

Group Registration of Works on an Album

This circular is an introduction to the U.S. Copyright Office’s group registration options for works on an album of music. It covers

- The definition of an album
- Difference between a musical work and sound recording
- Eligibility
- Completing the application
- Deposit requirements¹

For background information on musical works (also called musical compositions) and sound recordings, see *Copyright Registration of Musical Compositions and Sound Recordings (Circular 56A)*.

While the general rule for registration is to submit one application, filing fee, and deposit for each work you want to register, the U.S. Copyright Office has established two group registration options for registering multiple works published on an album, also known as GRAM. One online group registration application may be used to register musical works and another may be used to register sound recordings and associated literary, pictorial, or graphic works.

An Album

To use this group registration option, all of the works must be published on the same album. For the purposes of this registration option, an “album” is a single physical or electronic unit of distribution containing either:

- at least two musical works embodied in phonorecord²; or
- at least two sound recordings embodied in a phonorecord, including any associated literary, pictorial, or graphic works that are distributed with this unit.

Examples of an album include:

- A physical LP, EP, or mixtape.
- A digital album offered for download, with or without a corresponding physical album.
- A fixed playlist of tracks released to the public through a streaming/downloading service on the same date.

NOTE: In all cases, the works must be published within the meaning of “publication” provided in 17 USC § 101.

Distinguishing between a Musical Work and a Sound Recording

You will choose an application for group registration based on whether you are registering a group of musical works (with or without lyrics) or a group of sound recordings. Musical works and sound recordings cannot be registered together using this group registration option.

Musical works and sound recordings are considered two separate works for copyright purposes. A registration for a musical work covers the musical composition and lyrics (if any), but it does not cover a recorded performance of that music and/or lyrics. A sound recording is a fixation of a series of particular musical, spoken, or other sounds. A copyright in a sound recording is not the same as, or a substitute for, copyright in the underlying musical work.

For example, the song “Respect” and a recording of Aretha Franklin singing “Respect” are two distinct works. The song itself (i.e., the music and lyrics) is a musical work, and a recording of an artist performing the song is a sound recording.

Associated Literary, Pictorial, or Graphic Works

Literary, pictorial, or graphic works distributed with the album, such as liner notes, photographs, and artwork, may be registered with a group of at least two sound recordings if they meet the group registration eligibility requirements discussed below. There is no limit on the number of photographs, artwork, or liner notes that may be included in the claim.

Group Registration Eligibility

You may register up to twenty musical works, or up to twenty sound recordings and any accompanying literary, pictorial, or graphic works, if the following conditions are met:

- All of the works in the group must be contained on the same album.
- All of the works in the group must be created by the same author, or the works must have a common joint author.

NOTE: Works made for hire are eligible for this group registration option but must be identified in the application. For general information, see *Works Made for Hire (Circular 30)*.

- The copyright claimant or co-claimants for each work in the group must all be the same person(s) or organization.
- Generally, all of the works must be first published on the same album and on the same date. The nation of publication for each work must be the same, and the date and nation of publication must be specified in the application.

NOTE: There is a limited exception to this rule. A musical work or sound recording that was previously published as an individual work (such as a single release) may be included in the claim if certain requirements are met.

- You must provide a title for the album and a title for each musical work or sound recording claimed in the group.

The group registration option is only available when all requirements set forth by Office regulation are met. Otherwise, the Office may refuse the group application and you will need to reapply with the appropriate applications, filing fees, and deposits.

Examination and Scope of a Group Registration

After the Office receives your application, filing fee, and deposit, it will examine each work in the group to determine if it is copyrightable and to confirm that the legal and formal requirements for registration have been met. If the Office determines that any of these requirements have not been satisfied, it may refuse to register the entire claim.

A registration for a group of works on an album covers the copyrightable authorship in each work that is submitted, and each work is registered as a separate work. If any of the works are uncopyrightable, the Office will refuse registration for those works and issue a registration for only the copyrightable works in the group.

Completing the Group Registration Application

To register a claim in two or more works on an album, you must (1) complete either the Copyright Office's online application for "musical works from an album" or "sound recordings from an album," (2) submit a nonrefundable filing fee, and (3) provide an appropriate deposit. This circular highlights issues common to registration of a group of works on an album. For general registration information or information on registering one work, see *Copyright Registration* (**Circular 2**).

NOTE: Copyright Office fees are subject to change. For current fees, see *Copyright Office Fees* (**Circular 4**), available on the Office's website at www.copyright.gov or call the Office at (202) 707-3000 or 1-877-476-0778 (toll free).

