



ANNOUNCEMENT

from the Copyright Office, Library of Congress, Washington, D. C. 20559

FINAL REGULATIONS

PART 202--REGISTRATION OF CLAIMS TO COPYRIGHT

DEPOSIT REQUIREMENTS

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[1410-03]

Title 37—Patents, Trademarks, and Copyrights

CHAPTER II—COPYRIGHT OFFICE, LIBRARY OF CONGRESS

[Docket RM 78-2]

PART 202—REGISTRATION OF CLAIMS TO COPYRIGHT

Deposit Requirements

AGENCY: Library of Congress, Copyright Office.

ACTION: Final regulations.

SUMMARY: This notice is issued to inform the public that the Copyright Office of the Library of Congress is adopting amendments to §§ 202.19,

202.20, and 202.21 of our regulations. The effect of the amendments is: (i) To liberalize the deposit requirements for certain types of three-dimensional works; (ii) to provide expressly for the means of termination of continuing arrangements under which the Copyright Office has granted a request for special relief as an exception to the general deposit requirements; (iii) to permit the deposit of only one copy of musical compositions in certain cases; (iv) to permit the deposit of photographs or similar identifying reproductions in the case of unpublished pictorial and graphic works; (v) to clarify the deposit requirements for machine-readable works; (vi) to clarify the meaning of a "complete copy" in the case of motion pictures; (vii) to liberalize the deposit requirements for works reproduced in or on sheetlike materials; (viii) to liberalize the requirements governing the size and mounting of

photographic transparencies deposited as identifying material, and to revise certain requirements concerning separate drawings of the copyright notice appearing in identifying material; (ix) to clarify the definition of a "complete" copy or phonorecord; (x) to clarify the deposit requirements for registration of works published in separable parts; and (xi) to add clarifying provisions concerning the deposit of works appearing on containers, wrappers, holders, and similar receptacles.

DATES: The regulations, as amended, are effective on September 19, 1978.

FOR FURTHER INFORMATION CONTACT:

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U.S. Copyright Office, Library of
Congress, Washington, D.C. 20559,
703-557-8731.

SUPPLEMENTARY INFORMATION: Under 17 U.S.C. 407 the owner of copyright, or of the exclusive right of publication, in a work published with notice of copyright in the United States is required to deposit copies of the work in the Copyright Office for the use or disposition of the Library of Congress. Section 408 of the statute also requires deposit of material in connection with applications for copyright registration of unpublished and published works. After establishing general rules governing the nature of the required deposit, section 408 authorizes the Register of Copyrights to prescribe regulations governing "the nature of the copies or phonorecords to be deposited" and to "require or permit . . . the deposit of identifying material instead of copies or phonorecords . . ."

On January 4, 1978, we published in the *FEDERAL REGISTER* (43 FR 763) final regulations implementing the deposit requirements of sections 407 and 408. Those regulations, among other things, generally required the deposit of "identifying material," such as photographs or drawings, instead of actual copies of three-dimensional works. This requirement was designed to improve our records of copyright registrations and to reduce the substantial administrative costs and burdens faced by the Copyright Office in handling and storing material of a wide variety of shapes and sizes.

After reconsideration in the light of our experience under those regulations, on March 21, 1978 (43 FR 11701) we made several interim changes in their application to three-dimensional works.¹ Those changes:

(1) Amended §§ 202.20(b)(2) and 202.20(c)(2)(ix) to remove the requirement that an applicant submit photographs or similar reproductions of uncopyrightable three-dimensional articles (for example, yarn and knitting needles) as a condition to registration of two-dimensional works (for example, instructions or illustrations) with which they are packaged;

(2) Amended § 202.20(d)(1) to permit the deposit of actual copies of three-dimensional works, instead of photographs or the like, as "special relief" in particular cases;

(3) Amended § 202.20(c)(2)(ix) to make clear that, unless special relief is asked for and granted, the general re-

¹ In a separate proceeding (docket RM 78-3) we also amended the deposit regulations to reflect the availability of the Library of Congress "Motion Picture Agreement." That agreement (i) provides for the return of published motion pictures to depositors under certain conditions; and (ii) establishes certain rights and obligations of the Library of Congress with respect to such works. See 43 FR 12320 (Mar. 24, 1978; interim regulations) and 43 FR 31132 (July 20, 1978; final regulations).

quirement that identifying material be submitted in lieu of actual copies of three-dimensional works does apply to boxed or similarly contained works; and

(4) Amended § 202.21 in several respects: To liberalize the requirements governing the minimum size of identifying material, thereby permitting the deposit of inexpensive photographs of works; to make clear that the entire section, as amended, pertains to the deposit of identifying material of both published and unpublished works; and to make clear that, where drawings of a copyright notice must be submitted as part of identifying material, the drawing need not be of the same size as the material reproducing the work itself.

Interested parties were given until April 28, 1978, to comment on the interim amendments. No comments were received on the specific changes noted above, and they are adopted as final.

Our ongoing experience with deposits of three-dimensional works has prompted us to make another liberalizing amendment. Under the regulations as issued, applicants for registration of works consisting of multiple three-dimensional parts were required to deposit identifying material showing each copyrightable part, instead of actual copies of the work. This meant that, for example, in the case of a board game, the applicant would have to prepare and submit a number of photographs or drawings showing each separate copyrightable piece composing the game, including all copyright notices on the various parts.

We believe that, in cases where the work consists of multiple parts that are contained in a box or similar container of reasonable size, the substantial burden on the applicant in preparing multiple photographs or other identifying reproductions probably outweighs the problems caused the Copyright Office in processing and storing the deposit. We are therefore amending § 202.20(c)(2)(ix) to exempt from the requirement for the submission of identifying material, works consisting of multiple parts that include among the copyrightable elements of the work, in addition to any copyrightable elements on the box or other container, three or more three-dimensional, physically separable parts, and that are packaged and published in a box or similar container with flat sides and with dimensions of no more than 12 x 24 x 6 inches. The most typical examples of this type of material are board games, but other examples include model kits, and certain kinds of craft kits. We have also added a new paragraph (H) to § 202.20(c)(2)(i) to permit the deposit of only one copy in these cases.

The Copyright Office is continuing an active study of all of its processing and recordkeeping activities, and a major focus of the study involves the costs (both direct and hidden) of creating, maintaining, preserving, and accessing deposit records. The handling and storage of bulky material, even if boxed, involves very substantial costs, and we must therefore consider these amendments as experimental for the time being. We will be monitoring their effect on our costs and operations and, depending upon our findings, we may have to consider returning to the requirement for identifying material. In any event, the Office distinctly prefers the deposit of identifying material in these cases, even where the deposit of a boxed copy is permitted.

