

Circular 4

Copyright Office Fees

The Register of Copyrights has authority to set fees for specified services provided by the Copyright Office if certain conditions are met. (See Pub. L. 105-80, 111 Stat. 1529 (1997).) These services include, among others, registering claims to copyright, recording documents, and searching copyright records. Section 708(a) of the Copyright Act authorizes the Register of Copyrights to “fix fees for other services ... based on the cost of providing the service.”

Services and Fees

The Copyright Office charges the fees specified below for the services described. A complete list of fees and services appears at the end of this circular. See “Payment of Fees” below for information about payment methods.

Basic Registrations

An application for copyright registration contains three essential elements: a completed application form, a nonrefundable filing fee, and a nonreturnable deposit—that is, a copy or copies of the work being registered and “deposited” with the Copyright Office.

Here are the options for registering your copyright, beginning with the fastest and most cost-effective method.

Option 1: Online Registration · Online registration through the electronic Copyright Office (eCO) is the preferred way to register basic claims for literary works; visual arts works; performing arts works, including motion pictures; sound recordings; and single serial issues. Advantages of online filing include a lower filing fee of \$35; the fastest processing time among registration methods; online status tracking; secure payment by credit or debit card, electronic check, or Copyright Office deposit account; and the ability to upload certain categories of works directly into eCO. Note that you can still register using eCO and save money even if you will submit a hard-copy deposit. The system will prompt you to specify whether you intend to submit an electronic or a hard-copy deposit, and it will provide instructions accordingly.

Basic claims include (1) a single work; (2) multiple unpublished works if they are all by the same author(s) and owned by the same claimant; and (3) multiple published works if they are all first published together in the same publication on the same date and owned by the same claimant.

To access eCO, go to the Copyright Office website at www.copyright.gov and click on *electronic Copyright Office*.

Option 2: Registration with Fill-In Form CO · The next best option for registering basic claims is the new fill-in Form CO. Using 2-D barcode scanning technology, the Office can process these forms much faster and more efficiently

than traditional forms completed manually. Simply complete Form CO on your personal computer (only your signature and the date may be handwritten), print it out, sign it, and mail it along with a check or money order and your deposit (credit cards are not accepted for filings on Form CO unless they are hand-delivered to the Public Information Office, whose address appears at the end of this circular). The fee for a basic registration on Form CO is \$50. To access Form CO, go the Copyright Office website and click on *Forms*.

Option 3: Registration with Paper Forms · Paper versions of Form TX (literary works); Form VA (visual arts works); Form PA (performing arts works, including motion pictures); Form SR (sound recordings); and Form SE (single serial issues) are still available. The fee for a basic registration using one of these forms is \$65 payable by check or money order (credit cards are not accepted for filings on these forms unless they are hand-delivered to the Public Information Office). Form CON (continuation sheet for applications) is also still available on paper.

These paper forms are not accessible on the Copyright Office website; however, staff will send them to you by postal mail upon request (limit of two copies of each form). Remember that online registration through eCO and fill-in Form CO (see above) can be used for the categories of works applicable to Forms TX, VA, PA, SR, and SE.

Applications That Must Be Completed on Paper · Certain applications must be completed on paper and mailed to the Copyright Office with the appropriate fee and deposit. These applications include Form D-VH for registration of vessel hull designs; Form MW for registration of mask works; Form GATT for registration of works in which the U.S. copyright was restored under the 1994 Uruguay Round Agreements Act; Form RE for renewal of copyright claims; and forms for group submissions, including Form GR/PPh/CON (published photographs), Form GR/CP (contributions to periodicals), Form SE/Group (serials), and Form G/DN (daily newspapers and newsletters). See the fee chart at the end of this circular for registration fees. To access the forms, go to the Copyright Office website and click on *Forms* or call the Copyright Office. Informational circulars about these types of applications are available on the Copyright Office website or by phone.

Effective Date of Registration

A copyright registration is effective on the date the Copyright Office receives all the required elements in acceptable form.

The time the Copyright Office requires to process an application varies, depending on the amount of material the Office is receiving and the method of application.

If you apply online for copyright registration, you will receive an email notification when your application is received.

If you apply on a paper form, you will not receive an acknowledgment of your application (the Office receives more than 600,000 applications annually), but you can expect:

- a certificate of registration indicating that the work has been registered,
- a letter or a telephone call from the Copyright Office if further information is needed, or
- if the application cannot be accepted, a letter explaining why it has been rejected.

The Copyright Office cannot honor requests to make certificates available for pickup or to send them by Federal Express or another express mail service. If you want to know the date that the Copyright Office receives your paper application or hard-copy deposit, use registered or certified mail and request a return receipt.

For further information about copyright registration procedures, see Circular 1, *Copyright Basics*.

Recordation of Documents

The Copyright Office charges a fee to record documents pertaining to a copyright, such as a transfer of copyright, a will, a license, or a notice of termination. The fee to record a document of any length including no more than one title is \$105. Additional titles are \$30 for each group of 10 or fewer titles (see note below). Additional transfers in a document are charged at \$105 each. At present, all documents must be filed for recordation in paper form; electronic filing is not available. For more information about recordation of documents, see Circular 12, *Recordation and Transfers of Other Documents*. For further details about recording notices of termination, see section 201.10 of the *Code of Federal Regulations*, available at www.copyright.gov/title37/201/index.html.

NOTE: The additional title fee is based on the number of titles in a document, not the number of works. Thus one work known under two titles is counted as two titles. The Copyright Office will verify title counts.

Searches of Copyright Office Records

The Copyright Office charges a fee for staff to search records for information about copyright registrations, renewals, transfers, and other documents relating to the copyright

status of works. Upon request, the Copyright Office will estimate the total cost of a search. The fee for a search estimate is \$115, which is applicable to the search fee. The hourly search fee, including the preparation of an official search report, is \$165. For assistance with your search request, complete the form available at www.copyright.gov/forms/search_estimate.html, call the Records Research and Certification Section at (202) 707-6850, or send an email to copysearch@loc.gov. The Office will not search to determine whether a work similar to a work of interest has already been registered. Such searches are not necessary under copyright law.

NOTE: Researchers can also visit the Copyright Office's Public Records Reading Room, located in Room LM-404 of the James Madison Memorial Building of the Library of Congress, 101 Independence Avenue SE, Washington DC 20559-6000, to search Copyright Office catalogs and other records in person. See Circular 22, *How to Investigate the Copyright Status of a Work*, for details.

Copies of Copyright Office Records

The Copyright Office charges a fee for locating or retrieving records, providing additional certificates of registration, or certifying copyright records. The hourly fee to locate or retrieve Copyright Office records (nonelectronic) is \$165. The fee to locate or retrieve electronic records is \$41.25 for each quarter hour, with a half-hour minimum charge. Additional certificates of registration are \$35 each. The charge for certifying a record is \$165. The certification fee is in addition to fees for other applicable services, such as fees for searches or photoduplication. To request copies of Copyright Office records, call the Records Research and Certification Section at (202) 707-6787 or send an email to copycerts@loc.gov. Under certain limited conditions, copies of copyright deposits may be provided. For more information, see Circular 6, *Obtaining Access to and Copies of Copyright Office Records and Deposits*.

Preregistration on Form PRE

Unpublished works that are being prepared for commercial distribution and that fall within certain classes of works are eligible for preregistration on Form PRE, which is available only on the Copyright Office website. The fee for preregistration is \$115. Form PRE must be completed and filed online; the Office does not accept filings of Form PRE on paper, in person, or by regular mail. For further information about preregistration, see the preregistration information on the Copyright Office website.

