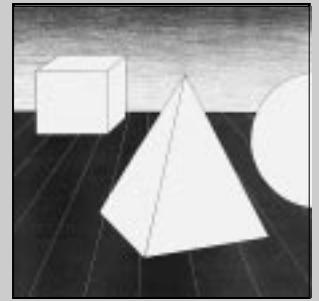




55



United States Copyright Office

Copyright

Registration

for Multimedia

Works

GENERAL INFORMATION

A multimedia work is a work, often instructional, which, excluding its container, combines authorship in two or more media. The authorship may include:

- text
- artwork
- sculpture
- cinematography
- photography
- sounds
- music or choreography

The media may include two or more of the following:

- printed matter, such as a book, charts or posters, or sheet music;
- audiovisual material, such as a filmstrip, slides, videotape, or videodisk;
- a phonorecord, such as an audiodisk or audiotape; or
- a machine-readable copy, such as a computer-read disk, tape, or chip.

For the purpose of copyright registration, it is important to identify the copyrightable elements contained in the multimedia work. Identifying the elements will help you to determine which application form to use and what type of material to deposit.

In any multimedia work, there may be several elements, usually including a motion-picture element or other audiovisual element, or a sound recording element.

An **audiovisual element** consists of a series of related pictorial images intended to be shown by the use of projectors, viewers, or electronic equipment. This element may be a filmstrip, slides, a film, a videotape, a videodisk, or a CD-I (interactive compact disk).

A **motion-picture element** is an audiovisual element which consists of a series of related images which, when shown in succession, **impart an impression of motion**. This element may be in the form of film, videotape, videodisk, or a CD-I.

A **sound-recording element** is a series of recorded sounds. Sounds accompanying an audiovisual or motion picture element are not defined in the copyright law as a "sound recording."

Copyright Circular 55

HOW COPYRIGHT IS SECURED

Statutory copyright protection begins automatically when a work is created in a fixed form such as a writing or recording. The Copyright Office, an office of public record, registers claims to copyright and issues certificates of registration; it does not “grant” or “issue” copyrights. (See Circular 1, “Copyright Basics,” for the benefits of registration.)

REGISTRATION PROCEDURES

To register a claim to copyright in a work, send the following three elements **in the same envelope or package** to:

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

1. A nonrefundable filing fee of \$30* for each application;
2. A nonreturnable deposit (copy) of the work for which registration is being made; and
3. A properly completed application form.

Single Unit Registration

All copyrightable elements of a multimedia kit may generally be registered with a **single** application, deposit and fee, provided: 1) they are not published, or if published, are published together as a single unit; and 2) the copyright claimant is the same for each element.

Separate registrations for individual elements may be made by submitting a separate application and filing fee for each. A separate registration is required, however, for any element of a multimedia kit that is published separately or claimed by someone other than the copyright claimant for the other elements.

***NOTE:** Registration filing fees are effective through June 30, 2002. For information on the fee changes, please write the Copyright Office, check the Copyright Office Website at www.loc.gov/copyright, or call (202) 707-3000.

FEE

The filing fee is \$30* for each claim. Send a check or money order, payable to the Register of Copyrights. Do not send cash.

DEPOSIT REQUIREMENTS

The application must be accompanied by a deposit of the work to be registered. The deposit requirement varies according to the type of work being registered, and whether the work has been published (see page 4 for the definition of publication). Copies or phonorecords deposited will not be returned.

Unpublished Works

Deposit one complete multimedia kit, containing all elements covered by the registration. (All elements should bear the title of the work. If the work contains color, the copy sent as a deposit should be in color.)

Published Works (See page 4 for the definition of publication.)

For a multimedia kit first published in the United States, deposit one “complete copy” of the best published edition. A “complete copy” includes all elements in the unit of publication. (See Circular 7b, “Best Edition,” for information on the best edition criteria.)

Effective Nov. 27, 1991, either one complete copy of the work as first published or one complete copy of the best edition of the work is the required deposit for works first published only in a country outside the United States.

Works Containing a Motion-Picture Element

If the multimedia kit contains a motion-picture element, deposit a description of the motion picture in addition to the normal deposit requirements. The Library of Congress prefers the most detailed description possible, such as a shooting script, but will accept a synopsis or other general description. (See Circular 45, “Copyright Registration for Motion Pictures.”)

Works Containing an Element Fixed or Published in Machine-Readable Copies

When the multimedia kit contains authorship that is fixed or published only in machine-readable form, such as a com-

puter tape or disk, or a semiconductor chip, deposit the appropriate identifying material for the machine-readable copy.

- **Pictorial Images.** If the machine-readable copy produces a series of pictorial images (such as a videogame or instructional work), deposit the following material for this kind of audiovisual work:
 1. A written synopsis or outline of the content of the audiovisual work; and
 2. A reproduction of the audiovisual elements, in the form of:
 - a. A videotape, depicting representative portions of the copyrightable content, or
 - b. A series of photographs or drawings depicting representative portions of the work; and
 3. The container and any instructional guide, if either contains authorship in which copyright is being claimed.

Note: If the pictorial images exist in color, they should be reproduced in color. If the work is published with a copyright notice, the notice and its position on the work must be clearly shown on the identifying material.

- **Textual Images.** If the machine-readable copy produces only a series of textual images, deposit one copy in visually perceptible form of the first and last 25 pages or the equivalent and 5 or more pages of the remainder, including the copyright notice, if any.
- **Musical Compositions.** If the machine-readable copy produces a musical composition, deposit a notated transcription or recording (audiotape or audiodisk) of the entire work.
- **Sound Recordings.** If the machine-readable copy produces a sound recording, deposit a recording of the entire work on an audiotape or audiodisk.
- **Computer Programs.** If the machine-readable copy contains a computer program, deposit the first and last 25 pages of the source code printout. (See Circular 61, "Copyright Registration for Computer Programs," for further information.)

APPLICATION FORMS

The appropriate form for registration depends on what elements make up the multimedia kit. (The chart on page 6 describes typical multimedia kits and shows the appropriate

form and description of authorship in each case.)

Generally, select the application form on the following bases:

1. **Use Form PA** if the work contains an audiovisual element, such as a filmstrip, slides, film, or videotape, **regardless of whether there are any sounds.**
2. **Use Form SR** if the work does not contain an audiovisual element, but contains an audiotape or disk in which sound-recording authorship is claimed.
3. **Use Form TX** if the work contains only text, such as a manual and a computer program that produces a textual screen display. (See Circular 61 for further information.)

Note: Regardless of the form used, the application may include a claim in all accompanying authorship. See chart on page 6.

How to Complete the Application

Instructions for completing each space of the application accompany the form. The following points should be noted in particular.

Space 1:

Title. State the title of the work exactly as it appears on the multimedia kit. If there are variances, give the one title that identifies the work as a whole.

Nature of Work (Form PA). State "audiovisual work."

Nature of Material Recorded (Form SR). Indicate the nature of material on the phonorecord.

Space 2:

Name of Author. Name the author(s) of the copyrightable material being claimed. Where the work is a new version, name the author(s) of the new material claimed in space 6b. Ordinarily, the author is the person who actually created the work. However, where the work or any contribution to it is a work made for hire, the employer is considered the author.

Work Made for Hire. Give the appropriate answer to this question. A work made for hire is either 1) a work prepared by an employee within the scope of his or her employment, or 2) a work specially ordered for a certain use, with an express written agreement that the work shall be considered a work made for hire. Such uses include contributions to a collective work, parts of a motion picture or other audiovisual work, and a supplementary work, such as pictorial illustrations and instructional text. (See Circular 9, "Works Made for Hire," for further information.)

Nature of Authorship. Describe the author's copyrightable contribution to the work, for example:

1. If the author's contribution is contained in photographic slides, audiotapes and booklets, use Form PA and state "photography, recorded and printed text, and sounds."
2. If the author's contribution is contained in audiocassettes and books, use Form SR and state "recorded and printed text and sound recording."
3. If the author's contribution is contained in a computer program and manuals, use Form TX and give "text of computer program and text of manuals."

Note: Do not include elements that are not present in the deposit, or elements that are not protected by copyright, such as concepts, ideas, or methods.

Space 3:

Creation. Give the year in which authorship of the last element of the multimedia kit was completed. If the work is a new version, give the date of completion for the new version.

Publication. If the multimedia kit has been published (see this page for the definition of publication), give the complete date (month, day, and year) and nation of first publication. If this is a revised version, give the date and nation of first publication of the revised version.

Space 4:

Claimant. Give the name and address of the copyright claimant. The copyright claimant is the author or the person or organization that has obtained all of the rights in the United States copyright.

Transfer. If the claimant is not the author, include a statement in the transfer block in space 4, showing how the claimant acquired the copyright. Examples of generally acceptable statements include: "by written agreement," "written assignment," "written contract," and "by will." When the names in spaces 2 and 4 are different, but they identify the same legal entity, the relationship between the names should be explained in space 4. Examples are: "Doe Publishing Company, solely owned by John Doe" or "John Doe doing business as Doe Publishing Company."

Note: Do not attach copies of documents of transfer of copyright to the application. (See Circular 12, "Recording of Transfers and Other Documents," for information on how to record documents pertaining to copyright ownership.)

Space 5:

Previous Registration. Answer "yes" to the first question only if a certificate of copyright registration has been issued for this work, or any part of it, or for a previous version of the work. If previous registration has been made, check the appropriate box to show why another registration is sought and give the requested information about the previous registration. Answer "no" to the first question if no previous registration was completed, and leave the rest of space 5 blank.

