

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

\_\_\_\_\_  
In the Matter of \_\_\_\_\_  
\_\_\_\_\_  
Distribution of the 2010, 2011, and 2012 \_\_\_\_\_  
Satellite Royalty Funds \_\_\_\_\_  
\_\_\_\_\_

Docket No. 14-CRB-0008-SD  
(2010-2012)

**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 satellite royalty distribution proceeding.

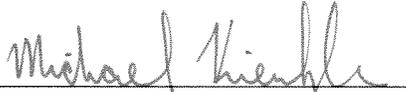
JSC have a “significant interest” in this proceeding, within the meaning of 17 U.S.C. §§ 803(b)(1)(B), 803(b)(2)(C) and 37 C.F.R. § 351.1(b)(2)(ii)(D). JSC — as well as the affiliated clubs, academic institutions, and athletic conferences they represent — own the copyrights in numerous non-network telecasts of live professional and collegiate team sports events. JSC members have actively participated in every satellite royalty distribution proceeding conducted since enactment of the Section 119 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 satellite carriers have paid for the Section 119 license over the last 25 years.

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

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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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**DEVOTIONAL CLAIMANTS**

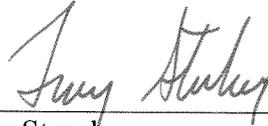
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A handwritten signature in cursive script, appearing to read "Troy Strunkey".

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Troy Strunkey

# **EXHIBIT A**

**SATELLITE 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	130	J	2
Baltimore Orioles Limited Partnership	2012	130	W	2
Boston Red Sox Baseball Club Limited Partnership	2012	130	W	2
Chicago White Sox, Ltd.	2012	130	W	2
Cleveland Indians Baseball Company Limited Partnership	2012	130	W	2
Detroit Tigers, Inc.	2012	130	W	2
Houston Astros, LLC	2012	130	W	2
Kansas City Royals Baseball Corporation, Inc.	2012	130	W	2
Angels Baseball LP	2012	130	W	2
Minnesota Twins, LLC	2012	130	W	2
New York Yankees Partnership	2012	130	W	2
Athletics Investment Group LLC	2012	130	W	2
The Baseball Club of Seattle, LLLP	2012	130	W	2
Tampa Bay Rays Baseball Ltd.	2012	130	W	2
Rangers Baseball LLC	2012	130	W	2
Rogers Blue Jays Baseball Partnership	2012	130	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
AZPB Limited Partnership	2012	130	W	2
Atlanta National League Baseball Club, Inc.	2012	130	W	2
Chicago Cubs Baseball Club, LLC	2012	130	W	2
The Cincinatti Reds, LLC	2012	130	W	2
Colorado Rockies Baseball Club, Ltd.	2012	130	W	2
Los Angeles Dodgers LLC	2012	130	W	2
Miami Marlins, L.P.	2012	130	W	2
Miwaukee Brewers Baseball Club, Limited Partnership	2012	130	W	2
Sterling Mets, L.P.	2012	130	W	2
The Phillies	2012	130	W	2
Pittsburgh Associates	2012	130	W	2
Padres L.P.	2012	130	W	2
San Fransisco Baseball Associates L.P.	2012	130	W	2
St. Louis Cardinals, LLC	2012	130	W	2
Washington Nationals Baseball Club, LLC	2012	130	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	91	J	2
Baltimore Orioles Limited Partnership	2011	91	W	2
Boston Red Sox Baseball Club Limited Partnership	2011	91	W	2
Chicago White Sox, Ltd.	2011	91	W	2
Cleveland Indians Baseball Company Limited Partnership	2011	91	W	2
Detroit Tigers, Inc.	2011	91	W	2
Houston Astros, LLC	2011	91	W	2
Kansas City Royals Baseball Corporation, Inc.	2011	91	W	2
Angels Baseball LP	2011	91	W	2
Minnesota Twins, LLC	2011	91	W	2
New York Yankees Partnership	2011	91	W	2
Athletics Investment Group LLC	2011	91	W	2
The Baseball Club of Seattle, LLLP	2011	91	W	2
Tampa Bay Rays Baseball Ltd.	2011	91	W	2
Rangers Baseball LLC	2011	91	W	2
Rogers Blue Jays Baseball Partnership	2011	91	W	2
AZPB Limited Partnership	2011	91	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Atlanta National League Baseball Club, Inc.	2011	91	W	2
Chicago Cubs Baseball Club, LLC	2011	91	W	2
The Cincinnati Reds, LLC	2011	91	W	2
Colorado Rockies Baseball Club, Ltd.	2011	91	W	2
Los Angeles Dodgers LLC	2011	91	W	2
Miami Marlins, L.P.	2011	91	W	2
Miwaukee Brewers Baseball Club, Limited Partnership	2011	91	W	2
Sterling Mets, L.P.	2011	91	W	2
The Phillies	2011	91	W	2
Pittsburgh Associates	2011	91	W	2
Padres L.P.	2011	91	W	2
San Fransisco Baseball Associates L.P.	2011	91	W	2
St. Louis Cardinals, LLC	2011	91	W	2
Washington Nationals Baseball Club, LLC	2011	91	W	2

