



stingray

Digital Group

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To whom it may concern,

The Stingray Digital Group is a Montreal-based digital music provider, with a mandate to deliver digital music content primarily to Digital Television operators across all platforms in markets throughout the world.

We would like to file brief comments on Bill C-11, which seeks to modernize and update the Copyright Act.

About Stingray

Stingray Digital has grown to become a leading multi-platform digital entertainment company by developing next-generation music and entertainment applications capable of providing a truly tailored offering for consumers and Television Operators worldwide.

Founded by seasoned media entrepreneurs and supported by strategic investors, Stingray Digital is a leading provider of cutting-edge applications and services delivering high quality music and video content on multiple platforms including Digital TV, IPTV, Connected TV, Internet, Mobile Devices and Game Consoles. As a Canadian company with more than 200 employees, Stingray provides high quality employment for its team of professional engineers, programmers, designers and content producers.

Stingray is a leader in interactive music distribution worldwide and a proud exporter of Canadian technology and culture. Our Galaxie and Music Choice services are the leading Digital Music Services on television in multiple markets. Collectively, they are distributed via television in 20 million households in North America, Europe, the Caribbean and Africa. The Karaoke Channel, the world's largest licensed karaoke library and karaoke service, is in 52 million homes and Concert TV, a video-on-demand service, is currently available in 45 million U.S. households. Our music programming services are the most widely distributed Canadian broadcast properties, available in 70 million households in over 48 countries, including Canada, the U.S., the Caribbean, Europe and Africa.



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Stingray and Copyright

Stingray is considered to be a form of radio broadcaster for both regulatory and copyright purposes in Canada. As a result of this designation, Stingray is subject to a very similar copyright regime as over-the-air commercial radio broadcasters. Combined, Stingray's services generate over \$12 million dollars per year in rights and royalties payments to various rights holders and collective societies around the world. As such, Stingray also shares some of the same concerns as radio broadcasters in respect of the proliferation of tariffs and the resultant growth in liability for our services in Canada. From Stingray's perspective, this growth could impede its progress as a Canadian-based broadcaster and technology company exporting its services around the world.

Reproduction Right Exception

Stingray supports the amendments to section 30.9 being proposed by the Canadian Association of Broadcasters. Stingray considers the reproduction right exception for radio broadcasters to be an essential component of Bill C-11, subject to the removal of the 30-day destruction requirement in subsection 30.9(4).

Neighbouring Rights Reciprocal Treatment

Stingray respectfully requests that the Minister of Industry publish a statement in the Canada Gazette at the time Bill C-11 is enacted to state that no payments will flow to the countries that do not provide a right of similar scope and duration to their own nationals. The publication of this statement is contemplated in section 20.21 of Bill C-11 as a means to ensure fairness in national treatment.

Thank you for the opportunity to present the perspective of Stingray Digital on Bill C-11.

Sincerely,

Eric Boyko
President and CEO