

Before the  
COPYRIGHT ROYALTY BOARD  
LIBRARY OF CONGRESS  
Washington, D.C.

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In the Matter of :  
ADJUSTMENT OR DETERMINATION : Docket No. 2011-3 CRB Phonorecords II  
OF COMPULSORY LICENSE RATES :  
FOR MAKING AND DISTRIBUTING :  
PHONORECORDS :

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**PETITION TO PARTICIPATE OF  
NATIONAL MUSIC PUBLISHERS' ASSOCIATION, INC.,  
THE SONGWRITERS GUILD OF AMERICA,  
NASHVILLE SONGWRITERS ASSOCIATION INTERNATIONAL AND  
CHURCH MUSIC PUBLISHERS ASSOCIATION**

The National Music Publishers' Association, Inc. ("NMPA"), Songwriters Guild of America ("SGA"), Nashville Songwriters Association International ("NSAI") and Church Music Publishers Association ("CMPA") (together, "Copyright Owners") submit this petition in accordance with 17 U.S.C. §§ 803 and 804, 37 C.F.R. § 351.1 and the Copyright Royalty Board notice of January 5, 2011, 76 Fed. Reg. 590 (Jan. 5, 2011), to participate in a proceeding to establish royalty rates and terms for the making and distribution of phonorecords. The Copyright Owners have a "significant interest," within the meaning of the 17 U.S.C. § 804(a), in the royalty and rates and terms for physical phonorecords and digital phonorecord deliveries ("DPDs") made and distributed pursuant to Section 115 of the Copyright Act, 17 U.S.C. § 115.

Founded in 1917, NMPA is the principal trade association of music publishers in the United States. NMPA's members, numbering over 2,500, own or control the majority of musical

compositions available for licensing in the United States. NMPA's wholly owned subsidiary, The Harry Fox Agency, Inc. ("HFA"), is an industry service organization that represents more than 45,000 publisher-principals and over 3 million copyrighted musical works. Established in 1927, HFA serves as a licensing and collection agent on behalf of its publisher-principals with respect to the reproduction and distribution of copyrighted musical compositions in the form of physical phonorecords (CDs, cassette tapes and vinyl records) and as DPDs (including permanent downloads, limited downloads, interactive streams and ringtones).

SGA is the nation's oldest and largest organization run exclusively by and for songwriters. Founded in 1931, SGA is a voluntary association of approximately 5,000 songwriters and songwriter estates throughout the United States. In addition to other services, SGA provides royalty collection and audit services for its songwriter members and licenses copyrighted musical works to music users on behalf of its writer-publishers.

Established in 1967, the NSAI is a trade organization of approximately 6,500 members dedicated to serving songwriters of all genres of music. NSAI advocates for the legal and economic interests of songwriters, who derive income from licensing their copyrighted works. NSAI includes songwriter members who directly publish and license their own music.

CMPA is an organization of religious music publishers founded in 1926 that works to support and promote worldwide copyright protection and education. Among CMPA's 55 member companies are nondenominational independent publishers, as well as the major denominational publishing companies for various churches. The wide range of sacred, gospel and contemporary Christian music products created and licensed by CMPA companies include hymnal and praise songs, and choral, instrumental, handbell, keyboard and children's music.

NMPA and SGA were the principal participants representing the interests of copyright owners in the 1980, 1987 and 1997 Section 115 rate proceedings, as well as in the 1997 DPD rate proceeding. NMPA and SGA, together with NSAI, were the principal participants representing the interests of copyright owners in the 2006 rate proceeding. Acting through counsel, NMPA, SGA and NSAI, now joined by CMPA, will continue to represent the interests of copyright owners throughout the instant proceeding. Pryor Cashman LLP hereby certifies that, as of the time of submission of this joint petition, it has the authority and consent of the Copyright Owners to represent them in connection with the rate proceeding.

Dated: February 2, 2011

Respectfully submitted,

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