

**BEFORE
THE COPYRIGHT ROYALTY BOARD
LIBRARY OF CONGRESS
WASHINGTON, DC**

In the Matter of)	
)	Docket No. 2010-6 CRB CD 2008
Distribution of the 2008 Cable)	
Royalty Funds)	
)	
)	

**COMMENTS OF THE CANADIAN CLAIMANTS GROUP
ON THE EXISTENCE OF CONTROVERSIES REGARDING DISTRIBUTION
OF 2008 CABLE ROYALTIES**

By Federal Register notice dated October 29, 2010, 75 Fed. Reg. 66798, the Copyright Royalty Board (“Board”) sought comments from all interested claimants to royalty fees collected under the Section 111 cable statutory license as to (1) whether any controversy exists that would preclude distribution of 50 percent of the 2008 to the Phase I claimants and (2) whether any Phase I or Phase II controversies exist affecting the distribution of the 2008 cable royalty funds that remain following distribution of 50 percent of the funds. The Canadian Claimants Group (“CCG”) hereby submits its comments, and also states its intent to participate fully on behalf of itself in any proceedings, whether for Phase I or Phase II, concerning the 2008 cable royalty funds.

Fifty Percent of the 2008 Cable Royalty Funds Should Be Distributed

The CCG has joined other Phase I claimants in the joint motion filed September 22, 2010 requesting the distribution of 50 percent of the 2008 cable royalty funds. As set forth in that motion, nothing precludes the distribution of 50 percent of the 2008 cable royalty funds, even though all the 2008 cable royalty funds remain in dispute at this time. The joint motion has fully addressed the grounds upon which the request for distribution should be granted.

Existence of Phase I and Phase II Controversies

With respect to Phase I of the 2008 cable royalty distribution proceeding, the share of funds to be allocated to the CCG and the other Phase I claimant groups is still in controversy. While CCG seeks to resolve this matter through settlement, the Board should note that given the absence of a settlement to date there presently exists a controversy with respect to the CCG Phase I share of the 2008 cable royalty funds.

With respect to Phase II, the CCG is unaware of any controversy within its Phase I category for 2008. The CCG is aware that one of its members, the Canadian Broadcasting Corporation, has a Phase II claim for 2008 for a portion of the Phase I share awarded to National Public Radio.

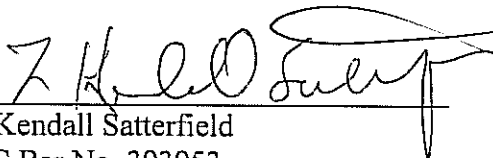
The CCG reserves its right to withdraw Phase II claims or make additional Phase II claims in response to the rulings of the Copyright Royalty Board or the Copyright Royalty Judges, the outcomes of the 2008 Phase I distribution proceedings, or the evidence and filings submitted by other claimants.

Conclusion

At this time, the CCG requests that the Board distribute 50 percent of the 2008 Section 111 copyright royalties for the reasons set forth in the joint motion and states that it sees no reasonable objection to such a distribution.

Dated: 11/29/2010

Respectfully Submitted



L. Kendall Satterfield
D C Bar No. 393953
Richard M. Volin
D C Bar No. 457292
Eugene Benick
D C Bar No. 979246
FINKELSTEIN THOMPSON LLP
150 30th Street NW
Washington, DC 20007
Telephone (202) 337 8000
Fax (202) 337-8090
ksatterfield@finkelsteinthompson.com

Victor J. Cosentino
LARSON & GASTON, LLP
CA Bar No. 163672
200 S. Los Robles Ave, Suite 530
Pasadena, CA 91101
Telephone: 626-795-6001
Fax: 626-795-0016
victor.cosentino@larsonlaw.net

Counsel for Canadian Claimants Group

CERTIFICATE OF SERVICE

I, Eugene J. Benick, hereby certify that on this 29th day of November, 2010, a copy of the foregoing **Comments of the Canadian Claimants Group on the Existence of Controversies Regarding Distribution of 2008 Cable Royalties** was sent by first class, postage pre-paid U.S. mail on the following parties:

PROGRAM SUPPLIERS

Gregory O. Olaniran
Lucy Holmes Plovnick
MITCHELL SILBERBERG & KNUPP LLP
1818 N Street, NW - 8th Floor
Washington, D.C. 20036
Telephone: 202-355-7887

PUBLIC TELEVISION CLAIMANTS

Ronald G. Dove, Jr.
COVINGTON & BURLING LLP
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2401
Telephone: 202-662-5685

Gean Ashe
Marc Mangum
PUBLIC BROADCASTING SERVICE
2100 Crystal Drive
Arlington, VA 22202-3785

SESAC, INC.

