Public Law 97-366
97th Congress

An Act

To amend title 17 of the United States Code with respect to the fees of the Copyright Office, and for other purposes.

Oct. 25, 1982
[H.R. 4441]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Copyright Office fees, amendment.

SECTION 1. Section 708 of chapter 7 of title 17 of the United States Code is amended—

(1) by striking out subparagraphs (1) and (2) of paragraph (a) in their entirety and inserting in lieu thereof the following:

"(1) on filing each application for registration of a copyright claim or a supplementary registration under section 408, including the issuance of a certificate of registration if registration is made, $10;

"(2) on filing each application for registration of a claim to renewal of a subsisting copyright in its first term under section 304(a), including the issuance of a certificate of registration if registration is made, $6;" and

(2) in paragraph (c), by striking out everything in the last sentence following the word "section" the first time it appears therein and inserting a period in lieu thereof.

Effective date. 17 USC 708 note.

SEC. 2. This Act shall take effect thirty days after its enactment and shall apply to claims to original, supplementary, and renewal copyright received for registration in the Copyright Office on or after the effective date. Claims to original, supplementary, and renewal copyright received for registration in acceptable form in the Copyright Office before the effective date shall be governed by the provisions of section 708(a) (1) and (2) in effect prior to this enactment.

17 USC 708.

SEC. 3. That section 110 of title 17 of the United States Code is amended by adding at the end thereof the following new paragraph:

"(10) notwithstanding paragraph 4 above, the following is not an infringement of copyright: performance of a nondramatic literary or musical work in the course of a social function which is organized and promoted by a nonprofit veterans' organization or a nonprofit fraternal organization to which the general public is not invited, but not including the invitees of the organizations, if the proceeds from the performance, after deducting the reasonable costs of producing the performance, are used exclusively for charitable purposes and not for financial gain. For purposes of this section the social functions of any college or university fraternity or sorority shall not be included unless the social function is held solely to raise funds for a specific charitable purpose.".

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SEC. 4. Title 35, United States Code, section 3 is amended by adding the following new subsection:

Compensation.

"(d) The Commissioner of Patents and Trademarks shall be an Assistant Secretary of Commerce and shall receive compensation at the rate prescribed by law for Assistant Secretaries of Commerce.".

Approved October 25, 1982.

LEGISLATIVE HISTORY—H.R. 4441:

HOUSE REPORTS: No. 97-494 (Comm. on the Judiciary) and No. 97-930 (Comm. of Conference).
CONGRESSIONAL RECORD, Vol. 128 (1982):
May 10, considered and passed House.
June 30, considered and passed Senate, amended.
Oct. 1, Senate and House agreed to conference report.