



ANNOUNCEMENT

from the Copyright Office, Library of Congress, Washington, D.C. 20559-6000

NOTICE OF PUBLIC HEARING

REGISTRATION OF CLAIMS TO COPYRIGHT, GROUP REGISTRATION OF PHOTOGRAPHS

The following excerpt is taken from Volume 61, Number 110 of the *Federal Register* for Thursday, June 6, 1996 (pp. 28829-28830)

LIBRARY OF CONGRESS

Copyright Office

37 CFR Chapter 202

[Docket No. RM 95-7A]

Registration of Claims to Copyright, Group Registration of Photographs

AGENCY: Copyright Office, Library of Congress.

ACTION: Notice of public hearing.

SUMMARY: The U.S. Copyright Office issues this notice to inform the public that the Office will hold a public hearing in the course of an ongoing rulemaking proceeding in which it is proposing changes in the manner in which copyright claimants may register photographs. This notice invites participation in a public hearing intended to elicit additional comments to assist the Office in its review of proposed registration procedures.

DATES: The public hearing will be held on Wednesday, June 26, 1996, beginning at 10:00 a.m. Anyone desiring to testify should contact the Office of the General Counsel, U.S. Copyright Office, Library of Congress, at (202) 707-8380 by Wednesday, June 19, 1996. Written comments are also invited from both those who wish to testify and those who wish only to file either initial or supplemental written comments. All

written comments must be received on or before Monday, July 15, 1996.*

ADDRESSES: Interested parties should submit written comments and requests to present oral testimony BY MAIL to Marilyn J. Kretsinger, Acting General Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024, or BY HAND delivery to the Office of the General Counsel, Copyright Office, James Madison Memorial Building, Room LM 407, First Street and Independence Avenue, S.E., Washington, D.C. The hearing will be held on June 26, 1996, in the Register's Conference Room, Room LM 407, located on the fourth floor of the Library of Congress, James Madison Memorial Building, First Street and Independence Avenue, S.E., Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Marilyn J. Kretsinger, Acting General Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Facsimile: (202) 707-8366.

SUPPLEMENTARY INFORMATION:

The Office's Current Rulemaking Proceeding

Recently the Copyright Office initiated a Notice of Proposed Rulemaking (NPRM) concerning group registration of photographs. Over the years photographers and photography businesses have told the Office that they

were not able to take advantage of the benefits of registration because Office practices were too burdensome, in terms of both effort and finances.

On December 4, 1995, the Office published a NPRM with a request for comments in the *Federal Register*. 60 FR 62057 (Dec. 4, 1995). This NPRM sought public comment on proposed regulations that would permit a single registration for a group of unpublished and published related photos that met specified conditions. The proposed deposit would be a general written description of the subject matter of the photos, e.g., "photos of 1996 blizzard in Washington, D.C."

In seeking public comment, the Office published nine questions to elicit comment and information about the potential effects of the proposed regulations. See 60 FR 62057. The comment period was originally scheduled to close January 18, 1996, with reply comments due by February 2, 1996; however, due to the inordinate number of government and business closures that occurred during December 1995 and January 1996, the Office extended these deadlines. Comments were requested by February 9, 1996, and reply comments by March 1, 1996. The Office is in the process of carefully reviewing all of these comments.

Subject Matter to be Addressed at the Public Hearing

In the course of such review, certain additional issues and concerns have been brought to the Office's attention. Therefore, in order to supplement the information the Office has already received in response to the NPRM, the

* Submission of written comments changed to on or before Thursday, August 15, 1996 as published in the *Federal Register* on June 26, 1996, p. 33052.

Office will hold a public hearing on June 26, 1996, to solicit additional comments on the proposed regulations regarding group registration of photographs. This hearing will provide an opportunity to obtain more information on the concerns expressed during the original comment period by allowing individuals and organizations who wish to comment to address further the issues set out in the NPRM, as well as:

1) *Innocent infringement*. Is there a greater likelihood that those who innocently use photographs may be sued and may be found liable for copyright infringement if the proposed regulations are put into effect? Are existing provisions of the copyright law concerning innocent infringers adequate or should those provisions be modified? If so, in what way?

2) *Frivolous law suits*. If the proposed regulations were put into effect, would they lead to an increase in the filing of frivolous law suits?

3) *Industry guidelines*. Do the proposed regulations affect the development of industry guidelines? If so, how? Would they affect compliance with agreed upon guidelines? If so, how?

Filing of written comments

All of the comments filed in response to the NPRM 60 FR 62057 (Dec. 4, 1995), are already part of the record for this rulemaking. Anyone who wishes to file initial comments or supplemental comments addressing either the issues raised in this notice or those set out in the NPRM may do so. All written comments must be received in the Copyright Office at the address given above by close of business on Monday, July 15, 1996.*

Dated: June 3, 1996

Marybeth Peters,
Register of Copyrights.

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[Billing Code: 1410-30]

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