

Copyright Board  
Canada



Commission du droit d'auteur  
Canada

**[CB-CDA 2023-004]**

## **NOTICE OF THE BOARD**

### **File: Online Audiovisual Services – Music (2014-2018)**

January 27, 2023

[1] At the Case Management Conference held on January 25, 2023, as per Order 2023-001 (Annex A), certain parties to this proceeding expressed an interest in having the Board consider additional tariff years.

[2] Currently, the proposed tariffs identified in Annex B are under consideration. No substantive submissions on these have yet been made.

[3] I am of the preliminary view that the Board should add the following proposed tariffs to this proceeding:

- SOCAN Tariff 22.A – Online Music Services, 2019, 2020, 2021-2023, 2024-2026  
[music videos only]
- 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, 2019, 2020, 2021-2023
- SOCAN Tariff 22.D.2 – User-Generated Content Services, 2024-2026
- SODRAC Tariff 6 – Reproduction of Musical Works Embedded in Audiovisual Works for Transmission by a Service, 2019
- SOCAN-SODRAC Tariff 22.A.R – Reproduction of Musical Works Embedded in Music Videos for Transmission, 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 by a Service, 2019
- SOCAN-SODRAC Tariff 22.D.1.R – Reproduction of Musical Works Embedded in Audiovisual Works for Transmission, 2020
- SOCAN Tariff 22.D.1.R – Reproduction of Musical Works Embedded in Audiovisual Works for Transmission by a Service, 2021-2023, 2024-2026

[4] My view is informed by

- the statutory requirement that the Board act expeditiously; and
- my preliminary assessment that the benefit of completing the consideration of the most-recently filed proposed tariffs outweighs the disadvantages of any additional complexity or time required to issue a decision.

[5] Parties to the current proceeding, including interveners, as well as objectors to the above identified proposed tariffs, may comment on the addition of the tariffs identified above, as follows:

- if parties disagree that the additional complexity is manageable, they must provide a detailed explanation as to why;
- if parties agree that the additional complexity is manageable, they should state so; and
- if parties have views on how any additional complexity can be managed, they should comment on this as well.

[6] For ease of reference, the following lists are attached:

- Proposed tariffs under consideration in the current proceeding (Annex B)
- Parties to the current proceeding (Annex C)
- Objectors to the proposed tariffs listed in paragraph 3 (Annex D)

## **Next Steps**

[7] Any comments in response to this Notice must be filed with the Board by **Friday, February 10, 2023**.

[8] Order 2023-001 contemplated the possibility that the consideration of the proposed tariffs would be separated into two proceedings. One proceeding would aim to consider—likely by way of a written hearing—those proposed tariffs that raise simpler, or fewer, issues. The other proceeding would cover the remaining proposed tariffs.

[9] Once I have decided which years will be considered, I will ask parties to make submissions on this possible separation into two proceedings.

[10] Requests to intervene by any person who has not yet been granted intervener status will be considered at a later point in time. I intend to solicit such requests only after I have decided on which years will be considered by the Board, and whether in one proceeding or two.

Nathalie Théberge  
Case Manager