

Deposit Requirements for Registration of Claims to Copyright in Visual Arts Material

In General

This circular presents a simplified version of the deposit requirements for registering claims to copyright in visual arts materials. It should be viewed only as a basic guide; the examples on pages 3 and 4 are not meant to be restrictive. For the deposit regulations of the Copyright Office, see the *Code of Federal Regulations*, sections 202.19, 202.20, and 202.21, available at www.copyright.gov/title 37.

For instructions on how to register a claim to copyright in visual arts works, see Circular 40, *Copyright Registration for Works of the Visual Arts*.

Basic Definitions

Complete Copy

A “complete copy” of an *unpublished* work is a copy that represents the complete copyrightable content of the work being registered. A complete copy of a *published* work is one that contains all elements of the unit of publication, including those which, if considered separately, would not be copyrightable subject matter. The copies deposited for registration should be physically undamaged.

Best Edition

The “best edition” is the edition published in the United States at any time before the date of deposit in the Copyright Office that the Library of Congress determines to be most suitable for its purposes. Generally, when more than one edition is available, the best edition is: larger rather than smaller; color rather than black and white; and printed on archival-quality rather than less-permanent paper. See Circular 7B, “*Best Edition*” of *Published Copyrighted Works for the Collections of the Library of Congress*, for additional information.

Identifying Material

“Identifying material” or “ID material” generally consists of two-dimensional reproduction(s) or rendering(s) of a work in the form of photographic prints, transparencies, photocopies, or drawings that show the complete copyrightable content of the work being registered.

Specifications for Visual Arts Identifying Material

Copyright Office regulations require the deposit of identifying material instead of copies for three-dimensional works and for works that have been applied to three-dimensional objects. Examples of such works include sculpture, toys, jewelry, artwork on plates, and fabric or textile attached to or part of a three-dimensional object such as furniture. Identifying material must also be submitted for any pictorial, graphic, or sculptural work that exceeds 96" in any dimension.

In certain cases, identifying material is permitted; in other cases, it is required. (See table on page 3 and 4.) Identifying material should meet the following specifications:

- **Type of identifying material:** The material should consist of photographic prints, transparencies, photocopies, drawings, or similar two-dimensional reproductions or renderings of the work in a form visually perceivable without the aid of a machine or device.
- **Color or black and white:** If the work is a pictorial or graphic work, the material should reproduce the actual colors employed in the work. In all other cases, the material may be in black and white or may consist of a reproduction of the actual colors.
- **Completeness:** As many pieces of identifying material should be submitted as are necessary to show clearly the entire copyrightable content of the work for which registration is being sought.
- **Number of sets:** Only one set of complete identifying material is required. **NOTE:** With respect to three-dimensional holograms, please contact the Copyright Office for additional information.
- **Size:** Photographic transparencies must be at least 35mm in size and, if 3" × 3" or less, must be fixed in cardboard, plastic, or similar mounts; transparencies larger than 3" × 3" should be mounted. All types of identifying material other than photographic transparencies must be not less than 3" × 3" and not more than 9" × 12", but preferably 8" × 10". The image of the work should show clearly the entire copyrightable content of the work.
- **Title and dimension:** At least one piece of identifying material must give the title of the work on its front, back, or mount and should include an exact measurement of one or more dimensions of the work.

Copyright Notice

Before March 1, 1989, the use of copyright notice was mandatory on all published works, and any work first published before that date should have carried a notice. For works first published on and after March 1, 1989, use of the copyright notice is optional.

For a work published with notice of copyright, the notice and its position on the work must be clearly shown on at least one piece of identifying material. If necessary because of the size or position of the notice, a separate drawing or similar reproduction may be submitted. Such reproduction should be no smaller than 3" × 3" and no larger than 9" × 12" and should show the exact appearance and content of the notice and its specific position on the work. For more information about copyright notice, see Circular 3, *Copyright Notice*.

