

IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Intercollegiate Broadcast System, et al., Petitioners)

v.)

Copyright Royalty Tribunal, Respondent)

Case No. 07-1123)

SOUNDEXCHANGE’S MOTION FOR LEAVE TO INTERVENE

SoundExchange, Inc. (“SoundExchange”) hereby respectfully moves the Court for leave to intervene, pursuant to Federal Rules of Appellate Procedure 15(d), 17 U.S.C. § 803(d)(1), and D.C. Circuit Rule 15(b), in this case and all other cases concerning the order of the Copyright Royalty Judges, entitled Digital Performance Right in Sound Recordings and Ephemeral Recordings, 72 Fed. Reg. 24,084 (May 1, 2007) (to be codified at 37 C.F.R. pt. 380) (“Webcasting Determination”).

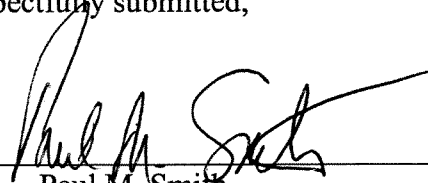
The Webcasting Determination, and the proceedings that led to it, set the royalty rates to be paid to copyright owners for the public performance of sound recordings pursuant to statutory licenses under Sections 112 and 114 of the Copyright Act, 17 U.S.C. §§ 112, 114, as well as the corresponding terms of use. SoundExchange is a 501(c)(6) tax-exempt performance rights organization that handles the collection and distribution of royalties paid pursuant to statutory licenses under Sections 112 and 114. SoundExchange was an active participant in the proceedings leading to the Webcasting Determination, and its interests will be directly affected by the outcome of this case and any other case related to that determination. As the sole party below representing the interests of recipients of royalties and advocating for an increase in the

royalty rates, SoundExchange will be the sole party who participated below defending aspects of the Webcasting Determination from the attacks anticipated from other parties in this Court.

Pursuant to Federal Rules of Appellate Procedure 26.1 and D.C. Circuit Rule 15(c)(6), SoundExchange is filing a corporate disclosure statement herewith.

Respectfully submitted,

By



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Dated: May 31, 2007

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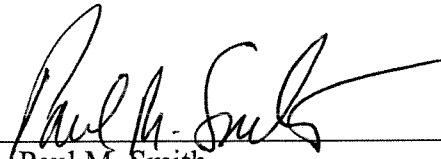
Intercollegiate Broadcast System, et al., Petitioners)	
)	
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Copyright Royalty Tribunal, Respondent)	

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rules of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, SoundExchange, Inc. (“SoundExchange”) submits the following corporate disclosure statement:

SoundExchange is a non-profit, incorporated association of owners of copyrights in sound recordings, including both artists and record labels. SoundExchange collects royalties paid pursuant to statutory licenses under Sections 112 and 114 of the Copyright Act, 17 U.S.C. §§ 112, 114, which allow the public performance of sound recordings. SoundExchange distributes these royalties to the artists who created the sound recordings and the owners of the sound recordings. SoundExchange has not issued any shares or debt securities to the public, and SoundExchange has no parent companies. SoundExchange has no subsidiaries or affiliates that have issued any shares or debt securities to the public. No publicly-held company has a 10% or greater ownership interest in SoundExchange. Because SoundExchange is a trade association as defined in D.C. Circuit Rule 26.1(b), it is not required to disclose the names of its members.

Respectfully submitted,

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Dated: May 31, 2007

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of May, 2007, I served copies of the foregoing Motion to Intervene and Corporate Disclosure Statement by causing them to be delivered by First Class Mail, and by hand or electronic mail where so indicated, to the following:

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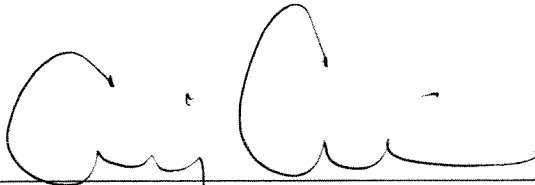
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