

REGISTRATION FOR MULTIPLE WORKS

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REGISTRATION FOR MULTIPLE WORKS

1101 What This Chapter Covers

As a general rule, a registration covers an individual work, and an **applicant** should prepare a separate application, **filing fee**, and **deposit** for each work that is submitted for registration. However, there are several exceptions to this rule, including:

- The option for registering a number of works as an **unpublished collection**. This option is discussed in Sections **1102** and **1106** below.
- The option for registering a number of works that were **published** in a single **unit of publication**. This option is discussed in Sections **1103** and **1107** below.
- The options for registering a group of related works under **Section 408(c)(1)** of the Copyright Act, as discussed in Section **1104** and Sections **1109** through **1117** below. At present, the U.S. Copyright Office offers **group registration** options for the following types of works:
 - **Serials**.
 - Daily newspapers.
 - Daily newsletters.
 - Contributions to periodicals.
 - Published photographs.
 - **Database** updates and revisions.
- Registering a **collective work** together with the separate and independent works contained therein. This option is discussed in **Chapter 500**, Section 509.1 and **Chapter 600**, Sections 610.4, 613.8, 618.7, 620.8, and 621.8(D).
- Registering a **sound recording** together with the **musical work**, **dramatic work**, or **literary work** contained in that recording. This option is discussed in **Chapter 500**, Section 511.

1102 The Unpublished Collection Option

The U.S. Copyright Office has established an administrative procedure that allows an **applicant** to register a number of **unpublished** works with one application, one **filing fee**, and one set of **deposit copies**. This is known as the “**unpublished collection**” option.

As a general rule, a registration issued under this option covers each work that is submitted for registration. If the applicant does not assert a claim in the selection, coordination, or arrangement of those works, the Office considers each work to be registered individually. See [37 C.F.R. § 202.3\(b\)\(4\)\(i\)\(B\)](#).

If the applicant expressly asserts a claim in the compilation authorship involved in selecting the works and assembling them into a collective whole, the Office will register the works as an unpublished **collective work**, rather than an unpublished collection. A registration for an unpublished collective work will cover the individual works (i) if the claimant owns the copyright in each of those works and the collective work as a whole, and (ii) if the individual works have not been previously published or previously registered. In no case may a claimant register a work that is in the public domain.

For additional information concerning the difference between an unpublished collection and an unpublished collective work, see Sections [1104.5](#) and [1106](#). For additional information concerning collective works, see [Chapter 500](#), Section 509.1 and [Chapter 600](#), Sections 610.4, 613.8, 618.7, 620.8, and 621.8(D).

1103 The Unit of Publication Option

The U.S. Copyright Office has established an administrative procedure that allows an **applicant** to register a number of works that were physically packaged or bundled together as a single unit by the claimant and first **published** on the same date. This is known as the “**unit of publication**” option.

A registration issued under this option covers each work in the unit that is owned by the copyright **claimant**.

A unit of publication is different from an unpublished collection in that the works in the unit cannot be aggregated simply for the purpose of registration, but rather must have been first distributed to the public in the packaged unit. A unit of publication is also different from a **collective work** in that the unit is not a compilation of works, but rather a package of separate and distinct copies or phonorecords that are physically bundled together and distributed to the public as a unit, such as a board game containing instructions, a game board, and sculpted playing pieces. However, a unit may contain a compilation or collective work, such as a CD containing sound recordings packaged together with cover art and liner notes.

For additional information concerning the unit of publication option, see Section [1107](#). For additional information concerning the unpublished collection option, see Section [1106](#). For additional information concerning collective works, see [Chapter 500](#), Section 509.1 and [Chapter 600](#), Sections 610.4, 613.8, 618.7, 620.8, and 621.8(D).

1104 Group Registration

The U.S. Copyright Office has established administrative procedures that allow an **applicant** to register multiple works in certain limited categories with one application and one **filing fee**. This procedure is known as a **group registration**. Where applicable, this may be the most convenient and cost effective way to register multiple works of authorship.

The applicant must decide whether group registration is the optimal means of registering the works at issue. Group registration options have particular requirements, and in some cases, limitations. For example, applicants who avail themselves of these options should recognize that a registration for a group of related works provides less detailed information about the various works in the group. The applicant should weigh the costs and benefits of these various options in determining whether to register a work on an individual basis or as a group.

1104.1 What Is a Group Registration?

When Congress enacted the Copyright Act of 1976, it authorized the **Register of Copyrights** to establish “the administrative classes into which works are to be placed for purposes of **deposit** and registration, and the nature of the **copies** or **phonorecords** to be deposited in the various classes specified.” **17 U.S.C. § 408(c)(1)**. In addition, Congress gave the Register the discretion to “require or permit... a single registration for a group of related works.” *Id.*

As the legislative history explains, allowing “a number of related works to be registered together as a group represent[ed] a needed and important liberalization of the law.” **H.R. REP. NO. 94-1476, at 154 (1976)**, reprinted in 1976 U.S.C.C.A.N. 5659, 5770. Congress recognized that requiring separate applications “where related works or parts of a work are published separately” may impose “unnecessary burdens and expenses on authors and other copyright owners.” *Id.* In some cases, requiring separate applications and a separate filing fee may cause copyright owners to forego registration altogether. *See id.*

If copyright owners do not submit their works for registration, the public record will not contain any information concerning those works. This diminishes the overall value of the registration record, and may deprive the public of historical and cultural artifacts that might otherwise be included in the collections of the Library of Congress.

To address these concerns, the Office asked the public for suggestions and comments concerning the types of related works that might be suitable for group registration, as well as the requirements that should govern each group. *See Part 202 — Registration of Claims to Copyright, 43 Fed. Reg. 763, 765 (Jan. 4, 1978)*.

1104.2 Group Registration Options

The U.S. Copyright Office currently offers **group registration** options for the following types of works:

- **Serials.**
- Daily newspapers.
- Daily newsletters.
- Contributions to periodicals.
- Published photographs.
- **Databases.**

The Office's decision to provide registration options for groups of related works is entirely discretionary, except for the group registration option for contributions to periodicals, which is mandated by [Section 408\(c\)\(2\)](#) of the Copyright Act.

1104.3 Registration Requirements

An **applicant** must satisfy certain requirements to obtain a **group registration**. The specific requirements for each group registration option are discussed in [Sections 1109](#) (serials), [1110](#) (daily newspapers), [1111](#) (daily newsletters), [1115](#) (contributions to periodicals), [1116](#) (published photographs), and [1117](#) (databases).

Based on its longstanding experience, the U.S. Copyright Office has determined that examining groups of related works imposes administrative costs and burdens on the Office. To examine these **claims** in an efficient and cost effective manner, the Office may strictly apply the requirements for these group registration options. Moreover, the Office does not allow or provide for group registration of works that are not listed in [Section 1104.2](#) or groups of related works that do not satisfy the requirements set forth in [Sections 1109](#) through [1117](#). See [Registration of Claims to Copyright: Group Registration of Serials, 55 Fed. Reg. 50,556, 50,556 \(Dec. 7, 1990\)](#).

If the Office determines that the relevant requirements have not been met, the **registration specialist** may communicate with the applicant and explain why the works cannot be registered as a group and how the claim may be amended. The specialist may instruct the applicant to prepare a separate application, **filing fee**, and deposit for each work and submit them for registration on an individual basis, or the specialist may refuse to register the claim. [37 C.F.R. § 202.4\(k\)](#).

1104.4 The Scope of a Group Registration

When the U.S. 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 published photographs or a group of contributions to periodicals covers the **copyrightable** authorship in each work that is submitted for registration, and each photograph or contribution is registered as a separate work. [37 C.F.R. § 202.4\(m\)](#). A registration for a group of serials, newspapers, or newsletters covers the copyrightable authorship in each issue in the group.

With the exception of a group registration of database updates, a group registration does not cover the selection and arrangement of the works, because the group itself is not a work of authorship. For similar reasons, the group as a whole is not considered a compilation or a collective work. Instead, the group is merely an administrative classification created solely for the purpose of registering multiple works with one application and one filing fee.

Although an **applicant** may exercise some judgment in selecting and combining the works within the group, these decisions do not necessarily constitute copyrightable authorship. Instead, the selection of works is based solely on the regulatory requirements for the relevant group registration option, and the combination of those works is merely an administrative accommodation that exists solely for the purposes of registration and the convenience of the applicant.

Likewise, the group is not considered a derivative work. When a group of works are combined together for the purpose of facilitating registration those works are not “recast, transformed, or adapted” in any way, and the group as a whole is not “a work based upon one or more preexisting works,” because there is no copyrightable authorship in simply following the administrative requirements for a group registration option. See [17 U.S.C. § 101](#) (definition of “derivative work”).

Ordinarily, the U.S. Copyright Office will not accept an application that attempts to register the group itself as a **collective work** or an application that asserts a compilation **claim** in the selection, coordination, and/or arrangement of the works included within a group. However, there are two exceptions to this rule. As discussed in Section [1109.7\(F\)](#), a registration for a group of **serials** covers the compilation authorship involved in creating each issue as a whole, and as discussed in Section [1117.7\(B\)](#), an applicant must assert a compilation claim when seeking a group registration for the updates and revisions to an automated **database**.

See generally [Group Registration of Contributions to Periodicals, 81 Fed. Reg. 86,634, 86,641 \(Dec. 1, 2016\)](#); [Group Registration of Photographs, 81 Fed. Reg. 86,643, 86,653 \(Dec. 1, 2016\)](#).

1104.5 Group Registrations Distinguished from Registrations for Unpublished Collections

In determining whether to register multiple works with one application the applicant should consider the potential impact on the copyright owner’s ability to seek damages in the event that a third party infringes those works.

If an **applicant** submits a number of **unpublished** works – but does not expressly assert a claim in the selection, coordination, and/or arrangement of those works – the U.S. Copyright Office will presume that the claim is limited to the individual works and will register them as an unpublished collection.

By contrast, if the applicant asserts a claim in the selection, coordination, and/or arrangement of the collection as a whole, the Office will register the works as an unpublished **collective work**, rather than an **unpublished collection**. This may have significant consequences in a copyright infringement action.

When a compilation claim has been asserted, and the Office has registered the works as an unpublished collective work, the copyright owner may be entitled to claim only one award of statutory damages in an **infringement** action, even if the defendant infringed all of the component works covered by the registration. See [17 U.S.C. § 101](#) (“The term ‘compilation’ includes collective works.”); [17 U.S.C. § 504\(c\)\(1\)](#) (stating that a copyright owner may be entitled to recover “an award of statutory damages for all infringements involved in the action, with respect to any one work” and “[f]or the purposes of this subsection, all the parts of a compilation or derivative work constitute one work”). By contrast, when no compilation claim has been asserted and a number of works are registered as an unpublished collection, the registration will extend to each individual work that is copyrightable, and Section [504\(c\)\(1\)](#) of the Copyright Act would not bar the copyright owner from seeking a separate award of statutory damages for each work.

Copyright owners who use a group registration option may be entitled to claim a separate award of statutory damages for each work – or each issue in the case of serials, newspapers, or newsletters – that is covered by the registration, because a group registration covers each work or each issue that is submitted for registration (rather than the group as a whole). However, there is an exception to this rule. As discussed in Section [1117](#), a group registration for a **database** covers the

updates or revisions that were added to the database during the period specified in the registration. Copyright owners that use this option are entitled to claim only one award of statutory damages in a copyright infringement action, because the updates or revisions to a database are **derivative** compilations, and as noted above, the statute expressly states that “all the parts of a compilation or derivative work constitute one work” when calculating statutory damages. *See id.*

1105 Cancellation

The U.S. Copyright Office may cancel a **group registration** or a registration for an **unpublished collection** or a **unit of publication** if the Office subsequently determines that the **applicant** failed to comply with the relevant requirements for these options. **37 C.F.R. §§ 201.7(c)(4)(xi), 202.4(l)**. The practices and procedures for cancelling a registration are discussed in **Chapter 1800**, Section 1807.

1106 Unpublished Collections

This Section discusses the U.S. Copyright Office’s current practices and procedures for registering a number of works using the **unpublished collection** option. This option is a registration accommodation that incentivizes timely registration.

NOTE: When an unpublished work is registered with the Office it does not have to be registered again after the work is published (although as discussed in **Chapter 500**, Section 510.1, the Office will register the first published edition of a work even if the unpublished version and the published version are substantially the same). Registration as an unpublished work prior to infringement will preserve the availability of statutory damages and/or recovery of attorney’s fees.

1106.1 Eligibility Requirements

An **applicant** may register multiple **unpublished** works with one application and one filing fee, provided that the following conditions have been met:

- All of the **copyrightable** elements that are otherwise recognizable as self-contained works must be unpublished.
- The elements must be assembled in an orderly form.
- The applicant must provide a single title for the collection as a whole.
- All of the elements must be created by the same author, or if the elements were created by multiple authors, at least one of the authors must have contributed copyrightable authorship to each work in the collection.
- The **copyright claimant** for all of the elements and the collection as a whole must be the same person or organization.

See **37 C.F.R. § 202.3(b)(4)(i)(B)**.

Works that do not satisfy these requirements cannot be registered as an unpublished collection.

In particular, an applicant cannot use this option to register a number of **published** and unpublished works. If any of the works have been published, the applicant should not include those works in the claim. For a definition and discussion of **publication**, see **Chapter 1900**.

At the present time, there is no limit on the number of works that may be registered with the unpublished collection option.

The application should expressly state that the applicant is seeking to register a number of works as an unpublished collection.

An applicant may register a number of works as an unpublished collection (i) if the claimant is the author of those works or (ii) if the same author created all of the works and if the claimant acquired the copyright in those works through a **transfer** of ownership. In all cases, the **claimant** must own the copyright in all the component works that are claimed in the application. If any of the works are not owned by the claimant, the applicant should exclude those works from the claim using the procedure described in **Chapter 600**, Section 621.8(B).

1106.2 Registration Requirements

In addition to satisfying the eligibility criteria discussed in Section **1106.1**, the **applicant** must submit a completed application, a **deposit** consisting of all of the works in the collection, and the correct **filing fee** in order to register a number of works with the unpublished collection option.

The applicant may submit an online application through the U.S. Copyright Office's electronic registration system, or in the alternative, the applicant may submit a paper application using Forms TX, VA, PA, or SR. The Office strongly encourages applicants to use the electronic registration system rather than a paper application because online applications are less costly and more efficient for both the applicant and the Office. For guidance on completing the online application or the paper application, see Section **1106.3**.

In all cases, the applicant must submit one complete **copy** or **phonorecord** containing the entire **copyrightable** content of each work that the applicant intends to register. See **37 C.F.R. § 202.20(b)(2)(i)** (defining **unpublished** works for deposit purposes); **202.20(c)(1)(i)** (nature of the deposit for an unpublished work is one complete copy or phonorecord).

For guidance on submitting the **deposit copy**, see **Chapter 1500**, Section 1508.

For information concerning the methods for paying filing fee, see **Chapter 1400**, Sections 1403.3 through 1403.5.

1106.3 Completing the Application

This Section provides guidance for completing an application to register multiple works with the unpublished collection option.

Applicants should inform the U.S. Copyright Office that the applicant is seeking to register a number of works as an unpublished collection. When completing the online application, the applicant should provide this information in the Note to Copyright Office. When completing a paper application, the applicant should provide this information in a cover letter.

If the **registration specialist** determines that the component works are eligible for registration as an unpublished collection, he or she will add an annotation to the **certificate of registration** and the **online public record** for the **claim**, such as: “Basis for registration: Unpublished collection.”

If the specialist determines that the component works are not eligible for registration under this option, he or she may communicate with the applicant to clarify the scope of the claim, ask the applicant to submit a separate application for each work, or refuse registration.

1106.3(A) Registration Process Overview

When completing an online application, the **applicant** must provide a “yes” or “no” answer to three questions concerning the work(s) that the applicant intends to register. The questions include:

- Yes or No: Are you registering one work (one song, one poem, one illustration, etc.)? Check “NO” to this question if the work is one of the following: a collection of works (such as: book of poetry, CD of songs and photographs), a collective work, website or database because these works do not qualify for the single form.
- Yes or No: Are you the only author and owner of the work (or the agent of the individual author who is also the only owner)? Check “NO” to this question if the work was created by multiple people, is a “work made for hire,” or if any part of the work was created by or is owned by another person.
- Yes or No: Does the work you are sending contain material created only by this author? Check “NO” to this question if the copy includes content or contributions by anyone else, even if the claim is limited to only the contribution by this author or the material has been licensed, permissioned or transferred to the claimant.

Based on the responses provided, the electronic registration system will direct the applicant to the Single Application or the Standard Application.

The Single Application cannot be used to register an unpublished collection. See **37 C.F.R. § 202.3(b)(2)(i)(B)**. If the applicant intends to register a number of works as an unpublished collection, the applicant should check the box marked “no” that appears next to the question “Are you registering one work?” This will direct the applicant to the Standard Application, rather than the Single Application.

If the applicant attempts to use the Single Application to register multiple unpublished works, the **registration specialist** will communicate with the applicant. This may delay the examination of the application. In addition, the Office may assign a later **effective date of registration** to the claim.

NOTE: The questions listed above appear in the online application, but they do not appear in any of the paper applications.

1106.3(B) Type of Work

When completing an online application, the **applicant** should select the class of work that is most appropriate for the works that the applicant intends to register and the authorship that appears in those works, namely, the predominant type of authorship that the author contributed to the work. These classes are listed under a drop down menu marked Type of Work. Identifying the class of works that will be submitted for registration is also the first step in completing a paper application. The Office has prescribed five basic classes of works that may be registered with a paper application, and each class has its own paper form.

In all cases, the applicant should use the application that is most appropriate for the type of authorship that appears in the majority of the works that will be submitted for registration.

- *Literary Works:* When completing an online application, the applicant should select “Literary Work” in the Type of Work field if the works primarily contain nondramatic text, such as poems, short stories, or the like. When completing a paper application, the applicant should use **Form TX**.
- *Works of the Visual Arts:* When completing an online application, the applicant should select “Work of the Visual Arts” in the Type of Work field if the works primarily contain pictorial, graphic, or sculptural content, such as photographs, drawings, illustrations, models, or the like. When completing a paper application, the applicant should use **Form VA**.
- *Works of the Performing Arts:* When completing an online application, the applicant should select “Work of the Performing Arts” in the Type of Work field if the works primarily contain music, lyrics, drama, choreography, or other content that is intended to be performed for an audience. When completing a paper application, the applicant should complete **Form PA**.
- *Sound Recordings:* When completing an online application, the applicant must select “Sound Recording” in the Type of Work field if applicant intends to register works that contain sound recording authorship. When completing a paper application, the applicant must complete **Form SR**.
- *Motion Picture/Audiovisual Material:* When completing an online application, the applicant should select “Motion Picture/AV Work” in the Type of Work field if the works primarily contain motion pictures or other audiovisual content. When completing a paper application, the applicant should complete Form PA.

If the works contain more than one type of authorship, the applicant should select the option that is appropriate for the predominant form of authorship in those works. For example, if most of the works contain a substantial amount of music combined with a few photographs, the applicant should register them as Works of the Performing Arts. If most of the works contain illustrations with a small amount of text, the applicant should register them as Works of the Visual Arts. If the types of authorship are roughly equal, the applicant may select any option that is appropriate for the type of authorship that appears in the majority of the works.

There is an exception to this rule. If the applicant intends to register a work that contains sound recording authorship, the applicant must select Sound Recording or must use Form SR, regardless of whether sound recording is the predominant form of authorship in the rest of the works.

For additional guidance in selecting the appropriate type of work, see **Chapter 600**, Section 609.2.

1106.3(C) Title

As discussed in Section **1106.1**, the **applicant** must provide a title for the collection as a whole. If the works were created by the same author, the applicant may provide a descriptive title that identifies the author, the type of works that the author created, and the year or years that the works were created, such as “Robert Smith’s Poems (2010-2011).” If the works were created by multiple authors, the applicant may provide a title that identifies the general subject matter of the works and the year or years that the works were created, such as “Sketches at the Zoo (2005-2006).” If the applicant intends to register a number of unpublished songs that appear on the same album, the title of the album may be provided as the title for the unpublished collection as a whole.

The Office strongly encourages applicants to provide a title for each work that will be submitted for registration. Interested parties typically search for works by title, and it may be extremely difficult to find a particular work if the applicant fails to provide that information in the application. Moreover, a few courts have ruled that a registration does not cover a work unless the title of that work appears on the **certificate of registration**, although other courts have reached the opposite conclusion.

When completing an online application, the title for the collection as a whole should be provided on the Title screen as the “Title of work being registered.” The title of each work that will be submitted for registration should be provided in the Contents Titles field. If the applicant provides these titles in the application, they will appear on the certificate of registration and the **online public record** under the heading Contents Title.

When completing a paper application, the title for the collection as a whole should be provided in space 1 under the heading marked Title of This Work. The title of the works that will be submitted for registration should be provided using **Form CON**. If the applicant provides this information in the application, the title of each work may be included in the certificate of registration and the online public record unless the applicant provides a substantial number of titles on Form CON.