To access the application for each type of work, log into your eCO account. Click the link for "Register Certain Groups of Published Works" under the heading "Other Registration Options" on the left side of the home screen. Then from the drop-down menu on the "Type of Group" screen, select either

- "**Musical Works from an Album**" to register musical works (with or without lyrics): This application can only be used to register musical works (with or without lyrics). It **cannot** be used to register sound recordings or any photographs, artwork, or liner notes that were published on the same album.
- "**Sound Recordings from an Album**" to register sound recordings: If you want to register sound recordings you must submit the online application for "*Sound Recordings from an Album*." This application may be used to register sound recordings as well as any photographs, artwork, or liner notes that were first published on the same album. But it **cannot** be used to register musical works (with or without lyrics).

NOTE: Applicants are responsible for choosing the correct form, so be sure to read all instructions and the numerous warning messages before proceeding. Once you begin, the electronic registration system is not able to determine whether you selected the correct form or whether your claim will be registered. If you need help choosing the correct form, please visit the Copyright Office's website at copyright.gov/help.

Mistakes in applications may lead to registration delays or refusals, so it is important to complete the application accurately. The Office offers the following resources for applicants who use this group registration option:

- **FAQs.** The Office has prepared answers to frequently asked questions about the group registration option for works on an album.
- **Help Text.** Instructions for completing the online applications for **Musical Works from an Album** and **Sound Recordings from an Album** appear in the onscreen instructions and help text that accompany each application.
- **Video Tutorials.** The Copyright Office offers a series of videos that provide step-by-step instructions for completing each application and submitting copies of your works.

The following tips can also help clarify common points of confusion.

Authors

- You must identify the author or every co-author of all of the works being registered.
- All of the works in the group being registered must be created by the same author or have a common joint author.
 - » This requirement may be satisfied if all of the works were created by one author.
 - » If the works were co-created by two or more joint authors, then all of the works must have a common joint author. This means that one of the authors must have contributed copyrightable authorship to each work in the group.

NOTE: If you are registering sound recordings and any associated literary, pictorial, and graphic works, all of the works in the group must be created by the same author or have a common joint author. If some of the works were created by two or more authors, at least one of the authors must have contributed copyrightable authorship to all of the sound recordings and any associated literary, pictorial, or graphic works in the group.

For examples that illustrate these requirements see the Office's **FAQs**.

Claimant

- All works in the group being registered must have the same person(s) or organization as the claimant.
- The claimant may either be (1) the author of all of the works in the group being registered, or (2) a person or organization that has obtained ownership of all of the exclusive rights initially belonging to an author of all of the works in the group being registered.
- If a third party, such as a music publisher or record label, is named as claimant, you must include a transfer statement that explains how that party obtained all of the exclusive rights initially belonging to an author of all of the works in the group being registered.
- If a third party owns some, but not all, of the exclusive rights initially belonging to an author of all of the works in the group being registered, that party cannot be named as a copyright claimant in a group registration application. Instead, that party's ownership interest may be reflected in the Copyright Office's records by recording a copy of the document that

transferred those rights to the third party. For information about recordation, see “Recordation of Transfers and Other Documents,” copyright.gov/recordation/documents/.

For examples that illustrate these requirements see the Office’s [FAQs](#).

Publication

- Only published works can be registered using this group registration option.
- Generally, all of the works must be first published on the same album and on the same date, except as discussed below.

Previously Published “Singles”: Note to Copyright Office

A musical work or a sound recording that was previously published as an individual work (such as a single release) before being published on the album may be included in the claim so long as (1) the single and the album track are exactly the same, (2) the single was first published in the same nation as the album, and (3) you separately provide the first publication date of the single. Place the following information into the “Note to Copyright Office” field:

- The title of the single;
- The complete date (MM/DD/YYYY) the single was first published; and
- A brief statement confirming that the work embodied in the single is exactly the same as the work included in the album.

Titles

You must provide the title for the album and a separate title for each musical work or sound recording in the group. You must also provide the track number that was assigned to each work when it was published on the album.

Double check that each title and track number matches the file name of each musical work or each sound recording that you upload. This step is important.

- If you do not provide a title and track number for a particular work, the Office may remove the deposit from the registration record.
- If you provide a title and track number but do not submit a copy of that work, the Office may remove the title and limit the registration to the works you submitted.
- If the titles and file names do not match, the Office may remove the mismatched work from the record, communicate with you, or refuse the entire claim.

