

§ 204.9 Judicial review.

Within two years of the receipt of a final adverse administrative determination, an individual may seek judicial review of that determination as provided in 5 U.S.C. 552a(g)(1).

PART 205—LEGAL PROCESSES**Subpart A—General Provisions**

Sec.

- 205.1 Definitions.
- 205.2 Address for mail and service; telephone number.
- 205.3 Waiver of rules.
- 205.4 Relationship of this part to the Federal Rules of Civil and Criminal Procedure.
- 205.5 Scope of this part related to Copyright Office duties under title 17 of the U.S. Code.

Subpart B—Service of Process

- 205.11 Scope and purpose.
- 205.12 Process served on the Register of Copyrights or an employee in his or her official capacity.
- 205.13 Complaints served on the Register of Copyrights pursuant to 17 U.S.C. 411(a).

Subpart C—Testimony by Employees and Production of Documents in Legal Proceedings in Which the Office is Not a Party

- 205.21 Scope and purpose.
- 205.22 Production of documents and testimony.
- 205.23 Scope of testimony.

AUTHORITY: 17 U.S.C. 702.

SOURCE: 69 FR 39334, June 30, 2004, unless otherwise noted.

Subpart A—General Provisions**§ 205.1 Definitions.**

For the purpose of this part:

Demand means an order, subpoena or any other request for documents or testimony for use in a legal proceeding.

Document means any record or paper held by the Copyright Office, including, without limitation, official letters, deposits, recordings, registrations, publications, or other material submitted in connection with a claim for registration of a copyrighted work.

Employee means any current or former officer or employee of the Copyright Office, as well as any individual

subject to the jurisdiction, supervision, or control of the Copyright Office.

General Counsel, unless otherwise specified, means the General Counsel of the Copyright Office or his or her designee.

Legal proceeding means any pretrial, trial, and post trial stages of existing or reasonably anticipated judicial or administrative actions, hearings, investigations, or similar proceedings before courts, commissions, boards or other tribunals, foreign or domestic. This phrase includes all phases of discovery as well as responses to formal or informal requests by attorneys or others involved in legal proceedings. This phrase also includes state court proceedings (including grand jury proceedings) and any other state or local legislative and administrative proceedings.

Office means the Copyright Office, including any division, section, or operating unit within the Copyright Office.

Official business means the authorized business of the Copyright Office.

Testimony means a statement in any form, including a personal appearance before a court or other legal tribunal, an interview, a deposition, an affidavit or declaration under penalty of perjury pursuant to 28 U.S.C. 1746, a telephonic, televised, or videotaped statement or any response given during discovery or similar proceeding, which response would involve more than the production of documents, including a declaration under 35 U.S.C. 25 or a declaration under penalty of perjury pursuant to 28 U.S.C. 1746.

United States means the Federal Government, its departments and agencies, individuals acting on behalf of the Federal Government, and parties to the extent they are represented by the United States.

§ 205.2 Address for mail and service; telephone number.

(a) Mail under this part should be addressed to the General Counsel, Copyright GC/I&R, P.O. Box 70400, Washington, DC 20024-0400.

(b) Service by hand shall be made upon an authorized person from 8:30 a.m. to 5 p.m., Monday through Friday in the Copyright Information Section,