In all cases, the titles of the works should be listed in the same order that they appear in the **deposit copy**.

If the applicant fails to provide a title for the collection, the **registration specialist** may use the title for the first work as the title for the collection as a whole. This title will appear in the certificate of registration and the online public record as the primary title for the collection.

If the applicant fails to provide a title for each work in the application, the registration record will contain only the title for the collection as a whole. However, it may be possible to add the title for each work to the registration record at a later date by filing an application for **supplementary registration**. For a discussion of this procedure, see **Chapter 1800**, Section 1802.6(C).

For additional guidance in completing the title field/space of the application, see **Chapter 600**, Sections 610.2 and 610.4.

1106.3(D) Publication / Completion

As discussed in Section [1106.1](#), all of the elements in the works must be **unpublished**. When completing an online application, the **applicant** should provide this information on the Publication/Completion screen. Specifically, the applicant should select “no” in the drop down menu marked “Has this work been published?” When completing a paper application, the portion of the application marked “Date and Nation of First Publication of This Particular Work” should be left blank.

When completing an online application, the applicant should identify the year that the works were completed on the Publication/Completion screen in the field marked Year of Completion (Year of Creation). When completing a paper application, the applicant should identify the year that the author completed the works on space 3(a) under the heading “Year in which creation of this work was completed.”

If the works were created over a period of thirteen months or more, the applicant should provide the year of completion for the most recent work that will be submitted for registration.

For additional guidance in completing this portion of the application, see [Chapter 600](#), Section 611.1.

1106.3(E) Authors

As discussed in Section [1106.1](#), all of the elements in the works must be created by the same author, or if the elements were created by more than one author, at least one of the authors must have contributed **copyrightable** authorship to each element. For these reasons, the **applicant** must identify all of the authors who created or co-created any of the elements, even if a particular author did not contribute copyrightable authorship to all of those elements.

When completing an online application, the applicant should provide the author’s full name on the Authors screen. If the works were created by more than one author, the applicant should complete the relevant fields, click the Save button, and then repeat this process for the other authors.

In addition, the applicant should provide the author’s country of citizenship or domicile. If the applicant fails to provide this information, the application will not be accepted by the electronic registration system. If the author’s citizenship or domicile is unknown, the applicant may select “not known” from the drop down menu.

When completing a paper application, the applicant should provide the author’s full name and his or her country of citizenship and/or domicile on space 2(a). If the works were created by more than one author, the applicant should provide this information for the other authors on spaces 2(b) and 2(c). If the works were created by more than three authors, the applicant should provide this information on [Form CON](#).

For guidance in providing the Author’s Name, see [Chapter 600](#), Section 613.9. For guidance in providing the author’s citizenship and domicile, see [Chapter 600](#), Section 617.

If all of the works qualify as **anonymous** or **pseudonymous** works, the applicant may check the appropriate boxes that appear in the anonymous/pseudonymous fields/spaces. For a definition and discussion of anonymous and pseudonymous works, see **Chapter 600**, Sections 615.1 and 615.2.

For guidance concerning the Year of Birth and Year of Death fields/spaces, see **Chapter 600**, Section 616.

1106.3(F) Author Created / Nature of Authorship

If the works were created by a single author, the **applicant** should identify the **copyrightable** authorship that the author contributed to each work that will be submitted for registration.

If the works were created or co-created by two or more authors, the applicant should identify the elements that the authors created, and for each author, the applicant should identify the copyrightable authorship that he or she contributed to those elements.

If any of the authors created or co-created some—but less than all—of the elements in the works, the applicant should identify the copyrightable authorship that each author contributed to those elements.

If any selection, coordination, and/or arrangement is claimed, the applicant must assert that **claim** in the application. It should be noted that asserting such a claim will render the collection a “**collective work**,” which will affect the amount of damages that may be recovered in an **infringement** action.

When completing an online application, the applicant should provide this information on the Authors screen in the field marked Author Created. Specifically, the applicant should check one or more of the boxes on the Author Created screen that accurately describe the author’s contribution to each work. For guidance on completing this field, see **Chapter 600**, Section 618.4(A). For guidance on asserting a claim in the selection, coordination, and/or arrangement of the works, see **Chapter 600**, Section 618.6.

When completing a paper application, the applicant should provide this information in the space marked Nature of Authorship. For guidance in completing this portion of the application, see **Chapter 600**, Section 618.4(B).

1106.3(G) Claimants / Transfer Statement

To register a number of works using the unpublished collection option, the **applicant** should provide the name and address of the **copyright claimant**. See **17 U.S.C. § 409(1)**. For purposes of copyright registration, the copyright claimant must be (i) an author or co-author of all of the elements in the collection, or (ii) a person or organization that owns all of the rights under copyright that initially belonged to the author or co-authors of those elements. See **37 C.F.R. § 202.3(a)(3)**. No other party is entitled to be named as a copyright claimant.

As discussed in Section **1106.1**, the **claimant** for all of the elements and the claimant for the collection as a whole must be the same person or organization. An author may be named as the copyright claimant, provided that he or she contributed **copyrightable** authorship to all of the elements and created the collection as a whole. Likewise, an author who contributed **copyright-**

able authorship to all of the elements may be named as the copyright claimant, even if other co-authors co-created one or more of those elements.

In the alternative, a person or organization that owns all of the rights that initially belonged to the author may be named as the copyright claimant, but only if that party owns the copyright in all of the elements and the copyright in the collection as a whole. If the claimant does not own the copyright in one or more of the elements, those elements should be removed from the application, or they should be excluded from the claim using the procedure set forth in **Chapter 600**, Section 621.8.

In some cases, multiple parties may be named as the copyright claimant. For example, if the applicant intends to register a number of **joint works**, the co-authors of those works could be named as co-claimants, provided that they jointly created all of the elements in the works. Likewise, two or more parties may be named as co-claimants, provided that they co-own the copyright in all of the works.

When completing an online application, the applicant should provide the claimant's full name and address on the Claimants screen. When completing a paper application, the applicant should provide this information in space 4 of the application. For guidance on completing this portion of the application, see **Chapter 600**, Section 619.12.

If the author(s) and the claimant or co-claimants named in the application are not the same person, the applicant should provide a brief **transfer statement** that explains how the claimant or co-claimants obtained the copyright in the works submitted for registration. When completing an online application, the applicant should provide this information on the Claimants screen in the field marked Transfer Statement. When completing a paper application, the applicant should provide this information in space 4 under the heading marked **Transfer**. For guidance on completing this portion of the application, see **Chapter 600**, Section 620.9.

1106.3(H) Limitation of Claim

As discussed in Section **1106.1**, all of the elements in the works must be **unpublished**, and the **copyright claimant** for all of the elements and the collection as a whole must be the same person or organization. If any of the works contain an appreciable amount of material that has been previously **published**, material that is not owned by the copyright claimant, or material that is in the **public domain**, the **applicant** should remove those works from the application or should exclude that material from the claim using the procedure described in **Chapter 600**, Sections 621.8(B).

If any of the works contain an appreciable amount of material that has been previously registered with the U.S. Copyright Office, the applicant should exclude that material from the **claim** using the procedure described in **Chapter 600**, Section 621.8(F).

1106.3(I) Rights and Permissions Information

When completing an online application, the **applicant** may provide the name, address, and other contact information for the person and/or organization who should be contacted for permission to use the works that are registered with the unpublished collection option.

For guidance in completing this portion of the online application, see [Chapter 600](#), Section 622.1. At the present time there is no space for this information on the paper applications.

1106.3(J) Correspondent / Mailing Address for the Certificate of Registration

The **applicant** should provide the name, address, telephone number, fax number, and email address (if any) for the person or persons who should be contacted if the Office has questions or concerns regarding the application. When completing an online application, the applicant should provide this information on the Correspondent screen. When completing a paper application, the applicant should provide this information in space 7(b) under the heading “Person to contact for correspondence about this **claim**.” The Office will send all communications concerning the application to this person at the address provided in the registration **record**.

In addition, the applicant should provide the name and address where the **certificate of registration** should be sent. When completing an online application, this information should be provided on the Mail Address screen. When completing a paper application, this information should be provided in space 9 of the application under the heading “Certificate will be mailed in window envelope to this address.”

For guidance in completing the Correspondent field/space, see [Chapter 600](#), Section 622.2. For guidance in providing the mailing address for the certificate, see [Chapter 600](#), Section 622.4.

1106.3(K) Special Handling

Special handling is a procedure for expediting the examination of an application. The U.S. Copyright Office offers this service in certain circumstances where a copyright owner or other interested parties have a compelling reason for the expedited issuance of a **certificate of registration**. The Office charges an additional fee for this service.

For a detailed discussion of this procedure, see [Chapter 600](#), Section 623.

1106.3(L) Certification

The application must be certified by one of the author(s) named in the application, by the **copyright claimant** named in the application, by a party that owns one or more of the **exclusive rights** in the works, or by a duly **authorized agent** of one of the foregoing parties. No other person or entity is entitled to certify an application.

The person who certifies the application certifies that the information provided in the application is correct to the best of his or her knowledge. Knowingly making a false representation of a material fact in an application, or in any written statement filed in connection with the application, is a crime that is punishable under [17 U.S.C. § 506\(e\)](#).

For guidance in completing the Certification field/space, see [Chapter 600](#), Section 624.

1107 The Unit of Publication Option

This Section discusses the U.S. Copyright Office's current practices and procedures for registering a number of works that were physically packaged or bundled together and first **published** as a single unit on the same date.

1107.1 What Is a Unit of Publication?

A **unit of publication** is a package of separately **fixed** component works that are physically bundled together for distribution to the public as a single, integrated unit, and all of the works are first published in that integrated unit. See [37 C.F.R. § 202.3\(b\)\(4\)\(i\)\(A\)](#).

The following are representative examples of works that may be distributed to the public in a single, integrated unit that may qualify as a unit of publication:

- A package of greeting cards.
- A CD packaged with cover art and a leaflet containing lyrics.
- A board game with playing pieces, game board, and instructions.
- A book published with a CD-ROM.
- A multimedia kit containing a book, a compact disc, and a poster.
- A multi-DVD package with multiple disks containing a motion picture, trailers, and deleted scenes from the motion picture.
- A box set of music CDs.
- A videogame stored on a disc packaged together with an instruction booklet and a pamphlet.
- A computer program stored on a disc packaged together with a booklet containing a user's manual.

In all cases, the works must be packaged together and distributed to the public in a physical form. Works that are combined and distributed to the public in digital form are not eligible for this option.

The unit must contain an actual copy or phonorecord of the self-contained works. A unit that merely contains a representation of the works does not satisfy this requirement. For example, a box of jewelry containing an actual necklace and an actual set of earrings that are packaged together and sold to the public as a single, integrated unit would be considered a unit of publication. By contrast, a catalog that merely contains photographs of necklaces and earrings that are offered for sale would not be considered a unit of publication, even if members of the public may order these items from the catalog either on an individual basis or as a set. The catalog could be used to register a claim in the selection, coordination, and/or arrangement of the photographs, but not the actual items depicted in those images.

Moreover, the self-contained works must be distributed to the public as an integral part of the unit. A unit that merely offers works to the public without distributing actual copies or phonorecords does not satisfy this requirement. Likewise, works that have been physically packaged or bundled for distribution or sale to wholesalers, distributors, retailers, or other intermediaries for the purpose of further distribution, public performance, or display do not satisfy this requirement. For instance, when a record company bundles a compilation of tracks together with cover art and liner notes, and distributes them to the public on a physical album, the album would qualify as a unit of publication. By contrast, when a record company distributes tracks to the public on an individual basis or licenses its entire catalog to a streaming website to facilitate the public performance of those tracks, neither the tracks nor the catalog would qualify as a unit of publication.

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

- Works first published online.
- 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 that were subsequently distributed together in the same unit.
- Works that are initially 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 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.

1107.2 Eligibility Requirements

An **applicant** may register a group of separately **fixed** works with one application, one **filing fee**, and the appropriate **deposit copies**, provided that the following conditions have been met:

- All of the **copyrightable** elements must be recognizable as self-contained works.
- All of the works claimed in the application must be first **published** as a single unit on the same date.
- The **copyright claimant** for all of the works claimed in the unit must be the same.

See [37 C.F.R. § 202.3\(b\)\(4\)\(i\)\(A\)](#). For additional guidance concerning the deposit requirements for a unit of publication, see [Chapter 1500](#).

In addition, the claimant in the unit of publication must be the person or entity that physically bundled or caused the bundling of the works and elements together into the integrated unit.

Works that do not satisfy these requirements cannot be registered with the unit of publication option.

In particular, an applicant cannot use this option to register a number of published and **unpublished** works. An applicant cannot use this option if the works were published on different dates. An applicant cannot use this option if the works were published in different units or first distributed as separate, individual works. (For a definition and discussion of **publication**, see [Chapter 1900](#).) Moreover, the unit cannot be created merely for the purpose of registration; instead it must have been distributed to the public as a single, integrated unit.

The application should expressly state that the applicant is seeking to register a number of works with the unit of publication option. For guidance on completing the application, see [Section 1107.4](#).

An applicant may use this option to register the component works within a unit of publication if the claimant is the author of those works or acquired the copyright in those works through a **transfer** of ownership, provided that the claimant manufactured, produced, published, packaged, or otherwise created the single, integrated unit as a whole. In other words, the unit of publication option may be used only if the claimant packaged the unit as a whole. Moreover, the **claimant** must own the copyright in all the component works that are claimed in the application. If the unit contains component works that are not owned by the claimant, the applicant should exclude those works from the claim using the procedure described in [Chapter 600](#), [Section 621.8\(B\)](#).

A unit of publication may contain one or more **collective works**. But the unit of publication option is not an appropriate means for registering a collective work or the component works contained therein unless the collective work has been bundled together with other separately fixed component works and has been distributed to the public as a single, integrated unit on the same date. For example, a book of photographs and the images contained therein may be registered as a collective work if (i) the claimant owns the copyright in both the images and the authorship involved in creating the book as a whole, and (ii) if the images have not been previously published or previously registered and if they are not in the public domain. In such cases, the applicant should not use the unit of publication option. For guidance on registering a collective work, see [Chapter 500](#), [Section 509.1](#) and [Chapter 600](#), [Sections 610.4](#), [613.8](#), [618.7](#), [620.8](#), and [621.8\(D\)](#).

Moreover, the unit of publication option should not be viewed as a **group registration** option for registering contributions to published collective works. In other words, it is not an accommodation for “published collections” that mirrors the accommodation described in [Section 1106](#) for **unpublished collections**. If the applicant is unable to register the component works with the unit of publication option, the applicant may register those works on an individual basis. Specifically, the applicant may prepare a separate application, filing fee, and deposit copies for each component work and may submit these items using the online application or a paper application.

As discussed in [Chapter 500](#), [Section 510](#), the Office generally issues only one registration per work. See [37 C.F.R. § 202.3\(b\)\(6\)](#). Therefore, when an applicant registers a number of self-con-

tained works with the unit of publication option, the applicant cannot add additional works to that registration at a later date. Likewise, the applicant cannot register the component works within a unit of publication and then obtain separate registrations for those works, unless the applicant satisfies one or more of the exceptions set forth in [Chapter 500](#), Sections 510.2 or 510.3. Works that are excluded from the claim must be registered separately as individual works.

1107.3 Registration Requirements

To register a number of works with the unit of publication option, the **applicant** must submit a completed application, an appropriate **deposit**, and the correct **filing fee**.

The applicant may submit an online application through the electronic registration system, or in the alternative, the applicant may submit a paper application using Forms TX, VA, PA, or SR (but not Form SE). The Office strongly encourages applicants to use the electronic registration system rather than a paper application because online applications are more efficient for both the applicant and the Office. For guidance on completing the online application or the paper application, see Section [1107.4](#).

If the unit was first **published** in the United States, the applicant should submit two complete **copies** or **phonorecords** of the **best edition** of the unit. If the unit was first published in another country, the applicant generally should submit one complete copy or phonorecord of the unit as first published or one complete copy or phonorecord of the best edition of the unit. See [37 C.F.R. § 202.20\(c\)\(1\)\(iii\), \(iv\)](#). For a definition and discussion of the best edition requirements, see [Chapter 1500](#), Section 1504. As a general rule, a copy or phonorecord of a published work is considered “complete” if it includes “all elements comprising the applicable unit of publication of the work, including elements that, if considered separately, would not be **copyrightable** subject matter.” See [37 C.F.R. § 202.20\(b\)\(2\)\(ii\)](#).

For guidance on submitting the **deposit copies**, see [Chapter 200](#), Section 204.3 and [Chapter 1500](#), Section 1508.

For information concerning the methods for paying the filing fee, see [Chapter 1400](#), Sections 1403.3 through 1403.5.

1107.4 Completing the Application

This Section provides guidance for completing an application to register multiple works with the unit of publication option.

Applicants should inform the U.S. Copyright Office that they are seeking to register a number of self-contained works under the unit of publication option. When completing the online application, the applicant should provide this information in the Note to Copyright Office. When completing a paper application, the applicant should provide this information in a cover letter.

If the **registration specialist** determines that the component works are eligible for registration under the unit of publication option, the he or she will add an annotation, such as: “Basis for registration: Unit of publication.” This statement will appear on the **certificate of registration** and the **online public record** for the **claim**.

If the specialist determines that the component works are not eligible for registration under this option, he or she may communicate with the applicant to clarify the scope of the claim, ask the applicant to submit a separate application for each work, or refuse registration.

1107.4(A) Registration Process Overview

When completing an online application, the **applicant** must provide a “yes” or “no” response to three questions concerning the work(s) that the applicant intends to register. The questions include:

- Yes or No: Are you registering one work (one song, one poem, one illustration, etc.)? Check “NO” to this question if the work is one of the following: a collection of works (such as: book of poetry, CD of songs and photographs), a collective work, website or database because these works do not qualify for the single form.
- Yes or No: Are you the only author and owner of the work (or the agent of the individual author who is also the only owner)? Check “NO” to this question if the work was created by multiple people, is a “work made for hire,” or if any part of the work was created by or is owned by another person.
- Yes or No: Does the work you are sending contain material created only by this author? Check “NO” to this question if the copy includes content or contributions by anyone else, even if the claim is limited to only the contribution by this author or the material has been licensed, permissioned or transferred to the claimant.

Based on the responses provided, the electronic registration system will direct the applicant to the Single Application or the Standard Application.

The Single Application cannot be used to register a unit of publication. See **37 C.F.R. § 202.3(b)(2)(i)(B)**. If the applicant intends to register a number of works as a unit of publication, the applicant should check the box marked “no” that appears next to the question “Are you registering one work?” This will direct the applicant to the Standard Application, rather than the Single Application.

If the applicant attempts to use the Single Application to register multiple works bundled as a unit of publication, the **registration specialist** will communicate with the applicant. This may delay the examination of the application. In addition, the Office may assign a later effective date of registration to the claim.

NOTE: The statements listed above appear in the online application, but they do not appear in any of the paper applications.

1107.4(B) Type of Work

When completing an online application, the **applicant** should select the class of work that is most appropriate for the works that the applicant intends to register and the authorship that appears in those works. These classes are listed under a drop down menu marked Type of Work. Identifying the class of works that will be submitted for registration is also the first step in completing a paper application. The Office has prescribed five basic classes of works that may be registered with a paper application, and each of these classes has its own paper form.

For guidance in completing this portion of the online application or guidance in selecting an appropriate paper application, see Section [1106.3\(B\)](#) above.

1107.4(C) Title

The **applicant** should provide the primary title of the unit of publication that will be submitted for registration (including any subtitles), even though the “unit” itself is not a work. The applicant should provide this information in the Title of This Work field of the online application.

The titles of the self-contained works that appear within the unit of publication, if any, may be provided in the Contents Title field. If the applicant provides these titles in the application, they will appear on the **certificate of registration** and the **online public record** under the heading Contents Title.

Applicants are encouraged to provide a title for each work that is submitted for registration. If a work is known by a particular title, interested parties likely will use that title to search for the work, and it may be extremely difficult to find a particular work if the applicant fails to provide that information in the application.

The total number of characters that may be provided in the Contents Title field is limited. Applicants are strongly encouraged to provide one title in the field, then click the Save button, and then repeat this process in order to prevent loss of data due to space limitations.

When completing a paper application, the applicant should provide the title for the unit of publication and/or the title(s) of the works contained therein in space 1 of the application. If additional space is needed, the applicant may provide the titles using **Form CON**. If the applicant provides this information in the application, the title of each work may be included in the certificate of registration and the online public record unless the applicant provides a substantial number of titles on Form CON.

In all cases, the titles of the works contained within the unit of publication should be listed in the application in the same order that they appear in the **deposit copies**.

For additional guidance in completing the title field/space of the application, see **Chapter 600**, Sections 610.2 and 610.4.

1107.4(D) Publication / Completion

When registering a number of works with the unit of publication option, all of the works submitted for registration must be physically packaged or bundled together in a single unit and first distributed to the public as a unit. See Section [1107.2](#).

