

Union Calendar No. 175

101ST CONGRESS
1ST SESSION**H. R. 1622**

[Report No. 101-279]

To amend title 17, United States Code, to change the fee schedule of the Copyright Office, and to make certain technical amendments.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 1989

Mr. KASTENMEIER (for himself and Mr. MOORHEAD) introduced the following bill; which was referred to the Committee on the Judiciary

OCTOBER 13, 1989

Additional sponsors: Mr. CROCKETT, Mr. BERMAN, Mr. BRYANT, Mr. CARDIN, Mr. BOUCHER, Mr. SANGMEISTER, Mr. HUGHES, and Mr. SYNAR

OCTOBER 13, 1989

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend title 17, United States Code, to change the fee schedule of the Copyright Office, and to make certain technical amendments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Copyright Fees and
3 Technical Amendments Act of 1989".

4 SEC. 2. FEES OF COPYRIGHT OFFICE.

5 (a) FEE SCHEDULE.—Section 708(a) of title 17, United
6 States Code, is amended to read as follows:

7 "(a) The following fees shall be paid to the Register of
8 Copyrights:

9 "(1) on filing each application under section 408
10 for registration of a copyright claim or for a supple-
11 mentary registration, including the issuance of a certifi-
12 cate of registration if registration is made, \$20;

13 "(2) on filing each application for registration of a
14 claim for renewal of a subsisting copyright in its first
15 term under section 304(a), including the issuance of a
16 certificate of registration if registration is made, \$12;

17 "(3) for the issuance of a receipt for a deposit
18 under section 407, \$4;

19 "(4) for the recordation, as provided by section
20 205, of a transfer of copyright ownership or other doc-
21 ument covering not more than one title, \$20; for addi-
22 tional titles, \$10 for each group of not more than 10
23 titles;

24 "(5) for the filing, under section 115(b), of a
25 notice of intention to obtain a compulsory license, \$12;

1 “(6) for the recordation, under section 302(c), of a
2 statement revealing the identity of an author of an
3 anonymous or pseudonymous work, or for the recorda-
4 tion, under section 302(d), of a statement relating to
5 the death of an author, \$20 for a document covering
6 not more than one title; for each additional title, \$2;

7 “(7) for the issuance, under section 706, of an ad-
8 ditional certificate of registration, \$8;

9 “(8) for the issuance of any other certification,
10 \$20 for each hour or fraction of an hour consumed
11 with respect thereto;

12 “(9) for the making and reporting of a search as
13 provided by section 705, and for any related services,
14 \$20 for each hour or fraction of an hour consumed
15 with respect thereto; and

16 “(10) for any other special services requiring a
17 substantial amount of time or expense, such fees as the
18 Register of Copyrights may fix on the basis of the cost
19 of providing the service.

20 The Register of Copyrights is authorized to fix the fees for
21 preparing copies of Copyright Office records, whether or not
22 such copies are certified, on the basis of the cost of such
23 preparation.”.

24 (b) ADJUSTMENT OF FEES.—Section 708 of title 17,
25 United States Code, is amended—

1 (1) by redesignating subsections (b) and (c) as sub-
2 sections (c) and (d), respectively; and

3 (2) by inserting after subsection (a) the following:

4 “(b) In calendar year 1995 and in each subsequent fifth
5 calendar year, the Register of Copyrights, by regulation, may
6 increase the fees specified in subsection (a) by the percent
7 change in the annual average, for the preceding calendar
8 year, of the Consumer Price Index published by the Bureau
9 of Labor Statistics, over the annual average of the Consumer
10 Price Index for the fifth calendar year preceding the calendar
11 year in which such increase is authorized.”.

12 (c) EFFECTIVE DATE.—

13 (1) IN GENERAL.—The amendments made by this
14 section shall take effect 6 months after the date of the
15 enactment of this Act and shall apply to—

16 (A) claims to original, supplementary, and
17 renewal copyright received for registration, and to
18 items received for recordation in the Copyright
19 Office, on or after such effective date, and

20 (B) other requests for services received on or
21 after such effective date, or received before such
22 effective date for services not yet rendered as of
23 such date.

24 (2) PRIOR CLAIMS.—Claims to original, supple-
25 mentary, and renewal copyright received for registra-

1 tion and items received for recordation in acceptable
2 form in the Copyright Office before the effective date
3 set forth in paragraph (1), and requests for services
4 which are rendered before such effective date shall be
5 governed by section 708 of title 17, United States
6 Code, as in effect before such effective date.

7 **SEC. 3. TECHNICAL AMENDMENTS.**

8 (a) **SECTION 111.**—Section 111 of title 17, United
9 States Code, is amended—

10 (1) in subsection (c)(2)(B) by striking out “record-
11 ed the notice specified by subsection (d) and”; and

12 (2) in subsection (d)—

13 (A) in paragraph (2) by striking out “para-
14 graph (1)” and inserting in lieu thereof “clause
15 (1)”;

16 (B) in paragraph (3) by striking out “clause
17 (5)” and inserting in lieu thereof “clause (4)”; and

18 (C) in paragraph (3)(B) by striking out
19 “clause (2)(A)” and inserting in lieu thereof
20 “clause (1)(A)”.

21 (b) **SECTION 801.**—Section 801(b)(2)(D) of title 17,
22 United States Code, is amended by striking out “111(d)(2)
23 (C) and (D)” and inserting in lieu thereof “111(d)(1) (C) and
24 (D)”.

1 (c) SECTION 804.—Section 804(a)(2)(C)(i) of title 17,
2 United States Code, is amended by striking out “115” and
3 inserting in lieu thereof “116”.

4 (d) SECTION 106.—Section 106 of title 17, United
5 States Code, is amended by striking out “118” and inserting
6 in lieu thereof “119”.

7 (e) EFFECTIVE DATE.—(1) The amendments made by
8 subsections (a) and (b) shall be effective as of August 27,
9 1986.

10 (2) The amendment made by subsection (c) shall be
11 effective as of October 31, 1988.

12 (2) The amendment made by subsection (d) shall be
13 effective as of November 16, 1988.

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