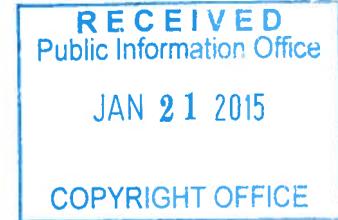


**Before the  
COPYRIGHT ROYALTY JUDGES  
The Library of Congress  
Washington, D.C.**



\_\_\_\_\_ )  
In the Matter of )  
 )  
 ) **Docket No. 14-CRB-0007-CD**  
 ) **(2010-2012)**  
 )  
**Distribution of the 2010, 2011, and 2012** )  
**Cable Royalty Funds** )  
\_\_\_\_\_ )

**PETITION TO PARTICIPATE  
OF THE JOINT SPORTS CLAIMANTS**

Pursuant to the Notice published at 79 Fed. Reg. 76396 (Dec. 22, 2014) (“Notice”), 17 U.S.C. §§ 801(b)(3), 803(b) and 37 C.F.R. § 351.1(b)(2)(ii), the Office of the Commissioner of Baseball, National Basketball Association, National Football League, National Collegiate Athletic Association, National Hockey League, and Women’s National Basketball Association (collectively “Joint Sports Claimants” or “JSC”) jointly submit this Petition to Participate in Phase I and Phase II of the above-referenced cable royalty distribution proceeding.

JSC have a “significant interest” in this proceeding, within the meaning of 17 U.S.C. §§ 803(b)(1)(B), 803(b)(2)(C) and 37 C.F.R. § 351.1(b)(2)(ii)(D). JSC — as well as the affiliated clubs, academic institutions, and athletic conferences they represent — own the copyrights in numerous non-network telecasts of live professional and collegiate team sports events. JSC members have actively participated in every cable royalty distribution proceeding conducted since enactment of the Section 111 cable compulsory license. They have routinely demonstrated the substantial relative value of their programming and the Phase I sports category, and they have received a significant share of the royalties that cable systems have paid for the Section 111 license over the last four decades.

In accordance with the Judges' instructions, *see* Notice at 76397, the attached spreadsheet (Ex. A) (1) sets forth the name of each JSC member and the claimants it represents in this proceeding; (2) identifies the numbers of the joint or individual claims that JSC members filed for each of the years 2010, 2011 and 2012; (3) indicates whether the claims of each JSC member are joint or individual claims; and (4) notes that all of the designated claims come within the Phase I category that the Notice describes as "live college and professional team sports."<sup>1</sup>

As of the date of this Petition to Participate, each JSC member has authorized and consented to representation in this proceeding by the undersigned counsel. As required by 37 C.F.R. § 351.1(b)(4), a check for the \$150 filing fee accompanies this Petition.

Respectfully submitted,

JOINT SPORTS CLAIMANTS

By: Michael Kientzle  
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<sup>1</sup> JSC maintains that the correct definition of the Phase I sports category is as follows: "Live telecasts of professional and college team sports broadcast by U.S. and Canadian television stations, except for programs coming within the Canadian Claimants category." *See* Stipulation of the Parties on the Issues of Program Categorization and Scope of Claims, Docket No. 94-3, CARP CD 90-92 (Feb. 23, 1996), attached as Ex. B.

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Dated: January 21, 2015

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January, 2015, a copy of the foregoing PETITION TO PARTICIPATE OF THE JOINT SPORTS CLAIMANTS was sent by Federal Express overnight mail to the individuals listed below:

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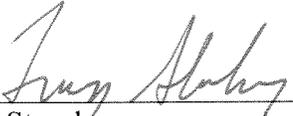
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\_\_\_\_\_  
Troy Strunkey

