

**Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
Washington, D.C.**

In the Matter of

**DETERMINATION OF RATES AND
TERMS FOR BUSINESS
ESTABLISHMENT SERVICES**

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) **Docket No. 2012-1**
) **CRB Business Establishments II**
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DMX, INC.'S PETITION TO PARTICIPATE

DMX, Inc. ("DMX") hereby submits this Petition to Participate in the above-captioned proceeding pursuant to the Copyright Royalty Judges' Notice announcing the commencement of the proceeding. 77 Fed. Reg. 133 (January 3, 2012).

DMX's contact information, as required by 37 C.F.R. § 351.1(b)(1), is as follows:

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DMX, the second largest provider of business establishment services in the United States, has a significant interest in the subject matter of the proceeding. DMX utilizes the Section 112(e) statutory license to make ephemeral copies of sound recordings for purposes of transmitting performances of sound recordings to business establishments pursuant to the

limitations of Section 114(d)(1)(c)(iv); accordingly, DMX will be subject to the rates and terms set by the Judges in this proceeding for the 2014-2018 license period.

Pursuant to 37 C.F.R. § 351.5(b)(4), we enclose the requisite \$150 filing fee.

Respectfully submitted,



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February 1, 2012