For Further Information

By Internet

Circulars, announcements, regulations, certain application forms, and other materials are available on 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
101 Independence Avenue, SE
Washington, DC 20559-6304*

Required Deposit

| Nature of Work: <i>Two-Dimensional</i> | Published | Unpublished |
|---|---|--|
| Advertisements (pictorial) | 1 copy as published or prepublication camera-ready copy | 1 photocopy, proof, drawing, copy, or layout |
| Artwork for bed, bath, and table linens or for wearing apparel (<i>For example:</i> heat transfers or decals already applied to T-shirts) | ID material preferred in all cases; ID material required if copy cannot be folded to 4" thickness or less; 1 copy permitted if it can be folded to 4" thickness or less | same as published |
| Blueprints, architectural drawings, mechanical drawings, diagrams | 1 complete copy | 1 copy |
| Book jackets or record jackets | 1 complete copy | 1 copy |
| Commercial print published in newspaper or other periodical | 1 copy of entire page or pages | |
| Commercial print or label (<i>For example:</i> flyers, labels, brochures, or catalogs used in connection with the sale of goods or services) | 1 complete copy | 1 copy |
| Contributions to collective works (photographs, drawings, cartoons, etc., published as part of a periodical or anthology) | 1 complete copy of the best edition of entire collective work, complete section containing contribution if published in newspaper, entire page containing contribution, contribution cut from the newspaper, or photocopy of contribution as it was published | |
| Fabric, textile, wallpaper, carpeting, floor tile, wrapping paper, yard goods (if applied to a three-dimensional work, see below) | 1 complete copy (or swatch) showing the design repeat and copyright notice, if any | 1 complete copy (or ID material if the work has not been fixed in repeat) |
| Fabric emblems or patches, decals or heat transfers (not applied to clothing), bumper stickers, campaign buttons | 1 complete copy | 1 copy or ID material |
| Greeting cards, picture postcards, stationery, business cards, calendars | 1 complete copy | 1 copy or ID material |
| Holograms | 1 actual copy if image is visible without the aid of a machine or device; otherwise 2 sets of display instructions and 2 sets of ID material showing the displayed image | 1 copy or display instructions and ID material of image |
| Maps or cartographic material | 1 copy of CD-ROM if work published in that format; otherwise, 2 complete copies | 1 copy of CD-ROM if work fixed in that format; otherwise, 1 complete copy or ID material |
| Patterns, cross-stitch graphs, stitchery brochures, needlework and craft kits | 1 complete copy | 1 copy or ID material |
| Pictorial or graphic works (<i>For example:</i> artwork, drawings, illustrations, paintings) | 2 complete copies | ID material |
| Pictorial or graphic works fixed only in machine-readable form | ID material | 1 copy or proof, photocopy, contact sheet |
| Posters, photographs, prints, brochures, exhibition catalogs | 2 complete copies | |
| "Limited edition" posters, prints, or etchings (published in quantities of fewer than 5 copies, or 300 or fewer numbered copies if individual author is owner of copyright) | 1 copy or ID material | |
| Oversize material (exceeding 96" in any dimension) | ID material | ID material |

| Nature of Work: Three-Dimensional | Published | Unpublished |
|--|---|--|
| Artwork or illustrations on 3-D objects (<i>For example:</i> artwork on plates, mugs) | ID material | ID material |
| Fabric or textile attached to or part of a 3-D object (such as furniture) | ID material | ID material |
| Games | 1 complete copy if container is no larger than 12" × 24" × 6"; otherwise, ID material | 1 copy if container is no larger than 12" × 24" × 6" or ID material* |
| Globes, relief models, or relief maps | 1 complete copy including the stand (ID material <i>not</i> acceptable) | 1 complete copy or ID material* |
| Jewelry | ID material or 1 copy if fixed only in the form of jewelry cast in base metal not exceeding 4" in any dimension | same as published |
| Pictorial matter and/or text on a box or container that can be flattened (contents of container are not claimed) | 1 copy of box or container if it can be flattened or 1 paper label | 1 copy or ID material* |
| Prints or labels inseparable from a 3-D object (<i>For example:</i> silk screen label on a bottle) | ID material | ID material |
| Sculptures, toys, dolls, molds, relief plaques, statues | ID material | ID material |
| Sculpture (<i>For example:</i> doll) in a box with copyrightable pictorial and/or textual material; claim in sculpture and artwork/text | ID material for sculpture plus 1 copy of box and any other printed material | ID material for sculpture plus copy of box or ID material* |
| Oversize material (exceeding 96" in any dimension) | ID material | ID material |

* Because storage space is limited, the Copyright Office prefers ID material rather than a copy in these cases.

| Nature of Work: Architectural | Unconstructed Building | Constructed Building |
|---|---|--|
| To be eligible for copyright protection, an architectural work must have been created on or after December 1, 1990, or have been unconstructed and embodied only in unpublished drawings as of that date. (See Circular 41, <i>Copyright Claims in Architectural Works</i> , for more information.) | 1 complete copy of an architectural drawing or blueprint showing the overall form of the building and any interior arrangement of spaces and/or design elements in which copyright is claimed | 1 complete copy as described at left plus ID material in the form of photographs clearly identifying the architectural work being registered |