

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:22-CV-00457-DDD-SKC

REPORTHOST LLC, a Washington limited liability company,

Plaintiff,

v.

SPECTORA, INC., a Colorado corporation,

Defendant.

**SPECTORA, INC.'S REPLY IN SUPPORT OF ITS MOTION TO DISMISS
COUNTS I-III AND V-VI OF PLAINTIFF'S FIRST AMENDED COMPLAINT**

TABLE OF CONTENTS

I.	THE ASSERTED REGISTRATIONS ARE INVALID.....	2
A.	ReportHost’s Opposition Confirms That It Materially Erred In Its Copyright Applications	3
1.	The Templates Cannot Validly Be Registered As A Group Of Unpublished Works Because They Are Databases.....	4
2.	Databases Are Not Registerable As A Group Of Unpublished Works.....	4
B.	The Opposition Confirms That ReportHost Had Actual Knowledge Of Its Material Application Inaccuracies	5
C.	Copyright Registrations May Be Invalidated On A Motion to Dismiss	6
D.	ReportHost’s Arguments In Opposition Should Be Rejected Because It Failed To Timely Register Its Claimed Copyrights.....	7
II.	REPORTHOST’S CCPA CLAIM IS NOT PLED WITH PARTICULARITY	9
III.	CONCLUSION.....	9

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Bruce v. Kelly</i> , 2021 U.S. Dist. LEXIS 179379 (D. Kan. Sep. 21, 2021)	3
<i>Dep't of Revenue of Or. v. ACF Indus.</i> , 510 U.S. 332, 114 S. Ct. 843 (1994)	8
<i>Intel Corp. Inv. Policy Comm. v. Sulyma</i> , 140 S. Ct. 768 (2020)	6
<i>Mobley v. McCormick</i> , 40 F.3d 337 (10th Cir. 1994)	7
<i>Olem Shoe Corp. v. Wash. Shoe Co.</i> , 09 Civ. 23494 (S.D. Fla. Oct. 14, 2010), ECF No. 209	7
<i>Unicolors, Inc. v. H&M Hennes & Mauritz, L.P.</i> , 142 S. Ct. 941 (2022)	2, 5
<i>United States v. Allen</i> , 2013 U.S. Dist. LEXIS 20777 (E.D. Tenn. Feb. 15, 2013)	7
<i>United States v. Simms</i> , 914 F.3d 229 (4th Cir. 2019)	8

Taking as true everything alleged by ReportHost in its First Amended Complaint and its Opposition to Spector's Motion to Dismiss, ReportHost's asserted copyright registrations are invalid. ReportHost itself has supplied the factual record establishing that it educated itself about the copyright application process, that it knew that the thousands of pieces of component "narratives" forming its "templates" were published, and that it nevertheless filed applications with the Copyright Office asserting otherwise. That equals invalidity.

ReportHost had actual knowledge of proper copyright application procedures; its principal admits he consulted counsel and studied Copyright Office guidance. ReportHost also had actual knowledge of the fact that, in the 18 years before it filed its copyright applications, it published—as defined in Section 101 of the Copyright Act—the thousands of pieces of component boilerplate text it says comprise the "templates." ReportHost knew that by 2020, it had lost the ability to register any groups of that boilerplate text as "unpublished," because it had already published them.

The undisputed record also establishes that by filing only two copyright applications and claiming "unpublished" status, ReportHost knowingly avoided paying the nearly \$90,000 it would have cost to file separate applications for "published" works.¹ (*See* Opp'n at 6.) Despite admitting that its "templates" compile what it claims are independently copyrightable narratives, and knowing that "compilations, collective works, databases, and websites" are not eligible for unpublished work group registration (Motion, Ex. 17 at 2), ReportHost still chose to apply for its

¹ Solely for this Motion to Dismiss, Spector assumes that the component boilerplate text and "templates" are copyrightable. In reality, none are, because they lack the requisite originality and creativity to qualify under the Copyright Act.

“templates” as a group of unpublished works. This was a material application error.

ReportHost argues that because the “templates” it purported to register were not *themselves* published by the time it filed its copyright applications, the prior publication of every piece of component boilerplate does not matter. ReportHost is wrong. Its “templates” are in fact “databases”—a form of collective work. In order to use one application to register copyright in a collective work as a whole and in its constituent parts, *all* aspects must be unpublished, not merely the collection.

No further discovery on these issues is necessary. The asserted Registrations are ripe for invalidation, and dismissal of ReportHost’s copyright claims is appropriate.

As to ReportHost’s CCPA claim, ReportHost urges this Court, and Spectora, to try to piece it together from random allegations scattered through the First Amended Complaint. That kind of “shotgun” pleading is improper, and it does not meet the particularity required under Rule 9(b).

Spectora’s Motion should therefore be GRANTED in its entirety.

I. THE ASSERTED REGISTRATIONS ARE INVALID

ReportHost’s Opposition only adds to the evidence establishing that ReportHost knew full well that its applications were materially inaccurate. ReportHost’s failure to accurately identify true publication status in those applications was not a “good-faith misunderstanding[]” of the application process, but a deliberate attempt to avoid the consequences of its failure to timely register its copyrights. *See Unicolors, Inc. v. H&M Hennes & Mauritz, L.P.*, 142 S. Ct. 941, 948 (2022). As such, the Registrations should be invalidated by this Court, and the copyright claims dismissed.

A. ReportHost’s Opposition Confirms That It Materially Erred In Its Copyright Applications

For the purposes of this Motion, Spectora accepts as true that by 2020 ReportHost had not published the compiled “templates” in their entirety. (Opp’n at 7.) But ReportHost also admits that “certain portions [the boilerplate] contained within the Copyrighted Works have been licensed for use” (*id.*) and had been inserted into one or more home inspection reports later provided to third parties. (Opp’n., Declaration of Scott Houston² (“Houston Decl.”) ¶ 7.) Both of those actions constitute “publication” under the Copyright Act. *See* Motion, Section IV.A.1.

Because the boilerplate components were previously published, any individual[ly] copyrightable aspects of the boilerplate could not be registered in the applications that ReportHost submitted for the “templates.” (*See* Ex. 18 at 2.) That left only the allegedly unpublished “selection, coordination, and arrangement” of the boilerplate within the “templates.” (*Id.*) Put another way, by 2020, ReportHost was obligated to inform the Copyright Office about the previous publication of the boilerplate. ReportHost did not do so, instead misleading the Copyright Office by filing its applications under the “group registration for unpublished works” procedure. If the Copyright Office had known of this omission, which led to the inclusion of 700 pages of “published” materials in applications for “unpublished” works, it would have refused registration. *See* Motion, Section IV.A.2.