Expedited Services and Special Handling

Some services may be provided on an expedited basis under certain circumstances and with prior approval. Call the Records Research and Certification Section at (202) 707-6850 or send an email to copysearch@loc.gov for information about requests for expedited searches. The fee for expedited searches is \$445 an hour. For information about requests for expedited copies of Copyright Office records, call the Records Research and Certification section at (202) 707-6787 or send an email to copycerts@loc.gov. A surcharge of \$265 is added to the regular charges for locating or retrieving records, providing additional certificates of registrations, certifying copyright records, and locating or retrieving in-process records.

Requests for expedited recordation of documents pertaining to copyright and processing of applications for registration of copyrights, mask works, and vessel hull designs are granted at the discretion of the Register of Copyrights. The fee for special handling of documents for recordation is \$480. The fee for special handling of qualified applications for registration is \$760 each.

Requests must explain why special handling is desired. Examples of when a special handling request may be approved include situations in which the requester is dealing with pending or prospective litigation, cases involving the U.S. Customs Service, contractual matters, or publishing deadlines. The request must include a written certification, that is, a signed statement that the details of the request are correct to the best of the requester's knowledge.

Requests for special handling can be made in person in the Public Information Office or sent by U.S. Postal Service to

Special Handling
Receipt Analysis and Control Division
P.O. Box 71380
Washington DC 20024-1380

NOTE: This post office box is a U.S. Postal Service mailbox, so delivery to this address must be by way of the U.S. Postal Service, not a private carrier. You can use USPS overnight or priority mail options for quicker delivery. Items mailed to the post office box cannot exceed 12" by 18" by 4" or 20 pounds.

For more information about special handling, see Circular 10, *Special Handling*.

Requests for Reconsideration

When the Copyright Office refuses to register a claim to copyright, it notifies the applicant in writing. After such notification, the applicant can seek reconsideration not later than three months after the date that appears on the Office's written refusal by sending a letter requesting reconsideration

and setting forth his or her objections to the refusal. The cost of a first request for reconsideration is \$250 plus \$25 for each additional claim in a related group. If registration is again refused, a second request for reconsideration can be submitted. The cost of a second reconsideration is \$500 plus \$25 for each additional claim in a related group. The decision of the Copyright Board of Review for the second request for reconsideration constitutes final agency action. For further details, see Form SL 4a, *Interim Guidance: Reconsideration Procedures and Fees*.

Full-Term Retention

The Copyright Office's general policy is to retain published, registered copyright deposits for at least five years, with the exception of published works registered as visual arts, which are retained for 10 years. Unpublished deposits are ordinarily retained for the full copyright term. Registrants who want to ensure that the Copyright Office retains their published deposits for the full length of the copyright term must pay a fee of \$470 to cover processing and storage costs. Send requests for full-term retention to

*Library of Congress
Copyright Office-IRD
101 Independence Avenue SE
Washington DC 20559-6300
Attn: Full-Term Retention Request*

For more information about full-term retention, see "Full-Term Retention of Copyright Deposits" (37 C.F.R. 202.23) at www.copyright.gov/title37/202/index.html.

Other Claims and Services

Fees for other types of services and claims, such as processing of secure tests and provision of deposit receipts, appear in the fee list at the end of this circular and in Form SL 4, *Copyright Office Fees*. For detailed information about these and other claim types and services, visit the Copyright Office website.

Payment of Fees

Based on the service provided and the method of its delivery, the Copyright Office accepts payment by credit card; electronic transfer of funds; deposit account; currency; or check, money order, or bank draft payable to *Register of Copyrights*.¹

NOTE: Currency is accepted only when a service is provided in person in the Public Information Office. The Copyright

Office does not accept currency by mail and cannot assume any responsibility for the loss of currency sent in payment of copyright fees.

Electronic Services

Credit card payment is authorized for services provided electronically, including electronic registration of copyright claims through eCO (but not on fill-in Form CO). The Copyright Office accepts American Express, Diners Club, Discover, MasterCard, and Visa for these services. You can also pay for electronic services by electronic check, debit card, or Copyright Office deposit account.

