

# Announcement

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

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## SOUND RECORDING EXTENSION BILLS INTRODUCED

### IN THE HOUSE OF REPRESENTATIVES

On March 11, 1974, a bill to amend the United States Copyright Law (Title 17, U.S. Code), H.R. 13364 (93d Congress, 2d Session), was introduced by Representative Robert W. Kastenmeier of Wisconsin.

The proposed legislation would remove the expiration date provided in Public Law 92-140 which authorized the creation of a limited copyright in sound recordings, and increase the criminal penalties for piracy and counterfeiting of sound recordings. The text of the bill is reproduced on the reverse side of this announcement.

Three other bills, identical to Mr. Kastenmeier's bill, were introduced in this Second Session of the 93d Congress by Representative Jerome R. Waldie of California (H.R. 13681, March 21, 1974), Representative Thomas F. Railsback of Illinois (H.R. 13857, April 1, 1974), and Representative Richard H. Fulton of Tennessee (H.R. 14423, April 25, 1974). Another bill, H.R. 13765 (93d Congress, 2d Session), to accomplish the same purposes, although different in style, was introduced on March 27, 1974, by Representative George E. Danielson of California.

The five bills were referred to the Committee on the Judiciary of the House of Representatives.

(OVER)

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**A BILL**

To amend title 17 of the United States Code to remove the expiration date provided in Public Law 92-140 which authorized the creation of a limited copyright in sound recordings for the purpose of protecting against unauthorized duplication and piracy of sound recordings; to increase the criminal penalties for piracy and counterfeiting of sound recordings; and for other purposes.

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By Mr. KASTENMEIER

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MARCH 11, 1974

Referred to the Committee on the Judiciary

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law 92-140, which amended title 17 of the United States Code, is amended by striking the words "and before January 1, 1975" from the second sentence of section 3 of such law so that such sentence will read in part as follows:

"SEC. 3. \*\*\* The provisions of title 17, United States Code, as amended by section 1 of this Act, shall apply only to sound recordings fixed, published, and copyrighted on and after the effective date of this Act, and nothing in title 17, United States Code, as amended by section 1 of this Act, shall be applied retroactively or be construed as affecting in any way any rights with respect to sound recordings fixed before the effective date of this Act."

SEC. 2. Section 104 of title 17 of the United States Code is amended by adding the following provision: "Provided, That any person who willfully and for profit shall infringe any copyright provided by subsection 1(f) of title 17 of the United States Code as amended, or who should knowingly and willfully aid or abet such infringement, shall be fined not more than \$25,000 or imprisoned for not more than three years, or both, for the first offense and shall be fined not more than \$50,000 or imprisoned not more than seven years, or both, for any subsequent offense."

SEC. 3. The provisions of section 2318 of title 18 of the United States Code is amended to read as follows:

" § 2318. Transportation, sale, or receipt of phonograph records bearing forged or counterfeit labels

"Whoever knowingly and with fraudulent intent, transports, causes to be transported, receives, sells, or offers for sale in interstate or foreign commerce any phonograph record, disk, wire, tape, film, or other article on which sounds are recorded, to which or upon which is stamped, pasted, or affixed any forged or counterfeited label, knowing the label to have been falsely made, forged, or counterfeited shall be ~~fined not more than \$25,000 or imprisoned for not more than three years, or both, for the first such offense and shall be fined not more than \$50,000 or imprisoned not more than seven years, or both, for any subsequent offense.~~"

SOUND RECORDING EXTENSION BILLS INTRODUCED IN THE HOUSE OF REPRESENTATIVES

On March 11, 1974, a bill to amend the United States Copyright Law (Title 17, U.S. Code), H.R. 13364 (93d Congress, 2d Session), was introduced by Representative Robert W. Kastenmeier of Wisconsin.

The proposed legislation would remove the expiration date provided in Public Law 92-140 which authorized the creation of a limited copyright in sound recordings, and increase the criminal penalties for piracy and counterfeiting of sound recordings. The text of the bill is reproduced on the reverse side of this announcement.

