

**BEFORE
THE COPYRIGHT ROYALTY JUDGES
WASHINGTON, DC**

In the Matter of)	Docket No. 2011-7 CRB CD 2009
)	
Distribution of the 2009 Cable)	
Royalty Funds)	
)	
)	

**COMMENTS OF THE CANADIAN CLAIMANTS GROUP
ON THE EXISTENCE OF CONTROVERSIES REGARDING DISTRIBUTION
OF 2009 CABLE ROYALTIES**

By Federal Register notice dated September 6, 2011, 76 Fed. Reg. 55122, the Copyright Royalty Judges (“Judges”) sought comments from all interested parties to royalty fees collected under the Section 111 cable statutory license as to (1) whether any reasonable objection exists that would preclude distribution of 50 percent of the 2009 to the Phase I Parties and (2) whether any Phase I or Phase II controversies exist affecting the distribution of the 2009 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 2009 cable royalty funds.

Fifty Percent of the 2009 Cable Royalty Funds Should Be Distributed

The CCG has joined other Phase I Parties in the joint motion filed August 5, 2011, requesting distribution of 50 percent of the 2009 cable royalty funds. As set forth in that motion, nothing precludes the distribution of 50 percent of the 2009 cable royalty funds at this time.

Existence of Phase I and Phase II Controversies

With respect to Phase I of the 2009 cable royalty distribution proceeding, while the CCG and the other Phase I Parties seek to resolve this matter through settlement, a Phase I controversy exists among the Phase I Parties.

With respect to Phase II, the CCG is unaware of any controversy within its Phase I category for 2009. The CCG is aware that one of its members, the Canadian Broadcasting Corporation, has a Phase II claim 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 Judges, the outcomes of the 2009 Phase I distribution proceedings, or the evidence and filings submitted by other claimants.

Conclusion

At this time, the CCG requests that the Judges distribute 50 percent of the 2009 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: October 6, 2011

Respectfully Submitted



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