

REPLY TO NOTICE OF GROUNDS FOR OBJECTION

Filed with the Copyright Board by SOCAN on 2024-01-26 pursuant to Rule 21 of the *Copyright Board Rules of Practice and Procedure*

SOCAN TARIFF 4.A – LIVE PERFORMANCES AT CONCERT HALLS, THEATRES, AND OTHER PLACES OF ENTERTAINMENT – POPULAR MUSIC CONCERTS (2025-2027)

1. This Reply is in response to the Notice of Grounds for Objection filed by PACE Rights Management LLP (“PACE”).
2. PACE has challenged SOCAN’s repertoire in relation to the proposed tariffs. SOCAN denies PACE’s position with respect to its repertoire and puts PACE to the strict proof thereof.
3. To the extent that PACE challenges SOCAN’s distribution methodology, SOCAN submits that distribution of collected royalties is beyond the scope of the tariff proposal and approval process.
4. Although Rule 22 of the *Copyright Board Rules of Practice and Procedure* provides that the Board may decide the matter of a proposed tariff only on the information provided under Part 3 of the Rules, SOCAN submits that it would not be appropriate in this case for the Board to decide the matter without hearing additional evidence and submissions from both SOCAN and PACE absent a settlement or further developments between SOCAN and PACE. For greater certainty, in the event of a settlement between SOCAN and PACE, the Board should not rely on any of the information provided under Part 3 of the Rules.