



LIBRARY OF CONGRESS

## Copyright Royalty Board

[Docket No. 21-CRB-0001-PR (2023-2027)]

### Determination of Rates and Terms for Making and Distributing Phonorecords (Phonorecords IV)

**AGENCY:** Copyright Royalty Board, Library of Congress.

**ACTION:** Notice announcing commencement of proceeding with request for Petitions to Participate.

**SUMMARY:** The Copyright Royalty Judges announce commencement of a proceeding to determine reasonable rates and terms for making and distributing phonorecords for the period beginning January 1, 2023, and ending December 31, 2027. The Copyright Royalty Judges also announce the date by which a party wishing to participate in the rate determination proceeding must file its Petition to Participate and the accompanying \$150 filing fee.

**DATES:** Petitions to Participate and the filing fee are due no later than **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** The petition to participate form is available online in eCRB, the Copyright Royalty Board's online electronic filing application, at <https://app.crb.gov/>.

**Instructions:** The petition to participate process has been simplified. Interested parties file a petition to participate by completing and filing the petition to participate form in eCRB and paying the fee in eCRB. Do not upload a petition to participate document.

**Docket:** For access to the docket to read submitted documents, go to eCRB, the Copyright Royalty Board's electronic filing and case management system, at <https://app.crb.gov/>, and search for docket number 21-CRB-0001-PR (2023-2027).

**FOR FURTHER INFORMATION CONTACT:** Anita Blaine, CRB Program

Specialist, by telephone at (202) 707-7658 or by e-mail at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:** The Copyright Act provides for the Copyright Royalty Judges (Judges) to commence a proceeding every fifth year to determine rates and terms for making and distributing phonorecords pursuant to the statutory license in 17 U.S.C. 115, 803(b)(1)(A)(i)(V); 804(b)(4).<sup>1</sup> This notice commences the rate determination proceeding for the license period 2023-2027, inclusive.

### **Petitions to Participate**

Parties with a significant interest in the outcome of the phonorecords royalty rate proceeding must provide the information required by § 351.1(b) of the Judges' regulations by completing and filing the Petition to Participate form in eCRB. Parties must pay the \$150 filing fee when filing each Petition to Participate form. Parties must use the form in eCRB instead of uploading a document and must comply with the requirements of § 351.1(b)(1) of the Copyright Royalty Board's regulations. 37 CFR 351.1(b)(1). Only attorneys admitted to the bar in one or more states or the District of Columbia and members in good standing will be allowed to represent parties before the Judges. Only an individual may represent herself or himself and appear without legal counsel. 37 CFR 303.2.

Dated: December 28, 2020.

**Jesse M. Feder,**

*Chief Copyright Royalty Judge.*

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<sup>1</sup> In accordance with section 804(b)(4), a party may file a petition to initiate a proceeding to determine rates and terms for making and distributing phonorecords pursuant to the statutory license in 17 U.S.C. 115. However, no petition has been filed; consequently, section 803(b)(1)(A)(i)(V) requires the Judges to publish in the Federal Register by no later than January 5, 2021, a notice commencing this proceeding.