*Three*  
~~Two~~ other bills, identical to Mr. Kastenmeier's bill, were introduced in this Second Session of the 93<sup>rd</sup> Congress by Representative Jerome R. Waldie of California (H.R. 13681, March 21, 1974), ~~and~~ Representative Thomas F. Railsback of Illinois (H.R. 13857, April 1, 1974), *and Representative Richard H. Fulton of Tennessee (H.R. 14423, April 25, 1974).* Another bill, H.R. 13765 (93d Congress, 2d Session), to accomplish the same purposes, although different in style, was introduced on March 27, 1974 by Representative George E. Danielson of California.

*five*  
The ~~four~~ bills were referred to the Committee on the Judiciary of the House of Representatives.

# H. R. 14423

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 1974

Mr. FULTON (for himself, Mr. KUYKENDALL, Mr. DENT, Mr. DUNCAN, Mr. DE LUGO, Mr. KETCHUM, Mr. BAFALIS, Mr. WAGGONNER, Mr. BRASCO, Mr. HOSMER, Mr. KEMP, Mr. PODELL, Mr. DAVIS of South Carolina, and Mr. RARICK) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 17 of the United States Code to remove the expiration date provided in Public Law 92-140 which authorized the creation of a limited copyright in sound recordings for the purpose of protecting against unauthorized duplication and piracy of sound recordings; to increase the criminal penalties for piracy and counterfeiting of sound recordings; and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 3 of Public Law 92-140, which amended  
4       title 17 of the United States Code, is amended by striking  
5       the words "and before January 1, 1975" from the second  
6       sentence of section 3 of such law so that such sentence will  
7       read in part as follows:

1       “SEC. 3. \* \* \* The provisions of title 17, United States  
2 Code, as amended by section 1 of this Act, shall apply only  
3 to sound recordings fixed, published, and copyrighted on and  
4 after the effective date of this Act, and nothing in title 17,  
5 United States Code, as amended by section 1 of this Act,  
6 shall be applied retroactively or be construed as affecting  
7 in any way any rights with respect to sound recordings fixed  
8 before the effective date of this Act.”.

9       SEC. 2. Section 104 of title 17 of the United States Code  
10 is amended by adding the following provision: “*Provided,*  
11 That any person who willfully and for profit shall infringe  
12 any copyright provided by subsection 1 (f) of title 17 of the  
13 United States Code as amended, or who should knowingly  
14 and willfully aid or abet such infringement, shall be fined  
15 not more than \$25,000 or imprisoned for not more than  
16 three years, or both, for the first offense and shall be fined  
17 not more than \$50,000 or imprisoned not more than seven  
18 years, or both, for any subsequent offense.”.

19       SEC. 3. The provisions of section 2318 of title 18 of the  
20 United States Code is amended to read as follows:

21       “§ 2318. **Transportation, sale, or receipt of phonograph**  
22                   **records bearing forged or counterfeit labels**

23       “Whoever knowingly and with fraudulent intent, trans-  
24 ports, causes to be transported, receives, sells, or offers for  
25 sale in interstate or foreign commerce any phonograph

93<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 14423

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## A BILL

To amend title 17 of the United States Code to remove the expiration date provided in Public Law 92-140 which authorized the creation of a limited copyright in sound recordings for the purpose of protecting against unauthorized duplication and piracy of sound recordings; to increase the criminal penalties for piracy and counterfeiting of sound recordings; and for other purposes.

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By Mr. FULTON, Mr. KUYKENDALL, Mr. DENT,  
Mr. DUNCAN, Mr. DE LUGO, Mr. KETCHUM,  
Mr. BAFALIS, Mr. WAGGONNER, Mr. BRASCO,  
Mr. HOSMER, Mr. KEMP, Mr. PODELL, Mr.  
DAVIS of South Carolina, and Mr. RARICK

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APRIL 25, 1974

Referred to the Committee on the Judiciary

1 record, disk, wire, tape, film, or other article on which  
2 sounds are recorded, to which or upon which is stamped,  
3 pasted, or affixed any forged or counterfeited label, know-  
4 ing the label to have been falsely made, forged, or counter-  
5 feited shall be fined not more than \$25,000 or imprisoned  
6 for not more than three years, or both, for the first such  
7 offense and shall be fined not more than \$50,000 or impris-  
8 oned not more than seven years, or both, for any subse-  
9 quent offense.”.