An individual or a firm can establish a deposit account, make advance deposits into that account, and charge copyright fees against the balance in the account instead of sending separate remittances with applications and other requests for services. For information on deposit accounts, see Circular 5, *How to Open and Maintain a Copyright Office Deposit Account*.

Services by Mail

If a service request is sent by mail, the only acceptable methods of payment are check or money order payable to the *Register of Copyrights* or Copyright Office deposit account (see paragraph above for details about deposit accounts.) If a check received in payment of a registration filing fee is returned to the Copyright Office as uncollectible, registration will be delayed until a valid payment is received. The effective date of registration will be the date the valid fee payment is received.

Services by Phone or in Person

Fees for some services can be paid by credit card when requests are made by phone. (See the subsection Electronic Services above for a list of the credit cards the Copyright Office accepts.) To charge requests for additional certificates, copies of documents and deposits, certifications, search and retrieval of deposits, and expedited processing, call the Records Research and Certification Section at (202) 707-6787. Call (202) 707-6850 to charge fees for estimating the cost of searching Copyright Office records or for searching the facts of registrations and recordations on a regular or expedited basis.

The Public Information Office accepts credit cards, currency, checks, and money orders in payment of Copyright Office services requested by walk-in visitors. In addition, fees for on-site use of Copyright Office computers, printers, and photocopiers can be charged in person.

Foreign Checks and Money Orders

All foreign checks or money orders must be redeemable without a service or exchange fee through a U.S. institution, payable in U.S. dollars, and imprinted with American Banking Association routing numbers. Postal money orders and international money orders that are negotiable only at a post office are not acceptable.

Refunds

Payments more than \$50 in excess of the required fee will be refunded automatically, but refunds of \$50 or less will be made only upon written request.

The Copyright Office will not refund filing fees remitted for basic, supplementary, or renewal registration; for preregistration; or for special handling, whether or not copyright registration or preregistration is ultimately made. To cover administrative and processing costs, fees received in conjunction with requests for services will typically not be refunded, even when the services cannot be provided.

Before making any refund for fees remitted in relation to nonregistration services, the Copyright Office will deduct an administrative processing fee in an amount equivalent to a half hour of the requested service or the minimum fee for the service (37 C.F.R. 201.6(c)).

Public Information Office

To secure any of the services described in this circular as being available in person or by phone in the Copyright Office's Public Information Office, visit the address below between 8:30 AM and 5 PM, eastern time, Monday through Friday, or call (202) 707-3000.

*Public Information Office
U.S. Copyright Office
Library of Congress
101 Independence Avenue SE
Room LM-401
Washington, DC 20559-6300*

For Further Information

By Internet

Circulars, announcements, regulations, certain application forms, and other materials are available from the Copyright Office website at www.copyright.gov.

By Telephone

For general information about copyright, call the Copyright Public Information Office at (202) 707-3000. Staff members are on duty from 8:30 AM to 5:00 PM, eastern time, Monday through Friday, except federal holidays. Recorded information is available 24 hours a day. If you want to request paper application forms or circulars, call the Forms and Publications Hotline at (202) 707-9100 and leave a recorded message.

By Regular Mail

Write to

*Library of Congress
Copyright Office—COPUBS
Publications Section
101 Independence Avenue, SE
Washington, DC 20559-6304*

Note

- In addition to other services described in this circular that can be paid by credit card, credit card payment is accepted for filings under the Uruguay Round Agreements Act (URAA). These filings include notices of intent (NIEs) to enforce a restored copyright under the URAA and claims to copyright made on Form GATT (General Agreement on Tariffs and Trade). For these filings, only American Express, MasterCard, and Visa are accepted; debit cards are not accepted. See Circular 38B, *Highlights of Copyright Amendments Contained in the URAA*, and Form GATT for details about filing claims under the URAA.