This change in our regulations has considerable practical importance but, since it is primarily a liberalization of a procedural requirement imposed on the public by the Copyright Office, we are issuing it as final with this notice. The same is true of several other amendments which, on the basis of our experience with the deposit regulations over the past several months, are needed to liberalize or clarify the requirements. Specifically:

(1) *Special relief.* In developing the deposit regulations it became apparent that it would not be possible to establish categorical rules, exemptions, or alternatives to cover all cases where the general deposit provisions might cause unnecessary hardship. Accordingly, §§ 202.19(e) and 202.20(d) permit requests to be made for "special relief" in particular cases. Our original intent was to consider requests for special relief on a case-by-case basis. In some cases, however, there have been requests for ongoing or continuous relief applicable to a specific copyright owner, aimed at particular categories of works or particular circumstances encountered by that owner. In order for the Copyright Office to grant special relief on an ongoing basis where warranted in these cases, while at the same time reserving the right to insist upon the general deposit requirements if circumstances later change, we are adding a termination provision to both sections. Although the right of termination was implicit in the reference to grants of relief upon "such conditions as the Register (of Copyrights) may determine" in the original regulations, we believe we should prevent confusion and unnecessary paperwork by stating this principle expressly. To avoid any possible question, the amendment provides that a termination of special relief will not affect the validity of any earlier deposit.

(2) *Musical compositions published by rental, lease, or lending.* Sections 202.19(d)(2)(v) and 202.20(c)(2)(i)(F) of

regulations permit the deposit of one copy in the case of musical compositions published "only by rental, lease, or lending (rather than sale) of copies." Sections 202.19(b)(2) and 202.20(b)(2) define a "complete" copy in these cases as a full score or a conductor's score. These provisions were made in response to public comments pointing out that in musical rental cases only a limited number of copies exist for distribution, and that application of the normal requirement for two copies of the full score and parts would be unjustifiably burdensome and expensive.

The wording of the regulation as issued presented a technical problem. In cases where a musical work had been published both in the form of a rental score and in the form of phonorecords, the regulations, in combination with the Library of Congress "Best Edition" criteria, seemed to require the deposit of two copies of the score. This was not intended, and we are revising the regulations to make clear that only one copy is required in these cases.

(3) *Unpublished pictorial and graphic works.* Section 202.20(c)(2)(iv) of the regulations permits the deposit of identifying reproductions, instead of actual copies, of both published and unpublished pictorial and graphic works; only where an "individual author" is the copyright owner. This provision, which parallels a provision in section 407(c) of the statute, was intended primarily to give individual artists the option of depositing photographs of their published prints under certain circumstances, but to withhold this option from a copyright owner (employer-for-hire or transferee) who is not the author of the published work, thus requiring deposit of copies of the actual print for the collections of the Library of Congress in these cases. The same considerations do not apply to unpublished works however, and we are therefore amending the section to allow the deposit of photographs or like reproductions of all unpublished pictorial or graphic works, including those in which copyright is owned by an employer-for-hire or transferee of the author.

(4) *Machine-readable works.* Section 202.20(c)(2)(vii) of the regulations specifies the deposit requirements for registration of machine-readable computer programs, automated data bases, and the like. In these cases, visually perceptible deposits are necessary for examining purposes, but the entire work need not be deposited in visual form; the regulations require only identified portions of the work to be deposited. However, as issued, the regulations on this point were limited to machine-readable works published in the United States, thus leaving un-

clear the deposit requirements for registration of machine-readable works published abroad. We are therefore revising the section to remove the reference to publication in the United States.²

(5) *Motion pictures.* We are also amending §§ 202.19(b)(2) and 202.20(b)(2) to clarify the meaning of a "complete copy" in the case of motion pictures. To be considered complete, and therefore acceptable for registration, a copy of a motion picture must be clean, undamaged, undeteriorated, and free of splices; both the copy itself and its physical housing must be free of any defects that would interfere with the performance of the work or that would cause mechanical, visual, or audible defects or distortions. (Deposit copies of motion pictures that are returned under the Library's Motion Picture Agreement are subject to the requirements of that agreement.)

(6) *Works reproduced in or on sheetlike materials.* Section 202.20(c)(2) (viii) requires that the deposit for a work reproduced in or on sheetlike materials which consists of a repeated pictorial or graphic design show the complete design and at least one repetition. However, on the basis of experience, we feel that the nature of a work reproduced in this fashion is sufficiently revealed by a deposit which shows the complete design and at least part of one repetition. We are liberalizing this section of the regulations accordingly.

(7) *Deposit of identifying material instead of copies.* Section 202.21(c) requires that transparencies, when submitted as identifying material in lieu of copies, must be 35 mm in size and fixed in cardboard, plastic, or similar mounts. Our experience has shown that it is too restrictive to require all transparencies to be 35 mm. The regulation has been amended to require photographic transparencies to be "at least" 35 mm, thus giving depositors the option of depositing larger transparencies if they prefer.

To facilitate handling and storage, we prefer all transparencies to be fixed in cardboard, plastic, or similar mounts. We recognize, however, that it could be unjustifiably burdensome to require the mounting of large transparencies in all cases. We have therefore amended the regulation to retain

²In § 202.19(c)(5), which provides a complete exemption from the mandatory deposit requirements, we have retained the reference to "published in the United States." The mandatory deposit requirements of sec. 407 of the statute apply only to works published in the United States. Sec. 202.19(c)(5) of the regulations is intended to grant an exemption in the situation where a work has been published abroad in hard-copy form, but has been published in the United States only in machine-readable form.

the requirement of mounting for transparencies that are 3" x 3" inches or smaller, but not to make mounting an absolute requirement for larger transparencies. However, the amended regulation reserves to the Office the right to require mounting in particular cases for transparencies larger than 3" x 3".

We have also sought to clarify the requirements governing the separate drawing or similar reproduction of the copyright notice, which must accompany identifying material in certain cases. Under amendments of paragraphs (c) and (e) of § 202.21, the separate drawing need not be uniform in size with the other pieces of identifying material, but it must be no smaller than 3" x 3" and no larger than 9" x 12". We have dropped the provision requiring that the dimensions of the notice be shown on the drawing, since this additional requirement seems, in practice, to be more trouble than it is worth.

