
Reminder: Annual Minimum Fee Statements for Streaming Due to SoundExchange by January 31, 2012

by Lauren Birzon and Lauren Lynch Flick

Certain stations must also file proxy paperwork and additional fee to avoid usage reporting for the year.

As January comes to a close, don't forget that annual minimum copyright royalty fees for webcasting and internet simulcasting of radio programming, along with the corresponding forms, are due to SoundExchange by January 31, 2012.

With the exception of certain eligible noncommercial broadcasters (those that are affiliated with NPR, APM, PRI or certain other organizations and have timely elected the rates and terms negotiated with SoundExchange by the Corporation for Public Broadcasting), commercial and noncommercial webcasters and broadcasters streaming content on the Internet must submit the appropriate Annual Minimum Fee Statement of Account, along with a minimum fee payment of \$500.00 per stream. For webcasters with multiple streams, the total fee is capped at \$50,000.00.

January 31st is also the deadline for certain filers to elect "proxy" reporting, which allows the streamer to pay an additional \$100 fee and avoid having to submit regular reports of use to SoundExchange during 2012. This option is only available to certain categories of streamers. "Small Broadcasters" (broadcasters with fewer than 27,777 aggregate tuning hours in 2011), "Noncommercial Educational Webcasters" (noncommercial educational webcasters with fewer than 55,000 monthly aggregate tuning hours in 2011) and "Noncommercial Microcasters" (noncommercial webcasters other than educational webcasters with fewer than 44,000 aggregate tuning hours in 2011) may choose this exemption by filing the appropriate Notice of Election and a \$100.00 fee by January 31st, 2012. Certain other filers that are not eligible for a reporting waiver must still file the Notice of Election to elect an alternative to the standard Copyright Royalty Board rates.

Annual Minimum Fee Statements of Account, Notices of Election, and payments should be sent to SoundExchange, Inc., 1121 Fourteenth Street, NW, Suite 700, Washington, DC 20005, Attn: Royalty Administration.

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