



COPYRIGHT ROYALTY BOARD

## Single Claim for DART Royalty Fees Filing Information

This form is for the filing period January 1, 2009, through February 28, 2009. Please read this information carefully before filling out this form. Failure to provide the requested information may cause your claim to be dismissed. Please refer to 37 C.F.R. Part 360 subpart c for more details.

**Who May File:** This form is strictly for use by an interested copyright party or his or her authorized representative who claims to be entitled to DART royalty payments for the previous calendar year. You may have a valid DART claim if you are an interested copyright party (or an authorized representative of such a party) whose musical work or sound recording has been embodied in a lawfully made digital or analog musical recording and distributed or disseminated to the public in transmissions during the period covered by this form. See 7 U.S.C. §1006.

The person filing the claim must either be the interested copyright party or the authorized representative of that party. If you are filing on behalf of more than one interested copyright party, you must use the joint DART claim form. See 37 C.F.R. §360.21 (c).

**When to File:** All DART claims for royalties collected during 2008 must be filed between January 1, 2009, through February 28, 2009. See 37 C.F.R. §360.21 (a).

**What Constitutes a Timely Filing:** Claims submitted by mail are timely if they bear a United States Postal Service "USPS" postmark of a date no earlier than the first day of January and no later than the last day of February of 2009 for claims for royalties collected in 2008. **Mailed claims dated only with a business meter that are received after the last day in February will not be accepted as having been timely filed.** See 37 C.F.R. §360.24.

Hand-delivered, online, and facsimile claims must be submitted no earlier than the first day in January and received no later than 5:00 PM on the last day of February. See 37 C.F.R. §360.24.

If the last day of February falls on a weekend or holiday, claims will be accepted if they were mailed and bear a USPS postmark dated the first business day in March or delivered to the Copyright Royalty Board no later than 5:00 PM on the first business day in March. See 37 C.F.R. §360.24.

**Subfund Selection:** In the Claim Information section of the form, please be certain your Subfund selection corresponds with the definition of an interested copyright party you select. If you are filing claims against more than one Fund/Subfund category, you must complete a separate claim form for each Subfund.

If your Subfund selection falls under the *Sound Recordings Fund*, you must identify at least one *sound recording* that was distributed or disseminated to the public during the relevant royalty year.

If your Subfund selection falls under the *Musical Works Fund*, you must identify at least one *musical work* that was distributed or disseminated to the public during the relevant royalty year. See 37 C.F.R. §360.22 (b) (6).

[Continues on next page]

**How to Submit Your Claim:** You may submit your DART claim in any of the following ways, although online filing is preferred and strongly encouraged:

I. If submitted online, follow the instructions on the forms available online during the filing period at:  
*www.loc.gov/crb/dart*

II. If sent by mail, address envelope to:

*Copyright Royalty Board  
PO Box 70977  
Washington, DC 20024*

III. If hand-delivered by a private party, please comply with parts A and B of Section II (see below):

A. Address envelope to:

*Copyright Royalty Board  
Library of Congress  
James Madison Memorial Building  
Room LM-401  
101 Independence Avenue SE  
Washington, DC 20559-6000*

B. Deliver envelope between 8:30 AM and 5:00 PM to:

*Public Information Office  
U.S. Copyright Office  
James Madison Memorial Building  
Room LM-401  
101 Independence Avenue SE  
Washington, DC*

III. If delivered by courier, please comply with parts A and B of Section III (see below):

A. Address envelope to:

*Copyright Royalty Board  
Library of Congress  
James Madison Memorial Building  
101 Independence Avenue SE  
Washington, DC*

B. Deliver envelope between 8:30 AM and 4:00 PM to:

*Congressional Courier Acceptance Site  
2nd and D Streets NE  
Washington, DC*

**DO NOT USE Federal Express, United Parcel Service, and like services to submit your claim form.**

**Additional Questions:** If you have additional questions regarding the filing of DART claims, please contact the Copyright Royalty Board Program Specialist at (202) 707-7658.