(8) *Definition of "complete" copy or phonorecord.* The deposit regulations necessarily contain two definitions of "complete" copy or phonorecord: One in § 202.19(b)(2) for purposes of satisfying the mandatory deposit requirements of section 407 of the statute, and another in § 202.20(b)(2) for purposes of satisfying the registration requirements of section 408. Although these two definitions interrelate, there are significant differences between them.

The amendments we are making in the definition of "complete" copy or phonorecord in § 202.20(b)(2) add substantially to the length of that paragraph. For the sake of clarity and consistency, we have recast the paragraph somewhat, and have organized it under six subheadings: unpublished works; published works; contributions to collective works; sound recordings; musical scores; and motion pictures.

(9) *Works published in separable parts.* As part of the revision of the definition of "complete" copy or phonorecord in § 202.20(b)(2), we have dealt with the general question of works published in separable parts, where only certain elements are deposited for registration. In the case of published works other than sound recordings, the amendment makes clear that, if the work is subject to the mandatory deposit requirements of section 407, registration under section 408 requires deposit of one or two "complete" copies, including "all elements comprising the unit of publication of the best edition of the work, including elements that, if considered separately, would not be copyrightable subject matter or would otherwise be exempt from mandatory deposit requirements * * *." However, if the work is not subject to the mandatory deposit requirements, the amendment generally con-

siders a copy or phonorecord "complete" even if some elements of the unit of publication are missing, under two conditions: (1) The deposit must contain everything for which the applicant is seeking registration; and (2) the separation of the missing elements must not leave the deposit physically marred or garbled.

(10) *Containers and other receptacles.* A special problem arises with respect to containers, wrappers, holders, and other receptacles, where the only material for which copyright registration is sought appears on the receptacle. Many of these works are exempt from the mandatory deposit requirements and therefore, under the amendment of § 202.20(b)(2), could be considered "complete" for purposes of registration without their contents. For example, an envelope containing hairnets should be deposited without the hairnets, and a slipcase containing stationery could be deposited without the stationery.

However, there are a number of cases—book jackets and record sleeves are common examples among many—where there is no exemption from the mandatory deposit requirements, but it would be burdensome or unfair to require the author or other owner of copyright in the material appearing on the jacket or other receptacle to deposit the complete unit of publication. To solve this problem we have added a special exception covering containers, wrappers, holders, and other receptacles.

A related problem arises with respect to three-dimensional containers and holders such as boxes, cases, and cartons. Where the material for which registration is sought is printed on a label attached to the container, the label can be removed and deposited for registration separately. However, where the copyrighted work is printed or otherwise reproduced directly on the container, the applicant will generally be required to deposit identifying material rather than a three-dimensional copy.

Our experience with the deposit regulations suggests that an exception should be made where the empty container on which the copyrighted work appears can be readily opened, folded, slit at the corners, or in some other way made adaptable for flat storage. We have therefore amended § 202.20(c)(2)(ix) to permit the applicant to deposit an actual copy rather than identifying material in cases of this sort.

Two comments were received in response to our March 21 notice on matters other than those dealt with in the specific interim amendments contained in that notice. One of these comments urged that we amend the regulations to state that we accept

choreographic works and pantomimes for registration on the basis of a deposit copy notated in Sutton Movement Shorthand. Under the new Copyright Act it is clear that choreography and mime are proper subject matter of copyright if they are "fixed" in some tangible medium, 17 U.S.C. 102. This medium may consist of a copy in any form of "written" notation, including (but not limited to) Sutton Movement Shorthand, Labanotation, Benesh notation, and other forms of notation, pictorial or narrative description of movements; or it may take the form of film, videotape, videodisk, hologram, or any other method of recording dance- or mime cinematographically. The coined word "choreology" covers, among other things, the writing down of dances by various means, and the fixation envisioned by the law would include any form of written record of a choreographic work made by a "choreologist."

So far in our experience with registering choreographic works and pantomimes under the new law, we have not felt it necessary to lay out specific deposit requirements for these works in our regulations. For unpublished choreographic works and pantomimes the general requirement is for deposit of "one complete copy"—that is, a copy "representing the entire copyrightable content of the work for which registration is sought." For published works in these classes, the Library of Congress "Best Edition" criteria³ are applicable, and within these criteria the depositor may deposit whatever form or copy it believes best to represent the work.

Although we are not now amending our deposit regulations to add a provision dealing with choreographic works and pantomimes, we plan to review this question on the basis of experience in the future, and to consider any

³The Library's "Best Edition" criteria for published works are set out at 43 FR 766. Within these criteria: (i) if a choreographic work or pantomime is published in the form of both "written notation" and film (or videotape or disk), the written notation must be deposited (Best Edition Statement, par. VIII B); (ii) if such a work is published only in the form of a written notation, or in the form of different written notations, there is no preference among the Laban, Sutton, Benesh, or other forms and the depositor may choose that form it has available or believes best to represent the work; and (iii) if such a work is published only in the form of film, videotape, or videodisk copies, certain preferences between film and tape, and among film gages and tape formats, are established (Best Edition Statement, par. III). The "Best Edition" criteria deal only with works that are fixed and published in varying formats or editions. Nothing in these criteria requires the creator of a choreographic work or pantomime to choose any particular form in which to fix or publish a work.

questions and problems that have arisen. For this reason we would welcome any suggestions or comments from depositors of choreographic works and pantomimes deriving from their experience under the new copyright law.

A second comment in response to our March 21 notice requested that we exempt "multiple weekly television series by other than the major producers or networks" from the deposit requirements of section 407 of the Act. This comment also suggests that "a single half hour program during any year should (be considered to) cover the deposit requirement for the entire year," apparently for the purposes of both sections 407 and 408.

We recognize that further regulatory provisions are needed to implement section 407(b) of the statute (dealing with unpublished transmission programs) and section 113 of the statute's transitional and supplementary provisions (establishing the American Television and Radio Archives in the Library of Congress). A number of policy decisions, some of which depend upon available funding, remain to be made. Meanwhile, the determining factor in considering exemptions from the statutory deposit requirements are the general acquisition policies of the Library of Congress.

