



File / Dossier : Television Retransmission (2014-2018) /
Retransmission de signaux de télévision (2014-2018)

February 1, 2017

[CB-CDA 2017-009]

NOTICE OF THE BOARD

The extension request below is granted. Parties shall report back on the negotiations in respect of the allocation of royalties amongst Collectives no later than **Friday, April 7, 2017**.

From: Antoine Malek

Sent: January-31-17 2:27 PM

To: G. McDougall, Gilles: CB-CDA

Cc: N. Campanella, L. Massam, C. Masse, H. Intven, M. Koch, J. Callaghan, A. Thomas, D. Glover, L. Watt, M. Lewis, J. O'Hara, J. Green, R. Sheahan, M. Estabrooks, M.P. Duguay-Gosselin, A. Malek, A. Jacobs, G. Piassetzki, D. Kent, Y. Wexler, J. Kerr-Wilson, M. Hayes, J. Ohara

Subject: TV Retransmission 2014-2018

Dear Mr. McDougall,

The Notice of the Board dated November 16, 2016 required that the Collectives report to the Board regarding the status of their negotiations to settle the allocation of royalties by no later than January 31, 2017.

Accordingly, on behalf of all Collectives, FWS reports as follows:

Following FWS' previous report on November 10, 2016, FWS has received additional title resolutions from the Collectives that resolve approximately 15% of the disputes that were then outstanding. Currently, there are about 2,900 titles remaining in dispute, out of the over 31,000 program titles in the viewing study, and 707 of those conflicts involve a relatively small partial claim to the titles in question (amounting to less than 20% of the title's value). FWS is also aware of one other pending but not yet finalized agreement that affects several hundred titles.

The last of the additional title resolutions was received within the last week, and FWS is now in the process of generating updated conflict tables. FWS expects to distribute the updated conflict tables early next week.

In the past month, FWS also commissioned from Numeris a further analysis of the viewing data, to link episode level title information (such as movie titles and individual episodes of series) to generic program titles (e.g. "MOVIE" or "DOCUMENTARIES") in the viewing study. Several collectives needed this information to allow them to identify their works. Numeris, having other priorities, was slow to provide the analysis but it should be available to the collectives that need it shortly. Based on our discussions

with the collectives affected by this issue, we expect that this data will allow them to make rapid progress resolving their remaining conflicts.

Once it has distributed updated conflict tables, FWS will request that all collectives provide it with their further title conflict resolutions by the end of February. FWS then hopes to distribute further updated conflict tables, and a preliminary outcome of the viewing study, by mid-March. The updated conflict tables will provide a basis for further discussions among the collectives. The collectives of course reserve all of their rights in connection with the allocation, including the right to object to the viewing study as the basis for the allocation.

Accordingly, FWS proposes to report back to the Board by April 7, 2017.

Regards,

Antoine Malek