

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2023-036]

ORDER OF THE BOARD

Matters: Re:Sound Tariff 5.A to 5.J – Live Events (2016-2020), Re:Sound Tariff 5.A to 5.J – Live Events (2021-2025)

June 14, 2023

[1] On April 18, 2023, the Board issued Order CB-CDA 2023-020 requesting that Re:Sound provide additional information about its settlement discussions with the objectors to the Re:Sound Tariff 5.A to 5.J (2016-2020) proposed tariff.

[2] In the Order, Re:Sound was asked to provide: i) a progress report on the negotiations for the 2016-2020 period for each of the 10 parts of the proposed tariff; ii) affirmation that it has entered into negotiation with objectors to the 2021-2025 proposed tariff and if it believes the 2021-2025 period will be part of its agreement(s); and iii) an estimated timeline of the next steps required to conclude the negotiations for each part of the proposed tariff, including a potential date of filing any jointly-submitted text with the Board.

[3] In response, Re:Sound advised the Board that on September 16, 2022, it made a settlement proposal to all Objectors to Re:Sound Tariff 5.A to 5.J for the 2016-2025 period, and identified that the issues to be resolved are:

- a. The repertoire adjustment to account for the expansion of Re:Sound's repertoire to include U.S. sound recordings effective July 1, 2020;
- b. Inflationary adjustments where applicable; and
- c. Pandemic-related discounts for the years 2020 and 2021 where appropriate and applicable.

[4] Re:Sound also confirmed that it expanded its settlement discussions to cover the entire 2016-2025 period for each parts of the tariff.

[5] Re:Sound acknowledged that it has made significant progress in its discussions with several objectors, and anticipates coming to an agreement. However, not all objectors have participated in

these discussions. Re:Sound proposed to provide the Board a further update on the status of any remaining discussions in three months.

[6] By no later than **September 15, 2023**, Re:Sound shall, jointly with objectors to each part of the proposed tariffs, file a status update addressing the progresses made in their settlement discussions and estimated timeline(s) for the conclusion of the settlement discussions and potential date of filing a jointly-submitted text. If some objectors have still not participated in these discussions, Re:Sound shall identify which ones, and why.

Lara Taylor
Secretary General