

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2023-041]

ORDER OF THE BOARD

Proceeding: Background Music (SOCAN: 2012-2018)

July 27, 2023

[1] On May 26, 2023, the Board issued Order CB-CDA 2023-030 requesting that SOCAN provide additional information about its settlement discussions with the objectors to the proposed tariffs SOCAN Tariff 15.A – Background Music (2012, 2013, 2014, 2015, 2016, 2017 and 2018), SOCAN Tariff 15.B – Telephone Music on Hold (2012, 2013, 2014, 2015, 2016, 2017 and 2018) and SOCAN Tariff 16 – Background Music Suppliers (2012, 2013, 2014, 2015, 2016, 2017 and 2018).

[2] In the Order, SOCAN was asked to provide i) a progress report on the settlement discussions for the 2012-2018 period; ii) whether it has entered into discussions with objectors to the 2019, 2020-2021 and 2022-2024 proposed tariffs; and iii) an estimated timeline of the next steps required to conclude the negotiations for each proposed tariff, including a potential date of filing any jointly-submitted text with the Board.

[3] In its response, dated June 16, 2023, SOCAN advised the Board that it has concluded a settlement agreement with the objectors with respect to SOCAN Tariffs 15.A, 15.B, and 16 for the period of 2012-2019.

[4] The agreement covers one year beyond the period at issue before the Board in this proceeding. SOCAN submits that the years 2020 and onward should not be added to this proceeding, because doing so would delay approval of the tariffs for the years covered by the settlement (2012-2019) and it would involve additional parties, who were not objectors for those years and therefore not included in the settlement.

[5] SOCAN also advised that the next required step is for the Parties to formally request that the Board approve the tariffs covered by the agreement.

[6] By no later than **Thursday, September 21, 2023**, SOCAN shall, jointly with objectors to each of the proposed tariffs, file a status update addressing the progresses made in the preparation of

their request for approval and estimated timeline for the potential date of filing a jointly-submitted text.

[7] This Order will be void if Parties file a jointly-submitted text covering all the proposed tariffs in this proceeding before Thursday, September 21, 2023.

Lara Taylor
Secretary General