

There are three main laws affecting Internet radio: the Digital Millennium Copyright Act and two major decisions by the Copyright Royalty Board. These legal decisions primarily focus on copyright and royalties. These laws dictate the conditions under which Internet radio stations can stream music.

Digital Millennium Copyright Act

- The Digital Millennium Copyright Act treats traditional radio stations and Internet radio stations differently. According to the act, Internet radio stations must pay performance royalties and publishing royalties. Traditional radio stations pay only publishing royalties.

Copyright Royalty Board, 2007

- In 2007, the Copyright Royalty Board, a federal board made up of three copyright royalty judges, decided that Internet radio companies must pay \$500 per station as a flat fee. This rate was negotiated to include a \$50,000 cap per company. The fee is paid in conjunction with the per-song royalty fees.

Copyright Royalty Board, 2009

- In 2009, the Copyright Royalty Board made another decision that affected Internet radio companies. It said it would charge royalty fees to the companies depending on revenue. This is the most current legal model for charging Internet radio stations.

The basics of Website Compliance

United States Copyright Law requires that your music players and any external player launch links (like Winamp, or Windows Media Player, etc.) only be displayed from the copyrighted domain. As a PRONETLicensing Affiliate, your copyrighted domain is here at PRONETLicensing.Com. The purpose of these tutorials is to help you properly set your player page up under the PRONETLicensing.Com domain.

Copyright Law for Internet Radio Broadcasting imposes limitations on playing song requests and scheduling playlists.

Playing a specific song within one hour of a request by a listener or at a time specifically designated or requested by the listener.

Publishing any advance program guides or using the chat/discussion function or any other means to pre-announce when a particular song will be played or the order in which songs will be played.

Intentionally playing more than three songs (and not more than two songs in a row) from the same recording or compact disc within a three hour period.

Intentionally performing or causing to perform more than four songs (and not more than three songs in a row) from the same recording artist or anthology/box set.

You must honor the DMCA rules whose specifications apply to all Webcasters and include:

In any three-hour period, you should not intentionally program more than three songs (and not more than two songs in a row) from the same recording; you should not intentionally program more than four songs (and not more than three songs in a row) from the same recording artist or anthology/box set.

You may not publish any advance program guides or use a chat/discussion function or any other means to pre-announce when a particular song will be played or the order in which songs will be played. DJ "teaser" announcements using artists' names are permitted, but only those that do not specify the time a song will be played.

Requests may not be played at a specified time and must not intentionally break the artist and song rotation rules (above). If your service substantially consists of programming from requests, requests must be delayed for at least one hour. For more info see under Item 13 below.

Your stream meta-data needs to include artist - title - album info (album info if available). We are required to forward this information to the various agencies so they know which artists and composers to pay and how much to pay them.

This license is for non-interactive streaming which means your listeners may not determine in any way when a specific song will be played. Non-interactive streaming specifically means broadcasting an Internet radio stream. You may NOT archive old shows and make them available as podcasts or as shows available on demand. Should you choose to do so, such activity is NOT covered under your PRONETLicensing Affiliation.

You agree to maintain your servers in a manner that allows us to consistently collect the required data.

When you run long-form programs (programs like syndicated programs which contain multiple songs in one file) or program in other ways such that the song artist and title info is not showing in your stream metadata, you agree to upload show playlists using the spreadsheet template and uploading system in your PRONETLicensing panel. You agree to upload these playlists within two weeks of the previous month's end date.