When completing an online application, the **applicant** will be asked to provide the date of publication on the Publication/Completion screen. Specifically, the applicant should select “yes” in the drop down menu marked “Has this work been published?” In the field marked “Date of First Publication,” the applicant should provide the specific month, day, and year that the unit was distributed to the public for the first time. If the applicant indicates that the works have been published, but fails to provide the specific month, day, and year that publication occurred, the application will not be accepted by the electronic registration system.

When completing a paper application, the applicant should enter the month, day, and year of first publication on space 3(b) under the heading “Date and Nation of First Publication of This Particular Work.”

When completing an online application, the applicant should identify the year that the component works were completed on the Publication/Completion screen in the field marked Year of Completion (Year of Creation). When completing a paper application, the applicant should identify the year that the author completed the component works on space 3(a) under the heading “Year in which creation of this work was completed.” If the component works were created over a period of thirteen months or more, the applicant should provide the year of completion for the most recent work that will be submitted for registration.

For additional guidance in completing this portion of the application, see [Chapter 600](#), Section 611.1.

1107.4(E) Authors of the Component Works

As discussed in Section [1107.2](#), an **applicant** may register the component works within a unit of publication if the **claimant** is the author of those works or if the claimant has acquired the copyright in those works through a **transfer** of ownership.

In all cases, the applicant should identify the author or authors of the component works that will be submitted for registration. When completing an online application, the applicant should provide the full name of each author on the Authors screen. If the works were created by more than one author, the applicant should complete the relevant fields, click the Save button, and then repeat this process for the other authors.

The applicant should provide the country of citizenship or domicile for each author named in the application. If the applicant fails to provide this information, the application will not be accepted by the electronic registration system. If the author’s citizenship or domicile is unknown, the applicant may select “not known” from the drop down menu.

When completing a paper application, the applicant should identify the author or co-authors of the component work(s) in space 2 under the heading marked Name of Author. If the component works were created by three or more authors, the applicant may identify the other authors on [Form CON](#).

For guidance in providing the name(s) of the author(s) of the component works, see [Chapter 600](#), Section 613.8. For guidance in identifying works created by large numbers of authors, see [Chapter 600](#), Section 613.10(F). For guidance in providing the author’s citizenship and domicile, see [Chapter 600](#), Section 617.

If the works contained within the unit of publication qualify as **anonymous** or **pseudonymous** works, the applicant may check the appropriate boxes that appear in the anonymous/pseudonymous fields/spaces. For a definition and discussion of anonymous and pseudonymous works, see [Chapter 600](#), Sections 615.1 and 615.2.

For guidance concerning the Year of Birth and Year of Death fields/spaces, see [Chapter 600](#), Section 616.

1107.4(F) Manufacturer, Publisher, Producer, Packager, or Creator of the Unit of Publication

As discussed in Section **1107.2**, a unit of publication cannot be created merely for the purpose of registration. Instead, the works must have been packaged and distributed to the public as a single, integrated unit. An **applicant** may register the component works contained within a unit of publication, provided that the **claimant** manufactured, produced, published, packaged, or otherwise created the single, integrated unit. In other words, the unit of publication option may be used only if the claimant packaged or bundled the unit as a whole, or caused the unit to be packaged or bundled together.

When completing the online application, the applicant should provide a brief statement in the Note to Copyright Office field indicating that the claimant is the manufacturer, producer, publisher, packager, or other creator of the unit as a whole. When completing a paper application, the applicant may provide this information in a cover letter.

1107.4(G) Author Created / Nature of Authorship

The **applicant** should provide a brief statement that describes the component works that will be submitted for registration.

If the same author created all the component works within the unit, the applicant should check one or more of the boxes in the Author Created field that accurately describe those self-contained works. For example, if the unit of publication consists of a shrink-wrapped package with a CD-ROM containing a **computer program**, a booklet containing a user’s manual, and cover artwork, the applicant should check the boxes marked “computer program,” “text,” and “artwork.” If the unit of publication consists of a physical album containing music, lyrics, sound recording, artwork, and liner notes, the applicant should check the box marked “sound recording” and in the box marked Other the applicant should state “music,” “lyrics,” “artwork,” and “text of liner notes.”

If the component works were created by different authors, the applicant should provide the following information in the online application:

- On the Authors screen the applicant should provide the name of the individual or entity that created one of the component works. For guidance on completing this portion of the application, see **Chapter 600**, Section 613.9.
- On the Author Created screen, the applicant should check one or more of the boxes that accurately describe the component work(s) that the author contributed to the unit of publication. For example, if the author contributed one or more of the **sound recordings** within a multimedia kit that contains sound recordings, musical works, text, artwork, and other forms of authorship, the applicant should check the box marked “sound recording.” In addition, the applicant should provide the title of that component work (if any) in the field marked Other. Currently, the total amount of text that may be provided in the Author Created/Other field is limited to 100 characters or less. If more space is required, the applicant should provide the additional information in the Note to Copyright Office field.
- On the Claimant screen the applicant should provide an appropriate **transfer statement** that explains how the **claimant** obtained the copyright in that work. For guidance on providing a transfer statement, see **Chapter 600**, Section 620.9.

If the unit contains component works created by other authors, the applicant should repeat this process for each component work that the applicant intends to register.

When completing a paper application, the applicant should provide this information in space 2 under the heading marked Nature of Authorship. If more space is required, the applicant may provide additional information on [Form CON](#).

1107.4(H) Claimants / Transfer Statement

To register a number of works using the unit of publication option, the **applicant** should provide the name and address of the **copyright claimant**. See [17 U.S.C. § 409\(1\)](#). For purposes of copyright registration, the copyright claimant must be (i) the author or co-author of all the component works within the unit that are claimed in the application, or (ii) a person or organization that owns all of the rights under copyright that initially belonged to the author or co-authors of those works. See [37 C.F.R. § 202.3\(a\)\(3\)](#). No other party is entitled to be named as a copyright claimant.

If the same person(s) or organization(s) created all the component works within the unit that are claimed in the application, the applicant may name the author or co-authors as the copyright claimant. In the alternative, the applicant may provide the name of the person or organization that acquired the copyright in those works through a **transfer** of ownership.

When completing an online application, the applicant should provide the **claimant's** full name and address on the Claimants screen. When completing a paper application, the applicant should provide this information in space 4 of the application. For guidance on completing this portion of the application, see [Chapter 600](#), Section 619.12.

If the author(s) and the claimant or co-claimants named in the application are not the same person, the applicant should provide a brief **transfer statement** that explains how the claimant or co-claimants obtained the copyright in the component works. When completing an online application, the applicant should provide this information on the Claimants screen in the field marked Transfer Statement. When completing a paper application, the applicant should provide this information in space 4 under the heading marked Transfer. For guidance on completing this portion of the application, see [Chapter 600](#), Section 620.9.

1107.4(I) Limitation of Claim

As discussed in Section [1107.2](#), all of the works in a unit of publication must be physically bundled together by the claimant in a single, integrated unit, they must be first **published** on the same date, and the claimant for all of those works must be the same person or organization.

A claimant may use the unit of publication option only if that party packaged or bundled the unit as a whole, or if that party caused the unit to be packaged or bundled together. Moreover, the unit of publication option cannot be used to register any of the works in the unit that have been previously published or any works that are not owned by the copyright claimant (although such works may be registered separately). If the unit contains previously published material or third party material, the **applicant** should exclude that material from the **claim** using the procedure described in [Chapter 600](#), Section 621.8(B). The excluded works must be registered separately as individual works.

If the unit contains material that has been previously registered with the Copyright Office, the applicant should exclude that material from the claim using the procedure described in **Chapter 600**, Section 621.8(F).

1107.4(J) Rights and Permissions Information

When completing an online application, the **applicant** may provide the name, address, and other contact information for the person and/or organization who should be contacted for permission to use the works that are registered with the unit of publication option.

For guidance in completing this portion of the online application, see **Chapter 600**, Section 622.1. At the present time, there is no space for this information on the paper applications.

1107.4(K) Correspondent / Mailing Address for the Certificate of Registration

The **applicant** should provide the name, address, telephone number, fax number, and email address (if any) for the person or persons who should be contacted if the Office has questions or concerns regarding the application. When completing an online application, the applicant should provide this information on the Correspondent screen. When completing a paper application, the applicant should provide this information in space 7(b) under the heading “Person to contact for correspondence about this claim.” The Office will send all communications concerning the application to this person at the address provided in the registration **record**.

In addition, the applicant should provide the name and address where the **certificate of registration** should be sent. When completing an online application, this information should be provided on the Mail Address screen. When completing a paper application, this information should be provided in space 9 of the application under the heading “Certificate will be mailed in window envelope to this address.”

For guidance in completing the Correspondent field/space, see **Chapter 600**, Section 622.2. For guidance in providing the mailing address for the certificate, see **Chapter 600**, Section 622.4.

1107.4(L) Special Handling

Special handling is a procedure for expediting the examination of an application. The U.S. Copyright Office offers this service in certain circumstances where a copyright owner or other interested parties have a compelling reason for the expedited issuance of a **certificate of registration**. The Office charges an additional fee for this service.

For a detailed discussion of this procedure, see **Chapter 600**, Section 623.

1107.4(M) Certification

The application must be certified by one of the author(s) named in the application, by the **copyright claimant** named in the application, by a party that owns one or more of the **exclusive rights** in the works, or by a duly **authorized agent** of one of the foregoing parties. No other person or entity is entitled to certify an application.

The person who certifies the application certifies that the information provided in the application is correct to the best of his or her knowledge. Knowingly making a false representation of a material fact in an application, or in any written statement filed in connection with the application, is a crime that is punishable under [17 U.S.C. § 506\(e\)](#).

For guidance in completing the Certification field/space, see [Chapter 600](#), Section 624.

1108 Warnings

Works registered under the [unit of publication](#) option or the [unpublished collection](#) option may contain [copyrightable](#) and uncopyrightable material. As a general rule, the U.S. Copyright Office will issue a registration if some of the works set forth in the [deposit copy\(ies\)](#) contain a sufficient amount of original authorship.

If the [registration specialist](#) determines that the deposit copy(ies) contain material that is copyrightable and material that is clearly uncopyrightable, he or she may register the [claim](#) without communicating with the [applicant](#). However, the specialist may send the applicant a written communication warning that the registration does not cover the uncopyrightable material. If the deposit copy(ies) contain a relatively small number of works or if it is relatively easy to identify the uncopyrightable material, the specialist may identify the uncopyrightable material in his or her written communication. If the deposit copy(ies) contain a large number of works or if it is difficult or impractical to identify the uncopyrightable material, the specialist may or may not provide representative examples of the copyrightable and uncopyrightable material.

This communication will be sent to the address or email address provided in the Correspondent portion of the application. The specialist will place a copy of the communication in the registration record, and the [certificate of registration](#) and the [online public record](#) will indicate the presence of correspondence in the file.

Warnings are intended to put the applicant, the [claimant](#), the courts, and the general public on [notice](#) that the registration does not necessarily cover all of the works or every element of the works submitted for registration. They also indicate that the Office did not necessarily examine each work or each element of the works for copyrightable authorship.

1109 Group Registration of Serials

This Section discusses the U.S. Copyright Office's current practices and procedures for registering a group of [serials](#).

For guidance on registering a single issue of a serial publication, see [Chapter 700](#), Section 712. For information concerning the [group registration](#) options for daily newspapers and daily newsletters, see Sections [1110](#) and [1111](#). For an overview of the similarities and differences between the group registration options for serials, daily newspapers, and daily newsletters, see Section [1118](#). For information concerning the group registration option for contributions to periodicals, see Section [1115](#).

See generally [Registration of Claims to Copyright: Group Registration of Serial Issues Filed Electronically](#), 77 Fed. Reg. 66,920 (Nov. 8, 2012); [Registration of Claims to Copyright: Group Registration of Serials](#), 55 Fed. Reg. 50,556 (Dec. 7, 1990).

1109.1 What Is a Serial?

For purposes of this group registration option, a serial is defined as a work that is issued or intended to be issued on an established schedule in successive parts bearing numerical or chronological designations that are intended to be continued indefinitely. Examples include periodicals, newspapers, magazines, newsletters, journals, bulletins, annuals, the proceedings of societies, and other similar works. See [37 C.F.R. § 202.3\(b\)\(1\)\(v\)](#).

1109.2 Eligibility Requirements

A group of serials may be registered with the U.S. Copyright Office, provided that the following conditions have been met:

- Each issue in the group must be a serial as defined in Section [1109.1](#).
- The group must contain at least two issues.
- Each issue must be an essentially all-new **collective work** that has been **published** for the first time.
- The author(s) and the **copyright claimant(s)** for all of the issues must be the same person or organization.
- The **claim** to copyright must be limited to the collective work.
- Each issue must be a **work made for hire**.
- Each issue must be created no more than one year prior to **publication**.
- The serial must be published at an interval of a week or longer, such as a weekly, biweekly, or monthly publication.
- All of the issues must be published within a period of three months (*e.g.*, January 1st through March 31st, February 1st through April 30th, October 1st through December 31st, etc.).
- All of the issues must be published in the same calendar year.
- The Library of Congress must receive two complimentary copies promptly after publication of each issue of the serial.

See [37 C.F.R. § 202.3\(b\)\(6\)\(i\)](#).

Serials that do not satisfy these requirements cannot be registered using this group registration option.

The regulation establishing this option became effective on January 7, 1991. Serials published before that date are not eligible for group registration.

The Copyright Act defines a collective work as “a work, such as a periodical issue, anthology, or encyclopedia, in which a number of contributions, constituting separate and independent works

in themselves, are assembled into a collective whole.” **17 U.S.C. § 101**. As discussed above, each issue in the group must be an essentially all-new collective work that has been published for the first time. In other words, the issues included in the group cannot be derivative versions of a previously published issue or a serial that is frequently modified, updated, or adapted. For the same reason, a website cannot be registered with the group option for serials.

By definition, a collective work contains two distinct forms of authorship:

- The compilation authorship in creating the serial, which involves selecting, coordinating, and arranging a number of separate and independent works and assembling them into a collective whole; and
- The authorship in the separate and independent works included within the serial, such as an article or photograph.

Both forms of authorship may be registered using the group registration option for serials, provided that (i) the contributions and the collective work as a whole were created by the author named in the application, and (ii) the author and the **claimant** are the same (*i.e.*, the author owns the copyright in that material).

A group registration only covers material created and owned by the author/claimant named in the application. It does not cover material created by authors who are not named in the application or contributions that are not owned by the copyright claimant. In particular, the Office will not accept an application that purports to register articles, photographs, or other contributions created by a person who transferred the copyright in his or her work to the author/claimant.

As discussed above, the group must contain at least two issues and all of the issues must be published within a three-month period during the same calendar year, but otherwise there is no limit on the number of issues that may be included within each group.

If the **applicant** is unable to register a particular issue using the group registration option for serials, the applicant may submit a separate application for that issue using the online application or a paper application submitted on **Form SE**. For information concerning the procedures for registering a single issue of a serial publication, see **Chapter 700**, Section 712.

1109.3 Application Requirements

A group of serials may be registered with the U.S. Copyright Office by submitting an online application through the Office’s electronic registration system. In the alternative, the **applicant** may submit a paper application using **Form SE/Group**. See **37 C.F.R. § 202.3(b)(6)(v)**.

The Office strongly encourages applicants to use the electronic registration system rather than Form SE/Group, because online applications are more efficient for both the applicant and the Office. See **Registration of Claims to Copyright: Group Registration of Serial Issues Filed Electronically**, 77 Fed. Reg. 66,920, 66,921 (Nov. 8, 2012).

For guidance on completing the online application and Form SE/Group, see Section **1109.7**.

1109.4 Filing Fee Requirements

The **applicant** must submit the correct **filing fee** for this **group registration** option. See 37 C.F.R. § 202.3(b)(6)(v)(A)(2), (b)(6)(v)(B)(2). The current fee is set forth in the U.S. Copyright Office’s **fee schedule** under the heading “Form SE / Group (serials) (per issue, with minimum 2 issues).”

For information concerning the methods for paying the filing fee, see **Chapter 1400**, Sections 1403.3 through 1403.5.

1109.5 Deposit Requirements

This Section discusses the deposit requirements for registering a group of serials.

1109.5(A) Serials Subject to the Complimentary Subscription Requirement

The deposit requirement for this group registration option varies depending on whether the Library of Congress has selected the serial for its collections.

If the serial has never been registered using the group registration option, the **applicant** should contact the Copyright Acquisitions Division (“CAD”) to determine whether the Library has selected the serial for its collections. Specifically, the applicant may provide the title of the serial, the name of the publisher, the International Standard Serial Number (“ISSN”) that has been assigned to the serial (if any), and the name, address, email, and phone number for the applicant using the form posted on the U.S. Copyright Office’s **website**. If the Library chooses to include the serial in its collections, CAD will notify the applicant in writing. When submitting an online application, the applicant should transcribe the content of this communication in the Note to Copyright Office field. When submitting an application for group registration using **Form SE/Group** the applicant should attach a copy of this communication to the application.

If the Library has selected the serial for its collections, the applicant must provide the Library with two complimentary subscriptions, and the applicant must submit a letter confirming that two complimentary subscriptions have been provided. See 37 C.F.R. §§ 202.3(b)(6)(ii), 202.20(c)(2)(xvii). The letter should identify the title of the serial, the name of the publisher, and the volume, number, and issue date for the first issue that will be delivered to the Library under the subscription. Both the letter and the subscription copies should be sent to the following address:

Library of Congress
Group Periodicals Registration
101 Independence Avenue SE
Washington, DC 20540-4161

Providing an ongoing, complimentary subscription and promptly delivering the subscription copies to the Library after the **publication** of each issue is a mandatory requirement for serials that have been selected by the Library. Providing complimentary subscriptions also satisfies the mandatory deposit requirements set forth in **Section 407** of the Copyright Act. See **Registration of Claims to Copyright: Group Registration of Serials, 55 Fed. Reg. 50,556, 50,556 (Dec. 7, 1990)**. Applicants whose serials have been selected may not use this group registration option unless they provide complimentary subscriptions, and the privilege of using this option may be revoked

if an applicant fails to deliver complimentary subscription copies on a prompt and regular basis. [37 C.F.R. § 202.3\(b\)\(6\)\(iv\)](#).

1109.5(B) Serials Not Subject to the Complimentary Subscription Requirement

Providing complimentary subscriptions is a mandatory requirement for registering a group of serials, but only if the Library of Congress has selected the serial for its collections. See [Registration of Claims to Copyright: Group Registration of Serial Issues Filed Electronically](#), 77 Fed. Reg. 66,920, 66,921 (Nov. 8, 2012).

The U.S. Copyright Office has adopted an interim practice for serials that have not been selected by the Library that allows **applicants** to submit one complete copy of each issue in the group without providing a complimentary subscription. For information concerning this procedure, see [Copyright Registration for a Group of Serial Issues \(Circular 62b\)](#).

1109.5(C) One Complete Copy of Each Issue

In all cases, the **applicant** must submit one complete copy of each issue that is included in the group along with the application.

If the applicant submits a paper application using [Form SE/Group](#), the applicant should submit one complete copy of the **best edition** of each issue. For a definition and discussion of the best edition requirements, see [Chapter 1500](#), Section 1504.

If the applicant submits an online application, the applicant may submit an electronic copy or a physical copy of each issue, although the U.S. Copyright Office strongly encourages applicants to submit electronic copies whenever possible. Specifically, the applicant should submit (i) one complete copy of each issue in a digital format that complies with the requirements set forth in sections [202.20\(b\)\(2\)\(iii\)\(B\)](#) and [202.20\(b\)\(2\)\(iii\)\(C\)](#) of the regulations or (ii) one complete copy of the best edition of each issue.

For guidance on submitting the **deposit copy**, see Section [1109.8](#).

See [37 C.F.R. §§ 202.3\(b\)\(6\)\(v\)\(A\)\(3\)](#), [\(b\)\(6\)\(v\)\(B\)\(3\)](#), and [202.20\(c\)\(2\)\(xvii\)](#).

1109.6 When May an Application for a Group Registration Be Filed?

The U.S. Copyright Office will register a group of serials **published** within a three-month period during the same calendar year, provided that the **applicant** complies with the requirements set forth in Sections [1109.2](#) through [1109.5](#). The Office strongly encourages applicants who use this **group registration** option to submit the application, **deposit copies**, and **filing fee** within three months after the date of **publication** for the earliest serial in the group.

1109.7 Completing the Application: Group Registration of Serials

This Section provides guidance for registering a group of serials with an online application or a paper application submitted on [Form SE/Group](#).

1109.7(A) Type of Group

To register a group of serials with an online application, the **applicant** should begin by clicking the phrase “Register a Group Claim,” which appears on the home page of the electronic registration system.

The applicant should identify the type of group that he or she intends to register. For a group of serials, the applicant should select “Serial Issues” from the drop down menu that appears on the Type of Group screen.

1109.7(B) Title

The **applicant** should provide the title of the serial exactly as it appears on the **deposit copies**, including any subtitle(s). When completing an online application, the applicant should provide this information on the Title screen in the field marked Serial Title. When completing a paper application, the applicant should provide this information on space 1 of **Form SE/Group**.

The applicant should complete the field marked Previous/Alternative Title in the online application (i) if the serial was previously **published** under a different title, (ii) if the serial is known by a different title or by a title that is written in a different language, or (iii) if a person would likely search for the serial in the U.S. Copyright Office’s records under a different title. As a general rule, a subtitle is not considered a Previous or Alternative Title.

Applicants cannot provide titles for the various articles, photographs, illustrations, or other contributions that appear within each issue when submitting an application for a group registration (regardless of whether the application is submitted through the electronic registration system or with a paper application submitted on **Form SE/Group**). If the applicant would like to include this information in the registration **record**, the applicant must submit a separate application for each issue using the online application or a paper application submitted on **Form SE**. For information concerning the procedures for registering a single issue of a serial **publication**, see **Chapter 700**, Section 712.

1109.7(C) ISSN Numbers

If an International Standard Serial Number (“ISSN”) has been assigned to the serial, the **applicant** should provide this information on the Title screen of the online application. Specifically, the applicant should select ISSN from the drop down menu marked ISN Type and the applicant should provide the relevant number in the field marked International Standard Number.

When completing a paper application, the applicant should provide this information in space 1 under the heading marked ISSN.

For a general discussion of **ISSN** numbers, see **Chapter 600**, Section 612.6(C).

1109.7(D) Nation of First Publication / Author’s Citizenship or Domicile

When completing an online application, the **applicant** should identify the country where the issues were first **published** by selecting one of the countries listed in the drop down menu marked

Nation of First Publication. The U.S. Copyright Office will use this information to determine whether the issues are eligible for copyright protection in the United States. If the applicant fails to provide a nation of first **publication**, the application will not be accepted by the electronic registration system. If the nation of first publication is unknown, the applicant may select “unknown” from the drop down menu.

When completing a paper application, the applicant should provide the nation of first publication or the author’s country of citizenship or domicile in space 2 of **Form SE/Group** if the work was created by a foreign author or if the work was first published outside the United States.

For a definition and discussion of the nation of first publication, see **Chapter 600**, Section 612. For a definition and discussion of the author’s citizenship and domicile, see **Chapter 600**, Section 617.

1109.7(E) Volume, Number, Issue Date, and Date of Publication

When completing an online application, the **applicant** should provide the volume, number, and issue date (if any) that appears on the **deposit copy** for each issue in the group. This information should be provided on the Title screen. In addition, the applicant should provide the date of **publication** (month, day, and year) for each issue. If the applicant fails to provide a date of publication, the application will not be accepted by the electronic registration system.

When completing a paper application, the applicant should provide this information on space 1 of **Form SE/Group**. The issues that are included in the group should be listed in the application in chronological order.

When completing an online application, the applicant should state “No previous registration under identical title” in the Note to Copyright Office field if this is the first time that the serial has been submitted for registration using the group registration option. If the applicant received a written communication from CAD indicating that the Library has or has not included the serial in its collections, the applicant should transcribe that statement in the Note to Copyright Office field. *See Section 1109.5(A).*

When completing a paper application on Form SE/Group, the applicant should check the box marked “No previous registration under identical title” if this is the first time that the serial has been submitted for registration using the group registration option. If the applicant received a written communication from CAD indicating that the Library has or has not included the serial in its collections, the applicant should attach a copy of that communication to the application. *See Section 1109.5(A).*

For a general discussion of publication issues, see **Chapter 600**, Section 612.

1109.7(F) Author / Claimant

As discussed in Section **1109.2**, all of the issues in the group must be created by the same author(s), the copyright in each issue must be owned by the **same copyright claimant(s)**, and the author(s) and the claimant(s) must be the same person or organization.

When completing an online application, the **applicant** should provide the author/claimant’s full name and the author/claimant’s address on the Author/Claimant screen. When completing a paper application, the applicant should provide this information on space 2 of **Form SE/Group**.

The applicant does not need to describe the material that the author created, because by definition, a registration for a group of serials only covers (i) the contributions created by the author named in the application and (ii) the compilation authorship involved in creating the **collective work** as a whole. See Section 1109.2; see also **Registration of Claims to Copyright, Group Registration Options, 73 Fed. Reg. 23,390, 23,391-92 (Apr. 30, 2008)** (“[A] description of new matter within a work . . . is no longer explicitly required on the group registration form because many of the group options require that the works included in the grouping be ‘essentially new’ with respect to their authorship.”).

If the serial contains articles, photographs, or other contributions that were created by an author who transferred the copyright in his or her work to the claimant, the applicant cannot register those contributions using the group registration option for serials. Instead, the applicant should prepare a separate application for each issue using the online application or a paper application submitted on **Form SE**. For information concerning the procedures for registering a single issue of a serial **publication**, see **Chapter 700**, Section 712.

1109.7(G) Rights and Permissions Information

When completing an online application, the **applicant** may provide the name, address, and other contact information for the person and/or organization who should be contacted for permission to use the issues that are included in the group. Providing this information is optional, and an application will be accepted even if this portion of the application is left blank.

For guidance in completing this portion of the online application, see **Chapter 600**, Section 622.1. Currently there is no space for this information on **Form SE/Group**.

1109.7(H) Correspondent / Mailing Address for the Certificate of Registration

The **applicant** should provide the name, address, telephone number, fax number, and email address (if any) for the person or persons who should be contacted if the U.S. Copyright Office has questions or concerns regarding the application. When completing an online application, the applicant should provide this information on the Correspondent screen. When completing a paper application, the applicant should provide this information under the heading marked “Person to contact for correspondence about this claim.” As a general rule, the Office will send all communications to this person at the address provided in the registration **record**.

In addition, the applicant should provide the name and address where the **certificate of registration** should be sent. When completing an online application, this information should be provided on the Mail Address screen. When completing a paper application, this information should be provided under the heading marked “Certificate will be mailed in window envelope to this address.”

For guidance in completing the Correspondent field/space, see **Chapter 600**, Section 622.2. For guidance in providing the mailing address for the certificate, see **Chapter 600**, Section 622.4.

1109.7(I) Special Handling

Special handling is a procedure for expediting the examination of an application. The U.S. Copyright Office offers this service in certain circumstances where a copyright owner or other interested parties have a compelling reason for the expedited issuance of a **certificate of registration**. The Office charges an additional fee for this service.

For a detailed discussion of this procedure, see **Chapter 600**, Section 623.

1109.7(J) Certification

The application must be certified by the author/claimant named in the application or a duly **authorized agent** of the author/claimant. No other person or entity is entitled to certify an application.

The person who certifies the application certifies that the information provided in the application is correct to the best of his or her knowledge. Knowingly making a false representation of a material fact in an application, or in any written statement filed in connection with the application, is a crime that is punishable under **17 U.S.C. § 506(e)**.

When completing an online application, the **applicant** will be asked to certify the application on the **Certification** screen. Specifically, the applicant should provide the first and last name of the individual who is certifying the application in the space marked Name of Certifying Individual and should check the box that reads, “I certify that I am the author, **copyright claimant**, or owner of **exclusive rights**, or the authorized agent of the author, copyright claimant, or owner of exclusive rights of this work and that the information given in this application is correct to the best of my knowledge.” See **37 C.F.R. § 202.3(c)(2)(ii)**. There is no need to date the certification in an online application; the date will be added automatically when the application is received by the U.S. Copyright Office. See **Online Registration of Claims to Copyright, 72 Fed. Reg. 36,883, 36,887 (July 6, 2007)**.

When completing **Form SE/Group**, the applicant should sign and date the application in the space marked “Handwritten signature.” The first and last name of the person who signed the application should be typed or printed on the space marked “Typed or printed name.”

1109.8 Submitting the Deposit

As discussed in Section **1109.5**, the **applicant** must submit one complete copy of each issue that is included in the group, regardless of whether the applicant submits an online application or a paper application and regardless of whether the serial is subject to the complimentary subscription requirement.

When completing an online application, the applicant may upload an electronic copy of each issue through the electronic registration system. The file for each issue should not exceed 500 megabytes, and each file should be uploaded sequentially in chronological order. When all of the issues in the group have been uploaded, the applicant should click the “upload complete” button. Additional information concerning the Library’s current preferences for file-level format and specifications are posted on the Office’s **website**.

In the alternative, the applicant may submit a physical copy of each issue in the group, or the applicant may submit a disc containing an electronic copy of each issue. The **deposit copies** may be delivered by mail, by courier, or by hand delivery to the Public Information Office. In all cases, the deposit copies must be submitted together with the shipping slip that is generated by the electronic registration system. Failure to include a **shipping slip** may prevent the Office from connecting the deposit copies with the online application and may require the applicant to resubmit the **deposit**, which in turn, may change the **effective date of registration** for the group registration. See **Chapter 600**, Section 625.2(D). Deposit copies submitted without shipping slips will not be returned.

Packages that are delivered to the U.S. Copyright Office by mail or by courier will be irradiated to destroy possible contaminants, such as anthrax. This process may damage CD-ROMs or other compact discs. To avoid this result, applicants are strongly encouraged to send these types of materials in boxes rather than envelopes.

When completing a paper application the applicant should submit a package containing a complete copy of each issue together with the completed application and the correct filing fee. For information concerning the methods for paying the filing fee, see **Chapter 1400**, Sections 1403.4 and 1403.5. The package may be delivered by mail, by courier, or by hand delivery to the Public Information Office.

The Public Information Office is located in Room LM-401 of the James Madison Memorial Building of the Library of Congress, 101 Independence Avenue SE, Washington, DC 20559. It is open Monday through Friday from 8:30 a.m. to 5:00 p.m. Eastern Time (except for federal holidays). Please be advised that visitors to the Office must pass through security before entering the building, and that sealed packages or packages that are more than twenty-four inches wide by fifteen inches high are not permitted.

Items delivered by private courier should be delivered in-person to the following location:

Congressional Courier Acceptance Site
160 D Street NE
Washington, DC 20510

This location is open Monday through Friday from 8:30 a.m. to 4:30 p.m. Eastern Time (except for holidays). Items delivered to this location are typically sent to the Office the next working day.

1110 Group Registration of Daily Newspapers

This Section discusses the U.S. Copyright Office's current practices and procedures for registering a group of daily newspapers.

The regulation governing the **group registration** of daily newspapers became effective on September 1, 1992. Newspapers **published** before that date are not eligible for this group registration option.

For guidance on registering a single issue of a newspaper as a single serial publication, see **Chapter 700**, Section 712. For information concerning the group registration options for **serials** and daily newsletters, see Sections **1109** and **1111**. For a general overview of the similarities and differences between the group registration options for serials, daily newspapers, and daily newsletters,

see Section **1118**. For information concerning the group registration option for contributions to periodicals, see Section **1115**.

See generally **Registration of Claims to Copyright: Group Registration of Daily Newspapers**, **57 Fed. Reg. 39,615 (Sept. 1, 1992)**; *see also* **H.R. REP. NO. 94-1476, at 154 (1976)**, reprinted in 1976 U.S.C.C.A.N. 5659, 5770 (citing “the various editions or issues of a daily newspaper” as an example of a group of related works that might qualify for group registration).

1110.1 What Is a Daily Newspaper?

For purposes of this group registration option, a daily newspaper is defined as a serial that has been selected by the Newspaper Section of the Serials and Government Publications Division for the collections of the Library of Congress. The papers that have been selected by the Library are listed in a policy document titled “Newspapers Received Currently in the Library of Congress.” Generally speaking, the newspapers on this list (i) are mainly designed to be a primary source of written information on current events, either local, national, or international in scope, (ii) contain a broad range of news on all subjects and activities and are not limited to any particular subject matter, and (iii) are intended for either the general public or a particular ethnic, cultural, or national group. *See* **37 C.F.R. § 202.3(b)(7)(ii)**. For a definition of the term serial, see Section **1109.1**.

1110.2 Eligibility Requirements

A group of daily newspapers may be registered with the U.S. Copyright Office, provided that the following conditions have been met:

- Each issue in the group must be a daily newspaper as defined in Section **1110.1**.
- Each issue must bear the same title.
- All of the issues must bear issue dates within the same calendar month and the same calendar year, and the group must contain all of the issues **published** within that month.
- The U.S. Copyright Office must receive a completed application, the correct **filing fee**, and the correct **deposit copies** within three months after the date of publication for the last issue that is included in the group.

See **37 C.F.R. § 202.3(b)(7)(i)**.

Newspapers that do not satisfy these requirements cannot be registered using this group registration option.

If the **applicant** is unable to register a particular issue using the group registration option for daily newspapers, the applicant may submit a separate application for that issue using the online application or a paper application submitted on **Form SE**. For information concerning the procedures for registering a single issue of a serial publication, see **Chapter 700**, Section 712.

1110.3 Application Requirements

Currently, an application to register a group of daily newsletters must be submitted on **Form G/DN. 37 C.F.R. § 202.3(b)(7)(i)(B)**. For guidance on completing Form G/DN, see Section **1112**.

1110.4 Filing Fee Requirements

The **applicant** must submit the correct **filing fee** for this **group registration** option. **37 C.F.R. § 202.3(b)(7)(i)(E)**. The current fee is set forth in the U.S. Copyright Office's **fee schedule** under the heading "Form G/DN (daily newspapers and qualified newsletters)."

For information concerning the methods for paying the filing fee, see **Chapter 1400**, Sections 1403.4 and 1403.5.

1110.5 Deposit Requirements

This Section discusses the deposit requirements for registering a group of daily newspapers.

1110.5(A) Newspapers Subject to the Microfilm Deposit Requirement

The deposit requirement for this group registration option varies depending on whether the Library of Congress has selected the newspaper for its collections.

If the newspaper has been selected by the Library, the **applicant** must submit one complete copy of the final edition of each issue that was published in the month specified in the application on 35mm silver halide microfilm containing a positive print of each issue (*i.e.*, black text printed on a white background). See **37 C.F.R. § 202.3(b)(7)(i)(D)**; see also **37 C.F.R. pt. 202, app. B, § X.A.1**.

If two or more daily editions were published on a particular day, the applicant may submit the final edition together with the earlier editions, provided that the earlier editions and the final edition were published within the same metropolitan area. **37 C.F.R. § 202.3(b)(7)(i)(D)**. Applicants may not combine national or regional editions that were published outside a given metropolitan area. Instead, each national or regional edition should be registered as a separate group. See *id.*

Examples:

- The morning edition and final edition of the *Providence Post* could be registered as a single group.
- The Manhattan, Long Island, and Sussex editions of the *New York Examiner* could be registered as a single group.
- The East Coast and West Coast editions of *Show Biz Daily* could not be registered as a single group, although they could be registered as two separate groups.

Submitting a microfilm deposit is a requirement for this group registration option if the title has been selected by the Library, and it will relieve the publisher of any mandatory deposit requirements set forth in **Section 407** of the Copyright Act for the issues submitted on microfilm.

Microfilm may be delivered to U.S. Copyright Office by mail, by courier, or by hand delivery to the Public Information Office. Packages that are delivered to the Office by mail or by courier will be irradiated to destroy possible contaminants, such as anthrax. This process may damage microfilm. To avoid this result, applicants are strongly encouraged to send microfilm in boxes rather than envelopes. For additional guidance on delivering items to the Office by hand or by courier, see Section [1109.8](#).

1110.5(B) Newspapers That Are Not Subject to the Microfilm Deposit Requirement

Providing microfilm is a requirement for registering a group of daily newspapers if the Library of Congress has selected the paper for its collections.

A few years after the U.S. Copyright Office created this group registration option, a number of [applicants](#) began to submit newspapers that had not been selected by the Library. These applicants went through the time and expense of submitting archival-quality microfilm deposits, even though their works did not appear on the list of “Newspapers Received Currently in the Library of Congress.”

The Office has adopted an interim practice that allows groups of newspapers that have not been selected by the Library to be registered without a 35mm silver halide microfilm deposit. Specifically, the interim practice allows an applicant to submit (i) complete print copies of the first and last issues of the month specified in the application, or (ii) print copies of the first section of the first and last issues of the month, or (iii) print copies of the first page of the first and last issues of the month.

1110.6 The Timeliness Requirement

As discussed in Section [1110.2](#), the U.S. Copyright Office must receive a completed application, the correct [filing fee](#), and the correct [deposit copies](#) within three months after the date of [publication](#) for the last issue that is included in the group. See [37 C.F.R. § 202.3\(b\)\(7\)\(i\)\(F\)](#). For example, if the last issue was published on November 30, 2013, and if the Library of Congress has selected the newspaper for its collections, the Office must receive the following items by February 28, 2014:

- A completed application on [Form G/DN](#).
- The filing fee specified on the U.S. Copyright Office’s [fee schedule](#).
- The correct deposit copies, namely, positive 35mm silver halide microfilm containing one complete copy of the final edition of each issue that was published in November 2013.

If the application, deposit, and filing fee are not received by the deadline, the Office will refuse to register the newspapers as a group.

If the [applicant](#) is unable to register a particular issue using the group registration option for newspapers, the applicant may submit a separate application for that issue using the online application or a paper application submitted on [Form SE](#). For information concerning the procedures for registering a single issue of a serial publication, see [Chapter 700](#), Section 712.

1111 Group Registration of Daily Newsletters

This Section discusses the U.S. Copyright Office’s current practices and procedures for registering a group of daily newsletters.

The regulation governing the group registration of daily newsletters became effective on September 1, 1992. Newsletters **published** before that date are not eligible for this group registration option.

For guidance on registering a single issue of a serial publication, see **Chapter 700**, Section 712. For information concerning the group registration options for **serials** and daily newspapers, see Sections **1109** and **1110**. For a general overview of the similarities and differences among the group registration options for serials, daily newspapers, and daily newsletters, see Section **1118**. For information concerning the group registration option for contributions to periodicals, see Section **1115**.

See generally **Registration of Claims to Copyright; Group Registration of Daily Newsletters, 64 Fed. Reg. 29,522 (June 1, 1999); Registration of Claims to Copyright; Group Registration of Daily Newsletters, 60 Fed. Reg. 15,874 (Mar. 28, 1995).**

1111.1 What Is a Daily Newsletter?

For purposes of this **group registration** option, a daily newsletter is defined as a serial that is **published** and distributed online, by mail, by fax, on any other medium, including but not limited to, paper, cassette tape, diskette, or CD-ROM. (The term “serial” is defined in Section **1109.1**.) The serial must be routinely published at least two days per week, and it must contain news or information that is chiefly of interest to a special group, such as trade associations, professional associations, corporate in-house groups, schools, colleges, churches, or the like. *See* **37 C.F.R. § 202.3(b)(9)(i)**. Newsletters are typically sold by subscription, but they are not sold on newsstands or through other retail outlets. *See* **Registration of Claims to Copyright; Group Registration of Daily Newsletters, 60 Fed. Reg. 15,874, 15,875 (Mar. 28, 1995).**

1111.2 Eligibility Requirements

A group of daily newsletters may be registered with the U.S. Copyright Office, provided that the following conditions have been met:

- Each issue in the group must be a daily newsletter as defined in Section **1111.1**.
- The group must contain at least two issues.
- Each issue must bear the same title.
- Each issue must be an essentially all-new **collective work** or an all-new issue that has not been **published** before.
- Each issue must bear issue dates within the same calendar month and the same calendar year.
- The author(s) and the **copyright claimant(s)** for all of the issues must be the same person or organization.

- Each issue must be a **work made for hire**.
- The U.S. Copyright Office must receive a completed application, the correct **filing fee**, and the correct **deposit copies** within three months after the date of publication for the last issue that is included in the group.

See **37 C.F.R. § 202.3(b)(9)**.

Newsletters that do not satisfy these requirements cannot be registered using this group registration option.

If the **applicant** is unable to register a particular issue using the group registration option for newsletters, the applicant may submit a separate application for that issue using the online application or a paper application submitted on **Form SE**. For information concerning the procedures for registering a single issue of a serial publication, see **Chapter 700**, Section 712.

1111.3 Application Requirements

Currently, an application to register a group of daily newsletters must be submitted on **Form G/DN**. **37 C.F.R. § 202.3(b)(9)(viii)**. For guidance on completing Form G/DN, see Section **1112**.

1111.4 Filing Fee Requirements

The **applicant** must submit the correct **filing fee** for this group registration option. See **37 C.F.R. § 202.3(b)(9)(viii)**. The current fee is set forth in the U.S. Copyright Office's **fee schedule** under the heading "Form G/DN (daily newspapers and qualified newsletters)."

For information concerning the methods for paying the filing fee, see **Chapter 1400**, Sections 1403.4 and 1403.5.

1111.5 Deposit Requirements

This Section discusses the deposit requirements for registering a group of daily newsletters.

1111.5(A) One Complete Copy of Each Issue

In all cases, the **applicant** must submit one complete copy of each newsletter issue that is included in the group (in addition to submitting a copy of each issue on microfilm or providing a complimentary subscription as discussed in Section **1111.5(B)** below). See **37 C.F.R. § 202.3(b)(9)(vi)(A)**.

If the newsletter is **published** in a tangible format, the applicant should submit one complete print copy of each issue.

If the newsletter is published exclusively online, the applicant should submit (i) one complete printout of each issue, or (ii) a disc or CD-ROM containing a complete copy of each issue together with a printout of the first and last issues in the group.

The deposit may be delivered by mail, by courier, or by hand delivery to the Public Information Office. Packages that are delivered to the U.S. Copyright Office by mail or by courier will be irradiated to destroy possible contaminants, such as anthrax. This process may damage CD-ROMs or other compact discs. To avoid this result, applicants are strongly encouraged to send these types of materials in boxes rather than envelopes. For additional guidance on delivering items to the Office by hand or by courier, see Section [1109.8](#).

1111.5(B) Microfilm or Complimentary Subscriptions

If the **applicant** receives an express written request from the Copyright Acquisitions Division of the Library of Congress (“CAD”), the applicant may be required to provide the Library with up to two complimentary subscriptions of the edition that is most suitable for its needs. Alternatively, the applicant may be required to submit one complete copy of the final edition of each issue that was **published** in the month specified in the application. Specifically, the applicant may be required to submit 35mm silver halide microfilm containing a positive print of each issue (*i.e.*, black text printed on a white background). See [37 C.F.R. § 202.3\(b\)\(9\)\(vi\)\(B\)](#); see also [37 C.F.R. pt. 202, app. B, ¶ X.A.1](#). In all cases, a copy of the communication from CAD should be submitted to the U.S. Copyright Office along with the application.

Providing microfilm or a complimentary subscription is a requirement for using this group registration option if the applicant received a written request from CAD before the application was submitted to the U.S. Copyright Office. Applicants who have not received a written request from CAD are not required to provide subscriptions or microfilm, although as discussed in Section [1111.5\(A\)](#) they are required to submit one complete copy of each issue that is included in the group. See [37 C.F.R. § 202.3\(b\)\(9\)\(vi\)\(B\)](#).

Subscription copies or microfilm should be sent to the address specified in the request from CAD, and may be delivered by mail, by courier, or by hand delivery to the Public Information Office. Packages that are delivered to the U.S. Copyright Office by mail or by courier will be irradiated to destroy possible contaminants, such as anthrax. This process may damage microfilm. To avoid this result, applicants are strongly encouraged to send microfilm in boxes rather than envelopes. For additional guidance on delivering items to the Office by hand or by courier, see Section [1109.8](#).

Submitting microfilm or providing complimentary subscriptions for the purpose of obtaining a group registration will relieve the publisher of any mandatory deposit requirements set forth in [Section 407](#) of the Copyright Act for issues submitted in this manner.

1111.6 The Timeliness Requirement

As discussed in Section [1111.2](#), the U.S. Copyright Office must receive a completed application, the correct **filing fee**, and the correct **deposit copies** within three months after the date of **publication** for the last issue that is included in the group. See [37 C.F.R. § 202.3\(b\)\(9\)\(vii\)](#). For example, if the last issue was **published** on October 20, 2013, and if the Copyright Acquisitions Division instructed the applicant to submit the newsletter on microfilm, the Office must receive the following items by January 20, 2014:

- A completed application on [Form G/DN](#).
- The filing fee specified on the U.S. Copyright Office’s [fee schedule](#).

- The correct **deposit copies**, namely, (i) a complete copy of each issue in the group, and, if contacted by CAD, (ii) positive 35mm silver halide microfilm containing one complete copy of the final edition of each issue that was published in October 2013 or (iii) two complimentary subscriptions.

If the application, deposit, and filing fee are not received by the deadline, the Office will refuse to register the newsletters as a group.

If the applicant is unable to register a particular issue using the group registration option for newsletters, the applicant may submit a separate application for that issue using the online application or a paper application submitted on **Form SE**. For information concerning the procedures for registering a single issue of a serial publication, see **Chapter 700**, Section 712.

1112 Completing the Application: Group Registration of Daily Newspapers and Daily Newsletters (Form G/DN)

This Section provides instructions for completing **Form G/DN**. Currently, this form must be used to register a group of daily newspapers or daily newsletters.

1112.1 Space 1: Title of this Newspaper / Newsletter

In space 1 of the application, the **applicant** should provide the title of the newspaper or newsletter exactly as it appears on the **deposit copies**. In addition, the applicant should identify the total number of issues that have been submitted for registration. As discussed in Sections **1110.2** and **1111.2**, the title that appears on each issue in the group must be the same.

If a month and year date (*e.g.*, October 2013) or an edition number (*e.g.*, Vol. 217, No. 1) appears on the deposit copies, the applicant should provide this information in space 1 under the headings marked “Month and year date on copies” and “Edition.”

If an International Standard Serial Number (“ISSN”) has been assigned to the newspaper or newsletter, the applicant should provide this information in space 1 of the application under the heading marked “ISSN.” For a general discussion of ISSN numbers, see **Chapter 600**, Section 612.6(C).

If this is the first time that the newspaper or newsletter has been submitted for registration using the group registration option, the applicant should check the box marked “If no previous registration under identical title check here.” If the applicant received a written communication from CAD indicating that the Library has or has not included the newsletter in its collections, the applicant should attach a copy of that communication to the application. See Section **1111.5(B)**.

Currently, applicants cannot provide titles for the various articles, photographs, illustrations, or other contributions that appear within each issue when submitting an application for a group registration. If the applicant would like to include this information in the registration record, the applicant should submit a separate application for each issue using the online application or a paper application submitted on **Form SE**. For information concerning the procedures for registering a single issue of a serial **publication**, see **Chapter 700**, Section 712.

1112.2 Space 2: Author / Claimant

As discussed in Sections [1110.2](#) and [1111.2](#), all the issues in the group must be created by the same author(s), the copyright in each issue must be owned by the same **copyright claimant(s)**, and the author(s) and the claimant(s) must be the same person or organization.

In space 2 of the application, the **applicant** should provide the full legal name and address for the author/claimant. In addition, the applicant should check one or more of the boxes in space 2 that accurately describe the material that the author created. The options include text, editing, and compilation. For a definition and discussion of these terms, see [Chapter 600](#), Section 618.4(C).

As a general rule, the U.S. Copyright Office may accept a **claim** in text or editing if the author contributed a sufficient amount of written expression to each issue. The Office may accept a claim in compilation if there is a sufficient amount of creative expression in the selection, coordination, and/or arrangement of material that appears in each issue. If these terms do not fully describe the **copyrightable** authorship that the applicant intends to register, the applicant should provide a more specific description in the space marked Other.

The applicant may register the articles, photographs, illustrations, or other contributions that appear in the newspaper or newsletter, provided that they were created by the author/claimant for the issue as a whole. As a general rule, applicants should use the terms text, photographs, or artwork to describe this type of authorship.

The applicant should only check the boxes that describe the authorship created and owned by the author/claimant named in the application. The applicant should not assert a claim in material created by authors who are not named in the application or material that is not owned by the copyright claimant. In particular, the Office will not accept an application that purports to register articles, photographs, or other contributions created by a person who transferred the copyright in his or her work to the author/claimant.

If the information provided in space 2 is contradicted by the information provided elsewhere in the registration materials, a member of the Office's staff may communicate with the applicant.

1112.3 Space 3: Date of Publication for the First and Last Issues in the Group

As discussed in Sections [1110.2](#) and [1111.2](#), all the issues in the group must be **published** within the same month and the same calendar year. In space 3 of the application, the **applicant** should provide the date of publication (month, day, and year) for the first issue and the last issue in the group. See [37 C.F.R. § 202.3\(b\)\(7\)\(i\)\(C\), \(b\)\(9\)\(viii\)](#).

If the applicant fails to provide the month, day, and year of publication or if the publication dates specified in the application do not match the publication dates or issue dates (if any) that appear on the **deposit copies**, a member of the Office's staff may communicate with the applicant.

For a general discussion of publication issues, see [Chapter 600](#), Section 612.

1112.4 Certification

The application for group registration must be certified and dated by the author/ **claimant** or duly **authorized agent** of the author/claimant. No other person or entity is entitled to certify an application. See **37 C.F.R. § 202.3(c)**.

A handwritten signature should be provided under the heading marked “Handwritten signature” and the first and last name of the person who certified the application should be typed or printed on the space marked “Typed or printed name.”

The person who certifies **Form G/DN** certifies that the information provided in the application is correct to the best of his or her knowledge. Knowingly making a false representation of a material fact in an application or in any written statement filed in connection with the application is a crime that is punishable under **17 U.S.C. § 506(e)**.

1112.5 Correspondent / Mailing Address for the Certificate of Registration

The **applicant** should provide the name, address, telephone number, fax number, and email address (if any) for the person or persons who should be contacted if the U.S. Copyright Office has questions or concerns regarding the application. The applicant should provide this information under the heading marked “Person to contact for correspondence about this claim.”

The person named in this space is known as the “Correspondent.” As a general rule, the Office will send all communications to this person at the address provided in the registration record.

In addition, the applicant should provide the address where the **certificate of registration** should be sent. This information should be provided under the heading marked “Certificate will be mailed in window envelope to this address.”

For further guidance concerning this portion of the application, see **Chapter 600**, Sections 622.2 and 622.4.

1113 ePrint Newspapers, Newsletters, and Other Serials

As discussed in Sections **1109**, **1110**, and **1111**, each issue in a group of newspapers, newsletters, or other **serials** must be an essentially all-new **collective work** or an all-new issue that has been **published** for the first time. Issues that do not satisfy this requirement are not eligible for **group registration**. In particular, an issue cannot be a derivative version of a previously published issue or a publication that is frequently modified, updated, or adapted, such as a newspaper or newsletter website. Likewise, the group registration options cannot be used to register a **translation** of a previously published issue.

Although these group registration options do not apply to frequently updated websites, an electronically printed (“ePrint”) newspaper, newsletter, or other serial may be eligible for a group registration, provided that it satisfies the relevant registration requirements set forth in Sections **1109**, **1110**, and **1111**. For purposes of these group registration options, an ePrint newspaper, newsletter, or serial is an issue that is published and distributed online or via email as a self-contained, downloadable work, such as a digital version of a tangible newspaper, newsletter, or other serial.

Example:

- The Office publishes an electronic newsletter for its staff titled *Copyright Notices* that contains articles and photographs concerning recent developments within the Office. Copies of this newsletter are distributed to staff via email on a monthly basis. If the Office decided to publish *Copyright Notices* at least two times per week it could be considered an ePrint newsletter, because each issue is published as a self-contained work and the content of each issue does not change once it has been distributed.

1114 Newspapers, Newsletters, or Other Serials That Do Not Satisfy the Group Registration Requirements

If a daily newspaper or daily newsletter is not eligible for the group registration options described in Sections 1110 or 1111, it may be possible to register these works as a group of **serials**, provided that the **applicant** satisfies the relevant requirements for that group registration option. For guidance on this group registration option, see Section 1109. For a general overview of the similarities and differences between the group registration options for serials, daily newspapers, and daily newsletters, see Section 1118.

If a particular issue of a newspaper, newsletter, or other serial is not eligible for the group registration options described in Sections 1109 through 1111, the applicant may register that issue on an individual basis. Specifically, the applicant may prepare a separate application, **filing fee**, and **deposit** for each issue using the online application or a paper application submitted on **Form SE**. 37 C.F.R. § 202.3(b)(9)(vi)(C); *see also* **Registration of Claims to Copyright: Group Registration of Daily Newsletters**, 64 Fed. Reg. 29,522, 29,523 (June 1, 1999). For guidance on how to register a single issue of a newspaper, newsletter, or other serial publication, see **Chapter 700**, Section 712.

1115 Group Registration for Contributions to Periodicals

Section 408(c)(2) of the Copyright Act directs the **Register of Copyrights** to establish a procedure “specifically permitting a single registration for a group of works by the same individual author, all first published as contributions to periodicals, including newspapers, within a twelve-month period, on the basis of a single deposit, application, and registration fee....” 17 U.S.C. § 408(c)(2).

For a general overview of the similarities and differences between the options for registering a group of contributions to periodicals, a group of published photographs, and a collection of unpublished works, see Section 1119.

For guidance on registering a daily newspaper, daily newsletter, or other types of serials, see Sections 1109 through 1111.

See generally **Group Registration of Contributions to Periodicals**, 82 Fed. Reg. 29,410 (June 29, 2017); **Group Registration of Contributions to Periodicals**, 81 Fed. Reg. 86,634, 86,641 (Dec. 1, 2016); **Registration of Claims to Copyright: Group Registration of Contributions to Periodicals**, 67 Fed. Reg. 10,329 (Mar. 7, 2002).

1115.1 What Is a Contribution to a Periodical?

For purposes of this group registration option, a contribution to a periodical is defined as a separate and independent work that has been **published** in a periodical. Examples include an article published in a newspaper, a photograph published in a magazine, an illustration published in a journal, and other similar works.

A periodical is defined as “a **collective work** that is issued or intended to be issued on an established schedule in successive issues that are intended to be continued indefinitely. In most cases, each issue will bear the same title, as well as numerical or chronological designations.” **37 C.F.R. § 202.4(g)(4)**.

An applicant may be permitted to register articles, blog entries, artwork, photographs, or other contributions that were first published in an electronically printed (“ePrint”) publication if that publication fits within the definition of a “periodical.” An ePrint publication may be considered a periodical for purposes of registration if it is fixed and distributed online or via email as a self-contained work, such as a digital version of a tangible newspaper, magazine, newsletter, or similar publication. For example, many companies publish electronic newsletters that contain articles on a particular subject, and distribute these publications to their subscribers either online or via email. An article published in an ePrint newsletter could be considered a contribution to a periodical if each issue of the newsletter is fixed and distributed as a self-contained work and if the content of each issue does not change once it has been distributed.

As a general rule, websites are not considered periodicals for purposes of registration. Websites are typically updated on a continual basis rather than an established schedule. The updates are rarely made in successive issues that can be recognized as discrete, self-contained collective works, and they rarely contain numerical or chronological designations that distinguish one update from the next. For these reasons, an applicant may register a group of articles that were first published in a print or ePrint edition of a magazine. Likewise, an applicant may register a group of articles that were first published in a print or ePrint magazine and simultaneously published on the publisher’s website. But an applicant may not register a group of articles that were published solely on a website unless that site satisfies the definition for a periodical.

See **Group Registration of Contributions to Periodicals, 82 Fed. Reg. 29,410, 29,412 (June 29, 2017)**; **Group Registration of Contributions to Periodicals, 81 Fed. Reg. 86,634, 86,638-39 (Dec. 1, 2016)**; **Mandatory Deposit of Published Electronic Works Available Only Online, 75 Fed. Reg. 3863, 3865 (Jan. 25, 2010)**.

1115.2 Eligibility Requirements

A group of contributions that have been **published** in a periodical may be registered with the U.S. Copyright Office, provided that the following conditions have been met:

- All of the contributions in the group must be created by the same individual.
- The copyright claimant for all the contributions must be the same person or organization.
- The contributions must not be **works made for hire**.
- Each work must be first published as a contribution to a periodical.

- All of the contributions must be first published within a twelve-month period (e.g., January 1, 2010 through December 31, 2010, February 1, 2011 through January 31, 2012, September 15, 2013 through September 14, 2014, etc.).
- If any of the contributions were published before March 1, 1989, those works must bear a separate **copyright notice**, the notice must contain the copyright owner’s name (or an abbreviation by which the owner can be recognized or a generally known alternative designation for the owner), and the name that appears in each notice must be the same.

See **37 C.F.R. § 202.4(g)(1)-(5)**; **Group Registration of Contributions to Periodicals, 81 Fed. Reg. 86,634, 86,638-39 (Dec. 1, 2016)**.

Works that do not satisfy these requirements cannot be registered using this **group registration** option.

The regulation establishing this option became effective on January 1, 1978. Contributions published before that date are not eligible for group registration. See **Part 202—Registration of Claims to Copyright, Copyright Registrations, 43 Fed. Reg. 965, 966 (Jan. 5, 1978)**.

1115.3 Application Requirements

To register a group of contributions to periodicals the applicant must complete and submit the online application designated for this group option. The U.S. Copyright Office will not accept claims that are submitted on a paper form. **37 C.F.R. § 202.4(g)(6)**.

For guidance on the online application, see Section **1115.7**.

1115.4 Filing Fee Requirements

The **applicant** must submit the correct **filing fee** for this group registration option. The current fee is set forth in the U.S. Copyright Office’s **fee schedule** under the heading “Registration of a claim in a group of contributions to periodicals.” See **37 C.F.R. §§ 201.3(c)(2), 202.4(g)(7)**.

For information concerning the methods for paying the filing fee, see **Chapter 1400**, Sections 1403.4 and 1403.5.

1115.5 Deposit Requirements

This Section discusses the deposit requirements for registering a group of contributions to periodicals.

Applicants must submit one complete copy of each contribution that is included in the group. The copies must be submitted in a digital format, and the contributions must appear in the precise form in which they were first published in the periodical. **37 C.F.R. § 202.4(g)(8)**.

Applicants may satisfy this requirement by submitting any of the following:

- They may submit one complete copy of the entire issue of the periodical in which the contribution was first published.
- If the contribution was first published in a newspaper, they may submit one complete copy of the entire section of the newspaper where the contribution was first published.
- They may submit one complete copy of the particular pages within the periodical where the contribution was first published.

See id.; *see also* **Group Registration of Contributions to Periodicals, 81 Fed. Reg. 86,634, 86,639-40 (Dec. 1, 2016).**

Requiring applicants to submit a copy of the contributions in the precise form in which they were first published is consistent with the legislative history, which states that “[a]s a general rule the deposit of more than a tear sheet or similar fraction of a collective work is needed to identify the contribution properly and to show the form in which it was published.” **H.R. REP. NO. 94-1476, at 153 (1976)**, reprinted in 1976 U.S.C.C.A.N. 5659, 5769. It also serves an evidentiary purpose. It gives the registration specialist an opportunity to compare the deposit with the title, date of publication, issue number, page number, or other information that is set forth in the application (although in practice specialists do not conduct this type of analysis for every contribution in the group). If a particular contribution becomes involved in litigation, the deposit could be used to verify that the work was published in a particular periodical on a particular date. *See* **Group Registration of Contributions to Periodicals, 81 Fed. Reg. at 86,640.**

In all cases, applicants must submit a digital copy of each contribution. Specifically, each contribution must be contained in a separate electronic file in PDF, JPG, TIFF, or any other electronic format that has been approved by the Office. **37 C.F.R. § 202.4(g)(8)**. A current list of acceptable file formats is posted on the Office’s website. The electronic files must be uploaded to the electronic registration system, preferably in a .zip file containing all the files. The size of each uploaded file must not exceed 500 megabytes, although applicants may digitally compress the files to comply with this requirement. *See id.* Guidance on how to upload the files is available on the Office’s [website](#).

Many publishers distribute electronic replicas of their periodicals in downloadable or printable formats. Applicants may be able to create a digital copy of their contributions by printing or downloading them from the publisher’s website or by requesting a copy directly from the publisher. Alternatively, applicants may be able to create digital copies by scanning their contributions with a multi-function printer or scanner, or by photographing them with a smartphone and saving each image as an electronic file. *See* **Group Registration of Contributions to Periodicals, 82 Fed. Reg. 29,410, 29,411 (June 29, 2017).**

The Office recognizes that there may be rare cases where an author does not have access to these resources. Applicants who are unable to submit their contributions in the precise form in which they were first published may request special relief from the deposit requirements. Likewise, applicants may request special relief if they are unable to submit a digital copy of their contributions or unable to upload them through the electronic system. *Id.* **§§ 202.4(g)(9), 202.20(d)(1)(iii), (iv).**

A request for special relief must be made in writing, and it should explain why the applicant is unable to submit copies that satisfy the deposit requirements described above. The Office may grant a request for special relief in exceptional cases, subject to such conditions that the Associate

Register of Copyrights and Director of the Office of Registration Policy and Practice may impose on the applicant. *See id.* § 202.4(g)(9).

For a general discussion of special relief, see [Chapter 1500](#), Section 1508.8.

1115.6 When May an Application for a Group Registration Be Filed?

An applicant may register all the contributions created by the same individual and published within a twelve-month period, provided that he or she complies with the requirements set forth in [37 C.F.R. § 202.4](#) and the other relevant regulations described in Sections [1115.2](#) through [1115.5](#).

That said, the U.S. Copyright Office encourages applicants to submit their claims on a quarterly basis (*i.e.*, every three months), instead of submitting them on an annual or semi-annual basis. A contribution to a periodical must be registered in a timely manner to seek statutory damages and attorney's fees in an infringement action. Specifically, an author may seek these remedies if the contribution was registered (i) before the infringement began, or (ii) within three months after the first publication of that work. *See* [17 U.S.C. § 412](#).

To secure these benefits, applicants should submit their claims within three months after the date of publication for the earliest contribution in the group. By doing so, authors will preserve their ability to seek statutory damages and attorney's fees for any infringements that may occur after the effective date of registration, as well as any infringements that may occur within three months after the publication of each work in the group.

For example, if the first contribution was published on June 1, 2017, and the last contribution was published on September 1, 2017, it would be advisable to submit a complete application, deposit, and filing fee on or before September 1, 2017. By doing so, the author will preserve his or her ability to seek these remedies for any infringements that began after the effective date of registration (*i.e.*, after September 1, 2017), as well as any infringements that began within three months after the date of publication for each contribution in the group.

See [Group Registration of Contributions to Periodicals](#), [81 Fed. Reg. 86,634, 86,639 \(Dec. 1, 2016\)](#).

1115.7 Completing the Application: Group Registration of Contributions to Periodicals

This Section provides guidance for completing the online application for a group of contributions to periodicals.

As discussed in Section [1115.3](#), applicants must use the online application as a condition for seeking a group registration. If an applicant attempts to use a paper application, the U.S. Copyright Office will refuse registration and instruct the applicant to resubmit the claim using the online application. *See* [Group Registration of Contributions to Periodicals](#), [82 Fed. Reg. 29,410, 29,410-11 \(June 29, 2017\)](#).

NOTE: In exceptional cases, the Office may waive the online filing requirement, subject to such conditions that the Associate Register of Copyrights and Director of the Office of Registration Policy and Practice may impose on the applicant. [37 C.F.R. § 202.4\(g\)\(9\)](#). An applicant may submit a request to waive this requirement in writing. It should explain why the applicant is unable to use the online application, and it should be sent to the following address:

Associate Register of Copyrights and
 Director of Registration Policy & Practice
 Registration Program
 U.S. Copyright Office
 101 Independence Avenue SE
 Washington, DC 20559

See **Group Registration of Contributions to Periodicals**, 82 Fed. Reg. 29,410, 29,411 (June 29, 2017).

1115.7(A) Type of Group

To register a group of contributions to periodicals with the online application, the **applicant** should begin by clicking the phrase “Register a Group Claim,” which appears on the home page of the electronic registration system.

Next the applicant should select the type of group being registered from the options listed in the drop down menu marked Type of Group.

For contributions to periodicals, the applicant should select the option that best describes the authorship that appears in the majority of the contributions.

- *Contributions to Periodicals TX*: The applicant should select this option if the contributions primarily contain nondramatic text, such as articles, news stories, columns, features, reviews, editorials, essays, fiction, verse, quizzes, puzzles, advertising copy, or the like.
- *Contributions to Periodicals VA*: The applicant should select this option if the contributions primarily contain pictorial or graphic material, such as photographs, drawings, illustrations, cartoons, comic strips, prints, paintings, art reproductions, charts, diagrams, maps, pictorial advertisements, or the like.

If the contributions contain multiple types of authorship the applicant should select the option that best describes the predominant form of authorship in the contributions. For example, if most of the contributions contain nondramatic text combined with a few photographs, the applicant should select *Contributions to Periodicals TX*. If most of the contributions contain illustrations with a small amount of nondramatic text, the applicant should select *Contributions to Periodicals VA*. If the types of authorship are roughly equal, the applicant may choose the option that would be appropriate for the majority of the contributions. See 37 C.F.R. § 202.4(g)(6).

Once a selection has been made, the system will generate a brief statement that describes the eligibility requirements for this group registration option. If these requirements have been met, the applicant should check the box that appears next to the following statement: “I agree that I have read, understood, and meet all eligibility requirements described above for filing the selected Group Registration.”

1115.7(B) Identifying the Works Included within the Group

Section 408(c)(2)(B) of the Copyright Act states that contributions to periodicals may be registered as a group, provided that “the application identifies each work separately, including the periodical containing it and its date of first publication.” 17 U.S.C. § 408(c)(2)(B).

As discussed in Section [1115.2](#), all the contributions must be published within a twelve-month period (e.g., May 1, 2012 through April 30, 2013). When completing the application, applicants are encouraged to list the contributions in chronological order.

Although the contributions must be published within a twelve-month period, the works may be published in different periodicals and on different dates. Currently there is no limit on the total number of contributions that may be submitted, although applicants must include at least two contributions in each claim. See [Group Registration of Contributions to Periodicals](#), [81 Fed. Reg. 86,634, 86,639 \(Dec. 1, 2016\)](#).

1115.7(B)(1) Identifying the Contributions

The applicant should provide a title for each contribution within the group, and in each case the title should be provided exactly as it appears in the deposit copies. The applicant should provide this information on the Title screen in the field marked Title of Contribution. If the applicant fails to complete this portion of the application, the claim will not be accepted by the electronic registration system.

If the contribution was published without a title, the applicant should provide a descriptive title that identifies the general subject matter of the work or any other relevant information that a person searching the U.S. Copyright Office's records would likely include in his or her search request.

If the contributions were published as part of a series of works by the same author, such as an advice column, an editorial column, a cartoon strip, or the like, the applicant may provide the title for that series (if any). This information may be provided on the Title screen in the field marked Series Title.

In addition, the applicant should provide the year of completion for the most recent contribution in the group. For example, if the author completed the contributions in 2015, 2016, and 2017, the applicant should state "2017" on the Title screen in the field marked Year of Completion. For additional guidance on completing this portion of the application, see [Chapter 600](#), Section 611.

1115.7(B)(2) Identifying the Periodicals

For each contribution in the group, the applicant should provide the title of the periodical where that contribution was first published. Specifically, this information should be provided on the Title screen in the field marked Title of Periodical.

In addition, applicants should provide the volume, number, issue date, and ISSN number (if any) for each periodical, as well as the page number(s) (if any) where the contribution appeared within that periodical.

In each case, the applicant should provide the precise date of first publication (month, day, and year) for the periodical. This information should be provided on the Title screen in the field marked Date of First Publication. For guidance in completing this portion of the application, see [Chapter 600](#), Section 612.

NOTE: If the author sent any of the contributions to a syndicate, clearinghouse, or other distributor before they were published in a periodical, the applicant should add a statement to that effect in the Note to Copyright Office field.

The applicant should identify the country where the periodical was published for the first time by selecting one of the countries listed in the drop down menu marked Nation of First Publication. The registration specialist may use this information to determine if the contributions are eligible for copyright protection in the United States. If the nation of first publication is unknown, the applicant may select “not known” from the drop down menu.

If the applicant fails to provide a title for the periodical, or the date and nation of first publication, the application will not be accepted by the electronic registration system.

1115.7(C) Identifying the Author

As discussed in Section 1115.2, all of the contributions in the group must be created by the same author and the author must be an individual.

The applicant should provide the author’s full name on the Author screen in the fields marked First Name/Last Name.

If the author’s real name does not appear on any of the contributions in the group, and if the author does not want to reveal his or her identity in the registration record, the applicant may check the box marked anonymous and state “Anonymous” in the First Name/Last Name fields.

If the author does not want to reveal his or her real name in the registration record, the applicant may check the box marked pseudonymous, and provide the author’s pseudonym in the Pseudonym field and the First Name/Last Name fields, but only if (i) all the contributions were published under the author’s pseudonym, and (ii) the author’s real name does not appear anywhere in the contributions.

For a definition and discussion of anonymous and pseudonymous works, see [Chapter 600](#), Sections 615.1 and 615.2.

The applicant should identify the author’s nationality and/or domicile in the fields marked Citizenship and Domicile. The registration specialist may use this information to determine if the contributions are eligible for copyright protection in the United States. For a definition and discussion of nationality and domicile, see [Chapter 600](#), Section 617. If the author’s nationality or domicile are unknown, the applicant may select “not known” from the drop down menu.

If the applicant fails to complete the First Name/Last Name fields, or the citizenship and domicile fields, the application will not be accepted by the electronic registration system.

The applicant may provide the year that the author was born, and if the author is deceased the applicant may provide the year that the author died. This information may be useful in identifying the author within the Office’s records. However, this information is optional and an application will be accepted even if these fields are left blank.

1115.7(D) Identifying the Copyrightable Material that the Author Created

The applicant should identify the authorship that will be submitted for registration. To do so, the applicant should check one or more of the boxes in the field marked Author Created that accurately describe the copyrightable material being registered. The options include:

- Text
- Photographs
- Illustrations

If these terms do not fully describe the material being registered, the applicant should provide a more specific description in the field marked Other.

For additional guidance on completing this portion of the application, see [Chapter 600](#), Section 618.4(A).

1115.7(E) Identifying the Copyright Claimant

To register a group of contributions to periodicals, the applicant should provide the name and address of the copyright claimant. See [17 U.S.C. § 409\(1\)](#). As discussed in Section [1115.2](#), the claimant for all the contributions must be the same person or organization.

For purposes of copyright registration, the claimant must be (i) the author of the contributions, or (ii) the person or organization that owns all of the rights under copyright that initially belonged to the author. See [37 C.F.R. § 202.3\(a\)\(3\)](#). No other party is entitled to be named as a copyright claimant.

When naming the author as the copyright claimant, the applicant should provide the author's full name and address in the field marked Individual Claimant. However, if the applicant stated "Anonymous" or provided the author's pseudonym in the First Name/Last Name fields on the Author screen, the applicant should provide this same information in the corresponding fields on the Claimants screen.

The applicant may name the person or organization that owns all of the rights that initially belonged to the author, but only if that party owns the copyright in all the contributions. If the claimant is an individual, the applicant should provide the claimant's full name and address in the field marked Individual Claimant. If the claimant is a legal entity, the applicant should provide this information in the field marked Organization.

If the author and the claimant are not the same person, the applicant should provide a brief statement that explains how the claimant obtained the copyright in the contributions. The applicant should provide this information by selecting one of the statements listed in the drop down menu marked Transfer Statement. If these statements do not fully describe the transfer, the applicant may provide a more specific statement in the field marked Transfer Statement Other. Currently, the total amount of text that may be provided in this field is limited to 100 characters.

For additional guidance on completing the claimant fields, see [Chapter 600](#), Section 619.12. For guidance on completing the transfer fields, see [Chapter 600](#), Section 620.9.

1115.7(F) Rights and Permissions Information

The applicant may provide the name, address, and other contact information for the person and/or organization who should be contacted for permission to use the contributions. Providing this information is optional, and an application will be accepted even if the Rights & Permissions Information screen is left blank.

For guidance in completing this portion of the application, see [Chapter 600](#), Section 622.1.

1115.7(G) Correspondent / Mailing Address for the Certificate of Registration

The applicant should provide the name, address, telephone number, fax number, and email address (if any) for the person or persons who should be contacted if the U.S. Copyright Office has questions or concerns regarding the application. This information should be provided on the Correspondent screen.

In addition, the applicant should provide the name and address where the certificate of registration should be sent. This information should be provided on the Mail Address screen.

For guidance in completing this portion of the application, see [Chapter 600](#), Sections 622.2 and 622.4.

1115.7(H) Special Handling

Special handling is a procedure for expediting the examination of an application. The U.S. Copyright Office offers this service in certain circumstances where a copyright owner or other interested parties have a compelling reason for the expedited issuance of a certificate of registration. The Office charges an additional fee for this service.

For a detailed discussion of this procedure, see [Chapter 600](#), Section 623.

1115.7(I) Certification

The application must be certified by the author or claimant named in the application, by the owner of one or more of the exclusive rights in the contributions, or by a duly authorized agent of the author, claimant, or owner of exclusive rights. No other person or entity is entitled to certify an application.

The person who certifies the application certifies that the information provided in the application is correct to the best of his or her knowledge. Knowingly making a false representation of a material fact in an application, or in any written statement filed in connection with the application, is a crime that is punishable under [17 U.S.C. § 506\(e\)](#).

The applicant should certify the application on the Certification screen. Specifically, the applicant should provide the first and last name of the individual who is certifying the application in the space marked Name of Certifying Individual and should check the box that reads, “I certify that I am the author, copyright claimant, or owner of exclusive rights, or the authorized agent of the author, copyright claimant, or owner of exclusive rights of this work and that the informa-

tion given in this application is correct to the best of my knowledge.” There is no need to date the certification in an online application; the date will be added automatically when the application is received by the U.S. Copyright Office. See [Online Registration of Claims to Copyright, 72 Fed. Reg. 36,883, 36,887 \(July 6, 2007\)](#).

1115.8 Contributions That Do Not Satisfy the Group Registration Requirements

Photographers who are unable to register their works as a contribution to a periodical may be able to use the group registration option for published photographs. For guidance on this group registration option, see Section [1116](#).

If the contributions have not been published yet, it may be possible to register them as a collection of unpublished works. For a discussion of this option, see [Chapter 1100](#), Section [1106](#).

For a general overview of the similarities and differences between the options for registering a group of contributions to periodicals, a group of published photographs, and a group of unpublished works, see Section [1119](#).

Alternatively, the **applicant** may register a particular article, photograph, illustration, or other contribution on an individual basis. Specifically, the applicant may prepare a separate application, **filing fee**, and **deposit** for each contribution and may submit these items through the electronic registration system or with a paper application.

1116 Group Registration of Published Photographs

This Section discusses the U.S. Copyright Office’s practices and procedures for registering a group of **published** photographs.

For information concerning the **group registration** option for contributions to periodicals, see Section [1115](#). For information concerning the option for registering a collection of **unpublished** photographs, see Section [1106](#). For a general overview of the similarities and differences between the options for registering a group of published photographs, a group of contributions to periodicals, or a group of unpublished photographs, see Section [1119](#).

See generally [Registration of Claims to Copyright, Group Registration of Photographs, 66 Fed. Reg. 37,142 \(July 17, 2001\)](#).

1116.1 Eligibility Requirements

A group of published photographs may be registered with the U.S. Copyright Office, provided that the following conditions have been met:

- All the works in the group must be photographs.
- All the photographs must have been created by the same individual.
- If any of the photographs in the group were created as a **work made for hire**, the **applicant** must provide (i) the name of the photographer and (ii) the name of the photographer’s

employer or the party who specially ordered or commissioned the photographs (e.g., XYZ Corporation, employer for hire of John Doe).

- The **copyright claimant** for each photograph must be the same person or organization.
- The applicant must provide the approximate number of photographs that are included within in the group.
- All the photographs in the group must be published.
- All the photographs must be published within the same calendar year (e.g., January 1, 2010 through May 31, 2010; February 15, 2011 through July 20, 2011; October 7, 2012 through October 21, 2012, etc.).
- The applicant must provide a date of **publication** for the photographs as follows:
 - Applicants are strongly encouraged to provide a date of publication for each photograph in the group using one of the following methods:
 - If all of the photographs were published on the same date, the applicant should provide that date in the relevant field/space of the application.
 - If the photographs were published on different dates, the applicant should provide a range of publication dates (e.g., February 15, 2004 through September 15, 2004) in the relevant field/space of the application. In addition, the applicant should provide the date of publication for each photograph using one of the following methods:
 - The applicant may provide the date of publication on each photograph that is submitted to the Office (e.g., writing the date on the back of each print or slide, including the date in the file name for each image, grouping images published on the same date in the same file, etc.).
 - The applicant may list the publication dates in a text file stored on a CD-ROM or DVD containing the photographs that are submitted to the Office.
 - The applicant may submit a typed list clearly specifying the date of publication for each photograph in the group.
 - The applicant may list the publication dates on **Form GR/PPh/CON**, provided that the applicant submits a paper application rather than an online application.

NOTE: If the applicant uses Form GR/PPh/CON, the applicant may include up to 750 photographs in the group.

 - Alternatively, the applicant may provide a range of publication dates (e.g., February 15, 2001 through May 15, 2001) in the relevant field/space of the application without providing a specific date of publication for each photograph in the group, provided that all of the photographs were published within three months before the date that the U.S. Copyright Office receives the application, **deposit copies**, and **filing fee**.

See 37 C.F.R. § 202.3(b)(10)(i)-(vi), (viii)-(ix).

Photographs that do not satisfy these requirements cannot be registered using this **group registration** option.

In particular, applicants cannot use this procedure to register a group that includes both published and unpublished photographs. Another key requirement is that all the photographs must be taken by the same photographer. See **H.R. REP. NO. 94-1476, at 153-54 (1976)**, reprinted in 1976 U.S.C.C.A.N. 5659, 5769-70 (stating that “a group of photographs by one photographer” may qualify as a “group of related works” under **Section 408(c)(1)** of the Copyright Act).

If the photographs were created as a **work made for hire**, the applicant may use this group registration option, provided that all the photographs in the group were taken by the same individual. In other words, if a studio hired five photographers pursuant to a work made for hire agreement, the studio must separate its photographs into five separate groups (*i.e.*, one group for each photographer) and submit a separate application for each group.

Applicants who provide a specific date of publication for each photograph may use any method discussed above, provided that the Office is able to identify the relevant date for each image in the group. As long as the applicant selects a method that clearly satisfies this requirement, the application will be accepted.

If the applicant provides a range of publication dates in the paper application or a specific date of publication in an online or paper application, that information will be included in the **certificate of registration** and the **online public record**.

If the applicant provides a range of publication dates in the application and identifies the specific date of publication in the deposit copies, the Office will retain the deposit material for the full term of the copyright. In all other cases, the deposit copies may be discarded within twenty years after the **effective date of registration**.

The date of publication for each photograph may appear in the online public record if the applicant submits the **claim** through the electronic registration system and provides publication dates in the online application. Publication dates will not appear in the online public record if the applicant submits a paper application, although they will appear in the certificate of registration if the applicant provides that information on **Form GR/PPh/CON**. For information concerning the application requirements for this group registration option, see Section **1116.2** below.

See generally **Registration of Claims to Copyright, Group Registration of Published Photographs**, 70 Fed. Reg. 15,587 (Mar. 28, 2005); **Registration of Claims to Copyright, Group Registration of Photographs**, 65 Fed. Reg. 26,162 (May 5, 2000).

1116.2 Application Requirements

The U.S. Copyright Office has established a pilot program for **applicants** who wish to register a group of published photographs using the electronic registration system. See **37 C.F.R. § 202.3(b)(10)(xi)**. Before completing an online application, the applicant must contact the Visual Arts Division at (202) 707-8202 to coordinate the filing and to obtain proper guidance concerning the information that should be included in the application and the proper method for submitting the **deposit copies**. Applicants will be permitted to file an online application for a group of published photographs only if they obtain authorization from the Visual Arts Division and

follow the instructions from the Division. See [Registration of Claims to Copyright, 76 Fed. Reg. 4,072, 4,075 \(Jan. 24, 2011\)](#).

Alternatively, the applicant may register a group of published photographs by using [Form VA](#). See [37 C.F.R. § 202.3\(b\)\(10\)](#). For guidance on completing Form VA, see Section [1116.6\(A\)](#).

As discussed in Section [1116.1](#), the applicant may provide a date of **publication** for each photograph by completing Form VA and [Form GR/PPh/CON](#). If the applicant uses Form GR/PPh/CON, the applicant may include up to 750 photographs in the group.

Form GR/PPh/CON improves the quality of the registration record by providing specific information about each photograph, such as the date of publication. This information will be incorporated into the **certificate of registration**, which means that it will be more accessible to the general public. Moreover, if the **claim** is registered within five years after the date of publication, there is a legal presumption that the photographs were published on the dates specified in Form GR/PPh/CON. See [17 U.S.C. § 410\(c\)](#). For guidance on completing Form GR/PPh/CON, see Section [1116.6\(B\)](#).

See generally [Registration of Claims to Copyright, Group Registration of Published Photographs, 70 Fed. Reg. 15,587 \(Mar. 28, 2005\)](#); [Registration of Claims to Copyright, Group Registration of Photographs, 66 Fed. Reg. 37,142 \(July 17, 2001\)](#).

1116.3 Filing Fee Requirements

The **applicant** must submit the correct **filing fee** for this **group registration** option. See [37 C.F.R. § 202.3\(b\)\(10\)\(vii\)](#).

The current fee for registering a group of published photographs with an online application is set forth in the U.S. Copyright Office's **fee schedule** under the heading "Online registration of groups of published photographs (pilot program, see sl-39)."

The current fee for registering a group of published photographs with a paper application is set forth in the Office's **fee schedule** under the heading "Form GR/PPh/CON (published photographs) (up to 750 published photographs can be identified on Form GR/PPh/CON with a single filing fee)."

For information concerning the methods for paying the filing fee, see [Chapter 1400](#), Sections 1403.3 through 1403.5.

1116.4 Deposit Requirements

This Section discusses the deposit requirements for registering a group of published photographs.

In all cases, the **applicant** must submit one copy of each photograph in the group and all the photographs must be submitted in the same format. The options include:

- Digital images stored on one or more CD-ROMs (including CD-RWs) or DVD-ROMs in one of the following formats: JPEG, GIF, TIFF, or PCD.

- Unmounted prints measuring at least three inches by three inches and no more than twenty inches by twenty-four inches.
- Contact sheets.
- Slides with each slide containing a single image.
- A format in which the photograph was published (e.g., clippings from newspapers or magazines).
- A photocopy of each photograph consisting of either (i) a photocopy of an unmounted print measuring at least three inches by three inches and no more than twenty inches by twenty-four inches, or (ii) a photocopy of the photograph in a format in which it was published (e.g., clippings from newspapers or magazines), provided that if the photograph was published in color, the applicant must submit a color photocopy. In all cases, the photocopy must clearly depict the photograph. Photocopies that do not contain a clear image of the photograph will be rejected.

