

**Before the  
UNITED STATES COPYRIGHT ROYALTY JUDGES  
Washington, D.C.**

---

**In the Matter of**

**DETERMINATION OF RATES AND  
TERMS FOR BUSINESS  
ESTABLISHMENT SERVICES**

---

)  
)  
)  
) **Docket No. 2012-1**  
) **CRB Business Establishments II**  
)  
)  
)

**DMX, INC.'S PETITION TO PARTICIPATE**

DMX, Inc. ("DMX") hereby submits this Petition to Participate in the above-captioned proceeding pursuant to the Copyright Royalty Judges' Notice announcing the commencement of the proceeding. 77 Fed. Reg. 133 (January 3, 2012).

DMX's contact information, as required by 37 C.F.R. § 351.1(b)(1), is as follows:

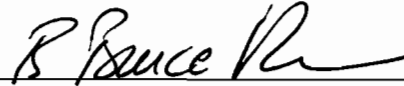
Christopher Harrison  
Chief Operating Officer  
DMX, Inc.  
1703 W. 5th Street, Suite 800  
Austin, Texas 78703  
Ph. (512) 380-8507  
Fax (512) 380-8501  
Chris.harrison@dmx.com

DMX, the second largest provider of business establishment services in the United States, has a significant interest in the subject matter of the proceeding. DMX utilizes the Section 112(e) statutory license to make ephemeral copies of sound recordings for purposes of transmitting performances of sound recordings to business establishments pursuant to the

limitations of Section 114(d)(1)(c)(iv); accordingly, DMX will be subject to the rates and terms set by the Judges in this proceeding for the 2014-2018 license period.

Pursuant to 37 C.F.R. § 351.5(b)(4), we enclose the requisite \$150 filing fee.

Respectfully submitted,



R. Bruce Rich (N.Y. Bar No. 1304534)  
Todd D. Larson (N.Y. Bar No. 4358438)  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, NY 10153  
Tel: 212.310.8170  
Fax: 212.310.8007  
r.bruce.rich@weil.com  
todd.larson@weil.com

*Counsel for DMX, Inc.*

February 1, 2012