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# Single Claim for DART Royalty Fees Collected During 2008

In accordance with Chapter 10 of the Copyright Act, 17 U.S.C., and Part 360 of the Copyright Royalty Board regulations, 37 C.F.R. 360.20–360.25, the claimant named below files with the Copyright Royalty Board of the Library of Congress a claim to royalty payments collected from manufacturers and importers of digital audio recording devices and digital audio recording media who distribute the products in the United States, collected from January 1 through December 31, 2008.

## Filer and Interested Copyright Party Information

1

**FILER'S FULL NAME AND ADDRESS:** Below, provide the full legal name and address of person or entity filing the claim.

NAME \_\_\_\_\_

STREET \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

**OTHER FILER IDENTIFICATION:** Indicate below whether the person filing this claim is the interested copyright party (see item 5 for definition) or an authorized representative of the interested copyright party. *Check only one.*

Interested copyright party     Authorized representative of the interested copyright party

Telephone number of person or entity filing the claim: \_\_\_\_\_

Email, if any, of the person or entity filing the claim: \_\_\_\_\_

2

**INTERESTED COPYRIGHT PARTY'S FULL NAME AND ADDRESS:** Provide the full legal name and address of the interested copyright party below. If the interested copyright party claiming royalty payments is the same person or entity identified in item 1, please enter "SAME."

NAME \_\_\_\_\_

STREET \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

3

**CONTACT PERSON:** Write below the name, phone number, fax number, (if any), and email address (if any) of the contact person. This person must be the interested copyright party, an authorized representative of that party, or a designee of either.

NAME \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_

EMAIL \_\_\_\_\_

## Claim Information

4

**SUBFUND SELECTION:** Select the subfund against which your claim is being made. A separate claim must be submitted for each subfund. *Select only one subfund below.*

### Sound Recordings Fund—

**Copyright Owners Subfund:** *If you check here, then select statement A or D(i) below in item 5, whichever is more applicable.*

**Featured Artists Subfund:** *If you check here, then select statement C or D(i) below in item 5, whichever is more applicable.*

### Musical Works Fund—

**Writers Subfund:** *If you check here, then select statement B, D(i), or D(ii) below in item 5, whichever is more applicable.*

**Publishers Subfund:** *If you check here, then select statement B, D(i), or D(ii) below in item 5, whichever is more applicable.*

**5 INTERESTED COPYRIGHT PARTY DEFINITION:** Indicate below how the claimant fits within the definition of “interested copyright party” in 17 U.S.C. §1001(7). If the claimant is an interested copyright party under more than one category, then select the most appropriate category that corresponds to the subfund selected in item 4 (above).

*Check only one statement below.*

- (A)  I am the owner of the exclusive right under section 106(1) of the Copyright Act to reproduce a sound recording of a musical work that has been embodied in a digital musical recording or analog musical recording lawfully made under the Copyright Act that has been distributed (see 17 U.S.C. §1001(7)(A)); or
- (B)  I am the legal or beneficial owner of, or the person who controls, the right to reproduce in a digital musical recording or analog musical recording a musical work that has been embodied in a digital musical recording or analog musical recording lawfully made under the Copyright Act that has been distributed (see 17 U.S.C. §1001(7)(B)); or
- (C)  I am a featured recording artist who performs on a sound recording that has been distributed (see 17 U.S.C. §1001(7)(C)); or
- (D) I am an association or other organization (*make your selection below*):
- (i)  representing persons specified in subparagraph (A), (B), or (C), (17 U.S.C. §1001(7)(D)(i)) — or —
- (ii)  engaged in licensing rights in musical works to music users on behalf of writers and publishers (17 U.S.C. §1001(7)(D)(ii)).

**6 CLAIM IDENTIFICATION:** Provide the title of at least one musical work or sound recording embodied in a digital musical recording or an analog musical recording lawfully made under the Copyright Act that has been distributed or disseminated to the public in transmissions between January 1 and December 31, 2008.

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## Declaration

**7** The undersigned declares under penalty of law that he or she is the interested copyright party or a representative of that party duly authorized to file this claim and further declares that all statements contained herein are true, complete, and accurate to the best of the undersigned’s knowledge, information, and belief, and are made in good faith. [18 U.S.C. §1001 (2000)]

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(TYPED OR PRINTED NAME)

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(SIGNATURE)

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(DATE)