Copyright Office Fees

- Fees in effect as of August 1, 2009
- For Licensing Division fees, request SL-4L

Basic Registrations

Each registration must include a properly completed application form, a nonrefundable filing fee, and a nonreturnable deposit.

- \$35 Electronic registration through eCO (available on the website)
- \$50 Registration on Fill-In Form CO (available on the website)
- \$65 Registration on Form TX, Form VA, Form PA, Form SE, and Form SR (available by regular mail only)

Renewal Registrations (paper only)

For works published or registered before January 1, 1978. These applications must be completed on paper and mailed with a fee and a deposit to the Copyright Office. The forms are available on the website or by phone.

- \$115 Form RE
- \$220 Addendum to Form RE

Group Registrations (paper only)

Fee to register a group of related claims, where appropriate. These applications must be completed on paper and mailed with a fee and a deposit to the Copyright Office. The forms are available on the website or by phone.

- \$25 Form SE/Group (serials) (per issue, with minimum 2 issues)
- \$80 Form G/DN (daily newspapers and newsletters)
- \$65 Form GR/PPh/CON (published photographs) (up to 750 published photographs can be identified on form GR/PPh/CON with a single filing fee)
- \$65 Form GR/CP (contributions to periodicals)

Other Paper-Only Registrations

These applications must be completed on paper and mailed with a fee and a deposit to the Copyright Office. These forms are available on the website or by phone.

- \$100 Form CA (to correct or amplify a completed registration)
- \$100 Form DC (to correct a design registration)
- \$220 Form D-VH (vessel hull designs) (\$20 for each page of identifying material beyond 3 pages)
- \$65 Form GATT
- \$105 Form MW (mask works)

Preregistrations

- \$115 Form PRE (available on the website)

Optional Services Related to Registration

Special Handling for Registration of Qualified Copyright Claims

Fee to expedite processing of qualified claims

- \$760 Special handling fee (per claim)
- \$50 Additional fee for each (non-special-handling) claim using the same deposit

Other Fees Associated with Registration

- \$470 Full-term retention of published copyright deposit

- \$165 Secure test processing (\$/hr)
- \$45 Handling extra copy for certification

Requests for Reconsideration

For claims previously refused registration

- \$250 First request
- \$25 Additional claim in related group (each)
- \$500 Second request
- \$25 Additional claim in related group (each)

Other Copyright Service Fees

Recordation of Documents

Fee to make a public record of an assignment of rights or other document relating to the disposition of a copyrighted work

- \$105 Recordation of a document, including a transfer of copyright and a notice of termination (containing no more than 1 title)
- \$30 Additional titles (per group of 10 or fewer titles)
- \$105 Additional transfers (each)
- \$480 Special handling of recordation of documents

Searches of Records

Fee for searching copyright records and preparing an official report

- \$115 Estimate of search fee
- \$165 Locating or retrieving records, including preparation of a report from official records (\$/hr, 2 hr minimum)
- \$445 Expedited reports (\$/hr, 2 hr minimum)

Copies of Records

Fees for locating, retrieving, and reproducing records

- \$165 Locating or retrieving nonelectronic records (\$/hr)
- \$41.25 Locating or retrieving electronic records (\$/quarter hr, 1/2 hr minimum)
- \$35 Additional certificate of registration
- \$165 Certification of records
 - Copying fee: variable depending on format and size
- \$265 Surcharge for expedited services listed above or for certification of a search report (\$/hr)

Miscellaneous Fees

- \$30 Receipt for deposit without registration (section 407 deposit)
- \$105 Online service provider designation (recordation of an interim designation of agent to receive notification of claimed infringement under section 512(c)(2))
- \$30 Alternative names, including websites (per group of 10 or fewer)
- \$50 Notice to libraries and archives (each additional title \$20)

Payment Processing Service Charges

- \$165 Overdraft of deposit account
- \$85 Dishonored replenishment check for deposit account
- \$25 Uncollectible or nonnegotiable check

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.