



CBI and WHRB ask Copyright Royalty Board to Extend Deadline to File Comments on Expanded Webcasting Rules

Washington, DC – January 16, 2009 – College Broadcasters, Inc., (CBI) a national membership association of non-profit, student-staffed radio stations and electronic media outlets and Harvard Radio Broadcasting Co., Inc., the student-operated FM broadcast station WHRB 95.3FM, based on the campus of Harvard University in Cambridge, Massachusetts, filed a joint motion for additional time to collect data and submit comments to the Copyright Royalty Board (CRB) with respect to proposed new rules for webcasting. These new regulations concern the recordkeeping and the reporting requirements for internet radio stations and will have a major impact for small, non-profit webcasters staffed by students on college, university and high school campuses across the US.

Since 2002, the United States Copyright Office has been in the process of setting technical requirements for webcasters to report the copyrighted music they broadcast. Without warning, on December 30, 2008, while most college students were on break, the CRB issued a proposal to change the current rules that apply to all webcasters that use copyrighted recordings. While the proceedings have been underway for six years, the officials only allowed 30 days for the submission of comments from interested parties before making a final ruling which could stand for several decades. Furthermore, for many of the student stations most affected by the new rules, students would be away on break for most of the 30 day comment window.

Warren Kozireski, president of CBI and general manager of WBSU 89.1 The Point, at SUNY Brockport, said “The proposal contains rule changes that would adversely affect hundreds of student stations across the nation, yet the CRB issued the proposal during winter break and provided us with only 30 days to respond. That is simply not enough time to gather information from stations and provide the CRB with ample information to make informed decisions.”

SUNY Brockport doesn’t resume classes until January 26, leaving students there only three days to prepare comments before the January 29 deadline.

“CBI wants student stations to fully participate in this proceeding by providing CBI with reactions to the proposals so we can incorporate their input in our comments before the CRB,” said Kozireski.

CBI and WHRB filed their joint request to allow stations additional time to develop responsive comments to the CRB’s proposals and questions. Michael Papish, legal and policy advisor for WHRB and CEO of digital media technology firm MediaUnbound,

Inc., stated “The process by which digital music services report the music they use for royalty distribution will play a major role in the evolution of the music industry. We need to make sure all interested parties—big and small internet radio stations, technology providers, copyright owners and the public—are able to provide the CRB with complete and accurate information.”

Papish continued, “For many stations like WHRB which have deep catalogs and feature programming by DJs that still rely heavily on vinyl media, these new regulations could prove extremely difficult. We need time to explore these issues. The timing of the proposal and the deadline for comments makes it impossible for WHRB, CBI, other interested parties and the public to submit comments that contain sufficient information for the CRB to make an informed decision.”

“We hope that the CRB will approve our motion to extend the deadline to submit comments until March 30, 2009. This will allow us time to gather information concerning both the proposals from the CRB and to provide answers to the questions the CRB posed in making the proposal,” said Kozireski.

CBI is also offering to assist stations in the process of submitting comments to the CRB on their own. Information can be found at the CBI web site <http://www.askcbi.org>.

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Contact

For CBI:

Will Robedee

713-348-2935

Copyright@askcbi.org

For WHRB/Michael Papish:

Bethany Weiss

415-786-9583

bethanyj@pacbell.net