



March 14, 2022

SUBJECT: ADVANCE NOTICE OF POTENTIAL INFRINGEMENT
2022 NCAA Division I Men's Basketball Tournament

Pursuant to Title 17 U.S.C. Sec. 411(c) of the United States Copyright Act and Section 201.22 of the Copyright Office's regulations, 37 C.F.R. § 201.22, this notice is to advise you that **CBS Sports, a Division of CBS Broadcasting Inc. ("CBS")** and **Turner Sports, Inc., a subsidiary of WarnerMedia ("Turner")** ("**Telecasters**") have acquired exclusive distribution rights, including but not limited to, television, mobile and digital rights to the NCAA Division I Men's Basketball Tournament (the "**Coverage**") throughout the United States, its territories and possessions (including Puerto Rico) and Bermuda (the "**Broadcast Territory**"). The Coverage will be telecast over the CBS Television Network, TBS, TNT and truTV commencing Tuesday, March 15, 2022 through and including Monday, April 4, 2022. CBS and/or Turner shall be the authors and the NCAA, which will secure the registration of the copyright in the Coverage upon its fixation, is the copyright owner of the Coverage. The NCAA has acquired the copyright ownership of the Coverage by assignment and has authorized CBS and Turner to act as its agent to provide this notice required pursuant to Section 411(c).

This letter is to advise you, and to request that you notify your affiliates and other related companies, that to reproduce, distribute, exhibit, perform, transmit, exploit, broadcast, and/or otherwise use the Coverage beyond the scope of the attached News Access Guidelines (the "**Guidelines**") may subject you to liability for copyright infringement of the NCAA's and Telecasters' exclusive rights in the Coverage and/or cause the NCAA, CBS and Turner to deny your organization access to the Coverage and/or the Men's Basketball Tournament.

In order to protect these rights, the Telecasters and the NCAA have adopted the Guidelines that regulate the use of excerpts from the Coverage ("**Highlights**") for television news purposes. Highlights shall only include actual game footage within the Coverage and shall not include any pre-game, post-game, halftime, studio shows and/or any other ancillary programming or features. You may not telecast any portion of the Coverage even if footage is obtained from other broadcasters, cablecasters, news services or third parties, except in accordance with these Guidelines. **Please advise your affiliates and subscribers of our exclusive rights and these restrictions.**

CBS, Turner and the NCAA hereby reserve all of their rights and remedies at law and in equity in the event of any violation of these exclusive rights.

Very Truly Yours,

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NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (“NCAA”)
2022 DIVISION I MEN’S BASKETBALL TOURNAMENT NEWS ACCESS GUIDELINES

1. Highlights may be used only by television entities and news organizations (collectively, “**Television Entities**”) on their networks and stations in the United States in accordance with these Guidelines solely for news purposes in regularly scheduled television news programs of which actual news elements constitute the main feature.
2. Under no circumstances may any Highlights be broadcast or otherwise distributed on the Internet or via any other on-line service, mobile application, digital medium, device, or computer network, and no rights to distribute Highlights via any digital means or media are granted under these Guidelines. This restriction does not apply to carriage of a television station’s linear broadcast via virtual MVPDs (provided the use of Highlights within such linear television broadcast otherwise complies with these Guidelines).
3. You may telecast up to three (3) minutes of Highlights during any single calendar day. Highlights may only be used for up to forty-eight (48) hours after completion of the applicable “**Telecast Window**” as listed below.
4. Highlights may not be telecast until the completion of the applicable Telecast Window. March 17, 18, 19, and 20 each have two (2) Telecast Windows. The Telecast Window includes all games that commence in the specified time period along with any associated post-game show. For example, if on March 20 a game telecast on TBS ends at 9:00 p.m. and a post-game show for a different game on CBS ends at 12:15 a.m., highlights for either game may not be shown until after 12:15 a.m. Under no circumstances may Highlights of a game be telecast while that game is still in progress.
5. **Solely on March 17 and March 18**, you may air Highlights after 5:15 p.m. E.T. from games in the 12:00 p.m. to 6:30 p.m. Telecast Window that have concluded by 5:15 p.m., even if other games within that Telecast Window have not yet concluded. This **only** applies to the 12:00 p.m. to 6:30 p.m. Telecast Window and not to the 6:45 p.m. to 12:30 a.m. Telecast Window.