² ReportHost’s declaration from Mr. Houston is outside the pleadings and therefore should not be considered by the Court on this Motion. *Bruce v. Kelly*, 2021 U.S. Dist. LEXIS 179379, at *6 (D. Kan. Sep. 21, 2021). Spectora reserves its rights to challenge the Houston Declaration.

1. The Templates Cannot Validly Be Registered As A Group Of Unpublished Works Because They Are Databases

Although ReportHost uses the term “templates,” in reality each of those templates is, for purposes of copyright registration, a “database.” The Copyright Act defines a database as “a compilation of digital information comprised of data, information, abstracts, images, maps, music, sound recordings, video, other digitized material, or references to a particular subject or subjects.” 17 U.S.C. § 101. The deposit copies that ReportHost submitted to the Copyright Office meet that definition. (Houston Decl. ¶¶ 4-7.) The ReportHost software is designed to “populate” a home inspection report using one or more of the component pieces of boilerplate (for example, *see* Ex. 8 at 6: “*No outbuildings or detached structures were evaluated. They are excluded from this inspection.*”). The inspector selects the boilerplate, and the software retrieves it based on an associated ID number (in this example, “*ID: 157435498*”) and populates it into a report. (*Id.* ¶ 7.) In statutory terms, ReportHost’s “component elements” (boilerplate) are “arranged in a systematic manner” (the twelve databases, which ReportHost labels “templates”), and are “accessed solely by means of an integrated information retrieval program” (the ReportHost software) that uses a “query function” (the graphical user interface) to “yield a subset of the content” (the specific narratives “populated” into the home inspection report). 17 U.S.C. § 101; *see also Compendium*, § 727.1. Thus, the “templates” are databases for purposes of copyright registration. And databases cannot be registered as a group of unpublished works. Yet ReportHost tried to do just that.

2. Databases Are Not Registerable As A Group Of Unpublished Works

Databases, along with compilations, collections, and websites, are **not** eligible for a group registration for unpublished works. (Ex. 17 at 2.) This is because a database is a form of

“collective work”: a database’s selection, coordination, or arrangement of its component elements may be copyrightable, but copyright in the individual component elements contained in the database (if any) can only be included in the same copyright application as the whole database if the component elements “have not been previously published.” *Compendium*, § 1112.2. (*See also* Ex. 18 at 2-3.) ReportHost’s component elements were published, necessitating separate applications. (*See* Ex. 18 at 1 (“*If you choose to register multiple works under one of these exceptions and the Copyright Office determines that the works do not qualify, the Office will refuse your application, and you will be required to submit a separate application and filing fee for each individual work.*”).) Despite the boilerplates’ prior publication, ReportHost admits that it submitted only two copyright applications for group registration of unpublished works, attempting to claim individual copyright in the boilerplate along with the copyright in the whole. Accordingly, ReportHost’s applications contained material inaccuracies and are therefore invalid.

B. The Opposition Confirms That ReportHost Had Actual Knowledge Of Its Material Application Inaccuracies

Spectora does not contest that the standard to invalidate a copyright registration under § 411(b) is a showing of an applicant’s actual knowledge of a material inaccuracy (legal or factual). *Unicolors*, 142 S.Ct. at 947. What ReportHost ignores is that the Supreme Court expressly held that actual knowledge (even when a plaintiff disavows it) can be established through circumstantial evidence, which includes, but is not limited to, evidence of legal significance and simplicity as well as applicant sophistication in copyright law. *Id.* at 948.

ReportHost’s Opposition provides additional evidence that at the time it filed its copyright applications, ReportHost was experienced with copyright law: it was represented by IP

counsel, and its Managing Member understood the relevance of Copyright Office Circulars (“Circulars”) as key application reference materials. (Houston Decl. ¶ 14.) The Copyright Office Circulars (that ReportHost admits it reviewed) make clear the critical importance of determining publication status, including how recovery of attorney fees and statutory damages in litigation turns on publication status. (Motion, Ex. 16 at 7.) The Circulars explain the fee differences between “Single Applications” and “Group of Unpublished Work” applications. (Ex. 19 at 7.) The Circulars also explain that “compilations, collective works, databases, and websites” are not eligible for unpublished work group registration (Motion, Ex. 17 at 2), because the copyright application for a collective work may only include the copyright in the individual works in the collective to the extent the individual works were previously unpublished. (Ex. 18 at 2.)

All of the foregoing establishes that ReportHost knew what it was doing at the time it made a material error in its applications. Taken together with the significance of its error (including its effect on both application fees as well as entitlement to statutory remedies), the simplicity of the Copyright Office rules that prohibit combining published and unpublished content in the same application, and the fact that ReportHost’s stated purpose in applying was “to enable ReportHost to enforce its rights in the courts” (Houston Decl. ¶ 12), the undisputed evidence establishes ReportHost’s actual knowledge of its material error in the copyright applications that led to the Registrations. The Registrations are invalid on this ground.

C. Copyright Registrations May Be Invalidated On A Motion to Dismiss

A movant can establish “actual knowledge” of a material error necessary for copyright registration invalidation via inference from circumstantial evidence “at any stage in the litigation[,]” including a motion to dismiss. *Intel Corp. Inv. Policy Comm. v. Sulyma*, 140 S. Ct.

768, 779 (2020). Here, when facts are not disputed,³ the application of the law to those facts is ripe for consideration and an appropriate exercise of a court’s gatekeeping powers. *See United States v. Allen*, 2013 U.S. Dist. LEXIS 20777, at *7-8 (E.D. Tenn. Feb. 15, 2013) (“a court may address a motion to dismiss when the issue presented is a question of law and the facts are undisputed”). As such, because the “four corners of the complaint” are taken as true and the pleadings remain legally insufficient, Spector’s Motion as to invalidation, after consultation with the Copyright Office,⁴ is properly granted. *See Mobley v. McCormick*, 40 F.3d 337, 340 (10th Cir. 1994).