See [37 C.F.R. §§ 202.3\(b\)\(10\)\(x\), 202.20\(c\)\(2\)\(xx\)](#).

These formats are listed in the order of preference for the Library of Congress's collections, and applicants are encouraged to select a format as close to the top of the list as possible.

If the photographs were published between January 1, 1978 and March 1, 1989, the applicant may be required to submit a copy that shows how each photograph was first published, including the [copyright notice](#) (if any) that appeared on or in connection with the photograph. For general information concerning the notice requirements for works published during this period, see [Chapter 2200](#). For information concerning the notice requirements for works published as a contribution to a [collective work](#), see [Chapter 2200](#), Section 2207.2.

The applicant may deliver the deposit to the U.S. Copyright Office by mail, by courier, or by hand delivery to the Public Information Office. Packages that are delivered to the U.S. Copyright Office by mail or by courier will be irradiated to destroy possible contaminants, such as anthrax. This process may damage CD-ROMs or other compact discs. To avoid this result, applicants are strongly encouraged to send these types of materials in boxes rather than envelopes. For additional guidance on delivering items to the Office by hand or by courier, see Section [1109.8](#).

See generally [Registration of Claims to Copyright, Group Registration of Photographs, 66 Fed. Reg. 37,142 \(July 17, 2001\)](#).

1116.5 When May an Application for a Group Registration Be Filed?

The U.S. Copyright Office will register all the photographs taken by the same photographer and [published](#) within the same calendar year, provided that the [applicant](#) complies with the requirements set forth in Sections [1116.1](#) through [1116.4](#). Although an application for a group registration may be filed any time before the copyrights expire, a photograph must be registered in a timely manner in order to seek statutory damages and attorney's fees in an [infringement](#) action. Specifically, a copyright owner typically may seek these remedies if the photograph was registered (i) before the infringement commenced or (ii) within three months after the first publication of that work. See [17 U.S.C. § 412](#). Therefore, the Office strongly encourages applicants who use this group registration option to submit the application, [deposit copies](#), and [filing fee](#) within three

months after the earliest publication date in the group. See **Registration of Claims to Copyright, Group Registration of Photographs**, 65 Fed. Reg. 26,162, 26,164 (May 5, 2000).

Example:

- John Olsen published two photographs on April 1st and May 1st. On August 1st, John submitted an application to register his photographs, together with the correct filing fee and the proper deposit copies. The Office issued a group registration with an **effective date of registration** of August 1st. If a third party infringed these photographs on July 1st, John may be able to **claim** statutory damages and attorney’s fees for the photograph which was published on May 1st. However, he would not be able to claim these remedies for the photograph that was published on April 1st, because that photograph was registered more than three months after the work was first published.

There is another incentive for applicants who promptly register their photographs with the Office. As discussed in Section **1116.1**, applicants who submit a group of photographs within three months after publication may provide a range of publication dates without providing a specific date of publication for each image, however, this information may need to be established in any infringement action.

1116.6 Completing the Application: Group Registration of Published Photographs

This Section provides guidance for registering a group of published photographs using **Form VA** and **Form GR/PPh/CON**.

As discussed in Section **1116.2**, the U.S. Copyright Office has established a pilot program for **applicants** who wish to register groups of published photographs through the electronic registration system. Applicants must contact the Visual Arts Division for authorization to use the online application and for guidance in completing the application and submitting the **deposit copies**.

1116.6(A) Form VA

1116.6(A)(1) Space 1: Title of this Work

In the space marked Title of This Work the **applicant** should provide a descriptive title for the group as a whole. If the applicant fails to complete this portion of the application or fails to provide a descriptive title, the **registration specialist** will communicate with the applicant.

The applicant may provide a title that identifies the photographer and the year that the photographs were **published**, such as “John Smith’s published photos 2001.” In the alternative, the applicant may provide a title that identifies the photographer and describes the general subject matter of the photographs, such as “Jane Smith’s wedding photos.”

The applicant should not provide “Untitled,” “No Title,” or the like. Interested parties typically search for works by title, and it may be extremely difficult to find a group of photographs that has been registered under a non-descriptive title.

In the space marked Previous or Alternative Titles the applicant should state “Group Registration / Published Photos” and provide the number of photographs in the group.

1116.6(A)(2) Space 2(a): Name of Author / Nature of Authorship

As discussed in Section 1116.1, all the photographs in the group must be created by the same photographer.

The **applicant** should provide the photographer’s full name and his or her nationality and/or domicile in space 2(a). For a definition and discussion of nationality and domicile, see **Chapter 600**, Section 617.

If the photographer is “doing business as” an unincorporated organization, the photographer and the organization are considered the same legal entity. In this situation, the photographer should be named as the author and the **work made for hire** box should be checked “no.” The name of the unincorporated organization should not be provided in space 2. If the applicant wishes to include this information in the registration record, the photographer’s d.b.a. should be provided in a cover letter. The **registration specialist** will add the name of the photographer’s d.b.a. to the **certificate of registration** and the **online public record**. In addition, the d.b.a. may be added as an index term if it is likely that users may use that term to search for the photographer’s works.

By contrast, if the photographs were created as a work made for hire, the applicant should check the “yes” box that appears under the heading “Was this contribution to the work a ‘work made for hire?’” In space 2(a) the applicant should provide (i) the name of the photographer and (ii) the name of the photographer’s employer or the party who specially ordered or commissioned the photographs.

Example:

- Matte & Glossy Studio LLC, employer for hire of Moises Da Gama.

In the **Nature of Authorship** space the applicant should check the box marked “photograph.” All of the other boxes should be left empty. If the applicant attempts to register any other type of authorship, the registration specialist will ask the applicant to remove that authorship from the **claim**.

1116.6(A)(3) Space 3(a): Year in Which Creation of This Work Was Completed

The **applicant** should identify the year in which the photographer created the most recent photograph in the group. For guidance on completing this portion of the application, see **Chapter 600**, Section 611.

1116.6(A)(4) Space 3(b): Date and Nation of First Publication of This Particular Work

To register a group of published photographs the **applicant** must provide **publication** dates for each photograph in the group.

Applicants are strongly encouraged to provide a specific date of publication for each photograph in the group.

If all the photographs were published on the same date, the applicant should enter that date on line 3(b) of the application, including the month, day, and year. If the applicant cannot determine the exact date of publication, the applicant may provide a qualified statement, such as “approximately,” “on or about,” “on or before,” “not later than,” or the like. The **registration specialist** will add this statement to the registration record with an **annotation**, such as: “Regarding publication: Applicant states ‘On or about April 13, 2008.’”

NOTE: Although the Office may accept such a statement, precise information may be necessary to enforce the copyright in a particular photograph.

If the photographs were published on different dates, the applicant should provide a range of publication dates in space 3(b). For example, if the earliest photograph in the group was published on October 7, 2011 and the latest photograph was published on October 23, 2011 the applicant should state “October 7, 2011 through October 23, 2011” on line 3(b). In addition, the applicant should provide a specific date of publication (month, day, and year) for each photograph in the group by using one of the methods discussed in Section **1116.1**.

Alternatively, the applicant may provide a range of publication dates (e.g., February 16, 2010 through February 24, 2010) instead of providing a specific date of publication for each photograph, provided that all the photographs were published within three months before the date that the U.S. Copyright Office received the application, **deposit copies**, and **filing fee**. The range of dates should be provided in space 3(b) of the application.

As discussed in Section **1116.1**, all the photographs in the group must be published within the same calendar year. If the applicant states that the photographs were published over a period of two or more calendar years (e.g., October 21, 2012 through February 15, 2013), the registration specialist will communicate with the applicant.

The applicant should not provide any date of publication that occurs in the future.

1116.6(A)(5) Space 4: Copyright Claimant(s) / Transfer

As discussed in Section **1116.1**, the **copyright claimant** for all of the photographs must be the same person or organization. The **applicant** should provide the claimant’s full name and address in space 4 of the application. For guidance on completing this portion of the application, see **Chapter 600**, Sections 619.

If the person named in space 2(a) is not the same person named in space 4, the applicant should provide a brief **transfer statement** in space 4 that explains how the claimant obtained the copyright in these photographs. For guidance on completing this portion of the application, see **Chapter 600**, Section 620.9.

1116.6(A)(6) Spaces 5 through 9

Spaces 5 and 6 of the application should be left blank. See **Registration of Claims to Copyright, Group Registration Options, 73 Fed. Reg. 23,390, 23,391-92 (Apr. 30, 2008)**.

For guidance in completing spaces 7, 8 and 9, see [Chapter 600](#), Section 622.4, 622.2 space 7, and 624.

1116.6(B) Form GR/PPh/CON

Form GR/PPh/CON may be used to provide titles, **publication** dates, and other identifying information for each photograph in the group. Completing this form is optional, although it does provide certain advantages that are discussed in Section [1116.2](#).

If the **applicant** uses Form GR/PPh/CON, the form must be submitted together with **Form VA**.

The applicant may include up to fifteen photographs on a single sheet of Form GR/PPh/CON. If the group contains more than fifteen photographs, the applicant should complete and submit additional sheets. The applicant may submit up to fifty sheets of Form GR/PPh/CON with each application. Thus, if the applicant uses this form, the group must contain no more than 750 photographs.

See generally [Registration of Claims to Copyright, Group Registration of Published Photographs](#), 70 Fed. Reg. 15,587 (Mar. 28, 2005).

1116.6(B)(1) Space A: Identification of Author and Claimant

In space A of **Form GR/PPh/CON**, the **applicant** should provide the name of the individual who created the photographs and the name of the **claimant** who owns the copyright in those photographs. The names provided in these spaces should be identical to the names that the applicant provided in spaces 2(a) and 4 of **Form VA**.

1116.6(B)(2) Spaces B & C: Copyright Registration for a Group of Published Photographs

In space B of Form GR/PPh/CON, the **applicant** should provide a title for each photograph in the group. The Office will accept a title consisting solely of numbers and/or letters, such as 1812 or THX-1138. *See* [Chapter 600](#), Section 610.6(C). However, the applicant should not provide “Untitled,” “No Title,” or the like, because interested parties typically search for works by title and it may be impossible to locate a photograph in the **record** if no title has been provided.

The applicant should provide the date of first **publication** for each photograph (including the month, day, and year) and the name of the country where each photograph was first published. The applicant should provide a separate entry for each photograph, even if multiple photographs were published on the same date. For guidance in completing this portion of the application, see [Chapter 600](#), Sections 612 and 617.

The applicant may provide a brief description of each photograph in the space marked Description of Photograph. For example, if the photograph was published in a periodical, the applicant may provide the title of the periodical where the photograph was published, along with the volume, number, and issue date (if any) for that periodical and the page number(s) (if any) where the photograph appeared.

As discussed in Section **1116.1**, all the contributions must be published within a twelve-month period (e.g., March 25, 2003 through March 24, 2004). Ideally, the photographs should be listed in **Form GR/PPh/CON** in chronological order.

The photographs that are submitted to the Office should be labeled in such a way that each photograph can be cross-referenced with the information that appears in Form GR/PPh/CON. For example, the applicant may number a particular entry using the box marked “number” and then write that number on the back of the corresponding photograph (if the applicant submits prints or slides) or incorporate that number into the file name for the corresponding photograph (if the applicant submits digital images).

For guidance in completing space C, see **Chapter 600**, Section 622.4.

1116.7 Photographs That Do Not Satisfy the Group Registration Requirements

If the **applicant** is unable to use this group registration option, it may be possible to register a group of photographs by using the group registration option for contributions to periodicals. See Section **1115**.

If the photographs have not been **published**, it may be possible to register them as an **unpublished collection**. See Section **1106**.

Alternatively, the applicant may register a particular photograph on an individual basis. Specifically, the applicant may prepare a separate application, **filing fee**, and **deposit** for each photograph and may submit these items through the electronic registration system or with a paper application. For guidance on registering an individual photograph, see **Chapter 900**, Section 909.

1117 Databases

This Section discusses the U.S. Copyright Office’s current practices and procedures for registering a group of updates or revisions to a **database**.

This **group registration** option may be used to register a specific version of a database that existed on a particular date and/or the subsequent updates or revisions to that database within a three-month period. It may be used to register a group of updates or revisions to a single-file or a multi-file database, regardless of whether prior versions of the database have been registered before.

This Section also discusses the Office’s current practices and procedures for registering updates or revisions to a database that predominantly consists of photographs.

As discussed above, the Office allows **applicants** to register groups of photographs, provided that certain requirements have been met. The procedures for registering a group of **published** photographs are discussed in Section **1116**, the procedures for registering photographs that have been published as a contribution to a periodical are discussed in Section **1115**, while the procedures for registering a group of **unpublished** photographs are discussed in Section **1106**. Individual photographers may use any of these options to register their images, but they cannot use the group registration option for photographic databases, even if their images have been included in a database that consists predominantly of photographs. The group registration option for

photographic databases is only available for database owners, such as stock photography agencies and other copyright owners that wish to register the authorship involved in creating the database, as well as the photographs within the database that were authored by or transferred to the **copyright claimant**. See **Deposit Requirements for Registration of Automated Databases that Predominantly Consist of Photographs**, 77 Fed. Reg. 40,268, 40,269 & n.1 (July 9, 2012).

Databases pose special problems for the Office because they are constantly changing and the updates or revisions typically contain small increments of information. Due to the processing costs and administrative burdens involved with examining these types of works, the Office applies this regulation narrowly and does not apply this group registration option to other groups of related works. In particular, this option cannot be used to register the updates or revisions to a website or a **computer program**. While a website may be used to access a database and a computer program may be used to manipulate the information within a database, these works are not databases as defined in Section 1117.1 below.

See generally **Registration of Claims to Copyright, Registration and Deposit of Databases**, 54 Fed. Reg. 13,177 (Mar. 31, 1989).

1117.1 What Is a Database?

Following an extensive rulemaking, the U.S. Copyright Office concluded that a database created or **published** on a particular date and any subsequent updates and revisions to that database may qualify as a “group of related works” under **Section 408(c)(1)** of the Copyright Act. The Office explained that “factors such as [the] size, complexity and technological characteristics” of these works, as well as their “rapidly changing content” “distinguish the automated database from other groups of related works.” See **Registration of Claims to Copyright, Registration and Deposit of Databases**, 54 Fed. Reg. 13,177, 13,178 (Mar. 31, 1989).

For purposes of copyright registration, a database is defined 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. In all cases, the content of a database must be arranged in a systematic manner, and it must be accessed solely by means of an integrated information retrieval program or system with the following characteristics:

- A query function must be used to access the content.
- The information retrieval program or system must yield a subset of the content, or it must organize the content based on the parameters specified in each query.

A single-file database is a database comprised of one data file that contains a group of data records pertaining to a common subject, regardless of the size or amount of the data that the records contain. A multi-file database is a database comprised of separate and distinct groups of data records covering multiple subjects. A data record contains all the information related to a particular unit of information within a database. A data file is defined as a group of data records pertaining to a common subject matter, regardless of the size of the records or the amount of data they contain. **37 C.F.R. § 202.20(c)(2)(vii)(D)(2)**.

As a general rule, databases are considered machine-readable works because they are **fixed** or published in optical discs, magnetic tapes, or similar storage media, and as a result they cannot be perceived without the aid of a machine or device. See **37 C.F.R. § 202.20(c)(2)(vii)**.

1117.2 The Scope of a Group Registration for a Database

The legislative history for the Copyright Act states that “computer data bases” may be protected by copyright “to the extent that they incorporate authorship in the programmer’s expression of original ideas, as distinguished from the ideas themselves.” **H.R. REP. NO. 94-1476, at 54 (1976)**, reprinted in 1976 U.S.C.C.A.N. 5659, 5667. When examining a database, the principle question that the U.S. Copyright Office must consider is whether the selection, coordination, and/or arrangement of data or other component elements within the database is sufficiently creative to warrant registration. A **database** and/or the updates or revisions to that database typically contain the following forms of authorship:

- The selection authorship involved in choosing the material or data that is included in the database.
- The coordination authorship involved in classifying, categorizing, ordering, or grouping the material or data.
- The arrangement authorship involved in determining the placement or arrangement of the material or data within the database as a whole.

Each form of authorship may provide a basis for registering a database, provided that the selection, coordination, and/or arrangement is sufficiently creative.

If the work is registerable as a database, the registration may cover the component elements that appear within the database, such as photographs, sound recordings, or videos, provided that (i) the **claimant** owns the copyright in those elements, (ii) there is a sufficient amount of creative expression in those elements, and (iii) those elements have not been previously published or previously registered. (In no case may a claimant register elements that are in the public domain.) However, the copyrightable component elements are not sufficient – in and of themselves – to support a **database** registration unless the selection, coordination, and/or arrangement of those elements with the database is also sufficiently creative.

A group of updates or revisions should be submitted for group registration only if the updates or revisions meet the statutory standard for an original work of authorship. If they do not “satisfy the original work of authorship standard for copyright protection, then no new registration is necessary or warranted.” **Registration of Claims to Copyright, Registration and Deposit of Databases, 54 Fed. Reg. 13,177, 13,179 (Mar. 31, 1989)**. “Where the Office determines that only a few minor revisions have been made in the representative deposit, registration will be subject to question, and absent more justification, will be denied.” *Id.*

In all cases, the author’s selection, coordination, and/or arrangement must be evident in the deposit material. If the identifying material or the descriptive statement do not demonstrate that the updates or revisions constitute an original work of authorship, the Office may communicate with the applicant or may refuse to register the claim.

1117.3 Eligibility Requirements

An **applicant** may use this group registration option to register a group of updates or revisions to a database, provided that the following conditions have been met:

- The updates or revisions must be original works of authorship.
- The updates or revisions must be added to a database as defined in Section **1117.1**.
- All the updates or revisions to the database must have the same general title.
- The subject and general content of the updates or revisions must be similar.
- The organization of the updates or revisions must be similar.
- All the updates or revisions must be owned by the same **copyright claimant**.

In addition, the applicant must satisfy the following conditions if the database is **unpublished**:

- The database and/or the updates or revisions to the database must be **fixed** solely in machine-readable copies.
- The database and/or the updates or revisions must be created within a three-month period within a single calendar year (*e.g.*, February 1, 2007 through April 30, 2007; May 1, 2008 through July 31, 2008; September 1, 2009 through November 30, 2009).

If the database has been **published**, the applicant must satisfy the following conditions:

- The database and/or the updates or revisions must be published solely in machine-readable copies.
- The database and/or the updates or revisions must be published within a three-month period within a single calendar year (*e.g.*, June 1, 2011 through August 31, 2011; July 1, 2010 through September 30, 2010; September 1, 2012 through November 30, 2012).
- If the database was published before March 1, 1989, each update or revision must bear a separate **copyright notice**, the notice must contain the copyright owner's name (or an abbreviation by which the owner can be recognized or a generally known alternative designation for the owner), and the name that appears in each notice must be the same.

See **37 C.F.R. § 202.3(b)(5)(i)(A)-(F)**.

Databases, updates, or revisions that do not satisfy these requirements cannot be registered using this group registration option.

1117.4 Application Requirements

As a general rule, the **applicant** must use a paper application to register a database and/or a group of updates or revisions to that database. See **37 C.F.R. § 202.3(b)(5)(ii)(A)**. Unlike most group registration options, applicants do not need to use a special form. Instead, the applicant should use the form that is most appropriate for the subject matter of the works that appear in the database. See *id.* For example, if the works in the database consist primarily of words, numbers, or other verbal or numerical symbols or indicia, the applicant should use **Form TX**. If the works consist predominantly of photographs, the applicant should use **Form VA**. For guidance on completing the paper application, see Section **1117.7**.

There is a limited exception to this rule. A database that consists predominantly of photographs and/or the updates or revisions to that database may be registered with an online application as a result of a pilot project. See 37 C.F.R. § 202.3(b)(5)(ii)(A). Before completing an online application, the applicant must contact the Visual Arts Division at (202) 707-8202 to coordinate the filing and to obtain proper guidance concerning the information that should be included in the application and the proper method for submitting the **deposit copies**. Applicants will be permitted to file an online application for a database that consists predominantly of photographs only if they obtain authorization from the Visual Arts Division and follow the instructions from the Division. See **Registration of Claims to Copyright**, 76 Fed. Reg. 4,072, 4,075 (Jan. 24, 2011).

1117.5 Filing Fee Requirements

The **applicant** must submit the correct **filing fee** for this group registration option. See 37 C.F.R. § 202.3(b)(5)(ii)(B).

The current fee for registering a group of updates or revisions to a database using a paper application is set forth in the U.S. Copyright Office’s **fee schedule** under the heading “Group automated database updates (paper application only).”

The current fee for registering a database that predominantly consists of photographs using an online application is set forth in the Office’s **fee schedule** under the heading “Online registration of groups of published photographs (pilot program, see sl-39).”

