

The Licensing Connection

A NEWSLETTER FROM THE U.S. COPYRIGHT OFFICE LICENSING DIVISION



PHOTO BY DAVID RICE

Karyn A. Temple

Karyn A. Temple Appointed Thirteenth Register of Copyrights

On March 27, 2019, Librarian of Congress Carla Hayden appointed Karyn A. Temple as the thirteenth Register of Copyrights and the Director of the U.S. Copyright Office.

Temple has served since October 2016 as the Acting Register. As the new Register, Temple aims to focus on three areas: Copyright Office staff, modernization efforts, and development of copyright policy. Read more about the Register's plans to move the Copyright Office forward at <https://blogs.loc.gov/copyright/2019/03/moving-forward-with-the-copyright-office/>.

Prior to her appointment as Acting Register, Temple was the Associate Register of Copyrights and Director of Policy and International Affairs for the Copyright Office. In this role, she oversaw the Office's domestic and international policy analyses, legislative support, and international negotiations. Learn more about the Register of Copyrights, here: <https://www.copyright.gov/about/leadership/karyn-temple.html>.

Sports Surcharge Takes Effect with the 2019/1 Accounting Period

On December 6, 2018, the Copyright Royalty Board (CRB) issued a final rule (**83 FR 62714**), effective January 1, 2019, that requires affected cable systems to pay a separate per-program royalty (the Sports Surcharge) in addition to the requisite royalties under section 111 of the Copyright Act.

The Sports Surcharge applies only to certain Form SA3 filers for the secondary transmission of live, non-network broadcasts of sports events on a distant television station carried by the cable system that would have been subject to blackout under the Federal Communication Commission's sports exclusivity rule (FCC Sports Blackout Rule) prior to its repeal in 2014 [see *37 CFR 387.2(e)*]. The Sports Surcharge is calculated on a community-by-community basis.

For cable systems required to pay the Sports Surcharge, filers must fill out the Sports Surcharge Addendum (Form SS) found on Pay.gov. In addition to basic information about the cable system, filers will provide specific transmission information for every applicable Sports Surcharge Triggering Program and calculate their surcharge royalty based on the formula determined by the CRB.

Once the form is completed, filers will be prompted to make their payment



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prior to submitting the form. The Sports Surcharge Addendum is separate from the cable statement of account filing and payment.

To access the Sports Surcharge Addendum, go to <https://pay.gov/public/form/start/584643809>. For additional information and instructions, visit our website at <https://www.copyright.gov/licensing/111/sports-addendum-instructions.pdf>.

Tim Howe Promoted to Examining Section Head

The Licensing Division promoted Tim Howe to Examining Section head in January. A veteran of the Examining Section, Tim has been an examiner since 1991 and served as the section's technical specialist. Tim's years of specialized experience, as well as his legal training and analytical thinking, will bring invaluable insight in this new role.

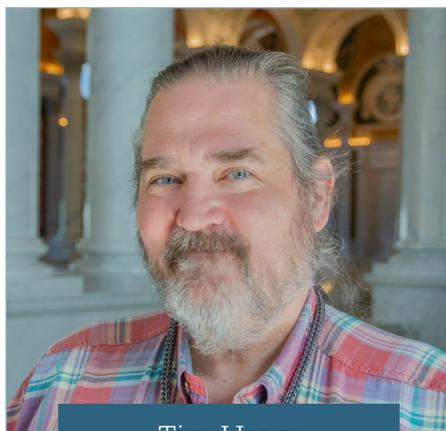


PHOTO BY STANLEY MURGOLO

Tim Howe

Tim earned his bachelor's degree in music from Hamilton College in Clinton, New York, and then went to law school on the advice of his father, who told him, "It will be good for you no matter what you do because it will teach you how to think." After receiving his law degree from the State University of New York at Buffalo, Tim found his way to the Copyright Office because it was "a way to use the law degree without actually having to practice law."

As the head of the Examining Section, Tim is learning the ropes of the new administrative tasks that come with the role, such as statistical work and performance reviews. The new position has included acquiring a new set of skills, for which former section head Tony Newton has given a lot of advice as well as words of wisdom on being a manager instead of an employee.

In addition to the administrative tasks, Tim handles a wide variety of responsibilities including special projects and unusual issues that may arise. But the diversity and challenge of the job is part of what he's looking forward to in this new role. "I don't like being bored and I don't like mindless work," he said. "I like doing things that are hard and I like doing it well, so I look forward to this being hard and doing it well."