Office of the Commissioner of Baseball 245 Park Avenue New York, NY 10167	2010	97	J	2
Baltimore Orioles Limited Partnership	2010	97	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Boston Red Sox Baseball Club Limited Partnership	2010	97	W	2
Chicago White Sox, Ltd.	2010	97	W	2
Cleveland Indians Baseball Company Limited Partnership	2010	97	W	2
Detroit Tigers, Inc.	2010	97	W	2
Houston Astros, LLC	2010	97	W	2
Kansas City Royals Baseball Corporation, Inc.	2010	97	W	2
Angels Baseball LP	2010	97	W	2
Minnesota Twins, LLC	2010	97	W	2
New York Yankees Partnership	2010	97	W	2
Athletics Investment Group LLC	2010	97	W	2
The Baseball Club of Seattle, LLLP	2010	97	W	2
Tampa Bay Rays Baseball Ltd.	2010	97	W	2
Rangers Baseball LLC	2010	97	W	2
Rogers Blue Jays Baseball Partnership	2010	97	W	2
AZPB Limited Partnership	2010	97	W	2
Atlanta National League Baseball Club, Inc.	2010	97	W	2
Chicago Cubs Baseball Club, LLC	2010	97	W	2
The Cincinnati Reds, LLC	2010	97	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Colorado Rockies Baseball Club, Ltd.	2010	97	W	2
Los Angeles Dodgers LLC	2010	97	W	2
Miami Marlins, L.P.	2010	97	W	2
Miwaukee Brewers Baseball Club, Limited Partnership	2010	97	W	2
Sterling Mets, L.P.	2010	97	W	2
The Phillies	2010	97	W	2
Pittsburgh Associates	2010	97	W	2
Padres L.P.	2010	97	W	2
San Fransisco Baseball Associates L.P.	2010	97	W	2
St. Louis Cardinals, LLC	2010	97	W	2
Washington Nationals Baseball Club, LLC	2010	97	W	2

National Football League 345 Park Avenue New York, NY 10154	2012	66	J	2
Arizona Cardinals Football Club, LLC	2012	66	W	2
Atlanta Falcons Football Club, LLC	2012	66	W	2
Baltimore Ravens Limited Partnership	2012	66	W	2
Buffalo Bills, Inc.	2012	66	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Panthers Football, LLC	2012	66	W	2
The Chicago Bears Football Club, Inc.	2012	66	W	2
Cincinnati Bengals, Inc.	2012	66	W	2
Cleveland Browns Football Company LLC	2012	66	W	2
Dallas Cowboys Football Club, Ltd.	2012	66	W	2
PDB Sports, Ltd.	2012	66	W	2
The Detroit Lions, Inc.	2012	66	W	2
Green Bay Packers, Inc.	2012	66	W	2
Houston NFL Holdings, L.P.	2012	66	W	2
Indianapolis Colts, Inc.	2012	66	W	2
Jacksonville Jaguars, Ltd.	2012	66	W	2
Kansas City Chiefs Football Club, Inc.	2012	66	W	2
Miami Dolphins, Ltd.	2012	66	W	2
Minnesota Vikings Football, LLC	2012	66	W	2
New England Patriots, L.P.	2012	66	W	2
New Orleans Louisiana Saints, LLC	2012	66	W	2
New York Football Giants, Inc.	2012	66	W	2
New York Jets, LLC	2012	66	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
The Oakland Raiders, a California Limited Partnership	2012	66	W	2
Philadelphia Eagles, LLC	2012	66	W	2
Pittsburgh Steelers, LLC	2012	66	W	2
The St. Louis Rams, LLC	2012	66	W	2
Chargers Football Company, LLC	2012	66	W	2
San Francisco FortyNiners, Limited	2012	66	W	2
Football Northwest, LLC	2012	66	W	2
Buccaneers Limited Partnership	2012	66	W	2
Tennessee Football, Inc.	2012	66	W	2
Pro Football, Inc.	2012	66	W	2

