



January 10, 2019

[*CB-CDA 2019-001*]

NOTICE OF THE BOARD

File: SOCAN-Re:Sound – Pay Audio Services Tariffs, 2007-2016

The meeting will take place on January 18, 2018 at 9:30 on the 8th floor of 56 Sparks St, Ottawa.

Each party is asked to provide the Board, in advance, a list of persons that will be attending.

Objective of the Meeting

The Board strives to set royalty-rates, including the determination of any repertoire adjustments, based on the most complete information reasonably available.

This meeting is an information-gathering exercise, intended to assess what information Re:Sound has that may assist the Board in determining an accurate repertoire adjustment. Its overall purpose is to encourage an exchange between the parties, their experts, and the Board staff with a view to streamlining the process of creating the necessary information base to enable the Board to assess the repertoire adjustment issues that arise.

This meeting is not intended to address the appropriate level of the repertoire adjustment.

Possible Topics for Discussion

The staff propose to discuss the following questions. However, the Board expects that, given the informal nature of the meeting, parties will feel free to raise issues, as they become relevant.

1. Information from Members

(a) When someone becomes a member of Re:Sound, how do they identify the performances or sound recordings for which they are authorizing Re:Sound to collect royalties?

(b) What information does a member provide to Re:Sound to demonstrate its authority to do so?

(c) Does Re:Sound have any criteria based on which it accepts or rejects such claims of authority?

2. Determining repertoire and eligibility-status for a sound recording

In respect of a given sound recording, on what information does Re:Sound rely to determine

- (i) whether that sound recording is in its repertoire;
- (ii) the eligibility-status of that sound recording; and
- (iii) which member, if any, is entitled to equitable remuneration?

3. Storing and Updating Information

- (a) How does Re:Sound store repertoire-status information?
- (b) How does Re:Sound store eligibility information?
- (c) How is repertoire-status information updated?
- (d) From whom does Re:Sound receive updated information?
- (e) How is that information verified?
- (f) Is it possible to make corrections to previously entered information?

Subsequent Steps

Subsequent to the meeting, the staff will prepare a report summarizing the discussions. The report will be provided to the Panel, as well as the parties, who may comment thereon.

The objective of an informal, technical meeting of this nature is to facilitate a more expeditious and cooperative development of the information base required for the Board's assessment of the repertoire adjustment issues. As indicated in Notice 2018-220 regarding the meeting, "[a]n additional benefit [will] be to minimize the future back-and-forth between the Board and the Parties regarding the evidence underlying the study." This should, in turn, have the effect of diminishing the need for further notices or orders by the Board at later stages, although it may not eliminate that need altogether.



Gilles McDougall
Secretary General