



ANNOUNCEMENT

from the Copyright Office, Library of Congress, Washington, D.C. 20559-6000

INITIATION OF ARBITRATION

DISTRIBUTION OF 1992, 1993, AND 1994 DIGITAL AUDIO RECORDING TECHNOLOGY ROYALTIES

The following excerpt is taken from Volume 61, Number 147 of the *Federal Register* for Tuesday, July 30, 1996 (pp. 39670)

LIBRARY OF CONGRESS

Copyright Office

[Docket No. 95-1 CARP DD 92-94]

Distribution of 1992, 1993, and 1994 Digital Audio Recording Technology Royalties

AGENCY: Copyright Office, Library of Congress.

ACTION: Initiation of arbitration.

SUMMARY: The Copyright Office of the Library of Congress is announcing initiation of the 180-day arbitration period for the distribution of 1992-94 digital audio recording technology (DART) royalties.

EFFECTIVE DATE: August 8, 1996.

ADDRESSES: All hearings and meetings for the 1992-94 DART distribution proceeding shall take place in the James Madison Memorial Building, Room 414, First and Independence Avenue, S.E., Washington, DC 20540.

FOR FURTHER INFORMATION CONTACT: William Roberts, Senior Attorney for Compulsory Licenses, or Tanya Sandros, CARP Specialist, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone (202) 7078380. Telefax (202) 707-8366.

SUPPLEMENTARY INFORMATION: Section 251.72 of 37 CFR provides:

If the Librarian determines that a controversy exists among claimants to either cable, satellite carrier, or digital audio recording devices and media royalties, the Librarian shall publish in the *Federal Register* a declaration of controversy along with a notice of initiation of an arbitration proceeding. Such notice shall, to the extent feasible, describe the nature, general structure and schedule of the proceeding.

The notice published today fulfills the requirements of §251.72 for the distribution of DART royalties for the years 1992, 1993, and 1994.

As provided in section 802 of the Copyright Act, 17 U.S.C., a Copyright Arbitration Royalty Panel (CARP) shall have 180 days from initiation to deliver its written report to the Librarian of Congress. The 180-day period begins on August 8, 1996 and concludes on February 3, 1997. This proceeding requires the CARP to determine the proper distribution of royalties collected under chapter 10 of the Copyright Act for the years 1992, 1993 and 1994. Section 802(b) of the Act instructs the Librarian to select two arbitrators within 10 days of initiation of the proceeding. The Librarian has already completed this task, and the two arbitrators are: The Honorable Sharon T. Nelson
The Honorable Lewis Hall Griffith
The third arbitrator, who shall serve as Chairperson, will be selected in accordance with section 802(b).

Scheduling of the 1992-94 DART royalty distribution proceeding is within the discretion of the CARP. The Library will publish the schedule of the proceedings, as required by 37 CFR 251.11(b), as soon as it is available.

Recommended by:

Marybeth Peters,
Register of Copyrights.

Approved by:

James H. Billington,
The Librarian of Congress.

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[Billing Code: 1410-33]