

Special Bulletin to Broadcasters

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Copyright Filing Deadline for Streaming Audio Extended

As we indicated in **Special Bulletin to Broadcasters**, SB No. 99-15 (October 12, 1999), entities currently transmitting music via the Internet must file a notice with the Copyright Office of their intention to take advantage of the compulsory license established by the Copyright Office. Entities transmitting music through their websites can obtain a license to perform sound recordings either through private negotiations with the individual record companies or through this compulsory license established by the Copyright Office. The Copyright Office has proposed extending the filing deadline for persons or entities already transmitting music over the Internet from October 15, 1999, to **December 1, 1999**.

Though the Copyright Office has requested comments to this proposed extension, the Copyright Office does not anticipate any substantive objection to this extension. Therefore, those entities who are transmitting music over the Internet, and who did not file their notice of intent to use the compulsory license by the original October 15, 1999 deadline should do so before **December 1, 1999**.

The suggested form for this filing is located on the Copyright Office website at:
<http://www.loc.gov/copyright/licensing/format.html>.

Since there may be an argument that broadcasters who simply stream their terrestrial broadcasts via the Internet may not be subject to this licensing requirement, we recommend filing this notice with the following disclaimer typed on the bottom of the form: "The filing of this initial notice is not intended to waive any claims of an exemption which the transmission service filing this notice may possess." The filing fee is \$20 and checks should be made out to the Register of

Copyrights. These notices should be sent to Library of Congress, Copyright Office, Licensing Division, 101 Independence Avenue, S.E. Washington, DC 20557-6400.

For more information, including assistance in making the filing, please call Dave Oxenford, Cynthia Greer or JoEllen Masters of the firm.

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