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Client Alert

Webcasting Royalties Update: Temporary Relief for Public Broadcasters

by Cydhey A. Tune

In the weeks surrounding the July 15th reporting and payment deadline for retroactive royalties, entities that broadcast music on the Internet have been in tense negotiations with SoundExchange. The only concrete development to report is that public radio has reached at least a temporary agreement with the recording industry.

National Public Radio and the Corporation for Public Broadcasting report that SoundExchange has agreed to allow public radio stations to continue their music streaming operations for the next three months, until October 15th, without a limit on the number of listeners or changes to their current operations, while good faith discussions concerning the new rates continue.

The complete terms of the recent agreement with SoundExchange have not been publicly disclosed. Thus, broadcasters who receive money from the Corporation for Public Broadcasting should consult that organization. For more in-depth information concerning the March decision of the Copyright Royalty Board and webcaster licensing requirements, please refer to our previous client alerts.¹

No other category of webcasters has, thus far, reached a similar agreement with SoundExchange. Stay tuned for another client alert—in the very near future—which will help webcasters who are not in public radio navigate these complicated royalties issues.

¹ Webcaster Music Royalty Rates—in Flux and on the Rise, Client Alert, Pillsbury Winthrop Shaw Pittman LLP, 14-June-2007; Internet Radio Royalty Costs to Increase Significantly, Client Alert, Pillsbury Winthrop Shaw Pittman LLP, 07-Mar-2007; Licensing and Royalty Basics for “Broadcasting” Music over the Internet, Communications Advisory, Pillsbury Winthrop Shaw Pittman LLP, December 2006.

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