D. ReportHost’s Arguments In Opposition Should Be Rejected Because It Failed To Timely Register Its Claimed Copyrights

ReportHost asserts that the Registrations, which both improperly mix published and unpublished works and *also* include content that was infringed *after* it was published, should still

³ As the factual record in this Motion is accepted as true, the cases cited by ReportHost are inapposite. For instance, in *Structured Asset Sales, LLC v. Sheeran*, copyright registration invalidity at the motion to dismiss stage was inappropriate due to an underlying factual dispute regarding authorship, necessitating discovery. 2021 U.S. Dist. LEXIS 60826, at *20-21 (S.D.N.Y. Mar. 30, 2021). And unlike in *Seattlehaunts, LLC v. Thomas Family Farm, LLC*, here the court need not consider evidence extrinsic to the record in order to invalidate—ReportHost provides the undisputed factual basis for dismissal in its own pleadings and through evidence subject to judicial notice. 2020 U.S. Dist. LEXIS 60276, at *17 (W.D. Wash. Apr. 6, 2020).

⁴ The request for this Court to contact the Copyright Office pursuant to § 411(b)(2) is appropriate even at a motion to dismiss stage, as “the [invalidation] statute says nothing about the timing of the request [from a court pursuant to § 411(b)(2),]” particularly if, as here, the factual record that forms the basis for the allegations supporting the request has already been developed by the non-movant’s pleadings. Response of the Register of Copyrights to Request Pursuant to 17 U.S.C. § 411(b)(2) at 11, *Olem Shoe Corp. v. Wash. Shoe Co.*, 09 Civ. 23494 (S.D. Fla. Oct. 14, 2010), ECF No. 209 (“The Register [of Copyrights] readily admits that in many, and perhaps even most, cases in which it is alleged that there is a misstatement on an application that might lead a court to conclude that the registration cannot be relied upon as satisfying the statutory prerequisite for an infringement suit, there may be little need for the assistance of the Register *because the answer will be apparent.*”) (emphasis added).

entitle it to claim a recovery of statutory damages and attorneys’ fees. *See, e.g.*, FAC at ¶ 79. The Court should reject that claim, because it directly contravenes the Copyright Act’s preclusion of awarding statutory remedies where works have been registered both after publication and infringement. “[S]ection 412 conditions the availability of the powerful remedies of statutory damages and attorneys’ fees ***upon timely registration***.” 9 Nimmer on Copyright 2 (2022) (quoting *The Senate Report on the Berne Convention Implementation Act of 1988*); *see also* H.R. 94-1476 at 158 (1976) (timely registration of published works is “useful and important to users and the public at large,” and as such statutory remedies should be denied to those where alleged infringement occurred “after publication and before registration”).

The undisputed facts establish that the boilerplate was both already published and allegedly infringed a year ***before*** ReportHost filed for copyright registration (*see* Motion, Section VI.A.1). Statutory remedies were already precluded under 17 U.S.C. § 412.

ReportHost claims that because its templates/databases are unpublished, it can recapture remedies it lost. But under ReportHost’s rationale, no copyright applicant would ever pay to register published works using separate applications or register in advance of an alleged infringement, as according to ReportHost any statutory remedies traditionally precluded due to the untimely registration of one or more individually published and allegedly infringed works could be reclaimed merely by combining the previously published works into one new and “unpublished” collection. This improperly “subverts the statutory plan” and “render[s] ... inoperative” the incentives of timely registration under § 412 and should be disregarded. *Dep’t of Revenue of Or. v. ACF Indus.*, 510 U.S. 332, 340, 114 S. Ct. 843, 848 (1994) (internal quotations omitted); *see also United States v. Simms*, 914 F.3d 229, 275 (4th Cir. 2019) (“[courts] generally

avoid interpreting statutes to render them a nullity”). Spector’s arguments must be rejected.

II. REPORTHOST’S CCPA CLAIM IS NOT PLED WITH PARTICULARITY

ReportHost’s Opposition attempts to cobble together facts alleged throughout its FAC in order to argue that its claim of a CCPA violation was pled with particularity. This is improper: “the shotgun pleader foists off one of the pleading lawyer’s critical tasks—sifting a mountain of facts down to a handful of those that are relevant to a given claim—onto the reader.” *Jacobs v. Credit Suisse First Bos.*, 2011 U.S. Dist. LEXIS 112967, at *20 (D. Colo. Sep. 30, 2011). Neither the Court nor Spector should be required to “parse the narrative repeatedly” in order to ascertain a claim that is required to be pled with particularity. *Id.* Dismissal of the CCPA claim is therefore also warranted.

III. CONCLUSION

ReportHost should not be entitled to have received a significant financial windfall and to assert statutory remedies based on copyright registrations which issued from knowing and material “evasions and artful omissions” submitted to the Copyright Office. *Morgan, Inc. v. White Rock Distilleries, Inc.*, 230 F. Supp. 2d 104, 108 (D. Me. 2002) (invalidating registration where applicant incorrectly applied for registration despite clear guidance on registration documents). The Registrations are invalid. Without copyright registrations, ReportHost’s copyright infringement claims must be dismissed, along with its insufficiently pled CCPA claim. Spector respectfully requests its Motion be GRANTED in full.

Dated: June 15, 2022

By: /s/ Brian S.S. Auerbach

Lynn E. Rzonca
Brian S.S. Auerbach
Carly M. Gubernick
BALLARD SPAHR LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103-7599
Telephone: 215.864.8839
Facsimile: 215.864.8999
Email: rzoncal@ballardspahr.com
auerbachb@ballardspahr.com
gubernickc@ballardspahr.com

Attorneys for Defendant Spectora, Inc.

CERTIFICATION

As required by this Court's Practice Standard III(A)(4), above-signed counsel hereby certifies that the foregoing pleading complies with the type-volume limitation set forth in Judge Domenico's Practice Standard III(A)(1).

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of June, 2022, I caused a true and correct copy of the foregoing **SPECTORA, INC.’S REPLY IN SUPPORT OF ITS MOTION TO DISMISS COUNTS I-III AND V-VI OF PLAINTIFF’S FIRST AMENDED COMPLAINT** to be served upon all counsel of record via the Court’s ECF system.

