

Statutory Conditions of the Streaming License Addressed by Record Label Waivers

The statutory provisions that were waived until December 31, 2015 are as follows:

1) The “sound recording performance complement,” *i.e.*, that a webcaster play during any 3-hour period no more than:

- 3 different selections of sound recordings from a particular album or CD
- 2 different selections of sound recordings consecutively from the same album or CD
- 4 different selections of sound recordings by same artist
- 4 different selections of sound recordings from a boxed set of albums or CDs
- 3 different selections of sound recordings consecutively from a boxed set of albums or CDs

2) The requirement that stations have in text, on their website, at the time the song is performed, the name of the song, title of the album, and name of the artist of the song that is being streamed.

3) The 6-month limitation on ephemeral copies of recordings (such as songs from a CD copied onto a station’s hard drive music system).

4) The requirement that a service may not make a prior announcement that a particular artist will be featured in a specified future time period.

If you have questions about streaming your programming online, and in particular the impact of the waiver expiration, you should contact your station counsel to learn about the eligibility requirements of streaming under the statutory license and the related rights and responsibilities involved.