



ANNOUNCEMENT

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

EXTENSION OF TIME TO SUBMIT WRITTEN STATEMENTS

PART 201-GENERAL PROVISIONS

COMPULSORY LICENSE FOR MAKING AND DISTRIBUTING PHONORECORDS

The following excerpt is taken from Volume 43, No. 236 of the Federal Register for Thursday, December 7, 1978 (pp. 57252-57253).

[1410-03-M]

Title 37—Patents, Trademarks, and Copyrights

CHAPTER II—COPYRIGHT OFFICE, LIBRARY OF CONGRESS

[Docket RM 77-3]

PART 201—GENERAL PROVISIONS

Compulsory License for Making and Distributing Phonorecords

AGENCY: Library of Congress, Copy-
right Office.

ACTION: Extension of time to submit
written statements.

SUMMARY: This notice is issued to
advise the public that the Copyright
Office of the Library of Congress is
extending the time for interested per-
sons to submit written statements re-
lating to the compulsory license for
making and distributing phonorecords
("mechanical license").

DATE: Statements should be submit-
ted on or before January 31, 1979.

ADDRESSES: Statements should be
submitted, if by hand, to: Office of the
General Counsel, U.S. Copyright
Office, Library of Congress, Crystal
Mall Building No. 2, 1921 Jefferson
Davis Highway, Room 519, Arlington,
Virginia; or, if by mail, to: Office of
the General Counsel, U.S. Copyright
Office, Library of Congress, Caller No.
2999, Arlington, Virginia 22202.

FOR FURTHER INFORMATION CONTACT:

Jon Baumgarten, General Counsel,
United States Copyright Office, Li-
brary of Congress, Washington, D.C.
20559, 703-557-8731.

SUPPLEMENTARY INFORMATION:
Section 115 of 17 U.S.C. provides that
"[w]hen phonorecords of a nondramatic
musical work have been distributed
to the public in the United States
under authority of the copyright
owner, any other person may, by com-
plying with the provisions of this sec-
tion, obtain a compulsory license to
make and distribute phonorecords of
the work" for certain purposes.

A compulsory license permits the
use of a copyrighted work without the
consent of the copyright owner if cer-
tain conditions are met and royalties
paid.

Paragraphs (b) and (c) of section 115
direct the Copyright Office to issue
regulations governing the content and
filing of certain notices and state-
ments of account under this section.

On April 26, 1977, in accordance
with an Advance Notice of Proposed
Rulemaking (42 FR 16837), we held a
public hearing to elicit information
relevant to the formulation of regula-
tions under this section. After consid-
ering the testimony given at the hear-
ing and in supplemental statements,
on December 29, 1977 (42 FR 64889),
we issued interim regulations. We then
considered public comments received
in response to the interim regulations
and, on September 28, 1978 (43 FR
44511), we: (1) adopted amendments to
the interim regulations; and (2) an-
nounced a public hearing, to be held
on November 28 and 29, 1978, to take
testimony on the interim regulations
as amended. The record of the hearing
was to be kept open until December
29, 1978, for receipt of written state-
ments from any interested person, in-
cluding supplemental statements from
witnesses.

Substantial clarification of the diffi-
cult accounting issues involved in this

proceeding emerged during the hear-
ing. The possibility was also raised
that representatives of the recording
and music publishing industries might
confer among themselves in an at-
tempt to refine or resolve some of the
differences between their positions. In
accordance with requests made by
both interests, and to permit full ex-
ploration of these and other matters
raised at the hearing, we are extend-
ing the time for written statements to
be filed from December 29, 1978, to
January 31, 1979.

The full text of the interim regula-
tions, as amended, is set forth in our
September 28, 1978, notice (43 FR
44511). As soon as it is received from
the reporting service, the unedited
transcript of the hearing will be avail-
able for public inspection between the
hours of 8:00 a.m. and 4:00 p.m. in the
Public Information Office of the
Copyright Office, Room 101, Crystal
Mall Building No. 2, 1921 Jefferson
Davis Highway, Arlington, Virginia.
Arrangements for receiving copies of
the unedited transcript should be
made directly with the Miller-Colum-
bian Reporting Service, 927 15th
Street, N.W., Washington, D.C. 20005
202-347-0224.

Dated: November 30, 1978.

BARBARA RINGER,
Register of Copyrights.

Approved:

WILLIAM J. WELSH,
*The Acting Librarian of Con-
gress.*

[FR Doc. 78-34127 Filed 12-6-78; 8:45 am]