Central to Tim's work philosophy are our stakeholders, and as the new section head, he hopes to provide good service to our constituents by "getting it right and doing the right thing for people. It may sound trite but I really do have a notion of public service here, and that's what I want to do. I want to serve the public well and fairly."

Outside the office, Tim is also a long-time musician, and though you won't find him out as much as he used to be, he's played guitar and sung in rock bands as well as in church choirs. Recently, Tim and his wife opened an Airbnb at their home and enjoy meeting new people from all over the world, while also tending to their flock of chickens.

Federal Register Notices Pertaining to Licensing

The following *Federal Register* notices were published in recent months.

Distribution of 2004, 2005, 2006, 2007, 2008, and 2009 Cable Royalty Funds; Distribution of 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, and 2009 Satellite Royalty Funds

April 17, (84 FR 16038)

Notices of Intention and Statements of Account Under Compulsory License To Make and Distribute Phonorecords of Musical Works

March 22, (84 FR 10685)

Distribution of Cable Royalty Funds

February 21, (84 FR 5505) and
February 12, (84 FR 3552)

Determination of Royalty Rates and Terms for Making and Distributing Phonorecords (Phonorecords III)

February 5, (84 FR 1918)

Notice of Intent to Audit (Sections 112 and 114)

February 1, (84 FR 1234),
February 1, (84 FR 1235), and
February 1, (84 FR 1235)

Notice of Intent to Audit (Sections 111 and 119)

January 28, (84 FR 435)

Determination of Royalty Rates and Terms for Transmission of Sound Recordings by Satellite Radio and "Preexisting" Subscription Services (SDARS III)

December 19, (83 FR 65210)

To keep an eye on relevant *Federal Register* notices, visit the U.S. Copyright Office's [website](#) and Copyright Royalty Board's [website](#).

Meet Chris Fredericks, Deputy Chief Financial Officer



PHOTO BY DAVID RICE

Chris Fredericks

In March, Chris Fredericks joined the Copyright Office as the deputy chief financial officer after fifteen years with the Department of Homeland Security, where he most recently served as the chief of budget and planning for the U.S. Citizenship and Immigration Services (USCIS). Prior to earning a master's degree in public administration from New York University's Robert F. Wagner Graduate School of Public Service, the New York native received his bachelor's degree from Hartwick College, where he majored in German, and served as a Fulbright teaching assistant in Stralsund, Germany.

What drew you to the Copyright Office?

Having spent my entire federal career at DHS, I was very interested in getting the perspective of working for another federal agency. I have always admired the Library of Congress and felt strongly drawn to its mission to preserve and spread knowledge and our nation's cultural heritage. Being in the legislative branch and seeing how that compares to the executive was also appealing. I didn't know much about the Copyright Office, but when I saw the job posting I did some research on its mission and found it very interesting. It also seemed a good fit with my background in federal budget and financial management, especially conducting fee studies to determine how much to charge for applications.

What are your major duties in the Office of the Chief Financial Officer?

As the deputy CFO, I assist our CFO, Jody Harry, in providing Copyright Office leaders and staff with guidance on the management and oversight of all financial, budgetary, accounting, and fee-setting processes affecting the Copyright Office. Everything we do requires resources, so we tend to touch almost everything, and that is part of what makes working in the financial arena so interesting. I view my role as one that helps assess areas for improvement to make our financial processes more efficient, while also ensuring we have the internal controls needed to demonstrate that we're being good stewards of the resources we're entrusted with to accomplish the Copyright Office's mission and the Register's strategic goals.

What is your role with the Licensing Division?

The Licensing Division is a key element of the Office of the CFO. Similar to my last response, my role is to help the Licensing Division strengthen and improve its financial processes and management. It's incredibly important for us to responsibly manage and report on the statutory licensing royalty funds that we hold in trust for the copyright owners. I hope to help the Licensing Division streamline its

processes to make them more efficient and less burdensome for the Statement of Account filers and other stakeholders, while maintaining and improving internal controls and the accuracy and timeliness of reporting.

What do you find most interesting about working at the Copyright Office so far?

I've spent a lot of time learning the business of the Copyright Office and copyright law and regulation. Having spent eight years at USCIS immersed in immigration law, it's stimulating to learn a new policy area and all the associated challenges and opportunities.

What are you looking forward to accomplishing in your new position?

I'm very much looking forward to the challenges and opportunities of copyright modernization, specifically by helping enable modernization through budgeting and financial management, along with demonstrating results and reduced costs of improved and streamlined processes and systems—for example, lower systems maintenance costs, less time and expense associated with materials handling and transfer, improved data quality, reduced processing times, etc. Our stakeholders expect and deserve efficient, timely, and cost-effective services and information.

