



**Proof of Certification and Licensing to Use Copyrighted Works
and Materials in Digital Transmissions of Sound Recordings**

In accordance with Live365, Inc.'s ("Live365") Terms of Use and Privacy Policy, the transmission service ("Webcaster") named below states that Webcaster has submitted all appropriate forms and notices to obtain proper licensing to use any relevant copyrighted works and materials in Webcaster's digital transmissions of sound recordings under the provisions of the license. Copyrighted works or materials may include, but is not limited to, any and all licensed music and sound recordings, any copyrighted and/or syndicated radio shows, and any copyrighted performances. By submitting this form with proper proof of licensing, Webcaster waives any and all liability which Live365 may be responsible for jointly and severally, and Webcaster will be responsible for all appropriate royalty payments.

I. IDENTIFYING INFORMATION FOR WEBCASTER

Please provide the requested information for each item.

1. Name of service _____
2. Live365 Username _____
3. Mailing address _____

4. Telephone number _____
5. Fax number _____
6. Email address _____
7. Service website address <http://> _____



II. PROOF OF CERTIFICATION OR LICENSING

You must provide proof of certification or licensing by submitting this signed and dated form along with all applicable licensing forms below:

RIAA/SoundExchange Licensing

For ALL commercial webcasters:

- A FILED copy of Initial Notice of Digital Transmissions of Sound Recordings under Statutory License.
- <http://www.copyright.gov/licensing/notice.pdf>
- You will then need to submit your Statement of Account along with the minimum payment due found here:
- <http://www.soundexchange.com/licensee/forms.html>

For Eligible Small Webcasters:

- A FILED copy of Notice of Election to Pay Royalties as an Eligible Small Webcaster, for each appropriate period.
- [http://soundexchange.com/licensee/forms/Notice Election 03-04.pdf](http://soundexchange.com/licensee/forms/Notice_Election_03-04.pdf)

*(The due date for this form was Jan. 31, 2003. Must file under statutory license if missed due date or if new webcaster, file form along with minimum payment.)

For Non-Commercial Webcasters:

- A FILED copy of Notice of Election to Pay Royalties as Noncommercial Webcaster and/or Noncommercial Educational Entity.
- [Notice of Election to Pay Royalties as Noncommercial Webcaster](#)

*(The due date for this form as noncom was July 11, 2003 or October 15, 2003 for Noncommercial Educational Entity. Must file under statutory license if missed due date or if new noncom, file form along with minimum payment (45 day grace period after transmissions begin).)

Broadcast Music, Inc. (BMI)

- Signed and dated BMI Web Site Music Performance Agreement
- <http://www.bmi.com/licensing/webcaster/index.asp>



**American Society of Composers, Authors and Publishers
(ASCAP)**

- Signed and dated ASCAP Experimental License Agreement for Internet Sites & Services – Release 4.0
- <http://www.ascap.com/weblicense/>

The Society of European Stage Authors and Composers (SESAC)

- Signed and dated SESAC Internet License
- http://www.sesac.com/pdf/internet_2005.pdf

II. OFFICER OR AUTHORIZED REPRESENTATIVE OF WEBCASTER

The undersigned hereby states that the information provided in this Affidavit is accurate and that the undersigned is authorized to act on behalf of the Webcaster.

Signature _____

Name _____

Title _____

Date _____

III. DELIVERY

This completed, signed and dated form must be delivered with all licensing paperwork to the following address:

Live365, Inc.
 ATTN: Legal Department
 950 Tower Lane, Suite 1550
 Foster City, CA 94404
 Fax: 650-345-7497
 Or
 Fax: 650-345-7494

<p>950 TOWER LANE, SUITE 1550 FOSTER CITY, CALIFORNIA 94404 TEL: 650.345.7400 FAX: 650.345.7497 WWW.LIVE365.COM</p>
