

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2023-068]

ORDER OF THE BOARD

Proceeding: Online Music Video Services (2014-2018)

December 21, 2023

I. OVERVIEW

[1] This Order fixes the Schedule of Proceedings, and confirms the extension of the application of Confidentiality Order 2018-035 to this proceeding.

II. SCHEDULE OF PROCEEDINGS

[2] I hereby fix the schedule in Annex A as the Schedule of Proceeding.

[3] The schedule filed by SOCAN, which was supported by Stingray and SiriusXM and not opposed by Apple, extended certain deadlines and added steps, that resulted in an approximately 6-month extension over the Preliminary Schedule.

[4] Because it is difficult for me—prior to having seen the issues the Parties will identify, or the potential scope of interrogatories—to evaluate this extension, I am only fixing the dates for steps from the filing of the Statement of Grounds, through to the identification of issues.

[5] The purpose of this partial Schedule is to retain flexibility on the duration of these steps, and permit parties to propose alternative approaches to the usual procedural steps. For example, it may be possible to narrow the interrogatory process such that an extended period would not be required; or it may be possible to isolate certain issues—in the manner the Board has sometimes done with repertoire-use studies—and have these run parallel to the remainder of the proceeding.

[6] The identification of the main issues for the Board to consider will permit the Parties and me to reevaluate the necessary steps, and their duration.

III. CONFIDENTIALITY ORDER EXTENDED

[7] The Confidentiality Order issued on March 2, 2018 as Order 2018-035 continues to apply to this proceeding. In particular:

- documents and information previously exchanged under the Confidentiality Order, in the *Online Audiovisual Services – Music (2014-2018)* proceeding, remain subject to the Confidentiality Order, in this OMV-S proceeding; and
- Confidentiality agreements delivered under the Confidentiality Order are effective in this proceeding.

Nathalie Théberge
Case Manager

ANNEX A: SCHEDULE OF PROCEEDINGS

Step	Deadline
SOCAN files Notice of Grounds for Proposed Tariffs	January 8, 2024
Objector files Notice of Grounds for Objection	January 22, 2024
SOCAN responds to Notice of Grounds for Objection	February 5, 2024
Board issues Preliminary List of Issues	February 19, 2024
SOCAN and Stingray file Joint Statement of Issues	March 18, 2024
Apple and Sirius file additional issues	March 25, 2024
SOCAN and Stingray respond to Apple and Sirius	April 2, 2024
Board finalizes List of Issues	April 16, 2024
Case Management Conference re. interrogatories and scheduling	April 19, 2024