Where television serial installments are distributed in such manner that they fall within the statutory definition of "publication," the Library of Congress does want to add them to its collections and thereby build an archival record of our country's television heritage. The burden upon the copyright owner is lessened by our reduction of the normal two-copy deposit requirement to one copy and, even more so, by the availability of the Motion Picture Agreement (see footnote 1, above). Moreover, in some cases these works are not "published" under the Act. In these cases, the mandatory deposit provisions of section 407 are not applicable and, in seeking registration under section 408, the copyright owner may deposit "identifying material" (a description of the motion picture with either an audio cassette or other phonorecord, or a set of frame enlargements or similar reproductions) in lieu of an actual copy of the work under § 202.21(g) of our regulations.

The deposit regulations are amended as stated, and are set forth in full below.

BARBARA RINGER,
Register of Copyrights.

Approved:

WILLIAM J. WELSH,
Acting Librarian of Congress.

§ 202 of 37 CFR Chapter II is amended by revising §§ 202.19, 202.20, and 202.21 to read as follows:

§ 202.19 Deposit of published copies of phonorecords for the Library of Congress.

(a) *General.* This section prescribes rules pertaining to the deposit of copies and phonorecords of published works for the Library of Congress under section 407 of title 17 of the United States Code, as amended by Pub. L. 94-553. The provisions of this section are not applicable to the deposit of copies and phonorecords for purposes of copyright registration under section 408 of title 17, except as expressly adopted in § 202.20 of these regulations.

(b) *Definitions.* For the purposes of this section:

(1) (i) The "best edition" of a work is the edition, published in the United States at any time before the date of deposit, that the Library of Congress determines to be most suitable for its purposes.

(ii) Criteria for selection of the "best edition" from among two or more published editions of the same version of the same work are set forth in the statement entitled "Best Edition of Published Copyrighted Works for the Selections of the Library of Congress" (hereafter referred to as the "Best Edition Statement") in effect at the time of deposit. Copies of the Best Edition Statement are available upon request made to the Acquisitions and Processing Division of the Copyright Office.

(iii) Where no specific criteria for the selection of the "best edition" are established in the Best Edition Statement, that edition which, in the judgment of the Library of Congress, represents the highest quality for its purposes shall be considered the "best edition". In such cases: (A) When the Copyright Office is aware that two or more editions of a work have been published it will consult with other appropriate officials of the Library of Congress to obtain instructions as to the "best edition" and (except in cases for which special relief is granted) will require deposit of that edition; and (B) when a potential depositor is uncertain which of two or more published editions comprises the "best edition", inquiry should be made to the Acquisitions and Processing Division of the Copyright Office.

(iv) Where differences between two or more "editions" of a work represent variations in copyrightable content, each edition is considered a separate work, and hence a different work, for the purpose of this section, and criteria of "best edition" based on such differences do not apply.

(2) A "complete" copy includes all elements comprising the unit of publication of the best edition of the work, including elements that, if considered separately, would not be copyrightable subject matter or would otherwise be exempt from mandatory deposit requirements under paragraph (c) of this section. In the case of sound recordings, a "complete" phonorecord includes the phonorecord, together with any printed or other visually perceptible material published with such phonorecord (such as textual or pictorial matter appearing on record sleeves or album covers, or embodied in leaflets or booklets included in a sleeve, album, or other container). In the case of a musical composition published in copies only, or in both copies and phonorecords; (i) if the only publication of copies in the United States took place by the rental, lease, or lending of a full score and parts, a full score is a "complete" copy; and (ii) if the only publication of copies in the United States took place by the rental, lease, or lending of a conductor's score and parts, a conductor's score is a "complete" copy. In the case of a motion picture, a copy is "complete" if the reproduction of all of the visual and aural elements comprising the copyrightable subject matter in the work is clean, undamaged, undeteriorated, and free of splices, and if the copy itself and its physical housing are free of any defects that would interfere with the performance of the work or that would cause mechanical, visual, or audible defects or distortions.

(3) The terms "copies", "collective work", "device", "fixed", "literary work", "machine", "motion picture", "phonorecord", "publication", "sound recording", and "useful article", and their variant forms, have the meanings given to them in section 101 of title 17.

(4) "Title 17" means title 17 of the United States Code, as amended by Pub. L. 94-553.

(3) *Exemptions from deposit requirements.* The following categories of material are exempt from the deposit requirements of section 407(a) of title 17:

(1) Diagrams and models illustrating scientific or technical works or formulating scientific or technical information in linear or three-dimensional form, such as an architectural or engineering blueprint, plan, or design, a mechanical drawing, or an anatomical model.

(2) Greeting cards, picture postcards, and stationery.

(3) Lectures, sermons, speeches, and addresses when published individually and not as a collection of the works of one or more authors.

(4) Literary, dramatic, and musical works published only as embodied in

phonorecords. This category does not exempt the owner of copyright, or of the exclusive right of publication, in a sound recording resulting from the fixation of such works in a phonorecord from the applicable deposit requirements for the sound recording.

(5) Literary works, including computer programs and automated data bases, published in the United States only in the form of machine-readable copies (such as magnetic tape or disks, punched cards, or the like) from which the work cannot ordinarily be visually perceived except with the aid of a machine or device. Works published in a form requiring the use of a machine or device for purposes of optical enlargement (such as film, filmstrips, slide films and works published in any variety of microform), and works published in visually perceivable form but used in connection with optical scanning devices, are not within this category and are subject to the applicable deposit requirements.

(6) Three-dimensional sculptural works, and any works published only as reproduced in or on jewelry, dolls, toys, games, plaques, floor coverings, wallpaper and similar commercial wall coverings, textile and other fabrics, packaging material, or any useful article. Globes, relief models, and similar cartographic representations of area are not within this category and are subject to the applicable deposit requirements.

(7) Prints, labels, and other advertising matter published in connection with the rental, lease, lending, licensing, or sale of articles of merchandise, works of authorship, or services.

(8) Tests, and answer material for tests, when published separately from other literary works.

(9) Works first published as individual contributions to collective works. This category does not exempt the owner of copyright, or of the exclusive right of publication, in the collective work as a whole, from the applicable deposit requirements for the collective work.

(10) Works first published outside the United States and later published in the United States without change in copyrightable content, if: (i) Registration for the work was made under 17 U.S.C. 403 before the work was published in the United States; or (ii) registration for the work was made under 17 U.S.C. 406 after the work was published in the United States but before a demand for deposit is made under 17 U.S.C. 407(d).

(11) Works published only as embodied in a soundtrack that is an integral part of a motion picture. This category does not exempt the owner of copyright, or of the exclusive right of publication, in the motion picture,

from the applicable deposit requirements for the motion picture.