National Football League 345 Park Avenue New York, NY 10154	2011	26	J	2
Arizona Cardinals Football Club, LLC	2011	26	W	2
Atlanta Falcons Football Club, LLC	2011	26	W	2
Baltimore Ravens Limited Partnership	2011	26	W	2
Buffalo Bills, Inc.	2011	26	W	2
Panthers Football, LLC	2011	26	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
The Chicago Bears Football Club, Inc.	2011	26	W	2
Cincinnati Bengals, Inc.	2011	26	W	2
Cleveland Browns Football Company LLC	2011	26	W	2
Dallas Cowboys Football Club, Ltd.	2011	26	W	2
PDB Sports, Ltd.	2011	26	W	2
The Detroit Lions, Inc.	2011	26	W	2
Green Bay Packers, Inc.	2011	26	W	2
Houston NFL Holdings, L.P.	2011	26	W	2
Indianapolis Colts, Inc.	2011	26	W	2
Jacksonville Jaguars, Ltd.	2011	26	W	2
Kansas City Chiefs Football Club, Inc.	2011	26	W	2
Miami Dolphins, Ltd.	2011	26	W	2
Minnesota Vikings Football, LLC	2011	26	W	2
New England Patriots, L.P.	2011	26	W	2
New Orleans Louisiana Saints, LLC	2011	26	W	2
New York Football Giants, Inc.	2011	26	W	2
New York Jets, LLC	2011	26	W	2
The Oakland Raiders, a California Limited Partnership	2011	26	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Philadelphia Eagles, LLC	2011	26	W	2
Pittsburgh Steelers, LLC	2011	26	W	2
The St. Louis Rams, LLC	2011	26	W	2
Chargers Football Company, LLC	2011	26	W	2
San Francisco FortyNiners, Limited	2011	26	W	2
Football Northwest, LLC	2011	26	W	2
Buccaneers Limited Partnership	2011	26	W	2
Tennessee Football, Inc.	2011	26	W	2
Pro Football, Inc.	2011	26	W	2

National Football League 345 Park Avenue New York, NY 10154	2010	50	J	2
Arizona Cardinals Football Club, LLC	2010	50	W	2
Atlanta Falcons Football Club, LLC	2010	50	W	2
Baltimore Ravens Limited Partnership	2010	50	W	2
Buffalo Bills, Inc.	2010	50	W	2
Panthers Football, LLC	2010	50	W	2
The Chicago Bears Football Club, Inc.	2010	50	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Cincinnati Bengals, Inc.	2010	50	W	2
Cleveland Browns Football Company LLC	2010	50	W	2
Dallas Cowboys Football Club, Ltd.	2010	50	W	2
PDB Sports, Ltd.	2010	50	W	2
The Detroit Lions, Inc.	2010	50	W	2
Green Bay Packers, Inc.	2010	50	W	2
Houston NFL Holdings, L.P.	2010	50	W	2
Indianapolis Colts, Inc.	2010	50	W	2
Jacksonville Jaguars, Ltd.	2010	50	W	2
Kansas City Chiefs Football Club, Inc.	2010	50	W	2
Miami Dolphins, Ltd.	2010	50	W	2
Minnesota Vikings Football, LLC	2010	50	W	2
New England Patriots, L.P.	2010	50	W	2
New Orleans Louisiana Saints, LLC	2010	50	W	2
New York Football Giants, Inc.	2010	50	W	2
New York Jets, LLC	2010	50	W	2
The Oakland Raiders, a California Limited Partnership	2010	50	W	2
Philadelphia Eagles, LLC	2010	50	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Pittsburgh Steelers, LLC	2010	50	W	2
The St. Louis Rams, LLC	2010	50	W	2
Chargers Football Company, LLC	2010	50	W	2
San Francisco FortyNiners, Limited	2010	50	W	2
Football Northwest, LLC	2010	50	W	2
Buccaneers Limited Partnership	2010	50	W	2
Tennessee Football, Inc.	2010	50	W	2
Pro Football, Inc.	2010	50	W	2

