



File / Dossier : Online Audiovisual Services – Music / Services audiovisuels en ligne – Musique
[SOCAN: 2007-2018; CMRRA: 2014-2018; SODRAC: 2014-2018]

April 20, 2018

[CB-CDA 2018-085]

RULING OF THE BOARD

In Ruling 2018-071 (as revised on April 16, 2018), the Board stated that it will continue to consider the proposed CMRRA Tariff 7, unless it receives confirmation from Apple Canada Inc. and Apple Inc. by no later than Friday, April 20, 2018, of their intention to either withdraw or of their consent to indefinitely suspend consideration of this tariff.

On April 19, 2018, Apple Inc. and Apple Canada Inc., indicated their agreement with the indefinite suspension of the consideration of CMRRA Tariff 7 (2016-2018) tariff, on the same terms as the other objectors referred to in the Board's Ruling as the "Replying Objectors."

As such, the Board hereby suspends consideration of the following proposed tariffs *sine die*:

- CMRRA Tariff No. 7 ("CMRRA Audiovisual Services Tariff, 2016"), as published in the *Canada Gazette* on May 30, 2015;
- CMRRA Tariff No. 7 ("CMRRA Audiovisual Services Tariff, 2017"), as published in the *Canada Gazette* on May 28, 2016; and
- CMRRA Tariff No. 7 ("CMRRA Audiovisual Services Tariff, 2018"), as published in the *Canada Gazette* on June 3, 2017.

This suspension is based on the expectation that rights holders will not seek to enforce their rights in relation to acts that would have been covered by any of these proposed tariffs.

In the unlikely event that rights holders would seek to enforce their rights in relation to an act that would have been covered by the proposed tariff, an affected user that relied in good-faith on the proposed tariff could request the Board to terminate the suspension, and proceed with the proposed tariff's consideration and certification.