(12) Motion pictures that consist of television transmission programs and that have been published, if at all, only by reason of a license or other grant to a nonprofit institution of the right to make a fixation of such programs directly from a transmission to the public, with or without the right to make further uses of such fixations.

(d) *Nature of required deposit.* (1) Subject to the provisions of paragraph (d)(2) of this section, the deposit required to satisfy the provisions of section 407(a) of title 17 shall consist of (i) in the case of published works other than sound recordings, two complete copies of the best edition; and (ii) in the case of published sound recordings, two complete phonorecords of the best edition.

(2) In the case of certain published works not exempt from deposit requirements under paragraph (c) of this section, the following special provisions shall apply:

(i) In the case of published three-dimensional cartographic representations of area, such as globes and relief models, the deposit of one complete copy of the best edition of the work will suffice in lieu of the two copies required by paragraph (d)(1) of this section.

(ii) In the case of published motion pictures, the deposit of one complete copy of the best edition of the work will suffice in lieu of the two copies required by paragraph (d)(1) of this section. Any deposit for a published motion picture must be accompanied by a separate description of its contents, such as a continuity, pressbook, or synopsis. The Library of Congress may, at its sole discretion, enter into an agreement permitting the return of copies of published motion pictures to the depositor under certain conditions and establishing certain rights and obligations of the Library with respect to such copies. In the event of termination of such an agreement by the Library it shall not be subject to reinstatement, nor shall the depositor or any successor in interest of the depositor be entitled to any similar or subsequent agreement with the Library, unless at the sole discretion of the Library it would be in the best interests of the Library to reinstate the agreement or enter into a new agreement.

(iii) In the case of any published work deposited in the form of a hologram, the deposit shall be accompanied by: (A) Two sets of precise instructions for displaying the image fixed in the hologram; and (B) two sets of identifying material in compliance with § 202.21 of these regulations and clearly showing the displayed image.

(iv) In any case where an individual author is the owner of copyright in a published pictorial or graphic work and (A) less than five copies of the work have been published, or (B) the work has been published and sold or offered for sale in a limited edition consisting of no more than three hundred numbered copies, the deposit of one complete copy of the best edition of the work or, alternatively, the deposit of photographs or other identifying material in compliance with § 202.21 of these regulations, will suffice in lieu of the two copies required by paragraph (d)(1) of this section.

(v) In the case of a musical composition published in copies only, or in both copies and phonorecords, if the only publication of copies in the United States took place by rental, lease, or lending, the deposit of one complete copy of the best edition will suffice in lieu of the two copies required by paragraph (d)(1) of this section.

(vi) In the case of published multimedia kits that are prepared for use in systematic instructional activities and that include literary works, audiovisual works, sound recordings, or any combination of such works, the deposit of one complete copy of the best edition will suffice in lieu of the two copies required by paragraph (d)(1) of this section.

(e) *Special relief.* (1) In the case of any published work not exempt from deposit under paragraph (c) of this section, the Register of Copyrights may, after consultation with other appropriate officials of the Library of Congress and upon such conditions as the Register may determine after such consultation: (i) Grant an exemption from the deposit requirements of section 407(a) of title 17 on an individual basis for single works or series or groups of works; or (ii) permit the deposit of one copy or phonorecord, or alternative identifying material, in lieu of the two copies or phonorecords required by paragraph (d)(1) of this section; or (iii) permit the deposit of incomplete copies or phonorecords, or copies or phonorecords other than those normally comprising the best edition.

(2) Any decision as to whether to grant such special relief, and the conditions under which special relief is to be granted, shall be made by the Register of Copyrights after consultation with other appropriate officials of the Library of Congress, and shall be based upon the acquisition policies of the Library of Congress then in force.

(3) Requests for special relief under this paragraph shall be made in writing to the Chief, Acquisitions and Processing Division of the Copyright Office, shall be signed by or on behalf of the owner of copyright or of the ex-

clusive right of publication in the work, and shall set forth specific reasons why the request should be granted.

(4) The Register of Copyrights may, after consultation with other appropriate officials of the Library of Congress, terminate any ongoing or continuous grant of special relief. Notice of termination shall be given in writing and shall be sent to the individual person or organization to whom the grant of special relief had been given, at the last address shown in the records of the Copyright Office. A notice of termination may be given at any time, but it shall state a specific date of termination that is at least 30 days later than the date the notice is mailed. Termination shall not affect the validity of any deposit earlier made under the grant of special relief.

(f) *Submission and receipt of copies and phonorecords.* (1) All copies and phonorecords deposited in the Copyright Office will be considered to be deposited only in compliance with section 407 of title 17 unless they are accompanied by: (i) An application for registration of claim to copyright, or (ii) a clear written request that they be held for connection with a separately forwarded application. Copies or phonorecords deposited without such an accompanying application or written request will not be connected with or held for receipt of separate applications, and will not satisfy the deposit provisions of section 408 of title 17 or § 202.20 of these regulations. Any written request that copies or phonorecords be held for connection with a separately forwarded application must appear in a letter or similar document accompanying the deposit; a request or instruction appearing on the packaging, wrapping or container for the deposit will not be effective for this purpose.

(2) All copies and phonorecords deposited in the Copyright Office under section 407 of title 17, unless accompanied by written instructions to the contrary, will be considered to be deposited by the person or persons named in the copyright notice on the work.

(3) Upon request by the depositor made at the time of the deposit, the Copyright Office will issue a certificate of receipt for the deposit of copies or phonorecords of a work under this section. Certificates of receipt will be issued in response to requests made after the date of deposit only if the requesting party is identified in the records of the Copyright Office as having made the deposit. In either case requests for a certificate of receipt shall be in writing and accompanied by a fee of \$2. A certificate of receipt will include identification of the depositor, the work deposited, and the nature

and format of the copy or phonorecord deposited, together with the date of receipt.

§ 202.20 Deposit of copies and phonorecords for copyright registration.

(a) *General.* This section prescribes rules pertaining to the deposit of copies and phonorecords of published and unpublished works for the purpose of copyright registration under section 408 of title 17 of the United States Code, as amended by Pub. L. 94-553. The provisions of this section are not applicable to the deposit of copies and phonorecords for the Library of Congress under section 407 of title 17, except as expressly adopted in § 202.19 of these regulations.

(b) *Definitions.* For the purposes of this section:

(1) The "best edition" of a work; has the meaning set forth in § 202.19(b)(1) of these regulations.