National Basketball Association 645 Fifth Avenue New York, NY 10022	2012	46 (Amended 7/10/13)	I	2
National Basketball Association 645 Fifth Avenue New York, NY 10022	2011	54 (Amended 7/11/12)	I	2
National Basketball Association 645 Fifth Avenue New York, NY 10022	2010	53	I	2

National Hockey League 1185 Avenue of the Americas New York, NY 10036	2012	42 (Amended 7/23/13)	J	2
Anaheim Ducks Hockey Club, LLC	2012	42	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Atlanta Hockey Club, LLC	2012	42	W	2
Boston Professional Hockey Association, Inc.	2012	42	W	2
Hockey Western New York, Inc.	2012	42	W	2
Calgary Flames Limited Partnership	2012	42	W	2
Hurricanes Hockey Limited Partnership	2012	42	W	2
Chicago Blackhawk Hockey Team, Inc.	2012	42	W	2
Colorado Avalance LLC	2012	42	W	2
COLHOC Limited Partnership	2012	42	W	2
Dallas Stars, L.P.	2012	42	W	2
Detroit Red Wings, Inc.	2012	42	W	2
Rexall Sports Corp.	2012	42	W	2
Florida Panthers Hockey Club, Ltd.	2012	42	W	2
The Los Angeles Kings Hockey Club, L.P.	2012	42	W	2
Minnesota Wild Hockey Club, L.P.	2012	42	W	2
Club de Hockey Canadien, Inc.	2012	42	W	2
Nashville Hockey Club Limited Partnership	2012	42	W	2
New Jersey Devils, LLC	2012	42	W	2
New York Islanders Hockey Club, L.P.	2012	42	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Madison Square Garden, L.P.	2012	42	W	2
Capital Sports and Entertainment, Inc.	2012	42	W	2
Philadelphia Flyers, L.P.	2012	42	W	2
Coyotes Hockey, LLC	2012	42	W	2
Pittsburgh Penguins, L.P.	2012	42	W	2
St. Louis Blues Hockey Club, L.P.	2012	42	W	2
San Jose Sharks, LLC	2012	42	W	2
Lightning Hockey, L.P.	2012	42	W	2
Maple Leafs Sports & Entertainment, Ltd.	2012	42	W	2
Vancouver Canucks Limited Partnership	2012	42	W	2
Lincoln Hockey, LLC	2012	42	W	2

National Hockey League 1185 Avenue of the Americas New York, NY 10036	2011	40	J	2
Anaheim Ducks Hockey Club, LLC	2011	40	W	2
Atlanta Hockey Club, LLC	2011	40	W	2
Boston Professional Hockey Association, Inc.	2011	40	W	2
Hockey Western New York, Inc.	2011	40	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Calgary Flames Limited Partnership	2011	40	W	2
Hurricanes Hockey Limited Partnership	2011	40	W	2
Chicago Blackhawks Hockey Team, Inc.	2011	40	W	2
Colorado Avalanche LLC	2011	40	W	2
COLHOC Limited Partnership	2011	40	W	2
Dallas Stars, L.P.	2011	40	W	2
Detroit Red Wings, Inc.	2011	40	W	2
Rexall Sports Corp.	2011	40	W	2
Florida Panthers Hockey Club, Ltd.	2011	40	W	2
The Los Angeles Kings Hockey Club, L.P.	2011	40	W	2
Minnesota Wild Hockey Club, L.P.	2011	40	W	2
Club de Hockey Canadien, Inc.	2011	40	W	2
Nashville Hockey Club Limited Partnership	2011	40	W	2
New Jersey Devils, LLC	2011	40	W	2
New York Islanders Hockey Club, L.P.	2011	40	W	2
Madison Square Garden, L.P.	2011	40	W	2
Capital Sports and Entertainment, Inc.	2011	40	W	2
Philadelphia Flyers, L.P.	2011	40	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Cayotes Hockey, LLC	2011	40	W	2
Pittsburgh Penguins, L.P.	2011	40	W	2
St. Louis Blues Hockey Club, L.P.	2011	40	W	2
San Jose Sharks, LLC	2011	40	W	2
Lightning Hockey, L.P.	2011	40	W	2
Maple Leafs Sports & Entertainment, Ltd.	2011	40	W	2
Vancouver Canucks Limited Partnership	2011	40	W	2
Lincoln Hockey, LLC	2011	40	W	2

National Hockey League 1185 Avenue of the Americas New York, NY 10036	2010	54	J	2
Anaheim Ducks Hockey Club, LLC	2010	54	W	2
Atlanta Hockey Club, LLC	2010	54	W	2
Boston Professional Hockey Association, Inc.	2010	54	W	2
Hockey Western New York, Inc.	2010	54	W	2
Calgary Flames Limited Partnership	2010	54	W	2
Hurricanes Hockey Limited Partnership	2010	54	W	2
Chicago Blackhawk Hockey Team, Inc.	2010	54	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Colorado Avalance LLC	2010	54	W	2
COLHOC Limited Partnership	2010	54	W	2
Dallas Stars, L.P.	2010	54	W	2
Detroit Red Wings, Inc.	2010	54	W	2
Rexall Sports Corp.	2010	54	W	2
Florida Panthers Hockey Club, Ltd.	2010	54	W	2
The Los Angeles Kings Hockey Club, L.P.	2010	54	W	2
Minnesota Wild Hockey Club, L.P.	2010	54	W	2
Club de Hockey Canadien, Inc.	2010	54	W	2
Nashville Hockey Club Limited Partnership	2010	54	W	2
New Jersey Devils, LLC	2010	54	W	2
New York Islanders Hockey Club, L.P.	2010	54	W	2
Madison Square Garden, L.P.	2010	54	W	2
Capital Sports and Entertainment, Inc.	2010	54	W	2
Philadelphia Flyers, L.P.	2010	54	W	2
Cayotes Hockey, LLC	2010	54	W	2
Pittsburgh Penguins, L.P.	2010	54	W	2
St. Louis Blues Hockey Club, L.P.	2010	54	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
San Jose Sharks, LLC	2010	54	W	2
Lightning Hockey, L.P.	2010	54	W	2
Maple Leafs Sports & Entertainment, Ltd.	2010	54	W	2
Vancouver Canucks Limited Partnership	2010	54	W	2
Lincoln Hockey, LLC	2010	54	W	2

Women's National Basketball Association 645 Fifth Avenue New York, NY 10022	2012	87 (Amended 7/17/13)	I	2
Women's National Basketball Association 645 Fifth Avenue New York, NY 10022	2011	31	I	2
Women's National Basketball Association 645 Fifth Avenue New York, NY 10022	2010	42	I	2

