.L.P.

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ATTORNEY FOR THE DEFENDANT

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MOTION PICTURE ASSOCIATION OF AMERICA, INC.:

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11377 West Olympic Boulevard

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Los Angeles, California 90064

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BY: KARIN G. PAGNANELLI, ESQ.

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-- AND --

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STINSON, MORRISON, HECKER L.L.P.

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1150 18th Street NW

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Suite 800

21

Washington, D.C. 20036-3816

22

BY: GREGORY O. OLANIRAN, ESQ.

LUCY HOLMES PLOVNICK, ESQ.

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24

25

1 of those -- a particular entity, I would refer  
2 accordingly, as either WSG Texas or WSG California, or  
3 whatever the appropriate entity I may be referring to.

4 Are we clear on that?

5 A. Yes.

6 Q. Okay. And have you had a chance to consult  
7 with WSG's attorney and/or your attorney about this  
8 case?

9 A. Generally, yes.

10 Q. Okay. Where are you employed?

11 A. I'm self-employed.

12 Q. Okay. What do you do?

13 A. Besides WSG?

14 Q. Yes.

15 A. Real estate.

16 Q. What do you mean, "real estate"?

17 A. Real estate investment.

18 Q. You're a real estate investor?

19 A. I buy properties, fix them up and sell them,  
20 yes.

21 Q. Okay. And are you also employed by WSG?

22 A. I'm not an employee. I'm an owner -- member.

23 Q. Okay. And do you have -- do you have a title?

24 A. No, I do not. Besides member, no.

25 Q. Okay. And how long have you been a member of



1 WSG?

2 A. Since 2005.

3 Q. Now, you have been a member since 2005 for  
4 both the California -- WSG California and WSG Texas?

5 A. That's correct.

6 Q. Okay. Are you related to Raul Galaz?

7 A. That's correct.

8 Q. And what is the nature of your relationship?

9 A. He's my brother.

10 Q. Okay. Do you have a business relationship  
11 with him?

12 A. Well, in that he's the employee of the  
13 company, yes.

14 Q. Okay. And by "the company," you're referring  
15 to --

16 A. WSG.

17 Q. Okay. Are you related to Lisa Galaz?

18 A. She's my former sister-in-law.

19 Q. Okay. Do you have a business relationship  
20 with her?

21 A. Well, in the sense that she's the other  
22 co-member of WSG.

23 Q. Are you related to Marion Oshita?

24 A. No.

25 Q. Do you have a business relationship with

1 Q. What about conference calls?

2 A. We may have had some conference calls.

3 MR. GALAZ: I think so.

4 A. I don't remember anything specifically.

5 Q. So let me ask --

6 A. As I said, most of our communication is  
7 through e-mails. We cc each other. Someone has a  
8 question. They direct it through an e-mail. It goes to  
9 everyone else. So that's most of how -- you know,  
10 primarily how all our communication is.

11 Q. So you don't -- you don't have a required  
12 annual face-to-face meeting --

13 A. No, we don't.

14 Q. -- or annual -- required annual telephonic  
15 meetings or anything of that sort?

16 A. No, nothing like that.

17 Q. And so there would be no -- no notes of any  
18 formal meetings that you would have had then?

19 A. Well, there would be no notes of any formal  
20 face-to-face meetings if there were no face-to-face  
21 meetings, correct.

22 Q. Okay. Now, you indicated -- now, prior to  
23 2005 when -- when in 2005 did you acquire an interest in  
24 WSG?

25 A. March.

1 Q. March?

2 A. Yes.

3 Q. And prior to that time, did you have any  
4 involvement with WSG?

5 A. No, I did not.

6 Q. Okay. None whatsoever?

7 A. None whatsoever.

8 Q. Okay. Well, since your involvement -- since  
9 your involvement with WSG began, have you come to  
10 understand that WSG participated in a litigation before  
11 the Copyright Arbitration Royalty Panel regarding the  
12 distribution of 1997 cable royalties?

13 A. Yes.

14 Q. And do you understand the U.S. retransmission  
15 royalty scheme, by the way?

16 A. In a general sense, I couldn't give you all of  
17 the details, but generally.

18 Q. And what do you understand by that?

19 A. Well, as far as what the MPAA does and what  
20 WSG does? As far as collecting royalties for clients  
21 for satellite and cable transmissions.

22 Q. Now, where do the royalties come from?

23 A. Do you mean the companies themselves, like the  
24 collectives, or are you talking about satellite and  
25 cable transmissions?

1 companies for almost four years; correct?

2 A. Correct.

3 Q. And four years from when you signed this  
4 declaration would be in about 2004; right?

5 A. Right.

6 Q. Okay. And you acquired your interest in 2005;  
7 correct?

8 A. Correct.

9 Q. So how were you able to determine what was  
10 going on in WSG before you -- before you acquired your  
11 interest in WSG?

12 A. Just from what Raul Galaz had told me.

13 (Whereupon, a discussion was held  
14 off the record.)

15 MR. BOYDSTON: Are they on mute?

16 MS. PLOVNICK: We are muting for a  
17 moment.

18 THE COURT REPORTER: Are we off the  
19 record?

20 MS. PAGNANELLI: Yes.

21 (Whereupon, a recess was held  
22 from 10:40 a.m. to 10:40 a.m.)

23 MR. OLANIRAN: I think those are all the  
24 questions I have, Ms. Vernon. Thank you very  
25 much.

1 MR. GALAZ: No.

2 MR. BOYDSTON: Okay. Well, we can apply  
3 it to this one. We'll have to see -- I guess  
4 there may be other issues with other ones.

5 MS. PAGNANELLI: All right.

6 THE COURT REPORTER: Off the record? On  
7 the record?

8 MS. PAGNANELLI: Yeah, we can go off the  
9 record.

10 MR. OLANIRAN: We're off the record now.

11

12 (Time noted: 10:46 a.m.)

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15

*Denise Vernon*

16

DENISE VERNON

17

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Subscribed and sworn to before me

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this 16th day of February, 2010.

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ALEJANDRIA E. KATE

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C E R T I F I C A T E

STATE OF CALIFORNIA )


) ss:

COUNTY OF LOS ANGELES )

I, ALEJANDRIA E. KATE, a Registered Professional Reporter and Notary Public within and for the State of California, do hereby certify:

That the foregoing record of proceedings is a full and correct transcript of the stenographic notes taken by me therein.

In witness whereof, I have hereunto set my hand this 16th day of February, 2010.



\_\_\_\_\_  
ALEJANDRIA E. KATE, RPR, CSR

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ERRATA SHEET

NAME OF CASE: "Worldwide Subsidy Group vs. Motion Picture Association of America"

DATE OF DEPOSITION: February 11, 2010

NAME OF WITNESS: DENISE VERNON

Reason Codes:

- 1. To clarify the record.
- 2. To conform to the facts.
- 3. To correct transcription errors.

Page 17 Line 10 Reason #1

From 2006 by Mr. Boydston to 2007 by Lisa Galaz

Page 17 Line 13 Reason #2

From 2006 to 2007

Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_

Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

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DENISE VERNON