NATIONAL COMMISSION ON NEW TECHNOLOGICAL USES OF COPYRIGHTED WORKS

Pub. L. 93–573, title II, §§201–208, Dec. 31, 1974, 88 Stat. 1873–1875, as amended by Pub. L. 94–314, June 21, 1976, 90 Stat. 692; Pub. L. 95–146, Oct. 28, 1977, 91 Stat. 1226, created in the Library of Congress a National Commission on New Technological Uses of Copyrighted Works to study and compile data on (1) the reproduction and use of copyrighted works of authorship (A) in conjunction with automatic systems capable of storing, processing, retrieving, and transferring information, and (B) by various forms of machine reproduction, not including reproduction by or at the request of instructors for use in face-to-face teaching activities, and (2) the creation of new works by the application or intervention of such automatic systems or machine reproduction, required the Commission to submit a final report to the President and Congress on or before July 31, 1978, and provided that the Commission terminated the sixtieth day after submitting the final report.

§ 702. Copyright Office regulations

The Register of Copyrights is authorized to establish regulations not inconsistent with law for the administration of the functions and duties made the responsibility of the Register under this title. All regulations established by the Register under this title are subject to the approval of the Librarian of Congress.

(Pub. L. 94–553, title I, §101, Oct. 19, 1976, 90 Stat. 2591.)

§ 703. Effective date of actions in Copyright Office

In any case in which time limits are prescribed under this title for the performance of an action in the Copyright Office, and in which the last day of the prescribed period falls on a Saturday, Sunday, holiday, or other nonbusiness day within the District of Columbia or the Federal Government, the action may be taken on the next succeeding business day, and is effective as of the date when the period expired.

(Pub. L. 94–553, title I, §101, Oct. 19, 1976, 90 Stat. 2591.)

§ 704. Retention and disposition of articles deposited in Copyright Office

(a) Upon their deposit in the Copyright Office under sections 407 and 408, all copies, phonorecords, and identifying material, including those deposited in connection with claims that have been refused registration, are the property of the United States Government.

(b) In the case of published works, all copies, phonorecords, and identifying material deposited are available to the Library of Congress for its collections, or for exchange or transfer to any other library. In the case of unpublished works, the Library is entitled, under regulations that the Register of Copyrights shall prescribe, to select any deposits for its collections or for transfer to the National Archives of the United States or to a Federal records center, as defined in section 2901 of title 44.

(c) The Register of Copyrights is authorized, for specific or general categories of works, to make a facsimile reproduction of all or any part of the material deposited under section 408, and to make such reproduction a part of the Copyright Office records of the registration, before transferring such material to the Library of Congress as provided by subsection (b), or before destroying or otherwise disposing of such material as provided by subsection (d).

(d) Deposits not selected by the Library under subsection (b), or identifying portions or reproductions of them, shall be retained under the control of the Copyright Office, including retention in Government storage facilities, for the longest period considered practicable and desirable by the Register of Copyrights and the Librarian of Congress. After that period it is within the joint discretion of the Register and the Librarian to order their destruction or other disposition; but, in the case of unpublished works, no deposit shall be knowingly or intentionally destroyed or otherwise disposed of during its term of copyright unless a facsimile reproduction of the entire deposit has been made a part of the Copyright Office records as provided by subsection (c).

(e) The depositor of copies, phonorecords, or identifying material under section 408, or the copyright owner of record, may request retention, under the control of the Copyright Office, of one or more of such articles for the full term of copyright in the work. The Register of Copyrights shall prescribe, by regulation, the conditions under which such requests are to be made and granted, and shall fix the fee to be charged under section 708(a) if the request is granted.

(Pub. L. 94–553, title I, §101, Oct. 19, 1976, 90 Stat. 2591; Pub. L. 101–318, §2(c), July 3, 1990, 104 Stat. 288; Pub. L. 111–295, §6(e), Dec. 9, 2010, 124 Stat. 3181.)

Editorial Notes

AMENDMENTS

2010—Subsec. (e). Pub. L. 111–295 substituted ''section 708(a)'' for ''section 708(a)(10)''.

1990—Subsec. (e). Pub. L. 101–318 substituted ''708(a)(10)'' for ''708(a)(11)''.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–318 effective 6 months after July 3, 1990, and applicable to (A) claims to original, supplementary, and renewal copyright received for registration, and to items received for recordation in Copyright Office, on or after such effective date, and (B) other requests for services received on or after such effective date, or received before such effective date for services not yet rendered as of such date, and with claims to original, supplementary, and renewal copyright received for registration and items received for recordation in acceptable form in Copyright Office before such effective date, and requests for services which are rendered before such effective date, to be governed by section 708 of this title as in effect before such effective date, see section 2(d) of Pub. L. 101–318, set out as a note under section 708 of this title.

§ 705. Copyright Office records: Preparation, maintenance, public inspection, and searching

(a) The Register of Copyrights shall ensure that records of deposits, registrations, recordations, and other actions taken under this title are maintained, and that indexes of such records are prepared.