(2) A "complete" copy or phonorecord means the following:

(i) *Unpublished works.* Subject to the requirements of paragraph (vi) of this § 202.20(b)(2), a "complete" copy or phonorecord of an unpublished work is a copy or phonorecord representing the entire copyrightable content of the work for which registration is sought;

(ii) *Published works.* Subject to the requirements of paragraphs (iii) through (vi) of this § 202.20(b)(2), a "complete" copy or phonorecord of a published work includes all elements comprising the applicable unit of publication of the work, including elements that, if considered separately, would not be copyrightable subject matter. However, even where certain physically separable elements included in the applicable unit of publication are missing from the deposit, a copy or phonorecord will be considered "complete" for purposes of registration where: (A) The copy or phonorecord deposited contains all parts of the work for which copyright registration is sought; and (B) the removal of the missing elements did not physically damage the copy or phonorecord or garble its contents; and (C) the work is exempt from the mandatory deposit requirements under section 407 of title 17 of the United States Code and § 202.19(c) of these regulations, or the copy deposited consists entirely of a container, wrapper, or holder, such as an envelope, sleeve, jacket, slipcase, box, bag, folder, binder, or other receptacle acceptable for deposit under paragraph (c)(2) of this section;

(iii) *Contributions to collective works.* In the case of a published contribution to a collective work, a "complete" copy or phonorecord is the entire collective work including the contribution or, in the case of a news-

paper, the entire section including the contribution;

(iv) *Sound recordings.* In the case of published sound recordings, a "complete" phonorecord has the meaning set forth in § 202.19(b)(2) of these regulations;

(v) *Musical scores.* In the case of a musical composition published in copies only, or in both copies and phonorecords: (i) If the only publication of copies took place by the rental, lease, or lending of a full score and parts, a full score is a "complete" copy; and (ii) if the only publication of copies took place by the rental, lease, or lending of a conductor's score and parts, a conductor's score is a "complete" copy;

(vi) *Motion pictures.* In the case of a published or unpublished motion picture, a copy is "complete" if the reproduction of all of the visual and aural elements comprising the copyrightable subject matter in the work is clean, undamaged, undeteriorated, and free of splices, and if the copy itself and its physical housing are free of any defects that would interfere with the performance of the work or that would cause mechanical, visual, or audible defects or distortions.

(3) The terms "copy," "collective work," "device," "fixed," "literary work," "machine," "motion picture," "phonorecord," "publication," "sound recording," "transmission program," and "useful article," and their variant forms, have the meanings given to them in section 101 of title 17.

(4) A "secure test" is a nonmarketed test administered under supervision at specified centers on specific dates, all copies of which are accounted for and either destroyed or returned to restricted locked storage following each administration. For these purposes a test is not marketed if copies are not sold but it is distributed and used in such a manner that ownership and control of copies remain with the test sponsor or publisher.

(5) "Title 17" means title 17 of the United States Code, as amended by Pub. L. 94-553.

(6) For the purposes of determining the applicable deposit requirements under this § 202.20 only, the following shall be considered as unpublished motion pictures: motion pictures that consist of television transmission programs and that have been published, if at all, only by reason of a license or other grant to a nonprofit institution of the right to make a fixation of such programs directly from a transmission to the public, with or without the right to make further uses of such fixations.

(c) *Nature of required deposit.* (1) Subject to the provisions of paragraph (c)(2) of this section, the deposit required to accompany an application

for registration of claim to copyright under section 408 of title 17 shall consist of:

(i) In the case of unpublished works, one complete copy or phonorecord.

(ii) In the case of works first published in the United States before January 1, 1978, two complete copies or phonorecords of the work as first published.

(iii) In the case of works first published in the United States on or after January 1, 1978, two complete copies or phonorecords of the best edition.

(iv) In the case of works first published outside of the United States, whenever published, one complete copy or phonorecord of the work as first published. For the purposes of this section, any works simultaneously first published within and outside of the United States shall be considered to be first published in the United States.

(2) In the case of certain works, the special provisions set forth in this clause shall apply. In any case where this clause specifies that one copy or phonorecord may be submitted, that copy or phonorecord shall represent the best edition, or the work as first published, as set forth in paragraph (c)(1) of this section.

(i) *General.* In the following cases the deposit of one complete copy or phonorecord will suffice in lieu of two copies or phonorecords: (A) Published three-dimensional cartographic representations of area, such as globes and relief models; (B) published diagrams illustrating scientific or technical works or formulating scientific or technical information in linear or other two-dimensional form, such as an architectural or engineering blueprint, or a mechanical drawing; (C) published greeting cards, picture postcards, and stationery; (D) lectures, sermons, speeches, and addresses published individually and not as a collection of the works of one or more authors; (E) published contributions to a collective work; (F) musical compositions published in copies only, or in both copies and phonorecords, if the only publication of copies took place by rental, lease, or lending; (G) published multimedia kits that are prepared for use in systematic instructional activities and that include literary works, audiovisual works, sound recordings, or any combination of such works; and (H) works exempted from the requirement of depositing identifying material under § 202.20(c)(2)(ix)(B)(5) of these regulations.

(ii) *Motion pictures.* In the case of published motion pictures, the deposit of one complete copy will suffice in lieu of two copies. The deposit of a copy or copies for any published or unpublished motion picture must be ac-

panied by a separate description of its contents, such as a continuity, pressbook, or synopsis. The Library of Congress may, at its sole discretion, enter into an agreement permitting the return of copies of published motion pictures to the depositor under certain conditions and establishing certain rights and obligations of the Library of Congress with respect to such copies. In the event of termination of such an agreement by the Library, it shall not be subject to reinstatement, nor shall the depositor or any successor in interest of the depositor be entitled to any similar or subsequent agreement with the Library, unless at the sole discretion of the Library it would be in the best interests of the Library to reinstate the agreement or enter into a new agreement. In the case of unpublished motion pictures (including television transmission programs that have been fixed and transmitted to the public, but have not been published), the deposit of identifying material in compliance with § 202.21 of these regulations may be made and will suffice in lieu of an actual copy.

(iii) *Holograms.* In the case of any work deposited in the form of a hologram, the copy or copies shall be accompanied by: (A) Precise instructions for displaying the image fixed in the hologram; and (B) photographs or other identifying material complying with § 202.21 of these regulations and clearly showing the displayed image. The number of sets of instructions and identifying material shall be the same as the number of copies required.

