

DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-63,458]

**Excello Engineered Systems,
Macedonia, OH; Notice of Termination
of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on June 2, 2008 in response to a worker petition filed by a company official on behalf of workers of Excello Engineered Systems, Macedonia, Ohio.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 8th day of July 2008.

Richard Church,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

[FR Doc. E8-16080 Filed 7-14-08; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-63,616]

**Holophane, Newark, OH; Notice of
Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on June 30, 2008 in response to a petition filed by a company official on behalf of workers of Holophane, Newark, Ohio.

The petitioning group of workers are covered under the earlier petition (TA-W-63,615), filed on June 27, 2008 that is the subject of an ongoing investigation for which a determination has not yet been issued. Further investigation in this case would duplicate efforts and serve no purpose; therefore the investigation under this petition has been terminated.

Signed at Washington, DC this 8th day of July, 2008.

Linda G. Poole,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

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LIBRARY OF CONGRESS**Copyright Royalty Board**

[Docket No. 2007-3 CRB CD 2004-2005]

**Distribution of the 2004 and 2005 Cable
Royalty Funds**

AGENCY: Copyright Royalty Board,
Library of Congress.

ACTION: Notice announcing commencement of Phase I distribution proceeding with request for Petitions to Participate.

SUMMARY: The Copyright Royalty Judges are announcing the commencement of a proceeding to determine the Phase I distribution of 2004 and 2005 royalties collected under the cable statutory license. The Judges are also announcing the date by which a party who wishes to participate in this distribution proceeding must file its Petition to Participate and the accompanying \$150 filing fee.

DATES: Petitions to Participate and the filing fee are due on or before August 14, 2008.

ADDRESSES: An original, five copies, and an electronic copy in Portable Document Format (PDF) on a CD of the Petition to Participate, along with the \$150 filing fee, may be delivered to the Copyright Royalty Board by either mail or hand delivery. Petitions to Participate and the \$150 filing fee may not be delivered by an overnight delivery service other than the U.S. Postal Service Express Mail. If by mail (including overnight delivery), Petitions to Participate, along with the \$150 filing fee, must be addressed to: Copyright Royalty Board, P.O. 70977, Washington, DC 20024-0977. If hand delivered by a private party, Petitions to Participate, along with the \$150 filing fee, must be brought to the Library of Congress, James Madison Memorial Building, LM-401, 101 Independence Avenue, SE., Washington, DC 20559-6000. If delivered by a commercial courier, Petitions to Participate, along with the \$150 filing fee, must be delivered to the Congressional Courier Acceptance Site, located at 2nd and D Street, NE., Washington, DC. The envelope must be addressed to: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM-403, 101 Independence Avenue, SE., Washington, DC 20559-6000.

FOR FURTHER INFORMATION CONTACT: LaKeshia Brent, CRB Program Specialist, by telephone at (202) 707-7658 or e-mail at crb@loc.gov.

SUPPLEMENTARY INFORMATION:

Background

Each year, semiannually, cable systems must submit royalty payments to the Copyright Office as required by the cable statutory license for the privilege of retransmitting over-the-air television and radio broadcast signals. 17 U.S.C. 111. These royalties are then distributed to copyright owners whose works were included in such retransmissions and who timely filed a claim for royalties. Distribution of the royalties for each calendar year are determined by the Copyright Royalty Judges ("Judges") in two phases. At Phase I, the royalties are divided among the representatives of the major categories of copyrightable content (movies, sports programming, music, etc.) requesting the distribution. At Phase II, the royalties are divided among the various copyright owners within each category.

This Notice announcing the commencement of a proceeding under 17 U.S.C. 803(b)(1) for distribution of cable royalties collected for 2004 and 2005 is confined to Phase I.

Commencement of Phase I Proceeding

Consistent with 17 U.S.C. 804(b)(8), the Copyright Royalty Judges determine that a Phase I controversy exists as to the distribution of the 2004 and 2005 cable royalties. We reach this determination, in this instance, for two reasons. First, several interested parties have represented to us that a Phase I controversy exists for these years. *See* Petition to Declare Controversy and Initiate a Phase I Proceeding for the Distribution of the 2004 and 2005 Cable Royalty Funds filed by the Motion Picture Association of America, Inc. ("MPAA") (filed July 16, 2007); and comments filed by the following parties in Docket No. 2007-3 CRB CD 2004-2005: Independent Producers Group (filed February 28, 2008); a comment filed jointly by Program Suppliers, Joint Sports Claimants, Public Television Claimants, National Association of Broadcasters, American Society of Composers, Authors and Publishers, Broadcast Music, Inc., SESAC, Inc., National Public Radio and Canadian Claimants Group (filed February 29, 2008). Second, to date we have not received notification that any settlements have been reached for either of these years, nor have we received motions for final distribution.

The Judges are consolidating the 2004 and 2005 royalty years into a single proceeding. We note that the Librarian routinely consolidated multiple royalty years into a single proceeding in order to maximize the efficiencies associated