John C. Beiter
ZUMWALT, ALMON & HAYES PLLC
1014 16th Avenue South
Nashville, TN 37212
Telephone: 615-256-7200

NATIONAL ASSOCIATION OF BROADCASTERS

John I. Stewart, Jr.
Ann M. Mace
CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2595
Telephone: 202-624-2500

BROADCAST MUSIC, INC.

Marvin L. Berenson
Joseph J. DiMona
BROADCAST MUSIC, INC.
7 World Trade Center
250 Greenwich Street
New York, NY 10007-0030
Telephone: 212-220-3000

Michael J. Remington
Jeffrey Lopez
Philip K. Cardinale
DRINKER BIDDLE & REATH LLP
1500 K Street, NW - Suite 1100
Washington, D.C. 20005
Telephone: 202-842-8800

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS

Joan M. McGivern
Samuel Mosenkis
ASCAP
One Lincoln Plaza
New York, NY 10023
Telephone: 1-800-652-7227

Jay Cohen
Lynn Bayard
PAUL WEISS RIFKIND WHARTON
1285 Avenue of the Americas
New York, NY 10019
Telephone: 212-373-3000

DEVOTIONAL CLAIMANTS

Arnold P. Lutzker
Allison Rapp
Jeannette Maurer Carmadello
LUTZKER & LUTZKER LLP
1233 20th Street, N.W. - Suite 703
Washington, D.C. 20036
Telephone: 202-408-7600

Clifford M. Harrington
PILLSBURY WINTHROP SHAW
PITTMAN LLP
2300 N Street, NW
Washington, DC 20037
Telephone: (202) 663-8525
Fax: (202) 663-8007
clifford.harrington@pillsburylaw.com

Edward S. Hammerman
HAMMERMAN, PLLC
5335 Wisconsin Avenue, NW
Suite 440
Washington, DC 20015-2052
Telephone: (202) 686-2887
Fax: (202) 318-5633
ted@copyrightroyalties.com

W. Thad Adams III
ADAMS EVANS PA
Suite 2350 Charlotte Plaza
201 South College Street
Charlotte, NC 28244
Telephone: (704) 375-9249
Fax: (704) 375-0729
wta@adamspat.com

Wendell R. Bird, P.C.
Jonathan T. McCants
BIRD, LOECHL, BRITTAIN & McCANTS,
LLC
1150 Monarch Plaza
3414 Peachtree Road, N.E.
Atlanta, GA 30326
Telephone: (404) 264-9400
Fax: (404) 365-9731
jmccants@birdlawfirm.com

George R. Grange, II
Kenneth E. Liu
GAMMON & GRANGE, P.C.
8280 Greensboro Drive, 7th Floor
McLean, VA 22102
Telephone: (703) 761-5000
Fax: (703) 761-5023
kel@gg-law.com

JOINT SPORTS CLAIMANTS

Robert Alan Garrett
Stephen Marsh
Brent S. LaBarge
ARNOLD & PORTER LLP
555 Twelfth Street, N.W.
Washington, D.C. 20004-1206
Telephone: 202-942-5000

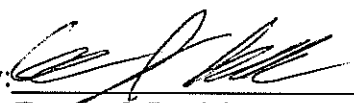
NATIONAL PUBLIC RADIO

Joyce D. Slocum
Gregory A. Lewis
National Public Radio, Inc.
635 Massachusetts Ave., NW
Washington, D.C. 20001

IPG

Brian D. Boydston
PICK & BOYDSTON LLP
617 S. Olive St.
Suite 400
Los Angeles, CA 90014

Counsel for Canadian Claimants

By: 
Eugene J. Benick
Finkelstein Thompson LLP
1050 30th Street, N.W.
Washington, D.C. 20007
(202) 337-8000
ebenick@finkelsteinthompson.com