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).

SUPPLEMENTARY INFORMATION:
Section 115 of 17 U.S.C. provides that "[w]here 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 complying with the provisions of this section, obtain a compulsory license to make and distribute phonorecords of the work" for certain purposes.

A compulsory license permits the use of copyrighted works without the consent of the copyright owner if certain 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 statements 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 regulations under this section. After considering the testimony given at the hearing, 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) announced 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 kept open until December 29, 1978, for receipt of written statements from any interested person, including supplemental statements from witnesses.

Substantial clarification of the difficult accounting issues involved in this proceeding emerged during the hearing. The possibility was also raised that representatives of the recording and music publishing industries might confer among themselves in an attempt to refine or resolve some of the differences between their positions. In accordance with requests made by both interests, and to permit full exploration of these and other matters raised at the hearing, we are extending the time for written statements to be filed from December 29, 1978, to January 31, 1979.

The full text of the interim regulations, 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 available 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-Columbian Reporting Service, 927 15th Street, N.W., Washington, D.C. 20005 202-347-0224.


BARBARA RINGER,
Register of Copyrights.

Approved:

WILLIAM J. WELSH,
Acting Librarian of Congress.

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