

**Before the  
COPYRIGHT ROYALTY BOARD  
Washington, DC**

**In the Matter of**

**Distribution of the 2000, 2001,  
2002 and 2003 Cable Royalty Funds**

**Docket No. 2008-2 CRB CD 2000-2003**

**MUSIC CLAIMANTS' JOINT PETITION TO PARTICIPATE**

Pursuant to 37 C.F.R. § 351.1(b)(2)(C)(ii) and in response to the notice of the Copyright Royalty Judges (“Judges”) published at 73 Fed. Reg. 18004 (April 2, 2008), Broadcast Music, Inc. (“BMI”), the American Society of Composers, Authors and Publishers (“ASCAP”), and SESAC, Inc. (collectively “Music Claimants”) submit this Joint Petition to Participate in the Phase I distribution proceeding for the 2000, 2001, 2002, and 2003 cable royalty funds.

BMI, ASCAP and SESAC are performing rights organizations that together, represent hundreds of thousands of composer, lyricist, songwriter and publisher members and affiliates with combined repertoires of millions of copyrighted musical works. On behalf of their members and affiliates, Music Claimants license the public performance rights granted to their respective members and affiliates as copyright owners under section 106(4) of the Copyright Act. BMI, ASCAP and SESAC are also each affiliated with about 70 foreign performing rights societies around the world and license the repertoires of those societies in the United States.

Music Claimants are among the group of Settling Parties<sup>1</sup> consisting of all of the Phase I claimant groups, except the Canadian Claimants. As detailed in prior filings, the Settling Parties have entered into a settlement agreement, whereby the only remaining disputed issue is the

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<sup>1</sup> The other Settling Parties are the Program Suppliers, the Joint Sports Claimants, the National Association of Broadcasters, the Public Television Claimants, and the Devotional Claimants.

amount of the Canadian Claimants' share. *See Phase I Claimants' Notice of Partial Phase I Settlement and Motion for Further Distribution*, Docket No. 2005-4 CRB CD 2003 (June 8, 2007) (2003 cable royalties), *acknowledged in* 72 Fed. Reg. 46516, 46518 (August 20, 2007); *Phase I Claimants' Notice of Partial Settlement and Motion for Further Distribution*, Docket Nos. 2002-8 CARP CD 2000; 2003-2 CARP CD 2001; 2004-5 CARP CD 2002 (December 6, 2005) (2000, 2001, and 2002 cable royalties). Music Claimants intend to participate fully in the proceeding as part of the Settling Parties.

Music Claimants have a significant interest in this distribution proceeding because they collectively represent copyright owners of musical works that were secondarily transmitted by cable systems throughout the 2000-2003 time period. Music Claimants have participated and received a share of the funds, through settlement or award, in every Phase I cable royalty distribution proceeding since the enactment of the cable compulsory license in 1976, effective January 1, 1978. The undersigned hereby certify that they have the authority and consent to represent their respective members and affiliates in this distribution proceeding. Pursuant to 37 C.F.R. § 351.1(b)(4), a \$150 filing fee is enclosed with this petition in the form of a check to the Copyright Royalty Board.

Respectfully submitted,

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Dated: May 2, 2008

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May, 2008, a copy of the foregoing  
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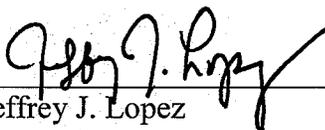
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