



HOTEL ASSOCIATION OF CANADA
ASSOCIATION DES HÔTELS DU CANADA

August 1, 2012

Mr. Gilles McDougall
Secretary General
Copyright Board Canada
56 Sparks Street, Suite 800
Ottawa, Ontario
K1A 0C9

Dear Mr. McDougall:

SUBJECT: SOCAN – Proposed Tariffs

This is in reference to the proposed tariffs to be collected by SOCAN for the performance in public or the communication to the public by telecommunication, in Canada, of musical or dramatico-musical works in the Canada Gazette on June 2, 2012 (“the proposed tariffs”). The Hotel Association of Canada (HAC) hereby formally opposes these proposed tariffs.

The HAC opposes proposed Tariff 15 on account of the inclusion of television sets and the fact that the rate in Tariff 15 is excessive and unreasonable, as well as unfair and inequitable in view of the rate provided for background music suppliers in Tariff 16 and in view of the principle of technological neutrality.

The HAC opposes proposed Tariff 16 as the Copyright Board cannot impose a separate tariff charge for both the authorization of a performance in public and for communication to the public by telecommunication arising out of the activity of a background music supplier as contemplated by the proposed tariff.

The HAC opposes proposed Tariffs 3, 18 and 20 on the basis that they are excessive and unreasonable.

The HAC submits that SOCAN should be prohibited in respect of all the above proposed tariffs from sharing any information received pursuant to a Copyright Board Tariff with any other collective.

The HAC reserves the right to raise any other grounds of objection to any of the proposed tariffs.

Hotel Association of Canada

130 Albert St., Suite 1206, Ottawa, ON K1P 5G4 Tel: (613) 237-7149 Fax: (613) 237-8928 E-mail: info@hotelassociation.ca

The HAC reserves the right to raise further objections as warranted. The HAC requests status as an objecting party and to make representations in any proceedings concerning this proposed tariff.

Sincerely,

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