

Copyright Board  
Canada



Commission du droit d'auteur  
Canada

**[CB-CDA 2022-060]**

## **ORDER OF THE BOARD**

**File: Online Music Services [SOCAN: 2007-2018]**

October 24, 2022

[1] The Board has the following additional factual questions in relation to SOCAN Tariff 22.A:

### **I. TO SOCAN.**

[2] SOCAN shall list all OMS providers that operated under the continuation of rights of either SOCAN Tariff 22.A (2007-2010) or SOCAN Tariff 22.A (2011-2013) for any part of the years 2014-2018, regardless of the amounts of royalties paid by such OMS providers. For each OMS provider listed, indicate the royalty payments made, in respect of each tier, and for each year.

### **II. TO PANDORA.**

[3] In Exhibit Pandora-2, at paragraph 9, Ms. Truettner presents four statistics in respect of “skips” for 2018: skips on the ad-supported service, skips on Pandora Plus, skips on Pandora Premium, and a weighted average of the previous three data. Pandora shall supply the corresponding data for the years 2014, 2015, 2016, and 2017.

### **III. TO PANDORA**

[4] (undertaking already asked): Dr. Reitman used data provided by Ms. Truettner on Pandora’s US operations for the year 2018 to estimate what the royalties payable in Canada would have been for Pandora for that year, had it operated in Canada and paid pursuant to SOCAN’s tariff proposal in Exhibit SOCAN-4. Pandora shall supply the corresponding data for the years 2014, 2015, 2016, and 2017.

### **IV. TO SOCAN AND PANDORA**

[5] The respondents shall supply any public information available about the royalties paid by the largest three OMS providers worldwide (the OMS providers referred to in Exhibit SOCAN-7, Appendices P, Q, and R).

[6] Please note that the Board will send later this week additional principle-based questions that the Parties should address in their closing arguments

**V. DEADLINE**

[7] Responses to these questions shall be filed and provided to all other parties, including Interveners, by **Thursday, November 3, 2022.**

Lara Taylor  
Secretary General