(iv) *Certain pictorial and graphic works.* In the case of any unpublished pictorial or graphic work, deposit of identifying material in compliance with § 202.21 of these regulations may be made and will suffice in lieu of deposit of an actual copy. In the case of a published pictorial or graphic work, deposit of one complete copy, or of identifying material in compliance with § 202.21 of these regulations, may be made and will suffice in lieu of deposit of two actual copies where an individual author is the owner of copyright, and either: (A) Less than five copies of the work have been published; or (B) the work has been published and sold or offered for sale in a limited edition consisting of no more than 300 numbered copies.

(v) *Commercial prints and labels.* In the case of prints, labels, and other advertising matter published in connection with the rental, lease, lending, licensing, or sale of articles of merchandise, works of authorship, or services, the deposit of one complete copy will suffice in lieu of two copies. Where the print or label is published in a larger work, such as a newspaper or other periodical, one copy of the

entire page or pages upon which it appears may be submitted in lieu of the entire larger work. In the case of prints or labels physically inseparable from a three-dimensional object, identifying material complying with § 202.21 of these regulations must be submitted rather than an actual copy or copies except under the conditions of paragraph (c)(2)(ix)(B)(6) of this section.

(vi) *Tests.* In the case of tests, and answer material for tests, published separately from other literary works, the deposit of one complete copy will suffice in lieu of two copies. In the case of any secure test the Copyright Office will return the deposit to the applicant promptly after examination: *Provided*, That sufficient portions, description, or the like are retained so as to constitute a sufficient archival record of the deposit.

(vii) *Machine-readable works.* In cases where an unpublished literary work is fixed, or a published literary work is published only in the form of machine-readable copies (such as magnetic tape or disks, punched cards, or the like) from which the work cannot ordinarily be perceived except with the aid of a machine or device,⁴ the deposit shall consist of:

(A) For published or unpublished computer programs, one copy of identifying portions of the program, reproduced in a form visually perceptible without the aid of a machine or device, either on paper or in microform. For these purposes, "identifying portions" shall mean either the first and last 25 pages or equivalent units of the program if reproduced on paper, or at least the first and last 25 pages or equivalent units of the program if reproduced in microform, together with the page or equivalent unit containing the copyright notice, if any,

(B) For published and unpublished automated data bases, compilations, statistical compendia, and other literary works so fixed or published, one copy of identifying portions of the work, reproduced in a form visually perceptible without the aid of a machine or device, either on paper or in microform. For these purposes: (1) "identifying portions" shall mean either the first and last 25 pages or equivalent units of the work if reproduced on paper, or at least the first and last 25 pages or equivalent units of work if reproduced on microform, or, in the case of automated data bases comprising separate and distinct data

⁴Works published in a form requiring the use of a machine or device for purposes of optical enlargement (such as film, filmstrips, slide films, and works published in any variety of microform), and works published in visually perceptible form but used in connection with optical scanning devices, are not within this category.

files, representative portions of separate data file consisting of either 50 complete data records from each file or the entire file, whichever is less; and (2) "data file" and "file" mean a group of data records pertaining to a common subject matter, regardless of the physical size of the records or the number of data items included in them. (In the case of revised versions of such data bases, the portions deposited must contain representative data records which have been added or modified.) In any case where the deposit comprises representative portions of each separate file of an automated data base as indicated above, it shall be accompanied by a typed or printed descriptive statement containing: The title of the data base; the name and address of the copyright claimant; the name and content of each separate file within the data base, including the subject matter involved, the origin(s) of the data, and the approximate number of individual records within the file; and a description of the exact contents of any machine-readable copyright notice employed in or with the work and the manner and frequency with which it is displayed (e.g., at user's terminal only at sign-on, or continuously on terminal display, or on printouts, etc.). If a visually perceptible copyright notice is placed on any copies of the work (such as magnetic tape reels) or their container, a sample of such notice must also accompany the statement.

(viii) *Works reproduced in or on sheetlike materials.* In the case of any unpublished work that is fixed, or any published work that is published, only in the form of a two-dimensional reproduction on sheetlike materials such as textile and other fabrics, wallpaper and similar commercial wall coverings, carpeting, floor tile, and similar commercial floor coverings, and wrapping paper and similar packaging material, the deposit shall consist of one copy in the form of an actual swatch or piece of such material sufficient to show all elements of the work in which copyright is claimed and the copyright notice appearing on the work, if any. If the work consists of a repeated pictorial or graphic design, the complete design and at least part of one repetition must be shown. If the sheetlike material in or on which a published work has been reproduced has been embodied in or attached to a three-dimensional object, such as wearing apparel, furniture, or any other three-dimensional manufactured article, and the work has been published only in that form, the deposit must consist of identifying material complying with § 202.21 of these regulations instead of a copy.

(ix) *Works reproduced in or on three-dimensional objects.* (A) In the follow-

ing cases the deposit must consist of identifying material complying with § 201.21 of these regulations instead of a copy or copies: (1) Any three-dimensional sculptural work, including any illustration or formulation of artistic expression or information in three-dimensional form. Examples of such works include statues, carvings, ceramics, moldings, constructions, models, and maquettes; and (2) any two-dimensional or three-dimensional work that, if unpublished, has been fixed, or, if published, has been published only in or on jewelry, dolls, toys, games, or any three-dimensional useful article.

(B) In the following cases, the requirements of paragraph (A) of this § 202.20(c)(2)(ix) for the deposit of identifying material shall not apply: (1) Works that are reproduced by intaglio or relief printing methods on two-dimensional materials such as paper or fabrics; (2) three-dimensional cartographic representations of area, such as globes and relief models; (3) works that have been fixed or published in or on a useful article that comprises one of the elements of the unit of publication of an educational or instructional kit which also includes a literary or audiovisual work, a sound recording, or any combination of such works; (4) published works exempt from the deposit of copies under section 407 of title 17 and § 202.19(c) of these regulations, where the "complete" copy of the work within the meaning of paragraph (b)(2) of this section consists of a reproduction of the work on two-dimensional materials such as paper or fabrics; (5) published works consisting of multiple parts that are packaged and published in a box or similar container with flat sides and with dimensions of no more than 12 x 24 x 6 inches, and that include among the copyrightable elements of the work, in addition to any copyrightable element on the box or other container, three or more three-dimensional, physically separable parts; and (6) works reproduced on three-dimensional containers or holders such as boxes, cases, and cartons, where the container or holder can be readily opened out, unfolded, slit at the corners, or in some other way made adaptable for flat storage, and the copy, when flattened, does not exceed 96 inches in any dimension.