By: /s/ Brian S.S. Auerbach

Brian S.S. Auerbach

EXHIBIT 18

Multiple Works

In most cases, the Copyright Office requires each work of authorship to be registered on a separate application. There are, however, limited exceptions to this rule. This circular introduces the Office's practices and procedures for registering multiple works on one application. It covers

- Collective works
- Group registrations
- Works packaged as a single unit

As a general rule, a copyright registration covers an individual work, and you must prepare a separate application and submit a separate filing fee and deposit for each work you want to register. There are, however, some limited exceptions to this rule:

- When a number of separate and independent contributions are assembled into a collective whole (collective works)
- When multiple unpublished works, serials, newspapers, newsletters, contributions to periodicals, photographs, database updates, or secure test items meet Copyright Office requirements for registration on one application (group registrations)
- When multiple works are physically bundled or packaged together and first published as an integrated unit (unit of publication)
- When the copyright claimant for a sound recording and the musical, literary, or dramatic work embodied in the recording is the same individual or organization

If you choose to register multiple works under one of these exceptions and the Copyright Office determines that the works do not qualify, the Office will refuse your application, and you will be required to submit a separate application and filing fee for each individual work.

This circular provides general information on the requirements for registering multiple works with one application and one filing fee.¹ For more information, see [chapter 1100](#) of the *Compendium of U.S. Copyright Office Practices*.

Collective Works

A collective work is a compilation in which a number of contributions, constituting separate and independent works in themselves, are assembled into a collective whole.

The “authorship” in a collective work comes from the original selection, coordination, and arrangement of the independent works included in the collective work.

Under the Copyright Act, a collective work is considered one work for purposes of registration. A registration for a collective work covers the copyrightable authorship in the selection, coordination, or arrangement of the work. A registration for a collective work covers the collective work as a whole and may cover the individual works contained in it if (1) the collective work and the individual works are owned by the same party, (2) the individual works have not been previously published or previously registered, and (3) the individual works are not in the public domain.

For purposes of registration, representative examples of collective works include

- A newspaper, magazine, or other periodical containing multiple articles, illustrations, and photographs
- An anthology containing multiple poems, short stories, or essays
- An online encyclopedia containing multiple articles, entries, or postings on various topics
- An album containing multiple sound recordings that embody multiple musical works
- A DVD containing a motion picture, theatrical trailers, deleted scenes, and audio commentary from the director

A collective work is not

- A single unified work that contains separate parts or elements, such as
a novel consisting of multiple chapters
a song with melody, harmony, and rhythm
a drawing in pencil and ink
a carpet design of overlapping figures and colors
an architectural work or technical drawing with multiple illustrations of the same object
an illustrated children’s book created by one author
- A unified work created by multiple authors, such as
a musical work created by a singer and songwriter in collaboration with each other
a musical with script, music, and lyrics by two or more authors
a motion picture with screenplay, soundtrack, directing, acting, cinematography, costume design, visual effects, or other production elements contributed by multiple authors
a children’s book created by a writer and illustrator in collaboration with each other
a textbook
- A single contribution to a collective work

Contribution to a Collective Work

A contribution to a collective work is a separate and independent work that is included within a collective work. A contribution to a collective work can be registered separately from the collective work or in combination with the collective work if certain requirements are met.

Examples of separate and independent works within a collective work include

- An article within a periodical
- A song included on an album
- Separate articles and photographs that appear in a newspaper

Registration of a Collective Work with Its Individual Works

A collective work and its individual works can be registered on one application with one filing fee only if

- Each work within the collective work contains a sufficient amount of original authorship;
- The copyright in the collective work and the copyright in the individual works is owned by the same party; and
- The individual works have not been previously published or previously registered.

For example, an album that contains multiple sound recordings that embody multiple musical compositions is considered a collective work for purposes of registration. Typically, the party that owns the copyright in the sound recordings also owns the copyright in the album, because that party is usually responsible for creating the album as a whole. If that is the case, the album and the multiple sound recordings can be registered together on one application as a collective work (assuming the recordings have not been published or registered before).

If the copyright owner of the album owns both the sound recordings and the musical compositions that are embodied in each recording, then the album, the musical compositions, and the sound recordings can be registered together on one application as a collective work (assuming the compositions and the recordings have not been published or registered before).

By contrast, if the copyright owner of the album does not own the copyright in the musical compositions (or vice versa), or if the compositions have been previously published, then each composition must be registered separately as an individual contribution to the collective work.

If you submit multiple works with one application, and the Copyright Office determines that the works can be registered together as a collective work, the Office may add an annotation to the certificate, such as “basis for registration: collective work.” As a general rule, the Office will not annotate the certificate if you expressly assert a claim in the “collective work” or the “compilation.”

Scope of a Registration for a Collective Work

A collective work is considered a single work for purposes of calculating statutory damages; therefore, registering a collective work together with the individual works contained in it may have important consequences in an infringement action. Section 504(c)(1) of the Copyright Act states that a copyright owner may be entitled to recover “an award of statutory damages for all infringements involved in the [infringement] action, with respect to any one work,” and “[f]or the purposes of this subsection, all the parts of a compilation . . . constitute one work.” The statute also states that a collective work is, by definition, a compilation. Thus, when you register a number of individual works as part of a collective work, you may be entitled to seek one award of statutory damages for the collective work as a whole rather than a separate award for each individual work, even if the defendant infringed all of those works.

Group Registration

The Copyright Office has established an administrative procedure that allows you to register a group of related works in certain limited categories with one application and one filing fee. This procedure is known as a “group registration.”

A group registration covers all the works that are included within the group, provided that you comply with specific requirements.

The Office currently offers group registration options for the following types of works:

- Unpublished works
- Serials
- Newspapers
- Newsletters
- Contributions to periodicals
- Published photographs
- Unpublished photographs
- Database updates and revisions
- Questions, answers, and other items prepared for use in a secure test

See below for more information regarding group registration of unpublished works. For information regarding group registration of newspapers, see *Copyright Registration of Newspapers* (**Circular 62A**). For information regarding group registration of contributions to periodicals, see *Copyright Registration of Contributions to Periodicals* (**Circular 62c**). For information regarding questions, answers, and other items prepared for use in a secure test, see *Copyright Registration of Secure Tests and Secure Test Items* (**Circular 64**). For information about the specific requirements for the remaining group registration options, see **chapter 1100** of the *Compendium of U.S. Copyright Office Practices*.

Scope of a Group Registration

When the Copyright Office issues a group registration, it prepares one certificate of registration for the entire group and assigns one registration number to that certificate. A registration for a group of unpublished works, a group of unpublished photographs, a group of published photographs, a group of contributions to periodicals, or a group of secure test items covers the copyrightable authorship in each work that has been included in the group, and each work is considered to be registered as a separate work. Similarly, a registration for a group of serials, newspapers, or newsletters covers each issue in the group, and each issue is considered to be registered as a separate work.