Example

<i>Titles listed in the application:</i>	<i>Album track number listed in the application:</i>	<i>File names for the digital audio files:</i>
Birthday Party	2	02birthdayparty.mp3
Dinner Party	4	04dinnerparty.mp3
Wedding Party	6	06weddingparty.mp3

If you plan to register photographs, artwork, or liner notes, the file names for those works should identify the type of work you plan to submit. For example, if you want to register a photograph, the word “photo” should be included in the file name. If you want to register artwork, the word “artwork” should be included in the file name. If you plan to submit multiple items, then the file name for each work should be appropriately labeled and numbered to distinguish them from each other, such as “photo 1,” “photo 2,” “photo 3,” etc.

Deposit Requirements

You must provide an appropriate copy or copies of the works being registered. Whether you should upload your works or send a physical copy of the entire album will depend on what you are registering and how it was published.

Deposit Requirements for Musical Works

If you are registering a group of musical works, you are strongly encouraged to upload a digital copy of each work being registered, regardless of whether the album was distributed in a digital or physical format. If you submit a physical copy, such as a CD or LP, there will be significant delays in the examination of your claim.

Deposit Requirements for Sound Recordings and Any Associated Photographs, Artwork, and Liner Notes

If you are registering a group of sound recordings and any associated photographs, artwork, and liner notes, the deposit requirement will depend on how the album was published.

If the album was distributed solely in a digital format and was not distributed in a physical format (such as a compact disc or vinyl record), then you may upload audio files that contain a separate copy of each sound recording that you want to register. You may also upload a digital copy of any photographs, artwork, or liner notes that are being registered.

If you are registering sound recordings published in a physical format album, such as a compact disc or vinyl record, you generally must submit your works in the physical format, even if there is a corresponding digital version. After completing the online application for *Sound Recordings from an Album*, print a shipping slip from the bottom of the “Submit Your Work” screen, attach the shipping slip to the deposit, and send the shipping slip and deposit in the same package to the address given on the shipping slip.

If the album was first published in the United States, and if it was distributed in a physical format, you must send two copies of the “best edition” that exists at the time of registration, including any printed or visually perceptible material that was distributed with the album (such as photographs, artwork, or liner notes appearing on the album cover). The “best edition” generally is the highest quality edition that has been publicly distributed in the United States. For example, if the work was published both on compact disc and vinyl record before the date you file your group registration application, you should submit the compact disc rather than the vinyl record.

If the album was first published in a physical format in a foreign country (but was not published in the United States), you must send one copy of the album that was published in the foreign country. If the album was first published in a foreign country and later published in the United States, you may send one copy of the album that was first published overseas or one copy of the best edition that was published in this country.

Requirements for Digital Uploads

If you upload your works to the electronic registration system, each work must be contained in a separate electronic file. As mentioned above, the file name for each work should match the corresponding title and track number listed in the application. If the titles, track numbers, and file names do not match, the Copyright Office may communicate with you, delaying examination of your claim; remove the mismatched titles from the record; or refuse to register the claim.

Each work must be submitted in an acceptable file format. The list of acceptable formats is posted on the Office's website at copyright.gov/eco/help-file-types.html.

All of files must be uploaded as individual electronic files and each file must not exceed 500MB. Do not submit all of your works in one ZIP file.

If you upload a digital copy of your works, do not generate a shipping slip on the deposit submission screen and **DO NOT** mail a physical copy of your works to the Copyright Office.

NOTES

1. This circular is intended as an overview of group registration of works on an album. The authoritative source for U.S. copyright law is the Copyright Act, codified in Title 17 of the *United States Code*. Copyright regulations are codified in Title 37 of the *Code of Federal Regulations*. Copyright Office practices and procedures are summarized in the third edition of the *Compendium of U.S. Copyright Office Practices*, cited as the *Compendium*. The copyright law, regulations, and the *Compendium* are available on the Copyright Office website at www.copyright.gov.

2. A phonorecord is a material object in which sounds are fixed and from which the sounds can be communicated.

For Further Information

By Internet

The copyright law, the *Compendium*, electronic registration, application forms, regulations, and related materials are available on the Copyright Office website at www.copyright.gov.

By Email

To send an email inquiry, click the *Contact Us* link on the Copyright Office website.

By Telephone

For general information, call the Copyright Public Information Office at (202) 707-3000 or 1-877-476-0778 (toll free). Staff members are on duty from 8:30 am to 5:00 pm, eastern time, Monday through Friday, except federal holidays. To request application forms or circulars by postal mail, call (202) 707-9100 or 1-877-476-0778 and leave a recorded message.

By Regular Mail

Write to

Library of Congress
U.S. Copyright Office
Outreach and Education Section
101 Independence Avenue, SE #6304
Washington, DC 20559-6304