The National Collegiate Athletic Association 700 W Washington St. P.O. Box 6222 Indianapolis, IN 46206	2012	207	J	2
American Athletic Conference	2012	207	W	2
Atlantic Coast Conference	2012	207	W	2
Atlantic Ten Conference	2012	207	W	2
Big Ten Conference	2012	207	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
Big Twelve Conference	2012	207	W	2
Big Sky Conference	2012	207	W	2
Conference USA	2012	207	W	2
Mid-American Conference	2012	207	W	2
Mountain West Conference	2012	207	W	2
Missouri Valley Conference	2012	207	W	2
National Collegiate Athletic Association	2012	207	W	2
Ohio Valley Conference	2012	207	W	2
Pac-12 Conference	2012	207	W	2
Southeastern Conference	2012	207	W	2
Southland Conference	2012	207	W	2
Sun Belt Conference	2012	207	W	2
Western Athletic Conference	2012	207	W	2
Arizona State University	2012	207	W	2
Brigham Young University	2012	207	W	2
California State University, Fresno	2012	207	W	2
College of William and Mary	2012	207	W	2
Creighton University	2012	207	W	2

<b>Claimant</b>	<b>Claim Year</b>	<b>Claim Number</b>	<b>Claim Type</b>	<b>Phase I Category</b>
Duquesne University	2012	207	W	2
Gonzaga University	2012	207	W	2
Indiana State University	2012	207	W	2
Indiana University-Purdue University at Indianapolis	2012	207	W	2
Iowa State University	2012	207	W	2
Kansas State University	2012	207	W	2
University of Kentucky	2012	207	W	2
Stanford University	2012	207	W	2
Temple University	2012	207	W	2
Tennessee State University	2012	207	W	2
Texas Christian University	2012	207	W	2
The Summit League	2012	207	W	2
University of Alabama	2012	207	W	2
University of Arizona	2012	207	W	2
University of California, Los Angeles	2012	207	W	2
University of Colorado, Boulder	2012	207	W	2
University of Hartford	2012	207	W	2
University of Maryland Eastern Shore	2012	207	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
University of Oregon	2012	207	W	2
University of Southern Mississippi	2012	207	W	2
University of Utah	2012	207	W	2
West Virginia University	2012	207	W	2
Wright State University	2012	207	W	2

The National Collegiate Athletic Association 700 W Washington St. P.O. Box 6222 Indianapolis, IN 46206	2011	198	J	2
Atlantic Coast Conference	2011	198	W	2
Big 12 Conference	2011	198	W	2
Big East Conference	2011	198	W	2
Horizon League	2011	198	W	2
Mid-American Conference	2011	198	W	2
Morehead State University	2011	198	W	2
Ohio Valley Conference	2011	198	W	2
Southeastern Conference	2011	198	W	2
University of Florida	2011	198	W	2
University of Georgia	2011	198	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
University of Kentucky	2011	198	W	2
University of South Carolina, Columbia	2011	198	W	2
Wright State University	2011	198	W	2

The National Collegiate Athletic Association 700 W Washington St. P.O. Box 6222 Indianapolis, IN 46206	2010	228	J	2
Atlantic Coast Conference	2010	228	W	2
Big 12 Conference	2010	228	W	2
Big East Conference	2010	228	W	2
Florida International University	2010	228	W	2
Horizon League	2010	228	W	2
Marshall University	2010	228	W	2
Mid-American Conference	2010	228	W	2
Morehead State University	2010	228	W	2
National Collegiate Athletic Ass	2010	228	W	2
Ohio Valley Conference	2010	228	W	2
Southeastern Conference	2010	228	W	2
Troy University	2010	228	W	2

Claimant	Claim Year	Claim Number	Claim Type	Phase I Category
University of Georgia	2010	228	W	2

# **EXHIBIT B**

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February 23, 1996

**BY HAND DELIVERY**

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GENERAL COUNSEL  
OF COPYRIGHT

FEB 23 1996

RECEIVED

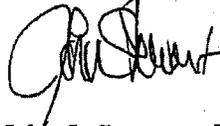
Re: 1990-1992 Cable Royalty Distribution Proceeding  
Docket No. 94-3 CARP-90-92CD

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

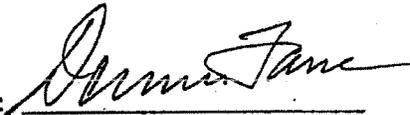
somehow be proportionally diminished. This so-called "unclaimed funds" issue, however, was resolved by the Tribunal in the course of its 1978 proceeding. The Tribunal determined that, for Phase I purposes, it should treat each category as if claims had been filed for all included programs. 1978 Cable 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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