NOTICE OF POLICY DECISION

POLICY DECISION FIXING FEES FOR THE SPECIAL HANDLING OF IMPORT STATEMENTS AND DOCUMENTS

The following excerpt is taken from Volume 50, Number 215 of the Federal Register for Wednesday, November 6, 1985 (pp.46206-46208)
given expedited processing. It applies only where a single set of deposit copies may appropriately be submitted to register multiple claims, in accordance with the practices of the Copyright Office. The applicant will be given the option of submitting an additional set of copies for each application to avoid assessment of the special $50 fee. If multiple applications are accompanied by individual sets of deposit copies, claims for which special handling is not requested will be processed routinely. Only the claims(s) for which special handling is requested and granted will be processed specially.

Although the Office has occasionally received requests for the special handling of requests to record a document or to issue an import statement, the Register had not fixed a fee for these special services. This notice establishes fees for these services.

2. Policy Decision: Fees for Recordation of Document and Issuance of Import Statement

Under the authority of section 706(a)(11) the Register of Copyrights has determined that the requestor of special handling for recordation of documents or issuance of an import statement should pay, in addition to the normal fees for these services, the cost of additional staff time involved in the special handling computed at overtime rates plus a reasonable administrative fee. The fee for the special handling of a recordation of a document has been fixed by the Register of Copyrights at $200, based upon the cost of this service. The fee for special handling of the issuance of an import statement has been fixed by the Register of Copyrights at $50 when it accompanies a request for special handling for a Form TX (submitted with its special handling fee of $200) and $100 when the request for special handling of the import statement is submitted alone. In fixing these fees the Register of Copyrights has reviewed the experience of the Office since June 1982 when a special handling fee was set for registrations, has re-evaluated the nature and number of requests submitted and the cost of the special administrative procedures required by special handling.

If the request for special handling is granted, the fee is not refundable. The Copyrights Office will make every effort to process the claim, document or import statement within five (5) working days after the request has been approved. Within that period the Office will issue the certificate of registration, certificate of recordation, or import statement, or notify the applicant of any defects. The fee may be charge to a deposit account established in the Copyrights Office. If the deposit account contains insufficient funds to cover the total special handling fee, or if the remitter does not maintain a deposit account, the total special handling fee may either be paid in person at the Public Information Office in Washington, D.C., or may be remitted by mail. Such payment must be in cash or in the form of a certified check, cashier's check, or money order made payable to the Register of Copyrights. Cash should not be sent by mail, however.

A request for special handling will be granted only in cases involving pending or prospective litigation, customs matters, contract or publishing deadlines that necessitate the expedited issuance of a certificate or import statement. Special handling procedures may be applicable to cases pending in the Copyrights Office, provided the previously mentioned criteria are met. The Copyrights Office may refuse special handling if the request is not sufficiently justified.

3. Procedure for Requesting Special Handling

Requests for special handling may be made in person on the form available in the Public Information Office of the Copyrights Office, Room LM-401, James Madison Memorial Building, Library of Congress, 101 Independence Avenue.

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9 Error; line should read:
"administrative procedures required by"

5 Error; line should read:
"should be sent to:"

6 Error; line should read:
"established in the Copyright Office. If"

7 Error; line should read:
"granted only in cases involving pending"

8 Error; line should read:
"statement. Special handling procedures"

10 Error; line should read:
"the Copyright Office, provided the"