# **EXHIBIT A**

CABLE CLAIMS

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
Office of the Commissioner of Baseball 245 Park Avenue New York, NY 10167	2012	402	J	2
Baltimore Orioles Limited Partnership	2012	402	W	2
Boston Red Sox Baseball Club Limited Partnership	2012	402	W	2
Chicago White Sox, Ltd.	2012	402	W	2
Cleveland Indians Baseball Company Limited Partnership	2012	402	W	2
Detroit Tigers, Inc.	2012	402	W	2
Houston Astros, LLC	2012	402	W	2
Kansas City Royals Baseball Corporation, Inc.	2012	402	W	2
Angels Baseball LP	2012	402	W	2
Minnesota Twins, LLC	2012	402	W	2
New York Yankees Partnership	2012	402	W	2
Athletics Investment Group LLC	2012	402	W	2
The Baseball Club of Seattle, LLLP	2012	402	W	2
Tampa Bay Rays Baseball Ltd.	2012	402	W	2
Rangers Baseball LLC	2012	402	W	2
Rogers Blue Jays Baseball Partnership	2012	402	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
AZPB Limited Partnership	2012	402	W	2
Atlanta National League Baseball Club, Inc.	2012	402	W	2
Chicago Cubs Baseball Club, LLC	2012	402	W	2
The Cincinatti Reds, LLC	2012	402	W	2
Colorado Rockies Baseball Club, Ltd.	2012	402	W	2
Los Angeles Dodgers LLC	2012	402	W	2
Miami Marlins, L.P.	2012	402	W	2
Miwaukee Brewers Baseball Club, Limited Partnership	2012	402	W	2
Sterling Mets, L.P.	2012	402	W	2
The Phillies	2012	402	W	2
Pittsburgh Associates	2012	402	W	2
Padres L.P.	2012	402	W	2
San Fransisco Baseball Associates L.P.	2012	402	W	2
St. Louis Cardinals, LLC	2012	402	W	2
Washington Nationals Baseball Club, LLC	2012	402	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Office of the Commissioner of Baseball 245 Park Avenue New York, NY 10167	2011	261	J	2
Baltimore Orioles Limited Partnership	2011	261	W	2
Boston Red Sox Baseball Club Limited Partnership	2011	261	W	2
Chicago White Sox, Ltd.	2011	261	W	2
Cleveland Indians Baseball Company Limited Partnership	2011	261	W	2
Detroit Tigers, Inc.	2011	261	W	2
Houston Astros, LLC	2011	261	W	2
Kansas City Royals Baseball Corporation, Inc.	2011	261	W	2
Angels Baseball LP	2011	261	W	2
Minnesota Twins, LLC	2011	261	W	2
New York Yankees Partnership	2011	261	W	2
Athletics Investment Group LLC	2011	261	W	2
The Baseball Club of Seattle, LLLP	2011	261	W	2
Tampa Bay Rays Baseball Ltd.	2011	261	W	2
Rangers Baseball LLC	2011	261	W	2
Rogers Blue Jays Baseball Partnership	2011	261	W	2
AZPB Limited Partnership	2011	261	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Atlanta National League Baseball Club, Inc.	2011	261	W	2
Chicago Cubs Baseball Club, LLC	2011	261	W	2
The Cincinatti Reds, LLC	2011	261	W	2
Colorado Rockies Baseball Club, Ltd.	2011	261	W	2
Los Angeles Dodgers LLC	2011	261	W	2
Miami Marlins, L.P.	2011	261	W	2
Miwaukee Brewers Baseball Club, Limited Partnership	2011	261	W	2
Sterling Mets, L.P.	2011	261	W	2
The Phillies	2011	261	W	2
Pittsburgh Associates	2011	261	W	2
Padres L.P.	2011	261	W	2
San Fransisco Baseball Associates L.P.	2011	261	W	2
St. Louis Cardinals, LLC	2011	261	W	2
Washington Nationals Baseball Club, LLC	2011	261	W	2

Office of the Commissioner of Baseball 245 Park Avenue New York, NY 10167	2010	253	J	2
Baltimore Orioles Limited Partnership	2010	253	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
Boston Red Sox Baseball Club Limited Partnership	2010	253	W	2
Chicago White Sox, Ltd.	2010	253	W	2
Cleveland Indians Baseball Company Limited Partnership	2010	253	W	2
Detroit Tigers, Inc.	2010	253	W	2
Houston Astros, LLC	2010	253	W	2
Kansas City Royals Baseball Corporation, Inc.	2010	253	W	2
Angels Baseball LP	2010	253	W	2
Minnesota Twins, LLC	2010	253	W	2
New York Yankees Partnership	2010	253	W	2
Athletics Investment Group LLC	2010	253	W	2
The Baseball Club of Seattle, LLLP	2010	253	W	2
Tampa Bay Rays Baseball Ltd.	2010	253	W	2
Rangers Baseball LLC	2010	253	W	2
Rogers Blue Jays Baseball Partnership	2010	253	W	2
AZPB Limited Partnership	2010	253	W	2
Atlanta National League Baseball Club, Inc.	2010	253	W	2
Chicago Cubs Baseball Club, LLC	2010	253	W	2
The Cincinnati Reds, LLC	2010	253	W	2

**Claimant                      Claim Year      Claim Number      Claim Type      Phase I Category**

Colorado Rockies Baseball Club, Ltd.	2010	253	W	2
Los Angeles Dodgers LLC	2010	253	W	2
Miami Marlins, L.P.	2010	253	W	2
Miwaukee Brewers Baseball Club, Limited Partnership	2010	253	W	2
Sterling Mets, L.P.	2010	253	W	2
The Phillies	2010	253	W	2
Pittsburgh Associates	2010	253	W	2
Padres L.P.	2010	253	W	2
San Fransisco Baseball Associates L.P.	2010	253	W	2
St. Louis Cardinals, LLC	2010	253	W	2
Washington Nationals Baseball Club, LLC	2010	253	W	2