These facts may have important consequences in an infringement action. As noted above, section 504(c)(1) of the Copyright Act states that a copyright owner may be entitled to recover “an award of statutory damages for all infringements involved in the [infringement] action, with respect to any one work,” and “[f]or the purposes of this subsection, all the parts of a compilation [collective work] . . . constitute one work.”

A group registration does not create a compilation or collective work for the purposes of section 504, as the group is merely an administrative classification created solely for the purpose of registering multiple works or multiple issues with one application and one filing fee. The selection of the works for group registration is based on the regulatory requirements for group registration options. Any coordination or arrangement of the works is merely an administrative formality that facilitates the examination of the works. In addition, when works are combined for the purpose of registration, they are not recast, transformed, or adapted in any way.

Because a group registration as a whole is not a compilation or a collective work, the Office takes the position that a copyright owner may be entitled to claim a separate award of statutory damages for each work or each issue (in the case of newspapers, newsletters, or serials) covered by a group registration.

NOTE: A database is, by definition, a compilation of digital information. A group registration can cover new updates or revisions to one database during a specified time period. When the database and its updates are registered as a group, the copyright owner is entitled only to one award of statutory damages. For more information on databases, see **chapter 700**, section 727, of the *Compendium*.

Group Registration of Unpublished Works

The Copyright Office has established a group registration option that allows you to register up to ten unpublished works with one application and one filing fee.

To be eligible for a group registration of unpublished works, the following conditions must be met:

- All works must be unpublished.
- All works must be created by the same author or joint authors.
- All of the authors must be named as copyright claimants.
- You must identify the authorship that each author or joint author contributed to the works, and all claims must be the same (for example, “unpublished jewelry designs,” “unpublished illustrations,” or “unpublished musical works (with or without lyrics)”).
- You must provide a title for each work.
- Each work must be registered in the same administrative class (VA, PA, SR, or TX).
- The application must be filed online and digital copies of the work must be uploaded.

Works that do not satisfy these requirements are not eligible for this group registration option.

In particular, you cannot use this option to register a number of published and unpublished works. Likewise, you cannot use this option to register different types of works. For example you may register three poems with the same application, four songs with the same application, or five drawings with the same application, but you cannot register one poem, one song, and one drawing with the same application.

NOTE: There is a limited exception to this rule. You may register up to ten unpublished sound recordings along with the musical, literary, or dramatic works embodied in those recordings if both works are unpublished, if the author(s) and claimant(s) for both works are the same, and if the works are registered in Class SR.

For information about the specific requirements for registering a group of unpublished works, see the Office’s **website** and **tutorial**.

Scope of a Registration for a Group of Unpublished Works or a Group of Unpublished Photographs

A registration for a group of unpublished works or a group of unpublished photographs will remain in effect even if the works included in the group are subsequently published, either separately or together. You can seek another registration for the first published edition of a work in the group. However, it is entirely optional and not necessary to secure the statutory benefits of registration.

Unit of Publication

The Copyright Office has established an administrative procedure that allows you to register a number of published works on one application with one filing fee provided that the works were physically packaged or bundled together as a single unit and that they were first published in that integrated unit. Such a registration is known as the “unit of publication” option.

Definition and Examples

A unit of publication is a physical package that contains a number of separately fixed works that have been physically bundled together for distribution to the public as a single, integrated unit.

The following are representative examples of separately fixed works that could be considered a unit of publication:

- A board game with playing pieces, game board, and written instructions
- A bound volume published with a dust jacket
- A book published with a CD-ROM
- A multimedia kit containing a book, a compact disc, and a set of stickers
- A compact disc containing multiple sound recordings packaged together with liner notes and cover artwork
- A box set containing multiple compact discs containing multiple sound recordings, packaged together with a booklet containing liner notes and photographs
- A multi-DVD package with a disc containing a motion picture, a disc containing trailers and deleted scenes from the motion picture, and a disc containing interviews with the director and the cast
- A physical package containing a computer program and a user’s manual
- A physical package containing a videogame, cover artwork, and written instructions for installing the game
- A package of greeting cards
- A jewelry set of a necklace and earrings that are sold to the public as a single unit

Registration of a Unit of Publication

The requirements for registering a number of works as a unit of publication are very specific, and most works do not qualify for this option. You can use it only if

- All of the copyrightable elements are recognizable as self-contained works.
- All of the works claimed in the application are first published as a single unit on the same date.
- The copyright claimant for all of the works claimed in the unit is the same.
- The unit, and all of the works within the unit, is distributed in a physical format.
- The unit contains an actual physical copy or phonorecord of all the works.
- The unit is distributed to the general public.

You can use the unit of publication option if the copyright claimant is the party primarily responsible for manufacturing, producing, publishing, packaging, or otherwise creating the single, integrated unit. However, the unit cannot have been created solely for the purpose of registering the

works with the Copyright Office; instead, the works must have been distributed to the general public within that single, integrated unit.

The following are representative examples of works that cannot be registered as a unit of publication:

- Works first published in a digital form, even if sold together (for example, a digital music album and music video)
- Works that were first published on different dates
- Works first published on the same date either separately or in different units
- Works first published as separate and discrete works, even if they were subsequently distributed together in the same unit
- Works distributed to wholesalers, retailers, or other intermediaries, even if on the same date
- Works that have been offered to the general public both individually and as a set
- Works created as part of the same collection, series, or set that have not been distributed together as a single, integrated unit
- Works that share the same characters, the same theme, or other similarities that have not been distributed together as a single, integrated unit
- Works uploaded to the same website, even if on the same date
- Works offered to the public as a unit but never distributed to the public
- Multiple photographs taken at the same photo shoot
- A catalog with photographs of copyrightable works offered for sale, either individually or as a unit

For additional information concerning the requirements for registering a unit of publication, see **chapter 1100**, section 1107, of the *Compendium*.

