

Proposed Regulations

■ In consideration of the foregoing, the Copyright Office amends part 202 of 37 CFR in the manner set forth below:

PART 202—REGISTRATION OF CLAIMS TO COPYRIGHT

■ 1. The authority citation for part 202 continues to read as follows:

Authority: 17 U.S.C. 702.

■ 2. In part 202, Appendix B, “III. Motion Pictures” is revised to read as follows:

Appendix B to Part 202—“Best Edition” of Published Copyrighted Works for the Collections of the Library of Congress

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III. Motion Pictures

Film medium is considered a better quality than any other medium. The formats under “film” and “video formats” are listed in descending order of preference:

A. Film

1. Preprint material, by special arrangement
2. 70 mm positive print, if original production negative is greater than 35 mm
3. 35 mm positive prints
4. 16 mm positive prints

B. Video Formats

1. Betacam SP
2. Digital Beta (Digibeta)
3. DVD
4. VHS Cassette

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Dated: February 11, 2004.

Marybeth Peters,

Register of Copyrights.

Approved by:

James H. Billington,

The Librarian of Congress.

[FR Doc. 04–3958 Filed 2–25–04; 8:45 am]

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LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 262

[Docket Nos. 2002–1 CARP DTRA3 and 2001–2 CARP DTNSRA]

Digital Performance Right in Sound Recordings and Ephemeral Recordings

AGENCY: Copyright Office, Library of Congress.

ACTION: Correction to final rule.

SUMMARY: This document corrects an error contained in the definition section of the final rule published on February 6, 2004, that set rates and terms for the public performance of a sound recording made pursuant to a statutory license by means of certain eligible nonsubscription transmissions and digital transmissions made by a new subscription service.

EFFECTIVE DATE: March 8, 2004.

FOR FURTHER INFORMATION CONTACT:

David O. Carson, General Counsel, or Tanya M. Sandros, Senior Attorney, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024. Telephone: (202) 707–8380; Telefax: (202) 252–3423.

SUPPLEMENTARY INFORMATION: On May 8, 2003, the parties to this rate adjustment proceeding presented the Librarian of Congress with a settlement proposing the rates and terms for the use of sound recordings in eligible nonsubscription transmissions and new subscription services pursuant to the section 112 and section 114 statutory licenses. Section 251.63(b) of title 37 of the Code of Federal Regulations allows the Librarian to adopt the parties’ proposed rates and terms without convening a Copyright Arbitration Royalty Panel (“CARP”), provided the proposed rates and terms are published in the **Federal Register** and no interested party with an intent to participate in the proceeding files an objection to the proposed rates and/or terms. Accordingly, on May 20, 2003, the Copyright Office published the proposed regulations for notice and comment. 69 FR 27506 (May 20, 2003). However, the published document contained an error in § 262.2(a), which defines the term “Aggregate Tuning Hours.” The error appeared in the example illustrating the calculation of Aggregate Tuning Hours and apparently occurred as the **Federal Register** conformed the document to its style requirements. At that time, the **Federal Register** inadvertently changed the phrase “If three minutes” to “If 30 minutes.” This error went undetected; as a result, it also appeared in the final rule document published on February 6, 2004. This document corrects that error.

List of Subjects in 37 CFR Part 262

Copyright, Digital audio transmissions, Performance right, Sound recordings

Correction

■ In FR Doc. 04–2535 appearing on page 5693 in the **Federal Register** of Friday, February 6, 2004, make the following correction:

§ 262.2 [Corrected]

■ On page 5696, in the first column, in paragraph (a), in the tenth line, the phrase “If 30 minutes” is corrected to read “If 3 minutes”.

Dated: February 17, 2004.

Marybeth Peters,

Register of Copyrights.

[FR Doc. 04–3957 Filed 2–25–04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[PA 210–4302; FRL–7616–6]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revisions To Update the 1-Hour Ozone Maintenance Plan for the Reading Area (Berks County)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving State Implementation Plan (SIP) revisions submitted by the Commonwealth of Pennsylvania. These revisions amend Pennsylvania’s ten-year plan to maintain the 1-hour ozone national ambient air quality standard (NAAQS) in the Reading area (Berks County). The maintenance plan is being amended to revise the attainment year inventories and motor vehicle emission budgets using MOBILE6. The contingency measures portion of the plan is also being amended. The intended effect of this action is to approve SIP revisions that will better enable the Commonwealth of Pennsylvania to continue to maintain attainment of the 1-hour NAAQS for ozone in the Reading area. This action is being taken under the Clean Air Act.

EFFECTIVE DATE: This final rule is effective on March 29, 2004.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; and the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, PO Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Martin Kotsch, (215) 814–3335, or by e-mail at Kotsch.Martin@epa.gov.

SUPPLEMENTARY INFORMATION: