ANNOUNCEMENT
from the Copyright Office, Library of Congress,
101 Independence Avenue, S.E., Washington, D.C. 20559-6000

INTERIM RULE AMENDMENT.

NOTICE AND RECORDKEEPING FOR DIGITAL TRANSMISSION OF SOUND RECORDINGS UNDER STATUTORY LICENSE

The following excerpt is taken from Volume 64, Number 177 of the Federal Register for Tuesday, September 14, 1999 (p. 49671)

LIBRARY OF CONGRESS
37 CFR Part 201
[Docket No. RM 96-3C]
Notice and Recordkeeping for Digital Transmission of Sound Recordings Under Statutory License

AGENCY: Copyright Office, Library of Congress
ACTION: Interim rule amendment.

SUMMARY: The Copyright Office of the Library of Congress is amending the regulation that requires the filing of an initial notice of digital transmissions of sound recordings under statutory license with the Copyright Office to state that a suggested format for the Initial Notice will be posted on the Office's website, in an effort to better ensure that Initial Notices filed with the Office fully comply with the regulation.

DATES: Effective September 14, 1999.

FOR FURTHER INFORMATION CONTACT: David O. Carson, General Counsel, or Tanya M. Sandros, Attorney Advisor, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

SUPPLEMENTARY INFORMATION:

Background


The statutory license requires adherence to regulations under which copyright owners may receive reasonable notice of use of their sound recordings under the statutory license and under which entities performing the sound recordings shall keep and make available records of such use. 17 U.S.C. 114(f)(2). On May 13, 1996, the Copyright Office initiated a rulemaking proceeding to promulgate regulations to govern the notice and recordkeeping requirements. 61 FR 22004 (May 13, 1996). This rulemaking concluded with the issuance of interim rules to govern the filing of an initial notice of digital transmissions of sound recordings under statutory license, 37 CFR 201.35, and the filing of reports of use of sound recordings under statutory license, 37 CFR 201.36. See 63 FR 34289 (June 24, 1998).

Since promulgation of the interim rules, several entities have filed Initial Notices with the Copyright Office in accordance with Sec. 201.35. However, the majority of these Initial Notices have not provided all of the information required under Sec. 201.35. As stated in Sec. 201.35(c), "[t]he Copyright Office does not provide printed forms for the filing of Initial Notices." However, the Copyright Office is amending this section to state that a suggested format for the Initial Notice will be posted on the Copyright Office website, in an effort to better ensure that Initial Notices filed with the Office provide all of the information required under Sec. 201.35.

List of Subjects in 37 CFR Part 201
Copyright.

Regulations
For the reasons set forth in the preamble,