Registration of Sound Recording with Work Embodied in It

The Copyright Office has established an administrative procedure that allows you to register a sound recording together with the musical, literary, or dramatic work embodied in that recording. You can register these works together on one application with one filing fee only if

- The claimant is the author of both the sound recording and the work embodied in that recording, or the claimant owns the copyright in both of those works
- You check “Sound Recording” on the “Author Created” screen if you complete an online application and describe the authorship of the musical, literary, or dramatic work in the “Other” field
- You use Form SR if you complete a paper application
- You submit a phonorecord that contains both the sound recording and the musical, literary, or dramatic embodied in that recording

NOTE

1. This circular is intended as an overview of registering multiple works with the Copyright Office. The authoritative source for U.S. copyright law is the Copyright Act, codified in Title 17 of the *United States Code*. Copyright Office regulations are codified in Title 37 of the *Code of Federal Regulations*. Copyright Office practices and procedures are summarized in the third edition of the *Compendium of U.S. Copyright Office Practices*, cited as the *Compendium*. The copyright law, regulations, and the *Compendium* are available on the Copyright Office website at www.copyright.gov.

For Further Information

By Internet

The copyright law, the *Compendium*, electronic registration, application forms, regulations, and related materials are available on the Copyright Office website at www.copyright.gov.

By Email

To send an email inquiry, click the *Contact Us* link on the Copyright Office website.

By Telephone

For general information, call the Copyright Public Information Office at (202) 707-3000 or 1-877-476-0778 (toll free). Staff members are on duty from 8:30 am to 5:00 pm, eastern time, Monday through Friday, except federal holidays. To request application forms or circulars by postal mail, call (202) 707-9100 or 1-877-476-0778 and leave a recorded message.

By Regular Mail

Write to

Library of Congress
U.S. Copyright Office
Outreach and Education Section
101 Independence Avenue, SE #6304
Washington, DC 20559-6304



EXHIBIT 19

Copyright Office Fees

The Register of Copyrights sets fees for the Office's services. This circular provides details about the Office's fee schedule, its services, and acceptable methods of payment. Topics covered include

- Registering a copyright claim
- Recording a copyright-related document
- Searching the Office's records
- Obtaining copies of records
- Preregistering
- Requesting expedited service
- Requesting reconsideration of a refused claim
- Securing full-term retention of a deposit

The Register of Copyrights has authority under section 708 of the Copyright Act to set fees for specified services provided by the Copyright Office.¹ These services included registering claims to copyright, recording documents, and searching copyright records. The law gives the Register authority to set fees for other services based on the cost of providing them. To adjust fees, the Register must prepare a study for Congress proposing a new fee schedule. The proposed new fees take effect 120 days after delivery of the report unless Congress enacts a law disapproving the proposed fee schedule.

The Copyright Office charges the fees specified below for the services described. A fee list appears at the end of the circular, excluding Licensing Division service fees, which appear in a separate circular, see *Copyright Office Licensing Division Service Fees* ([Circular 76](#)). "Payment of Fees" below provides information about payment methods.

Copyright Registrations

The Copyright Office charges a fee to register copyright claims based on the method you use to apply and the type of work you are registering. An application for copyright registration contains three essential elements: a completed application form, a nonrefundable filing fee, and a non-returnable deposit — that is, a copy or copies of the work being registered and "deposited" with the Copyright Office. Generally, you should prepare a separate application, filing fee, and deposit for each work you submit. In certain situations, multiple works can be registered with one application. For more information about registering multiple works, see *Multiple Works* ([Circular 34](#)).

Electronic Registration

Electronic registration 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. Electronic registration is also required for group registration of serials. Benefits of electronic registration include faster processing times, status tracking, online payment, and the option to upload certain categories of works or to send a physical copy of a work. The standard filing fee for electronic registration is \$65 for basic claims. However, the filing fee is \$45 if you register one work, not made for hire, and you are the only author and claimant. To access electronic registration, go to the Copyright Office's website at www.copyright.gov. For information about works made for hire, see *Works Made for Hire* (**Circular 30**).

Registration Applications That Must Be Completed Online

You must complete certain applications through the Office's electronic registration system. These include applications for group registration of contributions to periodicals (**GRCP**), published photographs (GRPPH), unpublished photographs (GRUPH), unpublished works (GRUW), serials (GRSE), newsletters (GRNL), and newspapers; applications to register an architectural work; and applications to supplement or amplify an existing registration (**Supplementary Registration**). Supplementary registrations to amplify or correct a GATT registration, renewal registration, or group registration for a nonphotographic database must be completed by paper.

Registration with Paper Forms

You can also register using fill-in forms **TX** (literary works); **VA** (visual arts works); **PA** (performing arts works, including motion pictures); **SR** (sound recordings); and **SE** (single serial issues). Form **CON** is a continuation sheet available for applications that require more space than the standard fill-in forms. Complete the form for the type of work you are registering, print it out, sign it, and mail it with a check or money order and your deposit. You can also request blank forms by postal mail. The fee for a basic registration using one of these forms is \$125 payable by check or money order. Fees for other registrations submitted by paper may be found below. Credit cards are not accepted for filings on these forms unless the forms are hand-delivered to the Public Information Office. To access forms, go to the Copyright Office website and select Forms under the *Law and Guidance* tab.

Registration Applications That Must Be Completed on Paper

You must complete certain applications on paper and mail them to the Copyright Office with the appropriate fee and deposit. These include applications to register vessel designs (Form **D-VH**); mask works (Form **MW**); renewal of copyright claims (Form **RE**); and works in which the U.S. copyright was restored under the 1994 Uruguay Round Agreements Act (Form **GATT**). In addition, some types of group submissions also require paper applications, including automated database updates that consist mostly of content other than photographs (Form **TX**).

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 work, which is identified by a title and/or registration number, is \$125. Additional works and alternate identifiers (additional titles and registration numbers) are another \$60 for each group of ten or fewer additional works and alternate identifiers referenced in the same document. When a document is accompanied by an electronic title sheet, additional works and alternate identifiers are subject to a reduced fee scale, as shown below. For information on current recordation practices see www.copyright.gov/recordation.

Searches of Copyright Office Records

The Copyright Office charges a fee when its staff searches the Office's records for information about copyright registrations, renewals, transfers, and other documents relating to the copyright status of works. Upon request, the Office will estimate the total cost of a search. The fee for a search estimate is \$200, which is applicable to the search fee. The hourly search fee, including the preparation of an official search report, is \$200 with a two-hour minimum.

For general search requests, complete the search estimate [form](#) online, call the Records Research and Certification Section at (202) 707-6787, or send an email to copycerts@copyright.gov. For litigation search requests, call (202) 707-6787 or send an e-mail to coplitigationssupport@copyright.gov (domestic litigation) or copinternationalsupport@copyright.gov (international litigation). 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: You can search the Copyright Office's online database for records created between January 1, 1978, and the present. You 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, to search Copyright Office catalogs, pre-1978 records, and other records. See *How to Investigate the Copyright Status of a Work (Circular 22)* 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 nonelectronic records is \$200 per hour with a one-hour minimum. The fee to retrieve electronic records is \$200 per hour with a half-hour minimum; billing occurs thereafter in quarter-hour increments. Additional certificates of registration are \$55 each. The charge for certifying a record is \$200 per hour. The certification fee is in addition to fees for other applicable services, such as fees for searches or photocopies. To request copies of Copyright Office records, call the Records Research and Certification Section at (202) 707-6787 or send an email to copycerts@copyright.gov. Under certain limited conditions, copies of copyright deposits may be provided. For more information, see *Obtaining Access to and Copies of Copyright Office Records and Deposits (Circular 6)*.

Preregistration

The Copyright Office charges a fee for preregistration. Unpublished works that are being prepared for commercial distribution and that fall within certain classes of works may be eligible. The fee is \$200. Preregistration forms must be filed electronically. The Office does not accept preregistration filings on paper, in person, or by regular mail. For more information, see [chapter 1600](#) of the *Compendium*.

Expedited Services and Special Handling

The Copyright Office charges a fee for expedited registration and recordation services, called “special handling.” Special handling is available if you have a compelling need related to pending or prospective litigation, customs matters, or contract or publishing deadlines. To request special handling, you must provide a signed statement explaining why you need it, and you must include a certification that the details of your request are correct to the best of your knowledge.

The fee for special handling of qualified applications for registration is \$800 per claim. There is an additional fee of \$50 for each (non-special-handling) claim using the same deposit. The fee for expedited recordation of documents is \$550. Special handling fees are not refundable.

The Copyright Office may provide other services on an expedited basis under certain circumstances and with prior approval. For example, the Office may provide expedited searches or copies of Copyright Office records. For more information and instructions, see *Special Handling* ([Circular 10](#)) and [chapter 2400](#), section 2411, of the *Compendium*.

Requests for Reconsideration (Appeals)

The Copyright Office charges a fee to reconsider a refusal to register a copyright claim. If the Office refuses to register your claim to copyright, it will notify you in writing. After such notification, you can seek reconsideration of the refusal by sending a letter requesting reconsideration and setting forth your objections to the refusal not later than three months after the date that appears on the Office’s written refusal. The cost of a first request for reconsideration is \$350 per claim. If registration is again refused, a second request for reconsideration can be submitted. The cost of a second reconsideration is \$700 per claim. The Copyright Office’s decision in response to the second request for reconsideration constitutes final agency action. For more information, see [chapter 1700](#) of the *Compendium*.

Full-Term Retention

The Copyright Office charges a fee for full-term retention of copyright deposits. The Office’s policy is to retain published copyright deposits that have not been selected by the Library for its collections for 20 years and all unpublished deposits for 120 years. If you want to ensure that the Copyright Office’s decision retains your published deposit for the full length of the copyright term, you must pay a fee of \$540 to cover processing and storage costs for a physical deposit and a fee of \$220 to cover processing and storage costs for an electronic deposit. Send requests for full-term retention to

U.S. Copyright Office

Attn: Director of the Office of Public Records and Repositories

101 Independence Avenue SE

Washington DC 20559-6000

For more information, see [chapter 2400](#), section 2410, of the *Compendium*.

Payment Processing Service Charges

The Copyright Office charges a fee of \$285 for an overdraft of a deposit account; \$500 for a dishonored replenishment check for a deposit account; and \$115 for an uncollectible or nonnegotiable check.

Other Claims and Services

Fees for other types of services and claims, such as processing secure tests and providing deposit receipts, appear in the fee list at the end of this circular. See section 203.6 of Title 37 of the *Code of Federal Regulations* for a list of fees for requests related to the Freedom of Information Act. For detailed information about these and other services, visit the Copyright Office website.

Payment of Fees

Depending on the service you receive and the method of its delivery, you can pay by credit card; deposit account; Automated Clearing House (ACH) debit; currency; or check, money order, or bank draft payable to the *U.S. Copyright Office*. The Copyright Office accepts American Express, Discover, MasterCard, and Visa.²

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

You can pay by credit card, debit card, or ACH debit for services provided electronically, including electronic registration of copyright claims. To administer payment for electronic services, the Copyright Office uses *Pay.gov*, a U.S. Treasury Department system for secure processing of payments to federal government agencies. You can also pay for electronic services by debit card or Copyright Office deposit account (see below).

Services by Mail

If you send a service request by postal mail, the only acceptable methods of payment are check or money order payable to the *U.S. Copyright Office* or a Copyright Office deposit account (see below). If a check received in payment of a registration or recordation filing fee is returned to the Copyright Office as uncollectible, registration or recordation will be delayed until a valid payment is received, and a service charge of \$30 will be applied.

Services by Phone or in Person

You can pay for some services by credit card when you request them by phone. Call the Records Research and Certification Section at (202) 707-6787 to use a credit card to pay for additional certificates of registration; copies of documents and deposits; certifications; search and retrieval of deposits; expedited processing; or estimating the cost of searching Copyright Office records.

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, you can charge fees for on-site use of Copyright Office printers and photocopiers.

Deposit Accounts

An individual or organization 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 payments with applications and other requests for services. For more information, see *How to Open and Maintain a Copyright Office Deposit Account* (**Circular 5**).

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.

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

Before making any refund of fees received for nonregistration services, the Copyright Office will deduct an administrative processing fee in an amount equivalent to one hour of the requested service or the minimum fee for the service.

Public Information Office

Visit the Copyright Office's Public Information Office between 8:30 a.m. and 5:00 p.m., eastern time, Monday through Friday, to secure the services described in this circular that are available in person.

U.S. Copyright Office
James Madison Memorial Building
101 Independence Avenue SE
Washington, DC 20559

To secure services available by phone, call (202) 707-3000 or 1-877-476-0778 (toll free).