What do you like to do when away from the Office?

In my free time I enjoy cooking, travel, going to museums, attending concerts at the 9:30 Club and The Anthem, and reading.

What's a fun fact most people don't know about you?

I speak fluent German. . . . Although I have a somewhat German-sounding last name, that is actually the smallest part of my heritage. My father is almost entirely of Irish descent, and my mother is half French (mother's side) and half Italian (father's side). Her father was first generation Italian-American, and her mother came to the United States temporarily to learn English but met my grandfather and never left!

Statement of Account Digitization Project Begins

In an effort to make Licensing Division files more accessible to the public, the Copyright Office has embarked on a project to digitize more than 56,000 cable statement of account (SOA) paper records dating back to 2010 and 1,900 microfilm reels containing SOAs filed with the division since its inception in 1978.

During the year-long project, the Licensing Division is working with contractors to scan nearly two million pages and add metadata to make the digitized files searchable. Once complete, these digitized files will be available to the public through the Licensing Division's website. The project will also include the digitization of other division records to extend and preserve the contents of the documents.



PHOTOS BY STANLEY MURGOLO

A contractor digitizes statement of account records.



Laurel Gassie



Charles Griffin

Laurel Gassie and **Charles Griffin** have been working with the Licensing Division since the beginning of the year, providing invaluable assistance in advancing the digitization project. Their role includes inventorying all records as well as converting and providing quality assurance of the digitized files.

Laurel previously worked in the Law Library of the Library of Congress. She graduated from the Rochester Institute of Technology in 2015 with a degree in medical illustration and will be starting grad school in the fall, seeking a degree in library science.

Charles joined the Licensing Division in February as a library technician. Prior to coming to the Copyright Office, he graduated in 2017 from University of Maryland, Baltimore County (UMBC) with degrees in philosophy and English literature.

Licensing Division Launches Updated LDS System

After a year of production and testing, the Licensing Division and the Office of the Chief Information Officer (OCIO) celebrated the launch of an upgraded and enhanced version of the internal Licensing Division System (LDS). Division staff use this automated system for processing and examining data from statements of account and payments. The LDS update included a database upgrade from Oracle version 9i to Oracle 12 and a software upgrade from Oracle Forms/Reports version 6i to Oracle 12c, as well as new or enhanced functionality, forms, and reports.

Stakeholders using the web-based LDS Search feature for cable statements of account will notice that the search database presents system information more clearly than the previous version.



PHOTO COURTESY JIM KARAMANIS

Staff from OCIO and the Licensing Division involved in production and testing of the new LDS system at the launch celebration.

Pay.gov Encouraged for All Statement of Account Payments



The Licensing Division encourages all cable and satellite operators and DART importers/manufacturers to use Pay.gov, the U.S. Treasury's web-based remittance system, when making your electronic payments. In the future, the division intends to transition to a single EFT payment method (Pay.gov), which will be required for making royalty and filing fee payments.

For detailed instructions on using Pay.gov, see [Circular 74C](#) and the [Pay.gov Tutorial](#).

New Staff Around Licensing Division

Chiao-jung Wang joined the Licensing Division in February as the division's new administrative assistant. Originally from Taiwan, Chiao-jung earned a degree in economics before moving to the United States to work for a nonprofit organization in DC. She's also earned her MBA from Strayer University.

Corey Davis joined the Licensing Division in May as the Information Section's newest library technician. Prior to joining the division, Corey worked in the Records Research and Certification section of the Copyright Office, assisting with the section's digitization efforts.

Felicia Dozier is an accounting technician in the Copyright Accounting Office. She has recently been detailed to the Licensing Division for six weeks, where she'll be working with the Information Section to advance the division's digitization project and assist with other section tasks.

Out & About

Licensing Division staff may be available to attend, exhibit, or participate in upcoming activities. Let us know your plans at licensing@copyright.gov.

Look for Licensing Division staff at:

- **The Independent Show**
July 28–31, 2019 | Chicago, IL

Important Reminders for 2019/1

SATELLITE: The **\$725 filing fee per statement** in addition to the appropriate royalty fee is to be filed between **July 1 and July 30**, inclusive.*

CABLE: The **filing fee (\$15 for SA1, \$20 for SA2, or \$725 for SA3) per statement** in addition to the appropriate royalty fee is to be filed between **July 1 and August 29**, inclusive.*

* Please remit the royalty fee and filing fee in one EFT payment.

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