For information concerning the methods for paying the filing fee, see **Chapter 1400**, Sections 1403.3 through 1403.5.

1117.6 Deposit Requirements

This Section discusses the deposit requirements for registering a database and/or a group of updates or revisions to that database. All **applicants** must comply with these requirements, regardless of whether they intend to register the updates or revisions for a single-file database or a multi-file database.

These requirements are intended to alleviate some of the administrative burdens involved with examining a group of related works. In developing these requirements, the Office also considered the unique factors that distinguish databases from other types of works, such as “frequent updates; incremental changes, which are sometimes minor; the absence of a hard-copy record of the changes in general; and the tendency to commingle copyrightable and uncopyrightable matter.” **Registration of Claims to Copyright, Registration and Deposit of Databases**, 54 Fed. Reg. 13,177, 13,178-79 (Mar. 31, 1989).

1117.6(A) Databases That Do Not Consist Predominantly of Photographs

This Section discusses the deposit requirements for a database that does not consist predominantly of photographs.

In all cases, the **applicant** should prepare and submit a brief statement that describes the database. The specific requirements for this descriptive statement are discussed in Section 1117.6(C).

The applicant does not need to submit a complete copy of the entire database. Instead, the applicant should gather a representative portion of the database using one of the methods discussed below and should submit one copy of that material to the U.S. Copyright Office in a form that is visually perceptible without the aid of a machine or device. See 37 C.F.R. § 202.20(c)(2)(vii)(D).

As discussed in Section 1117.3, all the updates or revisions in the group must be created or **published** within a three-month period within the same calendar year. The applicant should select a representative date from that three-month period and gather fifty pages or fifty data records that appeared in the database on that date. See 37 C.F.R. § 202.20(c)(2)(vii)(D)(5). The pages or records should be marked to show the **copyrightable** updates or revisions that were created or published on the selected date. The applicant does not need to specify every **copyrightable** change that appears in these pages or records. However, the applicant should identify a sufficient amount of new material to demonstrate that the updates or revisions constitute an original work of authorship. See **Registration of Claims to Copyright, Registration and Deposit of Databases**, 54 Fed. Reg. 13,177, 13,178-79 (Mar. 31, 1989).

Alternatively, the applicant may select a representative date from the three-month period, and gather fifty pages or fifty data records that appeared in the database on that date. The pages or records must consist entirely of new copyrightable material that was created or published on the selected date. In addition, the applicant should submit a cover letter confirming that the pages or records are comprised entirely of new copyrightable material that was created or published on the same date. See *id.*

In all cases, the applicant should write the name of the database on the first page or the first record that is included in the deposit material.

If the database has been **fixed** in a CD-ROM and if the group of updates or revisions can be discerned from that format, the applicant may submit one complete copy of the entire CD-ROM package, including a complete copy of any accompanying operating software and instructional manual. 37 C.F.R. § 202.20(c)(2)(xix). If the **registration specialist** is unable to access the CD-ROM or unable to determine whether new copyrightable material was added to the database during the three-month period specified in the application, he or she will ask the applicant to submit a representative portion of the database using one of the methods discussed above.

If the database has been fixed or published in a CD-ROM and if the Office previously issued a group registration for that database, the applicant may submit a CD-ROM containing subsequent updates or revisions to that same database, provided that the descriptive statement (i) identifies the new material that was added to the database during the period specified in the application, and (ii) confirms that the updates or revisions are similar to the updates or revisions specified in the previous registration.

The deposit may be delivered by mail, by courier, or by hand delivery to the Public Information Office. Packages that are delivered to the U.S. Copyright Office by mail or by courier will be irradiated to destroy possible contaminants, such as anthrax. This process may damage CD-ROMs or other compact discs. To avoid this result, applicants are strongly encouraged to send these types of materials in boxes rather than envelopes. For additional guidance on delivering items to the Office by hand or by courier, see Section 1109.8.

1117.6(B) Databases That Predominantly Consist of Photographs

This Section discusses the minimum deposit requirements for a database that consists predominantly of photographs. In some cases, the Visual Arts Division may ask the **applicant** to submit additional deposit material, particularly when the **claim** is submitted using the electronic registration system. For specific guidance, applicants should contact the Visual Arts Division at (202) 707-8202.

In all cases, the applicant should prepare and submit a brief statement that describes the database. The specific requirements for this descriptive statement are discussed in Section 1117.6(C).

If the applicant intends to register the photographs that were added to the database during the period specified in the application, the applicant must submit a copy of each photograph that is included in the claim. See 37 C.F.R. § 202.20(c)(2)(vii)(D)(8).

The applicant may submit the photographs using one of the formats described in Section 1116.4, and may deliver the deposit to the U.S. Copyright Office by mail, by courier, or by hand delivery to the Public Information Office. For additional guidance on these delivery options, see Section 1109.8.

If the applicant intends to register the authorship involved in selecting, coordinating, and/or arranging the photographs that appear in the database, but does not intend to register the individual photographs, the applicant should submit a representative portion of the database using one of the methods described in Section 1117.6(A).

See generally **Deposit Requirements for Registration of Automated Databases That Predominantly Consist of Photographs**, 76 Fed. Reg. 5,106 (Jan. 28, 2011); **Registration of Claims to Copyright**, 76 Fed. Reg. 4,072 (Jan. 24, 2011).

1117.6(C) Descriptive Statement

In all cases, the **applicant** must submit a brief typed or printed statement containing the following information:

- The title of the database.
- The name and address of the **copyright claimant**.
- A subtitle, date of creation, or date of **publication** (if any) that may be used to distinguish any separate or distinct data files within the database.
- The name and content of each separate data file, including its subject, the origin(s) of the data, and the approximate number of data records that it contains.
- The nature and frequency of the changes in the database and the location within the database or the separate data files where the changes appear. When describing the nature of the changes, applicants should clearly articulate the authorship claimed in these changes.

If the database contains a **copyright notice**, the descriptive statement should provide the following information:

- If the notice is in a machine-readable format, the applicant should provide the exact content of the notice and indicate the manner and frequency with which it is displayed (e.g., at a terminal when a user signs on, continuously on the terminal display, on printouts from the database, etc.).
- If the notice appears on copies of the database or on magnetic tape reels or the containers for those reels, the applicant should submit a photocopy or other sample of the notice.

See 37 C.F.R. § 202.20(c)(2)(vii)(D)(5)-(7).

1117.7 Completing the Application: Group Registration of Databases

This Section provides guidance for registering a database and/or a group of updates or revisions using Forms TX or VA.

The U.S. Copyright Office has established a pilot program for **applicants** who wish to register databases that consist predominantly of photographs using the electronic registration system. As discussed in Section 1117.4, applicants must contact the Visual Arts Division for authorization to use the online application and for guidance in completing the application and submitting the **deposit copies**.

As discussed in Section 1117.3, the updates or revisions in the group must be created or **published** within a period of three months or less. The application may be submitted on the last day of this period or anytime thereafter (regardless of whether the applicant uses the online registration system or a paper application). However, if the application is received before the last day of the period specified in the application, the **registration specialist** will communicate with the applicant.

1117.7(A) Space 1: Title

The **applicant** should provide the title of the database on space 1 of the application under the heading marked Title of This Work. The title should be provided together with the following statement: “Group registration for database titled [*insert the title of the database*].”

As discussed in Section 1117.3, all the updates or revisions in the group must be created or **published** within a three-month period within the same calendar year. This period should be specified on space 1 of the application under the heading marked Title of This Work, preferably in the following format: “Updates and revisions from [*insert first date in the period*] to [*insert the last day in the period*].”

As discussed in Section 1117.6(A), the applicant should select a representative date from the period specified in the Title of This Work space, and submit fifty pages or fifty data records that were added to the database on that date. The applicant should provide that date in space 1 under the heading marked Publication as a Contribution, preferably in the following format: “Representative Date: [*insert month, day, and year*].” In addition, the applicant should specify the frequency that updates or revisions are made to the database (e.g., daily, weekly, monthly, etc.).

If the applicant is unable to submit fifty records from a specific date, the applicant may submit a selection of records that were added to the database on multiple dates. In this situation, the

applicant may provide a range of dates in space 1, preferably in the following format: “Representative Dates: [*insert month(s), day(s), and year here*].”

NOTE: There is no need to complete the Publication as a Contribution space if the database consists predominantly of photographs.

1117.7(B) Space 2: Name of Author / Nature of Authorship

In space 2(a) the **applicant** should provide the full name of the author who created the updates or revisions for the database, as well as the author’s country of citizenship and/or domicile.

If the updates or revisions were created by more than one author, the applicant may list the other authors on spaces 2(b) and 2(c) or on **Form CON**, although providing this information is optional.

If the updates or revisions were created as works made for hire, the applicant should check the box marked “yes” that appears under the heading “was this contribution to the work a ‘work made for hire?’”

For guidance in providing the Author’s Name, see **Chapter 600**, Section 613.9. For guidance in providing the author’s citizenship and domicile, see **Chapter 600**, Section 617. For a definition and discussion of works made for hire, see **Chapter 500**, Section 506.

The applicant should identify the **copyrightable** authorship that the author contributed to the updates or revisions. The applicant should provide this information in space 2(a) under the heading marked **Nature of Authorship**.

The Office may accept any of the terms listed below, provided that they accurately describe the copyrightable authorship that appears in and is supported by the **deposit copy**. In most cases, the Office will accept combinations or variant forms of these terms, unless they are contradicted by information provided in the deposit copies or elsewhere in the registration materials.

- Compilation of data.
- Compilation of database information.
- Compilation of photographs.
- Compilation of artwork.
- Compilation and text.
- Revised and updated compilation.
- Text of database.

NOTE: The applicant should also submit a separate descriptive statement that describes the selection, coordination, and/or arrangement that the author contributed to the database. For information concerning this requirement, see Section **1117.6(C)**.

The authorship that the applicant intends to register should be clearly identified in the application and the descriptive statement, and the claim to copyright in that authorship should be clearly stated. If the claim is unclear, the **registration specialist** may communicate with the applicant or may refuse registration. Examples of unclear terms include the following or any combination of the following:

- Data dictionary.
- Data insertion.
- Data layout or format.
- Data manipulation.
- Database features.

If the applicant asserts a claim in both the copyrightable and uncopyrightable features of the database, the registration specialist may annotate the application to indicate that the registration does not extend to the uncopyrightable features. If the applicant asserts a claim to copyright in any storage medium or any feature of the database that is uncopyrightable, the specialist may communicate with the applicant or may refuse registration if the claim appears to be based solely on those features. Examples of unacceptable terms include the following or any combination of the following:

- Database design.
- Database interface.
- Database structure.
- Data system.

For additional guidance in completing the Nature of Authorship space, see **Chapter 600**, Section 618.4(B).

1117.7(C) Space 3(a): Year in which Creation of This Work Was Completed

As discussed in Section **1117.3**, the updates or revisions must be completed within a three-month period within a single calendar year.

In space 3(a) the **applicant** should provide the year that the author completed the specific updates or revisions that will be submitted for registration. The applicant should not provide a year of completion for the first version of the database or any updates or revisions that are not included in the group.

1117.7(D) Space 3(b): Date and Nation of First Publication of This Particular Work

If the updates or revisions have been **published**, the **applicant** should provide the last date (month, day, and year) that updates or revisions were published during the time period specified

in the Publication as a Contribution space. If the updates or revisions have not been published, this portion of the application should be left blank.

For a general discussion of publication issues, see [Chapter 600](#), Section 612.

1117.7(E) Space 4: Copyright Claimant(s)

As discussed in Section [1117.3](#), the copyright in the updates and revisions must be owned by the same **claimant**. The **applicant** should provide the claimant’s full name and address in space 4 of the application. For guidance on completing this portion of the application, see [Chapter 600](#), Section 619.

If the author(s) and the claimant named in the application are not the same person, the applicant should provide a brief **transfer statement** that explains how the claimant obtained the copyright in the updates or revisions in the group. This information should be provided in space 4 under the heading marked Transfer. For guidance on completing this portion of the application, see [Chapter 600](#), Section 620.9.

1117.7(F) Spaces 5 & 6: Previous Registration / Derivative Work or Compilation

If the updates or revisions contain an appreciable amount of material that has been previously registered with the U.S. Copyright Office, the **applicant** should exclude that material from the **claim** using the procedures described in [Chapter 600](#), Section 621.8(F). If the updates or revisions contain an appreciable amount of material that has been previously **published**, material that is not owned by the **copyright claimant**, or material that is in the **public domain**, the applicant should exclude that material from the claim using the procedures described in [Chapter 600](#), Sections 621.8(A) through 621.8(C).

If the updates or revisions do not contain previously registered material, previously published material, public domain material, or material owned by a third party, this portion of the application may be left blank.

1117.7(G) Space 8: Certification

The **applicant** should certify and date the application on space 8 under the heading marked “Handwritten signature.” The first and last name of the person who certified the application should be typed or printed on the space marked “Typed or printed name and date.” In addition, the applicant should check one of the boxes indicating whether he or she is an author of the work, the **copyright claimant**, an owner of one or more of the **exclusive rights** in the works, or a duly **authorized agent** of one of the foregoing persons. [37 C.F.R. § 202.3\(c\)\(2\)\(i\)](#).

The application should be certified and submitted to the U.S. Copyright Office on or after the last date specified in space 1 of the application under the heading marked Title of This Work. If the application is certified or submitted before the last date specified in the Title of This Work space, the **registration specialist** may communicate with the applicant.

For additional guidance in completing the Certification space, see [Chapter 600](#), Section 624.

1117.7(H) Spaces 7 & 9: Correspondent and Mailing Address for the Certificate

For guidance in completing the Correspondent space, see [Chapter 600](#), Section 622.2. For guidance in providing the mailing address for the certificate, see [Chapter 600](#), Section 622.4.

1117.8 Effective Date of Registration for a Group of Revisions or Updates to a Database

As discussed in Section [1117.3](#), all the updates or revisions in the group must be created or **published** within a three month period within the same calendar year. As discussed in Section [1117.7](#), the application may be submitted on the last day of this period or anytime thereafter.

The U.S. Copyright Office will assign an **effective date of registration** based on the date that the Office received the application, **filing fee**, and the deposit material, which are later determined by the **Register of Copyrights** or by a court of competent jurisdiction to be acceptable for registration. [17 U.S.C. § 410\(d\)](#).

Example:

- Farmers & Mechanics Bank submitted an application to register the updates and revisions that were made to its database between January 1, 2010 and March 31, 2010. The Office received the application and the filing fee on May 1, 2010, along with a printout containing fifty records from the database. On May 2, 2010, the Office received the descriptive statement for this claim. The Office will issue a group registration with an effective date of registration of May 1, 2010.

For a general discussion of effective date of registration, see [Chapter 600](#), Section 625.

1117.9 Databases That Do Not Satisfy the Group Registration Requirements

If the **applicant** is unable to use this group registration option, it may be possible to register the database as it existed on a particular date. A registration for a specific version of a database does not cover any subsequent updates or revisions that may be made to the database (regardless of whether the database is **published** or **unpublished**). For information on the practices and procedures for obtaining a registration for a specific version of a single-file or multi-file database, see [Chapter 700](#), Section 727.

1118 Serials, Daily Newspapers, and Daily Newsletters at a Glance

This Section provides an overview of the similarities and differences between the group registration options for serials, daily newspapers, and daily newsletters.

For information concerning the specific requirements for these group registration options, see Sections [1109](#) (serials), [1110](#) (daily newspapers), and [1111](#) (daily newsletters).

Group Registration Requirements	Serials	Daily Newspapers	Daily Newsletters
<i>Type of work</i>	Each issue must be a serial, as defined in Section 1109.1	Each issue must be a newspaper, as defined in Section 1110.1	Each issue must be a newsletter, as defined in Section 1111.1
<i>Are the issues new?</i>	Each issue must be all-new collective work that has been published for the first time	Each issue must be all-new collective work that has been published for the first time	Each issue must be all-new collective work that has been published for the first time
<i>Publication</i>	Each issue must be published	Each issue must be published	Each issue must be published
<i>Frequency of publication</i>	The serial must be published at intervals of a week or longer	The newspaper must be published at least two times a week	The newsletter must be published at least two times a week
<i>Number of issues in the group</i>	The group must include at least two issues	The group must include all the issues published within the calendar month specified in the application	The group must include all the issues published within the calendar month specified in the application
<i>Number of months covered by the group</i>	The group may include up to three months of issues	All the issues must be published within the same calendar month	All the issues must be published within the same calendar month
<i>Publication within the same calendar year</i>	All the issues must be published within the same calendar year	All the issues must be published within the same calendar year	All the issues must be published within the same calendar year
<i>Publication within one year after creation</i>	Each issue must be created no more than one year prior to publication	n/a	n/a
<i>Title</i>	All the issues must be published under the same title	All the issues must be published under the same title	All the issues must be published under the same title
<i>Author</i>	The author for all the issues must be the same person or organization	The author for all the issues must be the same person or organization	The author for all the issues must be the same person or organization
<i>Claimant</i>	The claimant for all the issues must be the same person or organization	The claimant for all the issues must be the same person or organization	The claimant for all the issues must be the same person or organization
<i>Work made for hire</i>	Each issue must be a work made for hire	Each issue must be a work made for hire	Each issue must be a work made for hire

Group Registration Requirements	Serials	Daily Newspapers	Daily Newsletters
<i>Claim to copyright</i>	The claim to copyright must be limited to the authorship involved in creating the serial as a whole	The claim to copyright may include the authorship involved in creating the newspaper as a whole and/or the authorship involved in creating the contributions to the newspaper	The claim to copyright may include the authorship involved in creating the newsletter as a whole and/or the authorship involved in creating the contributions to the newsletter
<i>Application requirements</i>	The applicant may use the online application or a paper application submitted on Form SE/Group	The applicant must submit a paper application using Form G/DN	The applicant must submit a paper application using Form G/DN
<i>Examination copies</i>	The applicant must submit one complete copy of each issue in the group	The applicant may submit one complete copy of each issue in the group, or copies of the first and last issues, or copies of the first section from the first and last issues, or copies of the first page from the first and last issues	The applicant must submit one complete copy of each issue in the group
<i>Complimentary subscriptions</i>	The applicant may be required to provide complimentary subscriptions to the Library of Congress	n/a	The applicant may be required to provide complimentary subscriptions to the Library of Congress
<i>Microfilm</i>	n/a	The applicant may be required to provide microfilm to the Library of Congress	The applicant may be required to provide microfilm to the Library of Congress
<i>Filing deadline</i>	n/a	The application must be submitted within three months after the date of publication for the last issue in the group	The application must be submitted within three months after the date of publication for the last issue in the group

1119 Photographs at a Glance

This Section provides an overview of the similarities and differences between the option for registering a group of published photographs, the option for registering a group of contributions to periodicals, and the option for registering a number of unpublished works.

For information concerning the specific requirements for the group registration options for published photographs and contributions to periodicals, see Sections 1115 and 1116. For information concerning the specific requirements for the option for unpublished works, see Section 1106.

Registration Requirements	Group Registration of Published Photographs	Group Registration of Contributions to Periodicals	Unpublished Collections
<i>Type of work</i>	Each work must be a photograph	The application may include literary works or visual art works, such as photographs	The application may include any type of work
<i>Application requirements</i>	The applicant may use the online application or a paper application submitted on Form VA	The applicant must submit an online application	The applicant may use the online application or a paper application
<i>Number of photographs in the application</i>	If the applicant submits Form GR/PPh/CON, the applicant may include up to 750 photographs in the group. If the applicant does not use this form, there is no limit on the number of photographs that may be included.	No limit on the number of works that may be included in the application	No limit on the number of works that may be included in the application
<i>Author</i>	All the photographs must be taken by the same photographer	All the works must be created by the same author	All the elements in the collection must be created by the same author, or if the elements were created by multiple authors, one author must contribute copyrightable authorship to each element
<i>Claimant</i>	The claimant for all the photographs must be the same person or organization	The claimant for all the works must be the same person or organization	The claimant for all the elements in the collection must be the same person or organization
<i>Work made for hire</i>	The photographs may be created as a work made for hire	The works cannot be created as a work made for hire	The works may be created as a work made for hire

Registration Requirements	Group Registration of Published Photographs	Group Registration of Contributions to Periodicals	Unpublished Collections
<i>Publication</i>	All the photographs must be published	All the photographs must be published	All the photographs must be unpublished
<i>Publication within a twelve-month period</i>	All the photographs must be published within the same calendar year (e.g., January through December 2011; February through June 2012; September through October 2013, etc.)	All the works must be published within a twelve-month period (e.g., January 1, 2010 through December 31, 2010; February 1, 2011 through January 31, 2012; September 15, 2013 through September 14, 2014, etc.)	n/a
<i>Medium of publication</i>	The photographs may be first published in any medium	All the works must be first published as a contribution to a periodical	n/a
<i>Copyright notice</i>	If the photographs were published before March 1, 1989, each photograph must bear an appropriate copyright notice	If the works were published before March 1, 1989, each work must bear an appropriate copyright notice	n/a