Copyright Office Fees

- Fees in effect as of March 20, 2020
- For Licensing Division fees, request [Circular 76](#)
- All forms available at www.copyright.gov

Basic Registrations

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

Registrations online

- \$45 Single Application (single author, same claimant, one work, not for hire)
- \$65 Standard Application (all other filings)

Registrations on paper

- \$125 Paper filing on Form TX, Form VA, Form PA, Form SE, and Form SR

Renewal Registrations

For works published or registered before January 1, 1978

- \$125 Form RE
- \$100 Addendum to Form RE (in addition to fee for claim)

Group Registrations

To register a group of related claims, where appropriate

- \$35 Serials, per issue, with minimum two issues (online application only)
- \$95 Newspapers or newsletters (online application only)
- \$85 Contributions to periodicals (online application only)
- \$55 Published photographs or unpublished photographs (online application only)
- \$85 Group of unpublished works (online application only)
- \$250 Group of updates for a photographic database (online or paper application)
- \$500 Group of updates for a nonphotographic database (paper application only)

Supplementary Registrations

- \$100 Electronic filing (to correct or amplify a completed registration)
- \$150 Paper filing for correction or amplification of renewal registrations, GATT registrations, and group registrations for non-photographic databases (Form CA)
- \$100 Form DC (to correct a design registration)

Preregistration

- \$200 Preregistration of certain unpublished works

Other Registrations

- \$500 Form D-VH (vessel designs)
- \$100 Form GATT
- \$150 Form MW (mask works)

Optional Services Related to Registration

Special Handling

To expedite registration processing of qualified claims

- \$800 Special handling fee (per claim)
- \$50 Additional fee for each (non-special-handling) claim using the same deposit

Other fees associated with registration

- \$540 Full-term retention of published copyright deposit (physical deposit)
- \$220 Full-term retention of published copyright deposit (electronic deposit)
- \$250 Secure test examining (per staff member per hour)
- \$50 Handling extra copy for certification
- \$150 Voluntary cancellation of registration
- \$40 Matching unidentified deposit to deposit ticket claim (per half hour)

Requests for Reconsideration (Appeals)

For claims previously refused registration

- \$350 First request (per claim)
- \$700 Second request (per claim)

Other Copyright Service Fees

Recordation of Documents

To make public record of assignment of rights or other document relating to disposition of copyrighted work

- \$125 Recordation of document, including notice of intention to enforce (base fee includes 1 work identified by 1 title and/or registration number) (paper filing)
- \$95 Recordation of document, including notice of intention to enforce (base fee includes 1 work identified by 1 title and/or registration number) (electronic filing)
- \$95 Additional transfer (per transfer) (for documents recorded under 17 U.S.C. 205)
- \$60 Additional works and alternate identifiers (per group of 10 or fewer additional works and alternate identifiers)

When document is accompanied by electronic title list:

- \$60 1 to 50 additional works and alternate identifiers
- \$225 51 to 500 additional works and alternate identifiers
- \$390 501 to 1,000 additional works and alternate identifiers
- \$555 1,001 to 10,000 additional works and alternate identifiers
- \$5,550 10,001 or more additional works and alternate identifiers
- \$7 Correction of online public catalog data due to erroneous electronic title submission (per title)

Other fees associated with recordation:

- \$550 Special handling fee for recordation of a document
- \$75 Schedule of pre-1972 sound recordings, or supplemental schedule of pre-1972 sound recordings (single sound recording)
- \$10 Additional sound recordings (per group of 1 to 100 sound recordings)
- \$75 Removal of pre-1972 sound recording from Office's database of indexed schedules (single sound recording)
- \$50 Notice of noncommercial use of pre-1972 sound recording

- \$50 Opt-out notice of noncommercial use of pre-1972 sound recording

Searches of Records

For searching copyright records and preparing official report

- \$200 Estimate of search fee (credited to search fee)
- \$200 Search report (per hour, 2 hour minimum)
- \$500 Expedited report (per hour, 1 hour minimum)
- \$200 Certification of search report (per hour)

Retrievals and Copies of Records

Retrieval of in-process or completed Copyright Office records

- \$200 Estimate of retrieval fee (credited to retrieval fee)
- \$200 Retrieval of paper records (per hour, 1 hour minimum)
- \$200 Retrieval of digital records (per hour, half hour minimum, quarter-hour increments)
- \$55 Additional certificate of registration
- \$200 Certification of records, including search reports (per hour)
- \$500 Surcharge for expedited retrievals, certification, and copying (per hour, 1 hour minimum)
- \$100 Litigation statement (Form LS)
- \$12 Copying of Copyright Office records by staff (all media)

Removal of Personally Identifiable Information (PII)

- \$100 Initial request (per registration record)
- \$60 Reconsideration of denied request (flat fee)

Miscellaneous Fees

- \$30 Receipt for deposit without registration (section 407 deposit)
- \$6 Designation of agent under section 512(c)(2) to receive notification of claimed infringement or amendment or resubmission of agent
- \$50 Notice to libraries and archives (each additional title \$20)
- \$45 Service charge for Federal Express mailing
- \$1 Service charge for delivery of documents via fax (per page, seven pages maximum)

Payment Processing Service Charges

\$285	Overdraft of deposit account
\$500	Dishonored replenishment check for deposit account
\$115	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 or 1-877-476-0778 (toll free).

NOTES

1. This circular is intended as an overview of copyright office fees. The authoritative source for U.S. copyright law is the Copyright Act, codified in Title 17 of the *United States Code*. Copyright Office regulations are codified in Title 37 of the *Code of Federal Regulations*. Copyright Office practices and procedures are summarized in the third edition of the *Compendium of U.S. Copyright Office Practices*, cited as the *Compendium*. The copyright law, regulations, and the *Compendium* are available on the Copyright Office website at www.copyright.gov.

2. The Copyright Office also accepts credit card payments 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). Debit cards are not accepted. See *Copyright Restoration Under the URAA (Circular 38B)*, and Form GATT for details about filing claims under the URAA.

For Further Information

By Internet

The copyright law, the *Compendium*, electronic registration, application forms, regulations, and related materials are available on the Copyright Office website at www.copyright.gov.

By Email

To send an email inquiry, click the *Contact Us* link on the Copyright Office website.

By Telephone

For general information, call the Copyright Public Information Office at (202) 707-3000 or 1-877-476-0778 (toll free). Staff members are on duty from 8:30 am to 5:00 pm, eastern time, Monday through Friday, except federal holidays. To request application forms or circulars by postal mail, call (202) 707-9100 or 1-877-476-0778 and leave a recorded message.

By Regular Mail

Write to

Library of Congress
U.S. Copyright Office
Outreach and Education Section
101 Independence Avenue, SE #6304
Washington, DC 20559-6304