National Basketball Association 645 Fifth Avenue New York, NY 10022	2012	131 (Amended 7/10/13)	I	2
National Basketball Association 645 Fifth Avenue New York, NY 10022	2011	50 (Amended 7/11/12)	I	2
National Basketball Association 645 Fifth Avenue New York, NY 10022	2010	119	I	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
National Football League 345 Park Avenue New York, NY 10154	2012	176	J	2
Arizona Cardinals Football Club, LLC	2012	176	W	2
Atlanta Falcons Football Club, LLC	2012	176	W	2
Baltimore Ravens Limited Partnership	2012	176	W	2
Buffalo Bills, Inc.	2012	176	W	2
Panthers Football, LLC	2012	176	W	2
The Chicago Bears Football Club, Inc.	2012	176	W	2
Cincinnati Bengals, Inc.	2012	176	W	2
Cleveland Browns Football Company LLC	2012	176	W	2
Dallas Cowboys Football Club, Ltd.	2012	176	W	2
PDB Sports, Ltd.	2012	176	W	2
The Detroit Lions, Inc.	2012	176	W	2
Green Bay Packers, Inc.	2012	176	W	2
Houston NFL Holdings, L.P.	2012	176	W	2
Indianapolis Colts, Inc.	2012	176	W	2
Jacksonville Jaguars, Ltd.	2012	176	W	2
Kansas City Chiefs Football Club, Inc.	2012	176	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
Miami Dolphins, Ltd.	2012	176	W	2
Minnesota Vikings Football, LLC	2012	176	W	2
New England Patriots, L.P.	2012	176	W	2
New Orleans Louisiana Saints, LLC	2012	176	W	2
New York Football Giants, Inc.	2012	176	W	2
New York Jets, LLC	2012	176	W	2
The Oakland Raiders, a California Limited Partnership	2012	176	W	2
Philadelphia Eagles, LLC	2012	176	W	2
Pittsburgh Steelers, LLC	2012	176	W	2
The St. Louis Rams, LLC	2012	176	W	2
Chargers Football Company, LLC	2012	176	W	2
San Francisco FortyNiners, Limited	2012	176	W	2
Football Northwest, LLC	2012	176	W	2
Buccaneers Limited Partnership	2012	176	W	2
Tennessee Football, Inc.	2012	176	W	2
Pro Football, Inc.	2012	176	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
National Football League 345 Park Avenue New York, NY 10154	2011	52	J	2
Arizona Cardinals Football Club, LLC	2011	52	W	2
Atlanta Falcons Football Club, LLC	2011	52	W	2
Baltimore Ravens Limited Partnership	2011	52	W	2
Buffalo Bills, Inc.	2011	52	W	2
Panthers Football, LLC	2011	52	W	2
The Chicago Bears Football Club, Inc.	2011	52	W	2
Cincinnati Bengals, Inc.	2011	52	W	2
Cleveland Browns Football Company LLC	2011	52	W	2
Dallas Cowboys Football Club, Ltd.	2011	52	W	2
PDB Sports, Ltd.	2011	52	W	2
The Detroit Lions, Inc.	2011	52	W	2
Green Bay Packers, Inc.	2011	52	W	2
Houston NFL Holdings, L.P.	2011	52	W	2
Indianapolis Colts, Inc.	2011	52	W	2
Jacksonville Jaguars, Ltd.	2011	52	W	2
Kansas City Chiefs Football Club, Inc.	2011	52	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
Miami Dolphins, Ltd.	2011	52	W	2
Minnesota Vikings Football, LLC	2011	52	W	2
New England Patriots, L.P.	2011	52	W	2
New Orleans Louisiana Saints, LLC	2011	52	W	2
New York Football Giants, Inc.	2011	52	W	2
New York Jets, LLC	2011	52	W	2
The Oakland Raiders, a California Limited Partnership	2011	52	W	2
Philadelphia Eagles, LLC	2011	52	W	2
Pittsburgh Steelers, LLC	2011	52	W	2
The St. Louis Rams, LLC	2011	52	W	2
Chargers Football Company, LLC	2011	52	W	2
San Francisco FortyNiners, Limited	2011	52	W	2
Football Northwest, LLC	2011	52	W	2
Buccaneers Limited Partnership	2011	52	W	2
Tennessee Football, Inc.	2011	52	W	2
Pro Football, Inc.	2011	52	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
National Football League 345 Park Avenue New York, NY 10154	2010	121	J	2
Arizona Cardinals Football Club, LLC	2010	121	W	2
Atlanta Falcons Football Club, LLC	2010	121	W	2
Baltimore Ravens Limited Partnership	2010	121	W	2
Buffalo Bills, Inc.	2010	121	W	2
Panthers Football, LLC	2010	121	W	2
The Chicago Bears Football Club, Inc.	2010	121	W	2
Cincinnati Bengals, Inc.	2010	121	W	2
Cleveland Browns Football Company LLC	2010	121	W	2
Dallas Cowboys Football Club, Ltd.	2010	121	W	2
PDB Sports, Ltd.	2010	121	W	2
The Detroit Lions, Inc.	2010	121	W	2
Green Bay Packers, Inc.	2010	121	W	2
Houston NFL Holdings, L.P.	2010	121	W	2
Indianapolis Colts, Inc.	2010	121	W	2
Jacksonville Jaguars, Ltd.	2010	121	W	2
Kansas City Chiefs Football Club, Inc.	2010	121	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
Miami Dolphins, Ltd.	2010	121	W	2
Minnesota Vikings Football, LLC	2010	121	W	2
New England Patriots, L.P.	2010	121	W	2
New Orleans Louisiana Saints, LLC	2010	121	W	2
New York Football Giants, Inc.	2010	121	W	2
New York Jets, LLC	2010	121	W	2
The Oakland Raiders, a California Limited Partnership	2010	121	W	2
Philadelphia Eagles, LLC	2010	121	W	2
Pittsburgh Steelers, LLC	2010	121	W	2
The St. Louis Rams, LLC	2010	121	W	2
Chargers Football Company, LLC	2010	121	W	2
San Francisco FortyNiners, Limited	2010	121	W	2
Football Northwest, LLC	2010	121	W	2
Buccaneers Limited Partnership	2010	121	W	2
Tennessee Football, Inc.	2010	121	W	2
Pro Football, Inc.	2010	121	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
National Hockey League 1185 Avenue of the Americas New York, NY 10036	2012	107	J	2
Anaheim Ducks Hockey Club, LLC	2012	107	W	2
Atlanta Hockey Club, LLC	2012	107	W	2
Boston Professional Hockey Association, Inc.	2012	107	W	2
Hockey Western New York, Inc.	2012	107	W	2
Calgary Flames Limited Partnership	2012	107	W	2
Hurricanes Hockey Limited Partnership	2012	107	W	2
Chicago Blackhawk Hockey Team, Inc.	2012	107	W	2
Colorado Avalance LLC	2012	107	W	2
COLHOC Limited Partnership	2012	107	W	2
Dallas Stars, L.P.	2012	107	W	2
Detroit Red Wings, Inc.	2012	107	W	2
Rexall Sports Corp.	2012	107	W	2
Florida Panthers Hockey Club, Ltd.	2012	107	W	2
The Los Angeles Kings Hockey Club, L.P.	2012	107	W	2
Minnesota Wild Hockey Club, L.P.	2012	107	W	2
Club de Hockey Canadien, Inc.	2012	107	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Nashville Hockey Club Limited Partnership	2012	107	W	2
New Jersey Devils, LLC	2012	107	W	2
New York Islanders Hockey Club, L.P.	2012	107	W	2
Madison Square Garden, L.P.	2012	107	W	2
Capital Sports and Entertainment, Inc.	2012	107	W	2
Philadelphia Flyers, L.P.	2012	107	W	2
Coyotes Hockey, LLC	2012	107	W	2
Pittsburgh Penguins, L.P.	2012	107	W	2
St. Louis Blues Hockey Club, L.P.	2012	107	W	2
San Jose Sharks, LLC	2012	107	W	2
Lightning Hockey, L.P.	2012	107	W	2
Maple Leafs Sports & Entertainment, Ltd.	2012	107	W	2
Vancouver Canucks Limited Partnership	2012	107	W	2
Lincoln Hockey, LLC	2012	107	W	2

