

NOTICE OF GROUNDS FOR OBJECTION

Filed by **Canadian Association of Broadcasters (CAB)**.

In relation to Proposed Tariff **SOCAN Tariff 22.A – Online Music Services (2027-2029)**

Filed with the Copyright Board on 2025-12-17 pursuant to Rule 18 of the *Copyright Board Rules of Practice and Procedure*

This is the Notice of Grounds for Objection of the Canadian Association of Broadcasters (CAB) to the Statement of Proposed Royalties to be Collected by SOCAN for Online Music Services for 2027-2029, (the “Statement of Proposed Royalties” or “proposed SOCAN Tariff 22.A”). CAB respectfully reserves the right to rely on objections raised by other parties to the proceedings, *mutatis mutandis*. CAB also reserves its right to raise additional substantive points of objection throughout the proceedings related to the Statement of Proposed Royalties.

Grounds for objecting to any royalty or levy rates in the proposed tariff

SOCAN is seeking to more than double the rates in this tariff, yet it has not offered any justification for the proposed rate increases other than to suggest that it believes the objectors will produce information that will establish the value and monetization of music by online music services during the relevant period, including how AI-generated content would be determined and tracked. CAB is not aware of any factor that could justify an increase to the value of music used by licensees of this tariff.

Ground for objecting to any terms or conditions in the proposed tariff

SOCAN has proposed modifications to the music use reporting requirements, including the addition of proposed section 5 relating to the making available right. SOCAN’s request for information to determine whether and to what extent there are songs that were made available but not played, presumably so that it may provide distributions to the rightsholders associated with those songs, is *prima facie* reasonable. To the extent the music use requirements are subject to the “where available” caveat, CAB does not contest the modifications.

CAB objects to the change to the frequency with which services are required to pay royalties, from quarterly to monthly.

Additional Grounds for Objecting to the Proposed Tariff

CAB also objects to the overlapping nature of SOCAN’s proposed Internet tariffs (SOCAN’s proposed Tariffs 22.A-G). SOCAN has not clearly differentiated its proposed Internet tariffs, which leaves prospective users unable to determine which tariffs may apply to them.

SOCAN’s position regarding artificial intelligence is *prima facie* reasonable but is potentially overbroad. CAB reserves the right to make arguments as to the reasonable

use of AI systems in its operations with appropriate limitations in place provided that the use is not excluded under principles of fair dealing or other exceptions under the Copyright Act.