

UNITED STATES COPYRIGHT ROYALTY JUDGES

In the Matter of

**Digital Performance Right in Sound
Recordings and Ephemeral Recordings**

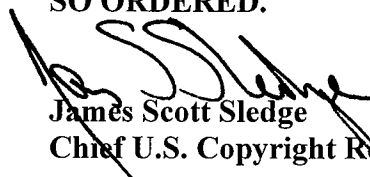
**Docket No. 2009-1
CRJ Webcasting III**

ORDER DENYING MOTION FOR SUBPEONAS TO NONPARTIES

RealNetworks, Inc. and Live365, Inc. filed motions to issue subpoenas to nonparty witnesses. SoundExchange, Inc. opposed the motion. The certificates of service attached to the two motions show that the objects of the subpoena were not served and thus not afforded the opportunity to appear in response to the motion. 37 C.F.R. §351.9(e). The two motions are DENIED.

SO ORDERED.

DATED: December 9, 2009



**James Scott Sledge
Chief U.S. Copyright Royalty Judge**