National Hockey League 1185 Avenue of the Americas New York, NY 10036	2011	87 (Amended 7/30/13)	J	2
Anaheim Ducks Hockey Club, LLC	2011	87	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Atlanta Hockey Club, LLC	2011	87	W	2
Boston Professional Hockey Association, Inc.	2011	87	W	2
Hockey Western New York, Inc.	2011	87	W	2
Calgary Flames Limited Partnership	2011	87	W	2
Hurricanes Hockey Limited Partnership	2011	87	W	2
Chicago Blackhawk Hockey Team, Inc.	2011	87	W	2
Colorado Avalance LLC	2011	87	W	2
COLHOC Limited Partnership	2011	87	W	2
Dallas Stars, L.P.	2011	87	W	2
Detroit Red Wings, Inc.	2011	87	W	2
Rexall Sports Corp.	2011	87	W	2
Florida Panthers Hockey Club, Ltd.	2011	87	W	2
The Los Angeles Kings Hockey Club, L.P.	2011	87	W	2
Minnesota Wild Hockey Club, L.P.	2011	87	W	2
Club de Hockey Canadien, Inc.	2011	87	W	2
Nashville Hockey Club Limited Partnership	2011	87	W	2
New Jersey Devils, LLC	2011	87	W	2
New York Islanders Hockey Club, L.P.	2011	87	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Madison Square Garden, L.P.	2011	87	W	2
Capital Sports and Entertainment, Inc.	2011	87	W	2
Philadelphia Flyers, L.P.	2011	87	W	2
Coyotes Hockey, LLC	2011	87	W	2
Pittsburgh Penguins, L.P.	2011	87	W	2
St. Louis Blues Hockey Club, L.P.	2011	87	W	2
San Jose Sharks, LLC	2011	87	W	2
Lightning Hockey, L.P.	2011	87	W	2
Maple Leafs Sports & Entertainment, Ltd.	2011	87	W	2
Vancouver Canucks Limited Partnership	2011	87	W	2
Lincoln Hockey, LLC	2011	87	W	2

