



## THE OFFICE OF POLICY AND INTERNATIONAL AFFAIRS

Copyright law plays a critical role in promoting and disseminating American works of authorship and in sustaining large businesses, small companies, and individual creators in the creative industries, including those involving the arts, entertainment, technology and information sectors. The Copyright Office has been charged by Congress with administering the Copyright Act, through registration and recordation practices, for well over a century. Additionally, the Copyright Office has assisted Congress in policy formulation since the Office's creation in 1897.

The Copyright Office plays a key role in analyzing the copyright law from all perspectives, developing policy initiatives to protect creative content effectively while being flexible enough to support uses of copyrighted works in new ways, and providing leadership and impartial expertise on questions of copyright law and policy. The mission, work and future goals of the Copyright Office are described in our *Strategic Plan: 2016-2020: Positioning the United States Copyright Office for the Future*. Specifically, Congress has identified several critical law and policy functions of the Copyright Office, including:

- Advising Congress on domestic and international copyright issues;
- Providing assistance and information to other federal agencies (like the DOJ and USTR) and the courts;
- Participating on U.S. delegations in meetings with foreign governments and intergovernmental meetings (such as those at WIPO); and
- Conducting studies and programs regarding copyright, including educational programs conducted cooperatively with international intergovernmental organizations and foreign intellectual property offices.

See 17 U.S.C. § 701(b). The Office of Policy and International Affairs (PIA) within the Copyright Office is significantly involved in executing these legislative mandates. PIA is directed by an Associate Register of Copyrights, and is staffed by lawyers who share twin responsibilities for both domestic and international copyright affairs.

## DOMESTIC POLICY

PIA works closely with congressional offices on domestic copyright legislation and policy matters, including by providing detailed technical advice on legislative copyright proposals. PIA, along with the Office of the General Counsel, also supports the Register of Copyrights' testimony before congressional committees on proposed or pending copyright legislation. Following the April 2013 announcement of a review of the copyright law by the House Judiciary Committee, the Committee held 20 hearings with 100 witnesses over the course of two years. PIA participated in numerous aspects of this review. PIA supports the Register in work related to office modernization, including the publication of the *Modified U.S. Copyright Office Provisional IT Modernization Plan* which was submitted to Congress in September 2017.

PIA conducts comprehensive legal analyses and studies for the benefit of Congress and the general public. Currently, PIA is involved with major studies of Section 512 and the moral rights of attribution and integrity. In September 2017, PIA issued its *Section 108 Discussion Document* on updating exceptions for libraries, archives and museums as well as a Congressional letter ending the proposed pilot program on mass digitization. PIA produced major reports on *The Making Available Right in the United States* in February 2016 and on *Orphan Works and Mass Digitization* in June 2015. PIA had the lead on producing the report *Resale Royalties: An Updated Analysis* in 2013 and the report on *Legal Issues in Mass Digitization* in 2011. Furthermore, PIA also was involved in the process resulting in the *Compendium of U.S. Copyright Office Practices, Third Edition* in 2014 as well as reviewing its 2017 updates, and contributed to the *Section 1201 Study* in 2017 and the *Copyright Small Claims* report in 2013. Finally, PIA attorneys also support the work of the Review Board on appeals of refusals of copyright registration.

## INTERNATIONAL AFFAIRS

PIA attorneys have substantial expertise in foreign copyright issues and international copyright treaty obligations. This includes complex work on the numerous copyright issues pending before the World Intellectual Property Organization (WIPO) and in other fora. PIA attorneys serve on U.S. government delegations for bilateral and regional trade agreements and copyright treaty negotiations between the United States and other countries. Working with interagency colleagues, PIA provides advice to foreign governments on technical analyses of their copyright laws and enforcement regimes. PIA, along with its colleagues throughout the Copyright Office, promotes the development of copyright systems, nationally and internationally. PIA provides and participates in technical assistance and capacity-building programs and conferences with foreign governments. For example, in June 2018, PIA organized the Copyright Office–WIPO International Copyright Institute (ICI) with approximately fifty expert speakers for senior leaders of foreign copyright offices from seventeen countries. The next ICI will take place in 2020.