(x) *Soundtracks.* For separate registration of an unpublished work that is fixed, or a published work that is published, only as embodied in a soundtrack that is an integral part of a motion picture, the deposit of identifying material in compliance with § 202.21 of these regulations will suffice in lieu of an actual copy or copies of the motion picture.

(ix) *Oversize deposits.* In any case where the deposit otherwise required

by this section exceeds ninety-six inches in any dimension, identifying material complying with § 202.21 of these regulations must be submitted instead of an actual copy or copies.

(d) *Special relief.* (1) In any case the Register of Copyrights may, after consultation with other appropriate officials of the Library of Congress and upon such conditions as the Register may determine after such consultation: (i) Permit the deposit of one copy or phonorecord, or alternative identifying material, in lieu of the one or two copies or phonorecords otherwise required by paragraph (c)(1) of this section; (ii) permit the deposit of incomplete copies or phonorecords, or copies or phonorecords other than those normally comprising the best edition; or (iii) permit the deposit of an actual copy or copies, in lieu of the identifying material otherwise required by this section.

(2) Any decision as to whether to grant such special relief, and the conditions under which special relief is to be granted, shall be made by the Register of Copyrights after consultation with other appropriate officials of the Library of Congress, and shall be based upon the acquisition policies of the Library of Congress then in force and the archival and examining requirements of the Copyright Office.

(3) Requests for special relief under this paragraph may be combined with requests for special relief under § 202.19(e) of these regulations. Whether so combined or made solely under this paragraph, such requests shall be made in writing to the Chief, Examining Division of the Copyright Office, shall be signed by or on behalf of the person signing the application for registration, and shall set forth specific reasons why the request should be granted.

(4) The Register of Copyrights may, after consultation with other appropriate officials of the Library of Congress, terminate any ongoing or continuous grant of special relief. Notice of termination shall be given in writing and shall be sent to the individual person or organization to whom the grant of special relief had been given, at the last address shown in the records of the Copyright Office. A notice of termination may be given at any time, but it shall state a specific date of termination that is at least 30 days later than the date the notice is mailed. Termination shall not affect the validity of any deposit or registration earlier made under the grant of special relief.

(e) *Use of copies and phonorecords deposited for the Library of Congress.* Copies and phonorecords deposited for the Library of Congress under section 407 of title 17 and § 202.19 of these regulations may be used to satisfy the

deposit provisions of this section if they are accompanied by an application for registration of claim to copyright in the work represented by the deposit, or connected with such an application under the conditions set forth in § 202.19(f)(1) of these regulations.

§ 202.21 Deposit of identifying material instead of copies.

(a) *General.* Subject to the specific provisions of paragraphs (f) and (g) of this section, in any case where the deposit of identifying material is permitted or required under § 202.19 or § 202.20 of these regulations for published or unpublished works, the material shall consist of photographic prints; transparencies, photostats, drawings, or similar two-dimensional reproductions or renderings of the work, in a form visually perceivable without the aid of a machine or device. In the case of pictorial or graphic works, such material shall reproduce the actual colors employed in the work. In all other cases, such material may be in black and white or may consist of a reproduction of the actual colors.

(b) *Completeness; number of sets.* As many pieces of identifying material as are necessary to show clearly the entire copyrightable content of the work for which deposit is being made, or for which registration is being sought, shall be submitted. Except in cases falling under the provisions of § 202.19(d)(2)(iii) or § 202.20(c)(2)(iii) with respect to holograms, only one set of such complete identifying material is required.

(c) *Size.* All pieces of identifying material (except separate drawings or similar reproductions of copyright notices deposited under the second sentence of paragraph (e) of this section) must be of uniform size. Photographic transparencies must be at least 35 mm in size and, if such transparencies are 3 x 3 inches or less, must be fixed in cardboard, plastic, or similar mounts to facilitate identification, handling, and storage. The Copyright Office prefers that transparencies larger than 3 x 3 inches be mounted in a way that facilitates their handling and preservation, and reserves the right to require such mounting in particular cases. All types of identifying material other than photographic transparencies must be not less than 3 x 3 inches and not more than 9 x 12 inches, but preferably 8 x 10 inches. Except in the case of transparencies, the image of the work must be either lifesize or larger, or if less than lifesize must be large enough to show clearly the entire copyrightable content of the work.

(d) *Title and dimensions.* At least one piece of identifying material must,

on its front, back, or mount, indicate the title of the work and an exact measurement of one or more dimensions of the work.

(e) *Copyright notice.* In the case of works published with notice of copyright, the notice and its position on the work must be clearly shown on at least one piece of identifying material. Where necessary because of the size or position of the notice, a separate drawing or similar reproduction shall be submitted. Such reproduction shall be no smaller than 3 x 3 inches and no larger than 9 x 12 inches, and shall show the exact appearance and content of the notice, and its specific position on the work.

(f) For separate registration of an unpublished work that is fixed, or a published work that is published, only as embodied in a soundtrack that is an integral part of a motion picture, identifying material deposited in lieu of an

actual copy or copies of the motion picture shall consist of: (1) A transcription of the entire work, or a reproduction of the entire work on a phonorecord; and (2) photographs or other reproductions from the motion picture showing the title of the motion picture, the soundtrack credits, and the copyright notice for the soundtrack, if any. The provisions of paragraphs (b), (c), (d), and (e) of this § 202.21 do not apply to identifying material deposited under this paragraph (f).

(g) In the case of unpublished motion pictures (including transmission programs that have been fixed and transmitted to the public, but have not been published), identifying material deposited in lieu of an actual copy shall consist of either: (1) An audio cassette or other phonorecord reproducing the entire soundtrack or other sound portion of the motion pic-

ture, and a description of the motion picture; or (2) a set consisting of one frame enlargement or similar visual reproduction from each 10-minute segment of the motion picture, and a description of the motion picture. In either case the "description" may be a continuity, a pressbook, or a synopsis but in all cases it must include: (i) The title or continuing title of the work, and the episode title, if any; (ii) the nature and general content of the program; (iii) the date when the work was first fixed and whether or not fixation was simultaneous with first transmission; (iv) the date of first transmission, if any; (v) the running time; and (vi) the credits appearing on the work, if any. The provisions of paragraphs (b), (c), (d), and (e) of this § 202.21 do not apply to identifying material submitted under this paragraph (g).

(17 U.S.C. 407, 408, 702.)

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* Error; line should read:
"first fixed and whether or not fixation"

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