National Hockey League 1185 Avenue of the Americas New York, NY 10036	2010	117 (amended 7/30/13)	J	2
Anaheim Ducks Hockey Club, LLC	2010	117	W	2
Atlanta Hockey Club, LLC	2010	117	W	2
Boston Professional Hockey Association, Inc.	2010	117	W	2
Hockey Western New York, Inc.	2010	117	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Calgary Flames Limited Partnership	2010	117	W	2
Hurricanes Hockey Limited Partnership	2010	117	W	2
Chicago Blackhawk Hockey Team, Inc.	2010	117	W	2
Colorado Avalance LLC	2010	117	W	2
COLHOC Limited Partnership	2010	117	W	2
Dallas Stars, L.P.	2010	117	W	2
Detroit Red Wings, Inc.	2010	117	W	2
Rexall Sports Corp.	2010	117	W	2
Florida Panthers Hockey Club, Ltd.	2010	117	W	2
The Los Angeles Kings Hockey Club, L.P.	2010	117	W	2
Minnesota Wild Hockey Club, L.P.	2010	117	W	2
Club de Hockey Canadien, Inc.	2010	117	W	2
Nashville Hockey Club Limited Partnership	2010	117	W	2
New Jersey Devils, LLC	2010	117	W	2
New York Islanders Hockey Club, L.P.	2010	117	W	2
Madison Square Garden, L.P.	2010	117	W	2
Capital Sports and Entertainment, Inc.	2010	117	W	2
Philadelphia Flyers, L.P.	2010	117	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Cayotes Hockey, LLC	2010	117	W	2
Pittsburgh Penguins, L.P.	2010	117	W	2
St. Louis Blues Hockey Club, L.P.	2010	117	W	2
San Jose Sharks, LLC	2010	117	W	2
Lightning Hockey, L.P.	2010	117	W	2
Maple Leafs Sports & Entertainment, Ltd.	2010	117	W	2
Vancouver Canucks Limited Partnership	2010	117	W	2
Lincoln Hockey, LLC	2010	117	W	2

Women's National Basketball Association 645 Fifth Avenue New York, NY 10022	2012	231	I	2
Women's National Basketball Association 645 Fifth Avenue New York, NY 10022	2011	53	I	2
Women's National Basketball Association 645 Fifth Avenue New York, NY 10022	2010	26	I	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
The National Collegiate Athletic Association 700 W Washington St. P.O. Box 6222 Indianapolis, IN 46206	2012	637	J	2
American Athletic Conference	2012	637	W	2
Atlantic Ten Conference	2012	637	W	2
Atlantic Coast Conference	2012	637	W	2
Big Twelve Conference	2012	637	W	2
Big Sky Conference	2012	637	W	2
Big South Conference	2012	637	W	2
Colonial Athletic Association	2012	637	W	2
Conference USA	2012	637	W	2
Horizon League	2012	637	W	2
Mid-American Conference	2012	637	W	2
Missouri Valley Conference	2012	637	W	2
National Collegiate Athletic	2012	637	W	2
Ohio Valley Conference	2012	637	W	2
Southeastern Conference	2012	637	W	2
Southland Conference	2012	637	W	2
Ball State University	2012	637	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Boise State University	2012	637	W	2
Bradley University	2012	637	W	2
Brigham Young University	2012	637	W	2
Butler University	2012	637	W	2
California State University, Fresno	2012	637	W	2
College of William and Mary	2012	637	W	2
Creighton University	2012	637	W	2
Florida International University	2012	637	W	2
East Carolina University	2012	637	W	2
Eastern Illinois University	2012	637	W	2
Gonzaga University	2012	637	W	2
Grambling State University	2012	637	W	2
Indiana State University	2012	637	W	2
Indiana University-Purdue University at Indianapolis	2012	637	W	2
Iowa State University	2012	637	W	2
Jacksonville State University	2012	637	W	2
Kansas State University	2012	637	W	2
Lamar University	2012	637	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Lehigh University	2012	637	W	2
Louisiana Tech University	2012	637	W	2
Marshall University	2012	637	W	2
Missouri State University	2012	637	W	2
Morehead State University	2012	637	W	2
Samford University	2012	637	W	2
San Diego State University	2012	637	W	2
San Jose State University	2012	637	W	2
Southeast Missouri State University	2012	637	W	2
Southern Illinois University Edwardsville	2012	637	W	2
Southern University, Baton Rouge	2012	637	W	2
Temple University	2012	637	W	2
Tennessee State University	2012	637	W	2
Tennessee Technological University	2012	637	W	2
Texas Tech University	2012	637	W	2
Troy University Davis	2012	637	W	2
University of Arkansas, Fayetteville	2012	637	W	2
University of Cincinnati	2012	637	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
University of Connecticut	2012	637	W	2
University of Dayton	2012	637	W	2
University of Hawaii, Manoa	2012	637	W	2
University of Idaho	2012	637	W	2
University of Kansas	2012	637	W	2
University of Kentucky	2012	637	W	2
University of Massachusetts, Amherst	2012	637	W	2
University of Missouri, Columbia	2012	637	W	2
University of Missouri- Kansas City	2012	637	W	2
University of North Texas	2012	637	W	2
University of Northern Iowa	2012	637	W	2
University of San Diego	2012	637	W	2
University of South Dakota	2012	637	W	2
University of South Florida	2012	637	W	2
University of Tennessee at Martin	2012	637	W	2
University of Texas at Austin	2012	637	W	2
University of Texas at El Paso	2012	637	W	2
University of Wyoming	2012	637	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Virginia Commonwealth University	2012	637	W	2
West Virginia University	2012	637	W	2
Western Kentucky University	2012	637	W	2
Wright State University	2012	637	W	2