Space 6:

Complete this space only if the work being registered contains material that:

1. was previously published; or
2. was previously registered in the U.S. Copyright Office; or
3. is in the public domain.

If this space is applicable to the work submitted, please complete both parts.

Preexisting Material (6a). Briefly describe the authorship that was previously published or registered, or that is in the public domain. Examples are: "previously published edition," and "previously published text and photography."

New Material Added (6b). Briefly describe all the new copyrightable authorship that is the basis of the present registration. An example is: "some new text, new photography." (The statement used in 6b may be used in space 2 to describe the author's contribution.)

Space 8 (Forms PA and SR) or Space 10 (Form TX):

The application must bear the original signature of a person who is authorized to file the claim and should be dated. For a published work, the application must be certified on or after the date of first publication.

PUBLICATION

Under the 1976 Copyright Act, publication is the distribution of copies or phonorecords of a work to the public by sale or other transfer of ownership, or by rental, lease or lending. The offering to distribute copies or phonorecords to a group of persons for purposes of further distribution, public performance, or public display constitutes publication.

The following acts do not constitute publication: performing or displaying the work, preparing copies or phonorecords for publication, or sending the work to the Copyright Office for registration.

The definition of publication as stated in the previous two paragraphs applies only to works published under the copyright law that took effect January 1, 1978. For information about works published prior to that date, call or write the Copyright Office.

NOTICE OF COPYRIGHT

Before March 1, 1989, the use of copyright notice was mandatory on all published works, and any work first published before that date should have carried a notice. For works first published on and after March 1, 1989, use of the copyright notice is optional. For more information about copyright notice, see Circular 3, "Copyright Notice."

EFFECTIVE DATE OF REGISTRATION

A copyright registration is effective on the date the Copyright Office receives all the required elements in acceptable form, regardless of how long it then takes to process the application and mail the certificate of registration. The time the Copyright Office requires to process an application varies, depending on the amount of material the Office is receiving.

If you apply for copyright registration, you will not receive an acknowledgment that your application has been received (the Office receives more than 600,000 applications annually), but you can expect:

- A letter or a telephone call from a Copyright Office staff member if further information is needed or
- A certificate of registration indicating that the work has been registered, or if the application cannot be accepted, a letter explaining why it has been rejected.

If you want to know the date that the Copyright Office receives your material, send it by registered or certified mail and request a return receipt.

FOR MORE INFORMATION

To speak to an information specialist, call (202) 707-3000 (TTY: 707-6737), Monday to Friday, 8:30 a.m. to 5:00 p.m., eastern time, excluding federal holidays. Recorded information is available 24 hours a day. Order forms and other publications from:

Library of Congress
Copyright Office
Publications Section, LM-455
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

or call the Forms and Publications Hotline 24 hours a day at (202) 707-9100. Most circulars (but not forms) are available via fax. Call (202) 707-2600 from a touchtone phone and follow the prompts. Access and download circulars, forms, and other information from the Copyright Office Website at www.loc.gov/copyright.

A GUIDE TO WHICH APPLICATION FORM TO USE

The following are examples of typical multimedia deposits showing the appropriate form and authorship statements for registration. The fact situations pertaining to a particular claim will determine the correct way to complete the form.

Form to Use	Nature of Deposit	Suggested Nature of Authorship Statement
PA	Slides and booklet	(1) Entire work <i>or</i> (2) Text and photography
PA	Slides (or filmstrips), booklet, and audiocassettes	(1) Entire work <i>or</i> (2) Text as printed and recorded; photography, and sounds
PA	Videocassette, manual with text and pictorial illustrations	(1) Entire work <i>or</i> (2) Cinematography, text, and illustrations
PA	Filmstrip, pamphlets, poster, and music soundsheet	(1) Entire work <i>or</i> (2) Photography, text, artwork, lyrics, music, and sounds
PA	Manuals, container with artwork, and identifying materials (computer program listing, videotape) for machine-readable diskette which produces pictorial screen display	Printed text and artwork, text of computer program, and audiovisual work
PA	Manual, interactive compact disk, and identifying material for computer program on machine-readable diskette (or cassette)	Printed text, photographs, and text of computer program
SR	Audiocassettes and manual	Do Not Use "Entire Work" on Form SR. Text as printed and recorded, and sound recording
SR	Music soundsheets, booklets, and posters	Text, artwork, lyrics, music, and sound recording
SR	Audiocassettes, manual and identifying material for computer program on machine-readable diskette (or cassette)	Text of manual and computer program, recorded text, and sound recording
TX	Manuals and identifying material for computer program on machine-readable diskette (or cassette) which produces textual screen display	Text of manuals and computer program



Library of Congress • Copyright Office • 101 Independence Avenue, S.E. • Washington, D.C. 20559
www.loc.gov/copyright