

In the  
UNITED STATES COURT OF APPEALS  
for the District of Columbia Circuit

COLLEGE BROADCASTERS, Inc.,  
Petitioner,  
v.  
COPYRIGHT ROYALTY BOARD,  
Respondent,  
INTERCOLLEGIATE BROADCASTING  
SYSTEM, Inc., a Non-Profit Rhode Island  
Corporation,  
Movant for Intervention.

Docket No. 09-1276  
CRB File No. RM-2008-7

MOTION TO INTERVENE AS OF RIGHT

Intercollegiate Broadcasting System, Inc., a non-profit Rhode Island corporation, whose members include the majority of the domestic high school and college webcasters affected by the Board's order, moves to intervene herein. IBS was a party in the rule-making below and joined in the timely motion for clarification of the order, filed below by Petitioner CBI here. That motion has not yet been ruled on by the Board.

The Court will recall that a ground of Movant's petition for review in part of the Board's sequencing of its decisions in Webcasting II and the instant rule-making, Intercollegiate Broadcasting System, et al. v. Copyright Royalty Judges, No. 07-1123, which was decided July 10, 2009, and amended August 6, 2009, was that the Board's sequencing of that decision

and the ultimate decision below violated due process. IBS is participating in the remand of Webcaster II now before the Copyright Royalty Judges.

Neither IBS nor any of its members – most all of which are affiliated with domestic high schools and colleges – has any stockholders, any corporate parents, subsidiaries, or affiliates that has issued shares or debt securities to the public.

Respectfully submitted,

INTERCOLLEGIATE BROADCASTING SYSTEM,  
Inc., a Rhode Island Non-profit Corporation

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December 14, 2009

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Certificate of Service

I hereby certify that I caused a copy of the foregoing Motion To Intervene as of Right to be mailed and e-mailed this 14th day of December 2009 to the following counsel:

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