The National Collegiate Athletic Association 700 W Washington St. P.O. Box 6222 Indianapolis, IN 46206	2011	638	J	2
Atlantic Coast Conference	2011	638	W	2
Atlantic Ten Conference	2011	638	W	2
Big 12 Conference	2011	638	W	2
Big East Conference	2011	638	W	2
Big Sky Conference	2011	638	W	2
Big South Conference	2011	638	W	2
Colonial Athletic Association	2011	638	W	2
Conference USA	2011	638	W	2
Horizon League	2011	638	W	2
Mid-American Conference	2011	638	W	2
Missouri Valley Conference	2011	638	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
Ohio Valley Conferenc	2011	638	W	2
Southeastern Conference	2011	638	W	2
Southland Conference	2011	638	W	2
The Ivy League	2011	638	W	2
Austin Peay State University	2011	638	W	2
Bradley University	2011	638	W	2
Brigham Young University	2011	638	W	2
California State University, Bakersfield	2011	638	W	2
California State University, Fresno	2011	638	W	2
Canisius College	2011	638	W	2
Coastal Carolina University	2011	638	W	2
Creighton University	2011	638	W	2
East Carolina University	2011	638	W	2
Eastern Illinois University	2011	638	W	2
Gonzaga University	2011	638	W	2
Iowa State University	2011	638	W	2
Jacksonville State University	2011	638	W	2
James Madison University	2011	638	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
Kansas State University	2011	638	W	2
Lamar University	2011	638	W	2
Lehigh University	2011	638	W	2
Louisiana Tech University	2011	638	W	2
Marshall University	2011	638	W	2
Missouri State University	2011	638	W	2
Montana State University - Bozeman	2011	638	W	2
Morehead State University	2011	638	W	2
North Dakota State University	2011	638	W	2
Portland State University	2011	638	W	2
Radford University	2011	638	W	2
Samford University	2011	638	W	2
Southeast Missouri State University	2011	638	W	2
Temple University	2011	638	W	2
Tennessee State University	2011	638	W	2
Tennessee Tech University	2011	638	W	2
Texas Tech University	2011	638	W	2
Troy University	2011	638	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
University of Arkansas, Fayetteville	2011	638	W	2
University of California, Irvine	2011	638	W	2
University of Cincinnati	2011	638	W	2
University of Dayton	2011	638	W	2
University of Florida	2011	638	W	2
University of Georgia	2011	638	W	2
University of Hawaii at Manoa	2011	638	W	2
University of Kansas	2011	638	W	2
University of Kentucky	2011	638	W	2
University of Mississippi	2011	638	W	2
University of Nebraska, Lincoln	2011	638	W	2
University of New Mexico	2011	638	W	2
University of North Texas	2011	638	W	2
University of Northern Iowa	2011	638	W	2
University of Oklahoma	2011	638	W	2
University of San Diego	2011	638	W	2
University of South Carolina, Columbia	2011	638	W	2
University of South Florida	2011	638	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
University of Tennessee at Martin	2011	638	W	2
University of Texas, Austin	2011	638	W	2
University of Utah	2011	638	W	2
University of Virginia	2011	638	W	2
University of Wisconsin, Milwaukee	2011	638	W	2
University of Wyoming	2011	638	W	2
Virginia Commonwealth University	2011	638	W	2
West Virginia University	2011	638	W	2
Western Kentucky University	2011	638	W	2
Wright State University	2011	638	W	2

