

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2023-029]

ORDER OF THE BOARD

Proceeding: Online Audiovisual Services – Music (2014-2018)

May 24, 2023

[1] In Notice CB-CDA 2023-018, I indicated that I would require SOCAN and SODRAC to make submissions on how to define the scope of the “music video” proceeding, and that other parties would be permitted to make such submissions. I do so here.

I. SUBMISSIONS

[2] SOCAN and SODRAC shall—and other parties may— file a submission on the appropriate scope of the “music video” proceeding by **Thursday, June 15, 2023**.

[3] Any such submission must identify and explain

1. which users, uses, and/or subject-matter would be covered in the music video proceeding;
2. which portions of the Proposed Tariffs listed in the Annex would be engaged by the music video proceeding;
3. any procedural advantages of the proposed scope; and
4. any substantive advantages of the proposed scope (e.g., ease of administration, easier to determine revenue base).

[4] Furthermore, submissions by SOCAN and SODRAC must include text that may serve as the application section of an eventual tariff that would be approved in the “music video” proceeding. This text must identify the acts that would be permitted in such a tariff.

[5] Submissions must define the terms used, including when used to refer to

- i) the service (e.g., “online music service”, “service”) and
- ii) the subject-matter covered (e.g., “musical audiovisual work,” “music video”).

II. REPLIES

[6] Any party may file a reply. Any reply must be filed with the Board by **Thursday, June 29, 2023**.

Nathalie Théberge
Case Manager

ANNEX

- SOCAN Tariff 22.A – Online Music Services, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021-2023, 2024-2026 [music video portion]
- SOCAN Tariff 22.D – Internet - Other Uses of Music - Audiovisual Content, 2014, 2015 [excluding allied services]
- SOCAN Tariff 22.D.1 – Internet - Other Uses of Music - Audiovisual Content, 2016, 2017, 2018 [excluding allied services]
- SOCAN Tariff 22.D.1 – Internet - Other Uses of Music - Audiovisual Content, 2019, 2020
- SOCAN Tariff 22.D.1 – Internet - Audiovisual Content, 2021-2023
- SOCAN Tariff 22.D.1 – Online Audiovisual Services, 2024-2026
- SOCAN Tariff 22.D.2 – Internet - Other Uses of Music - User Generated Content, 2016, 2017, 2018, 2019, 2020, 2021-2023
- SOCAN Tariff 22.D.2 – User-Generated Content Services, 2024-2026
- SODRAC Tariff 6 – Online Music Services - Music Videos, 2014
- SODRAC Tariff 6 – Reproduction of Musical Works Embedded in Musical Audiovisual Works for Transmission by a Service, 2015, 2016, 2017, 2018
- SODRAC Tariff 6 – Reproduction of Musical Works Embedded in Music Videos for Transmission by a Service, 2019
- SOCAN-SODRAC Tariff 22.A.R – Reproduction of Musical Works Embedded in Music Videos for Transmission by a Service, 2020
- SOCAN Tariff 22.A.R – Reproduction of Musical Works Embedded in Music Videos for Transmission by a Service, 2021-2023
- SODRAC Tariff 7 – Reproduction of Musical Works Embedded in Audiovisual Works for Transmission by a Service, 2015, 2016, 2017, 2018, 2019
- SOCAN-SODRAC Tariff 22.D.1.R – Reproduction of Musical Works Embedded in Audiovisual Works for Transmission by a Service, 2020
- SOCAN Tariff 22.D.1.R – Reproduction of Musical Works Embedded in Audiovisual Works for Transmission by a Service, 2021-2023, 2024-2026