

**Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
Washington, D.C.**

In the Matter of:

Determination of Rates and Terms for
Preexisting Subscription and Satellite
Digital Audio Radio Services

Docket No. 2011-1
CRB PSS/Satellite II

PETITION TO PARTICIPATE

SoundExchange, Inc. (“SoundExchange”), on behalf of itself and the copyright owners and artists on whose behalf it collects and distributes statutory royalties, submits this Petition to Participate in response to the Copyright Royalty Judges’ Notice announcing the date for submission of Petitions to Participate in a “proceeding to determine the reasonable rates and terms for preexisting subscription and satellite digital audio radio services for the digital performance of sound recordings and the making of ephemeral recordings for the period beginning January 1, 2013, and ending December 31, 2017.” 76 Fed. Reg. 591 (Jan. 5, 2011).

SoundExchange is a nonprofit organization incorporated in the State of Delaware and jointly controlled by representatives of sound recording copyright owners and artists through an 18-member Board of Directors. Its Board of Directors includes representatives from the major record companies, independent record companies, the American Association of Independent Music, the American Federation of Musicians, the American Federation of Television and Radio Artists, and artist representatives, among others. The Copyright Royalty Judges have previously designated SoundExchange as the Collective to receive Section 112 and 114 royalty fees, and SoundExchange has advocated on behalf of artists and copyright owners in several other proceedings. SoundExchange has collected and distributed hundreds of millions of dollars in

statutory royalties for tens of thousands of copyright owners and artists, and continues to do so. SoundExchange thus represents the interest of sound recording copyright owners and featured artists who are entitled to a portion of the royalties paid by services claiming the benefits of the statutory licenses.

Accordingly, SoundExchange, on its own behalf and on behalf of sound recording copyright owners and artists, has a significant interest in the royalty rates and terms that are the subject of the instant proceeding. *See* 17 U.S.C. § 803(b)(1)(B). SoundExchange will participate fully in the instant proceeding.

Pursuant to 37 C.F.R. § 351.1(b)(1), SoundExchange provides the following contact information:

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Pursuant to 37 C.F.R. § 351.1(b)(4), SoundExchange is submitting the required filing fee of \$150 in connection with this Petition to Participate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Huppe". The signature is written in a cursive style with a horizontal line underneath it.

Michael J. Huppe (DC Bar 455161)

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