

NR_key_name: 6A85687FCE92645A8525633A00731DDC
SendTo: CN=Tom Samoluk/O=ARRB @ ARRB
CopyTo:
DisplayBlindCopyTo:
BlindCopyTo: CN=R ecord/O=ARRB
From: CN=Laura Denk/O=ARRB
DisplayFromDomain:
DisplayDate: 05/30/1996
DisplayDate_Time: 5:22:59 PM
ComposedDate: 05/30/1996
ComposedDate_Time: 4:57:23 PM
Subject: Copyright Procedures

As I know you already know, I think we should probably tell Alyea that he should consult his own lawyer about the proper copyright procedures, etc. . . In particular, I think he may need to consult with someone about how to place a notice of copyright on the film. For example, there are Government regulations at 37 CFR 201, et seq. about where the copyright symbol, the date, and his name must appear on the film in order for him to give reasonable notice to the world that he has a copyright. In addition, he may need to consult with a lawyer about the date that the film is considered to be copyrightable (1963 or 1996) to determine whether it is subject to the mandatory deposit requirements of the Copyright Act, as described in Circular 7d. (I think he is subject to the mandatory deposit requirements, although this may not mean that he has to apply for a copyright. In addition, there are apparently some extensive exemptions at 37 CFR 202.) In any case, here are some basics about registration that I think, but am not sure also satisfy mandatory deposit requirements: Why to Register Of course, he need not register with the Copyright Office in order have a legal copyright. By registering, he will have the advantage of establishing a public record of the copyright claim and of having an easier time if he ever needs to file an infringement suit. In addition, he is probably required to deposit a copy of the film because of the mandatory deposit requirements. Depositing the film does not mean that the film is copyrighted, but if he is required to deposit and he fails to do so within 3 months of publication in the U.S., he may be subject to fines and other penalties. How to Register-- IN THE SAME ENVELOPE OR PACKAGE, he must send: -- a properly completed application form on form PA (we have a copy of the form) (instructions on completing the form are in Circular 45) (use black ink or type) -- a nonrefundable filing fee of \$20 for each application (check or money order) made payable to Register of Copyrights -- a nonreturnable complete copy of the film (two complete copies if the film is considered to have been published before 1978) -- a separate written description of the contents of the motion picture-- mail the package to: Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559-6000-- to be safe, he should include a letter stating that he wants to fulfill the mandatory deposit requirements, if he is, in fact, subject to them, and that he wants to register his film in the Copyright Office. I hope this helps.

Body:
recstat: Record
DeliveryPriority: N
DeliveryReport: B
ReturnReceipt:
Categories: