PUBLICATION OF THE 1997 CARP ARBITRATION LIST

COPYRIGHT ARBITRATION ROYALTY PANELS; LIST OF ARBITRATORS

The following excerpt is taken from Volume 62, Number 1 of the Federal Register for Thursday, January 2, 1997 (pp. 113-114)

LIBRARY OF CONGRESS
Copyright Office
[Docket No. 96-9 CARP]
Copyright Arbitration Royalty Panels; List of Arbitrators

AGENCY: Copyright Office, Library of Congress.

ACTION: Publication of the 1997 CARP Arbitration List.

SUMMARY: The Copyright Office is publishing the list of arbitrators eligible for selection to a Copyright Arbitration Royalty Panel (CARP) during 1997. This list will be used to select arbitrators who shall serve on panels initiated during 1997 for determining the distribution of royalty fees or the adjustment of royalty rates.


FOR FURTHER INFORMATION CONTACT: Marilyn J. Kretsinger, Acting General Counsel, or Tanya M. Sandros, Attorney-Advisor, Copyright Arbitration Royalty Panel, P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

SUPPLEMENTARY INFORMATION:

Background

For royalty rate adjustments and distributions that are in controversy, the Copyright Act requires the selection of a Copyright Arbitration Royalty Panel (CARP) consisting of three arbitrators from "lists provided by professional arbitration associations." 17 U.S.C. 802(b). The Librarian selects two of the arbitrators for a CARP from a list of nominated arbitrators; those selected then choose a third person who serves as chairperson of the panel.

Under the CARP regulations, as amended, the Librarian of Congress shall publish in the Federal Register after January 1, 1998, and every two years thereafter, a list of between 30 and 75 names of those individuals who were nominated. The list must contain nominees from at least three professional arbitration associations or organizations. 61 FR 63715 (December 2, 1996). The change to a two-year list was implemented to reduce the cost associated with generating an annual list of arbitrators, most of whom would have no opportunity to serve on a CARP during the relevant year. In so amending the rule, the Office decided to use the 1996 list for any CARP proceeding initiated during 1997. Therefore, the Office is republishing the 1996 list of nominees to serve as the 1997 list of arbitrators.

The information submitted by the arbitration association with respect to each person listed is available for copying and inspection at the Licensing Division of the Copyright Office. The Licensing Division of the Copyright Office is located in the Library of Congress, James Madison Building, Room 458, 101 Independence Avenue, S.E., Washington, D.C. 20559.

Publication of today's list triggers the requirement in 37 CFR 251.32 that each listed person file a confidential financial disclosure statement. The Librarian of Congress will use the financial disclosure statement to determine what conflicts of interest, if any, may preclude the person from serving as an arbitrator in a CARP proceeding. Since each of these nominees has already filed a financial disclosure form, he or she need not file an updated form unless the Library of Congress selects that individual for service on a CARP.

The 1997 CARP Arbitration List

Howard B. Abrams, Esq. - American Arbitration Association
Miles J. Alexander, Esq. - Center for Public Resources Inc.
Richard Bennett, Esq. - American Arbitration Association
The Honorable John W. Cooley - JAMS/Endispute
Robert A. Creo, Esq. - JAMS/Endispute
Joel Davidow, Esq. - American Arbitration Association
Edward Dreyfus, Esq. - American Arbitration Association
Corydon B. Dunham, Esq. - American Arbitration Association
The Honorable Jesse Ettelson - Judicate, Inc.
John B. Farmakides, Esq. - American Arbitration Association
The Honorable Thomas A. Fortkort - Center for Litigation Alternatives
Richard G. Green, Esq. - American Arbitration Association
Joseph A. Greenwald, Esq. - American Arbitration Association
The Honorable Lewis Hall Griffith - Center for Litigation Alternatives
The Honorable Jeffrey S. Gulin, Esq. - Judicate, Inc.
Professor Hugh C. Hansen - Center for Litigation Alternatives