The National Collegiate Athletic Association 700 W Washington St. P.O. Box 6222 Indianapolis, IN 46206	2010	629	J	2
Atlantic Coast Conference	2010	629	W	2
Atlantic Ten Conference	2010	629	W	2
Big 12 Conference	2010	629	W	2
Big East Conference	2010	629	W	2
Big Sky Conference	2010	629	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
Big South Conference	2010	629	W	2
Colonial Athletic Association	2010	629	W	2
Conference USA	2010	629	W	2
Horizon League	2010	629	W	2
The Ivy League	2010	629	W	2
Mid-American Conference	2010	629	W	2
Missouri Valley Conference	2010	629	W	2
The National Collegiate Athletic Association	2010	629	W	2
Ohio Valley Conference	2010	629	W	2
Southeastern Conference	2010	629	W	2
Austin Peay State University	2010	629	W	2
Boise State University	2010	629	W	2
Bradley University	2010	629	W	2
Brigham Young University	2010	629	W	2
Butler University	2010	629	W	2
California State University, Fresno	2010	629	W	2
Creighton University	2010	629	W	2
Coastal Carolina University	2010	629	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
DePaul University	2010	629	W	2
East Carolina University	2010	629	W	2
Florida International University	2010	629	W	2
Gonzaga University	2010	629	W	2
Indiana State University	2010	629	W	2
Iowa State University	2010	629	W	2
Jacksonville State University	2010	629	W	2
Kansas State University	2010	629	W	2
Lehigh University	2010	629	W	2
Louisiana Tech University	2010	629	W	2
Marshall University	2010	629	W	2
Missouri State University	2010	629	W	2
Montana State University - Bozeman	2010	629	W	2
Morehead State University	2010	629	W	2
National Collegiate Athletic Association	2010	629	W	2
Niagara University	2010	629	W	2
Nicholls State University	2010	629	W	2
North Dakota State University	2010	629	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Old Dominion University	2010	629	W	2
Portland State University	2010	629	W	2
Radford University	2010	629	W	2
San Jose State University	2010	629	W	2
South Carolina State University	2010	629	W	2
South Dakota State University	2010	629	W	2
Southeast Missouri State	2010	629	W	2
Temple University	2010	629	W	2
Tennessee State University	2010	629	W	2
Tennessee Tech University	2010	629	W	2
Troy University	2010	629	W	2
University of Arkansas, Fayetteville	2010	629	W	2
University of Dayton	2010	629	W	2
University of Georgia	2010	629	W	2
University of Hawaii at Manoa	2010	629	W	2
University of Idaho	2010	629	W	2
University of Iowa	2010	629	W	2
University of Kansas	2010	629	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
University of Louisville	2010	629	W	2
University of Nevada	2010	629	W	2
University of New Mexico	2010	629	W	2
University of North Carolina, Asheville	2010	629	W	2
University of North Texas	2010	629	W	2
University of Northern Iowa	2010	629	W	2
University of Oregon	2010	629	W	2
University of San Diego	2010	629	W	2
University of South Alabama	2010	629	W	2
University of Tennessee at Martin	2010	629	W	2
University of Texas at Arlington	2010	629	W	2
University of Wyoming	2010	629	W	2
Virginia Commonwealth	2010	629	W	2
West Virginia University	2010	629	W	2
Western Carolina University	2010	629	W	2

# **EXHIBIT B**

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February 23, 1996

**BY HAND DELIVERY**

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James Madison Memorial Building  
101 Independence Avenue, S.E.  
Room 403  
Washington, D.C. 20540

GENERAL COUNSEL  
OF COPYRIGHT

FEB 23 1996

RECEIVED

Re: 1990-1992 Cable Royalty Distribution Proceeding  
Docket No. 94-3 CARP-90-92CD

Dear Ms. Peters:

Enclosed for filing on behalf of all Phase I parties are an original and five copies of a "Stipulation of the Parties on the Issues of Program Categorization and Scope of Claims" in the above-captioned proceeding.

---

Should you have any questions, please feel free to contact me.

Very truly yours,



John I. Stewart, Jr.

Enclosures

cc: Service List

Before the  
COPYRIGHT ARBITRATION ROYALTY PANEL  
LIBRARY OF CONGRESS  
Washington, D.C. 20024

In the Matter of: )  
 )  
 )  
1990-1992 Cable Royalty ) Docket No. 94-3, CARP CD 90-92  
Distribution Proceeding )  
 )

**STIPULATION OF THE PARTIES ON THE ISSUES OF  
PROGRAM CATEGORIZATION AND SCOPE OF CLAIMS**

The undersigned parties, representing all Phase I parties to the 1990-1992 cable royalty funds, file this stipulation with respect to an issue they believe has been raised by the Panel in questions to various witnesses testifying on behalf of the Devotional Claimants and others. The issue concerns the extent to which Phase I claims are being prosecuted by fewer than all of the claimants whose programs are included within the Phase I program category.

