

The Licensing Connection

A NEWSLETTER FROM THE U.S. COPYRIGHT OFFICE LICENSING DIVISION



Section 115 Notices Can Now Be Filed with the Office in Bulk Electronic Form

The U.S. Copyright Office is pleased to announce a new procedure that allows licensees to file notices of intention to obtain compulsory licenses for making and distributing phonorecords under section 115 of the Copyright Act with the Office in bulk electronic form. In addition to being more efficient, bulk electronic submission is less expensive for licensees. Details of this new process, including required forms, are available on the Office's [website](#). To date, the Licensing Division has received notices for over 20 million titles under the new process.

Copyright Royalty Board Announces Cable Royalty Rates, Further Proceedings

On September 13, the Copyright Royalty Board published [the final rule](#) in the *Federal Register* governing 2015–19 royalty rates and terms for distant retransmission of over-the-air television and radio broadcasts by cable systems. The board accepted a negotiated settlement among the participants in the proceeding to readopt existing rates and terms without substantive change. On April 26, the board announced commencement of [further proceedings](#) to determine whether and to what degree to make a rate adjustment in connection with the repeal by the Federal Communications Commission of its sports program exclusivity rules.

A marble statue of James Madison, created by sculptor Walker Hancock, sits near the entrance to the James Madison Memorial Building in Washington, DC, home of the U.S. Copyright Office.

PHOTO BY DAVID RICE



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Meet Jason Sloan, Attorney-Advisor

Jason Sloan, attorney-advisor, joined the Office of the General Counsel of the Copyright Office in August 2015 after working as a litigator in New York, first at the firm of Paul, Weiss, Rifkind, Wharton & Garrison, then at Mitchell Silberberg & Knupp. Jason earned his JD from Boston College Law School, where he was an editor for the *Boston College Law Review*.

What is your role in the Office of the General Counsel?

Generally speaking, I analyze legal questions pertaining to copyright law. Among other things, I assist with litigation and promulgation of regulations and policy positions. I also provide legal guidance to the Licensing Division, other divisions of the Office, and various federal agencies. More specifically, I handle a wide variety of matters relating to the Copyright Act's statutory licenses. For example, I assist in reviewing Copyright Royalty Board referred questions and determinations, and I helped set up an electronic process for submitting notices of intention to obtain compulsory licenses for making and distributing phonorecords under section 115 (see story on page 1).

Describe your experience working with the Licensing Division.

Working with the Licensing Division has been great. It's a wonderful team of people who have taught me a great deal about the internal operations of the Office and how the various filings for the statutory licenses are handled. I look forward to our continuing work together.

You attended the 2016 INTX conference in Boston. Please share your experience.

INTX was terrific. I enjoyed meeting and chatting with everyone who came by our booth. It was a nice opportunity to interact with members of the public and to be able to answer their questions about copyright and the Licensing Division.

Federal Register Announcements Pertaining to Licensing

In addition to *Federal Register* announcements related to the Copyright Royalty Board actions described on page 1, the following announcements were published in recent months.

OCTOBER 3

Proposed Copyright Office Technical Amendments (**81 FR 67940**)

JULY 25

Proposed Rates and Terms for Making and Distributing Phonorecords (**81 FR 48371**)

JULY 11

Determination Regarding Distribution of 2013 Digital Audio Recording Royalty Funds (**81 FR 44897**)

JUNE 21

Technical Amendment Regarding Reporting Requirements for Use of Sound Recordings (**81 FR 40190**)

MAY 17

Invitation to Comment on Motion for Partial Distribution of 2012 and 2013 Digital Audio Recording Technology Musical Works Fund Royalties (**81 FR 30568**)

Out and About with the Licensing Division

TRACIE COLEMAN, the Licensing Division's outreach program manager, had a great time reconnecting this year with industry professionals at the American Cable Association Summit, the Independent Cable Show, the Satellite 2016 Conference, and INTX 2016: The Internet and Television Expo.



Coleman with John Becchi of Avanti Promotions at the American Cable Association Summit in March.



Coleman and Taylor Hicks, American Idol contest winner, at the Independent Cable Show in July.

PHOTOS COURTESY TRACIE COLEMAN

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www.surveymonkey.com/r/Z789QLS

Important Reminders

SATELLITE: The **\$725 filing fee per statement** in addition to the appropriate royalty fee is to be filed between **January 1 and January 30**, inclusive.*

CABLE: The **filing fee (\$15 for each SA-1, \$20 for each SA-2, or \$725 for each SA-3) per statement** in addition to the appropriate royalty fee is to be filed between **January 1 and March 1**, inclusive.*

* Please remit the royalty fee and filing fee in one EFT payment.

For more information visit our [website](#).