

Cable and Satellite Royalty Claims Due to the Copyright Royalty Board by July 31, 2017

By Lauren Lynch Flick, Jessica T. Nyman

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This advisory is directed to television stations with locally-produced programming whose signals were carried by at least one cable system located outside the station's local service area or by a satellite provider that provided service to at least one viewer outside the station's local service area during 2016. These stations may be eligible to file royalty claims for compensation with the United States Copyright Royalty Board. These filings are due by **July 31, 2017**.

Under the federal Copyright Act, cable systems and satellite operators must pay license royalties to carry distant TV signals on their systems. Ultimately, the Copyright Royalty Board divides the royalties among those copyright owners who claim shares of the royalty fund. Stations that do not file claims by the deadline will not be able to collect royalties for carriage of their signals during 2016.

In order to file a cable royalty claim, a television station must have aired locally-produced programming of its own and had its signal carried outside of its local service area by at least one cable system in 2016. Television stations with locally-produced programming whose signals were delivered to subscribers located outside the station's Designated Market Area in 2016 by a satellite provider are also eligible to file royalty claims. A station's distant signal status should be evaluated and confirmed by communications counsel.

Both the cable and satellite claim forms may be filed electronically or in paper form. Paper forms may be downloaded from <https://www.crb.gov/cable/>; however, with the recent introduction of the Copyright Royalty Board's new online filing system, eCRB, claimants are strongly encouraged to file claims online. Prior to filing electronically, claimants or their authorized representatives must register for an eCRB account at <https://app.crb.gov/>. To submit claims, stations are required to supply the name and address for the filer and for the copyright owner, and must provide a general statement as to the nature of the copyrighted work (e.g., local news, sports broadcasts, specials, or other station-produced

programming). Claimants should keep copies of all submissions and confirmations of delivery, including certified mail receipts.

Those filing paper forms should be aware that detailed rules as to how the claims must be addressed and delivered apply. Claims that are hand-delivered by a local Washington, D.C. commercial courier must be delivered between 8:30 am and 5:30 pm (those hand-delivered by a private party must arrive by 5:00 pm). Claims may be sent by certified mail if they are properly addressed, postmarked by **July 31, 2017**, and include sufficient postage. Claims filed via eCRB must be submitted by 11:59 pm (EDT) on July 31. The Copyright Royalty Board will reject any claim filed prior to July 1, 2017 or after the deadline. Overnight delivery services such as Federal Express cannot be used. Stations filing paper claims should verify the proper procedures with communications counsel.

Please contact any of the group's attorneys for assistance in determining whether your station qualifies to make a claim and in filing the claim itself.