Since the first cable royalty distribution, covering 1978, the Copyright Royalty Tribunal divided its royalty distribution cases into Phase I and Phase II proceedings. In Phase I, the Tribunal allocated the entire royalty fund among broadly defined Phase I program categories. In Phase II, to the extent necessary, the Tribunal resolved disputes among different claimants or groups of claimants within a single Phase I category as to the internal division of the category's Phase I allocation.

The Phase I categories themselves developed over the course of the first five years of Tribunal proceedings. In response to requests by various parties for

rulings on close or disputed questions about particular programs, the Tribunal refined the category definitions through declaratory rulings and rulings published as part of its final determinations. See, e.g., 1984 Cable Royalty Distribution Proceeding, 52 Fed. Reg. 8408, 8416 (Mar. 17, 1987); Advisory Opinion, Docket No. CRT 85-4 84 CD (May 16, 1986). For the 1990-1992 proceeding, the parties stipulate that the following Phase I category definitions, based on these prior Tribunal rulings, should apply:

#### Phase I Program Category Definitions

"Program Suppliers." Syndicated series, specials and movies, other than Devotional Claimants programs as defined below. Syndicated series and specials are defined as including (1) programs licensed to and broadcast by at least one U.S. commercial television station during the calendar year in question, (2) programs produced by or for a broadcast station that are broadcast by two or more U.S. television stations during the calendar year in question, and (3) programs produced by or for a U.S. commercial television station that are comprised predominantly of syndicated elements, such as music video shows, cartoon shows, "PM Magazine," and locally hosted movie shows.

"Joint Sports." Live telecasts of professional and college team sports broadcast by U.S. and Canadian television stations, except for programs coming within the Canadian Claimants category as defined below.

"Commercial Television." Programs produced by or for a U.S. commercial television station and broadcast only by that one station during the calendar year in question and not coming within the exception described in subpart 3) of the "Program Suppliers" definition.

"Public Broadcasting." All programs broadcast on U.S. noncommercial educational television stations.

"Devotional Claimants." Syndicated programs of a primarily religious theme, not limited to those produced by or for religious institutions.

"Canadian Claimants." All programs broadcast on Canadian television stations, except (1) live telecasts of Major League Baseball, National Hockey League, and U.S. college team sports, and (2) other programs owned by U. S. copyright owners.

These categories are intended to cover all non-network television programs on all stations retransmitted as distant signals by U.S. cable systems during 1990-1992, on a mutually exclusive basis. The six categories are represented in the Phase I proceedings, respectively, by the undersigned parties. Some of those categories are principally represented by trade associations or other pre-existing entities, while others are represented by ad hoc groups of claimants within the category which have joined together for the purpose of the Phase I hearing. In either case, the relationships between the claimants and the Phase I representatives are a matter of private agreement and are not at issue in this Phase I proceeding. In all cases, the Phase I representatives are seeking a Phase I royalty allocation for all programs within the category.

The final distribution of royalties to individual claimants whose programs are within each category will follow either a settlement among all claimants within the category or the resolution of any disputes through a separate Phase II proceeding. The extent to which the particular Phase I party actually represents the ultimate interests of each and every claimant within the category has historically been addressed, if necessary, in Phase II.

A related issue is the extent to which timely claims were filed with the Copyright Office for all programs contained within each Phase I category. If the owner of a program that fits within one of the Phase I categories fails to file a claim, it might be argued that the Phase I allocation to the category should

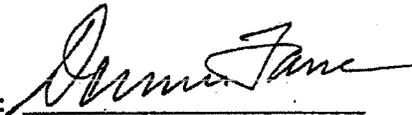
somehow be proportionally diminished. This so-called "unclaimed funds" issue, however, was resolved by the Tribunal in the course of its 1978 proceeding. The Tribunal determined that, for Phase I purposes, it should treat each category as if claims had been filed for all included programs. 1978 Cable Royalty Distribution Determination, 45 Fed. Reg. 63026, 63042 (Sept. 23, 1980).

The parties stipulate that the Panel should apply the same approach in this proceeding as the Tribunal did in the past, and should allocate all royalties among the six Phase I categories on the basis of all retransmitted programs coming within the respective definitions of those categories.

The parties would be pleased to discuss any aspect of this Stipulation with the members of the Panel at the Panel's convenience.

Respectfully submitted,

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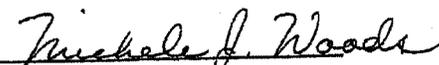
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