

Copyright Board  
Canada



Commission du droit d'auteur  
Canada

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| <b>Date</b>               | 2025-10-10   |
| <b>Order of the Board</b> | CB-CDA 2025-086  |
| <b>Proceeding</b>         | Commercial Television Tariffs – Reproduction (2014-2024) |
| <b>Case Manager</b>       | René Côté  |

## I. Overview

[1] A case management conference (“CMC”) will be held on one of the following dates:

- Wednesday, October 29, 2025 starting at 10:30 a.m. ET;
- Wednesday, October 29, 2025 starting at 1:30 p.m. ET;
- Thursday, October 30, 2025 starting at 10:30 a.m. ET; or
- Thursday, October 30, 2025 starting at 1:30 p.m. ET.

[2] Parties shall jointly confirm their availability by **October 17, 2025**.

## II. Background

[3] At the CMC held on July 3, 2024, with respect to the reproduction tariffs, Parties undertook to “confer among themselves to discuss the issues at play and agreeable points including next steps to address these issues as well as to deal with (i) repertoire adjustments or a repertoire-use study (including chain of title audits) and (ii) valuation of reproduction activities, including adjustments, where necessary.”<sup>1</sup>

[4] At the time, I asked that Parties report back to me on their discussions at the next CMC, as well as provide me with a proposed schedule of proceedings prior to the next CMC.<sup>2</sup>

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<sup>1</sup> See CB-CDA 2024-054 at para 4

<sup>2</sup> See CB-CDA 2024-054 at para 4

[5] The next CMC was held on October 1, 2024. Parties were expected to speak to the points identified in Order CB-CDA 2024-054, notably, in relation to the reproduction tariffs, which require more active exchanges. The agenda for the October 1, 2024, CMC included the following items:<sup>3</sup>

3. Reproduction tariffs:

- a. Identification of issues and associated next steps
- b. Repertoire adjustments or repertoire-use study (including chain of title audits); next steps
- c. Valuation of reproduction activities, including adjustments, where necessary; next steps

[6] During the October 1, 2024, CMC, regarding reproduction tariffs, SOCAN indicated that it was holding discussions with the CAB and was involved in a repertoire study in the OAVS-M proceeding. As such, SOCAN was not ready to discuss the design of a repertoire study for the reproduction tariffs; CMRRA agreed with SOCAN and proposed that the Parties report on the progress of discussions on a potential repertoire study framework in December 2024.<sup>4</sup>

[7] Dates for a December 2024 CMC were provided to the Parties.

[8] The December 2024 CMC, was delayed while the BDU's participation withdrawal issue was addressed through submissions, responses, and replies.<sup>5</sup>

[9] In January 2025, given some of the Parties' involvement in another repertoire-use study,<sup>6</sup> I decided that the next CMC would be scheduled at a later date.<sup>7</sup>

[10] On September 26, 2025, SOCAN wrote to request that the Board schedule a CMC to discuss the next steps in the proceeding to consider the Commercial Television Tariffs – Reproduction (2014-2024).

### **III. Case Management Conference**

[11] At the CMC, once the date has been confirmed, Parties shall speak to:

- 1. The issues to be addressed in this proceeding (other than the following);

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<sup>3</sup> See CB-CDA 2024-072, Annex A – Agenda.

<sup>4</sup> See CB-CDA 2024-087 at para 4.

<sup>5</sup> See CB-CDA 2024-096.

<sup>6</sup> See CB-CDA 2024-100 at para 1 and CB-CDA 2024-087 at para 2.

<sup>7</sup> See CB-CDA 2025-008 at para 5.

2. Repertoire adjustments or repertoire-use study (including chain of title audits);
3. Methods to assess reproduction activities, including adjustments, where necessary;

[12] I ask that Parties provide, prior to the CMC, a joint proposed schedule of proceeding that includes the steps to address the foregoing issues. In addition, I ask that the Parties provide, prior to the CMC, a joint statement of issues. In effect, this is a list from [11], bullet 1. These two documents should be filed no later than two days before the CMC.

[13] Furthermore, SOCAN shall:

1. Provide updates on its negotiations with the CAB;
2. Confirm whether it is in a position to participate in the design of a repertoire study for the reproduction tariffs. For reference, I understand that SOCAN's resources were focused on undertaking in 2025 a technology re-platforming, as part of a complete transformation of SOCAN'S core business systems.