

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

In the Matter of:

Determination of Rates and Terms for
Business Establishment Services

Docket No. 2012-1
CRB Business Establishments II

SOUNDEXCHANGE’S PETITION TO PARTICIPATE

SoundExchange, Inc. (“SoundExchange”), on behalf of itself and the copyright owners on whose behalf it collects and distributes statutory royalties, submits this Petition to Participate in response to the Copyright Royalty Judges’ Notice announcing the date for submission of Petitions to Participate in a “proceeding to determine the reasonable rates and terms for the making of an ephemeral recording of a sound recording for a later transmission by entities that transmit performances of a sound recording to business establishments” for the time period 2014-2018. 77 Fed. Reg. 133 (Jan. 3, 2012).

SoundExchange is a nonprofit organization incorporated in the State of Delaware and jointly controlled by representatives of sound recording copyright owners and artists through an 18-member Board of Directors. Its Board of Directors includes representatives from the major record companies, independent record companies, and artist representatives, among others. The Copyright Royalty Judges have previously designated SoundExchange as the Collective to collect and distribute Section 112 and 114 royalty fees, including with respect to Business Establishment Services in CRB Docket No. 2007-1 for the time period 2009-2013. *See* 37 C.F.R. 384.2. SoundExchange has collected and distributed hundreds of millions of dollars in statutory royalties for tens of thousands of copyright owners and artists, and continues to do so.

SoundExchange thus represents the interest of those who are entitled the royalties paid by Business Establish Services claiming the benefits of the statutory license.

Accordingly, SoundExchange, on its own behalf and on behalf of its constituents, has a significant interest in the royalty rates and terms that are the subject of the instant proceeding. *See* 17 U.S.C. § 803(b)(1)(B). SoundExchange will participate fully in the instant proceeding.

Pursuant to 37 C.F.R. § 351.1(b)(1), SoundExchange provides the following contact information:

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Pursuant to 37 C.F.R. § 351.1(b)(4), SoundExchange is submitting the required filing fee of \$150 in connection with this Petition to Participate.

Respectfully submitted,



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