Date	Telecast Windows (All times are Eastern)
Tuesday, March 15	6:30 p.m. - 11:30 p.m.
Wednesday, March 16	6:30 p.m. - 11:30 p.m.
Thursday, March 17	12:00 p.m. - 6:30 p.m. (1) 6:45 p.m. - 12:30 a.m. (2)
Friday, March 18	12:00 p.m. - 6:30 p.m. (1) 6:45 p.m. - 12:30 a.m. (2)
Saturday, March 19	12:00 p.m. - 4:30 p.m. (1) 5:00 p.m. - 12:00 a.m. (2)
Sunday, March 20	12:00 p.m. - 4:30 p.m. (1) 5:00 p.m. - 12:00 a.m. (2)
Thursday, March 24	7:00 p.m. - 12:30 a.m.
Friday, March 25	7:00 p.m. - 12:30 a.m.
Saturday, March 26	6:00 p.m. - 11:00 p.m.
Sunday, March 27	2:00 p.m. - 7:00 p.m.
Saturday, April 2	6:00 p.m. - 11:00 p.m.
Monday, April 4	9:00 p.m. - 11:30 p.m.

- 6.** Only game competition footage that has actually been telecast by CBS or Turner may be used for purposes permitted herein. All Highlights must be recorded from the applicable Turner or CBS television network distribution feed and must include CBS and/or Turner network graphics. Footage obtained from CBS or Turner's back haul, ISO reels or other satellite feeds that has not been telecast by CBS or Turner may not be used.
- 7.** All Highlights must be accompanied by a video credit identifying the applicable television network on which the game originally aired (e.g., "Courtesy of CBS Sports/NCAA", "Courtesy of TNT/NCAA") for the entire time the Highlights are on air.
- 8.** Highlights may not be used commercially or in any program format other than news reporting in accordance herewith. By way of example, but not limitation, without a specific separate license from the NCAA, Highlights may not be used: (i) in pre-game shows or to preview an upcoming game; (ii) weekly or monthly sports highlights shows; (iii) in news or sports magazine programs; (iv) in commercials; (v) in a sponsored segment of a program; (vi) in on-air promotions (e.g., "tune-in" promotion or "tease"); (vii) as "file footage;" (viii) in a regularly scheduled news program that has been extended or created for the purpose of telecasting Coverage of games; or (ix) for any other use (e.g., archival) not specifically permitted by this license. Television Entities wishing to use footage outside these parameters must license the footage from the NCAA and follow any additional terms and conditions concerning use of the footage. NCAA reserves the right to refuse permission for such usage.
- 9.** Highlights may not include, without limitation, other audio material, feature material, interviews or other excerpts of the voices and/or likeness of any CBS or Turner on-air talent, commentators and/or announcers.
- 10.** In no event may any logo, trademark, advertisement, scoreboard, or other graphic be superimposed, "burned in," or otherwise incorporated in any Highlights. Additionally, no Highlights may be altered or modified (including magnifying a portion of a visual image or otherwise changing, substituting or distorting an audio or visual element).
- 11.** Highlights must not be used in such a manner as to denigrate CBS, Turner, the NCAA, NCAA member institutions or teams, the student-athletes or officials, or any NCAA sport, and must comply in all respects with the NCAA bylaws, rules and regulations in effect, which may be amended from time to time by the NCAA in its sole discretion.
- 12.** Highlights may not be used, sold, traded, stored, archived, retained, transmitted, distributed or transferred via any medium (including, without limitation, the Internet or any other means of interactive communication) to any other entity, except as otherwise expressly authorized herein.
- 13.** Television Entities are solely responsible for determining what additional licenses, clearances, consents and releases, if any, must be obtained in connection with use of Highlights hereunder. Local market feed use for Highlights telecast on the CBS Television Network is also subject to clearance by the CBS affiliate in each market.
- 14.** Notwithstanding anything herein to the contrary, Telecasters and the NCAA hereby reserve the right, in their sole discretion, at any time and for any reason, to: (i) modify any or all of the terms hereof; (ii) grant any exception to, or waiver of, any term hereof; and/or (iii) withdraw permission or amend these Guidelines, with written notice thereof. In the event the scheduled date/start-time of a game is changed to a new date/time that falls outside any established Telecast Window above, Telecasters will endeavor to establish an updated/revised Telecast Window(s) applicable to such rescheduled game(s) as soon as practical, provided that until such updated Telecast Window is established Highlights from the affected game(s) may not be used.
- 15.** Television Entities' use of Highlights from any game absent a superseding written agreement constitutes acceptance of these terms.
- 16.** Any use of Highlights or Coverage beyond these Guidelines is subject to prior written approval from CBS, Turner and/or the NCAA.