



Registration Options for Non-Photographic Databases

Frequently Asked Questions

► **How do I know my work is a database?**

A database is a compilation of digital information that references a particular subject or subjects. Databases can contain a variety of content—data, text, photographs, artwork, maps, music, videos, etc.

For copyright registration purposes, a work only qualifies as a database if it possesses all of the following characteristics:

- The contents must be arranged in a systematic manner.
- A query function must be the sole method used to access the contents of the database.
- The database information retrieval program or system must yield a subset of the content, or it must organize the content based on the parameters specified in each query.

The query function is unique to databases. Unlike a website or other online work where a user can browse information and click on different sections or pages, the **only** way a user can access database contents is by entering a specific query.

An example of an automated database is an online encyclopedia where a user creates an account and can only access information by using a query. A user cannot browse the entire contents of the online encyclopedia.

A website where the user can browse all available information, even if the user can also generate search results, is not considered an automated database for the purposes of copyright registration.

► **How do I know if my database is single or multi-file?**

There are two different kinds of databases: single-file and multi-file. These terms describe how the information within the database is organized.

A single-file database is made up of one data file, which contains a group of data records relating to a common subject matter.

A multi-file database is made up of separate and distinct data files covering multiple subjects.

The applicant, not the Copyright Office, must determine whether the database is single-file or multi-file.

► **What does a registration for a database cover?**

A database registration may extend to (i) the compilation authorship present in the database, or (ii) the compilation **and** the new copyrightable content within the records (text, photographs, artwork, etc.) that the claimant created or legally owns.

To be registered as a database, the database must contain sufficient compilation authorship. For copyright purposes, a compilation is the selection, coordination, and/or arrangement of preexisting material or data in such a way that the resulting work as a whole constitutes an original work of authorship.

Examples of creative compilation authorship in a database	
Selection	You selected 100 items to include in the database from a larger dataset of 1,000 items.
Coordination/Arrangement	You assembled the database by categorizing and organizing data and data fields in a creative way.

Without compilation, the content of the data records cannot be registered as a database. The content within the data records may be included in a database registration only if the content is (i) copyrightable, (ii) part of a copyrightable compilation, and (iii) owned by the same claimant.

A registration for one version of a database may extend only to the compilation and copyrightable content owned by the claimant that was published (or created, if unpublished) on one particular day.

Using the group registration option (only available on paper Form TX), you may register up to three months of updates. Registration may extend to the versions in the update period that contain sufficient new compilation authorship and may also include the new copyrightable content within the records that the claimant created or legally owns.

► **What are the application options and current fees for registering a database?**

There are two options for registering a database:

Registration options	Application(s)	Fee
One version of a database—everything that was created or published on one particular day	eCO Standard Application	\$65
	paper Form TX	\$125
Group Registration option for database updates within a three-month period	paper Form TX	\$500

The Copyright Office’s current fee schedule can always be found online [here](#).

► **What are the deposit requirements for non-photographic databases?**

Deposit requirements for database applications vary depending on whether the database is new or revised, whether the database is single or multi-file, and whether the application is for one version or a group of updates.

	Deposit requirement(s)
New single-file database (one version)	<ul style="list-style-type: none"> The first twenty-five and last twenty-five pages of database records A statement in a cover letter or Note to Copyright Office confirming that the database is single-file
Revised single-file database (one version)	<ul style="list-style-type: none"> Fifty representative pages of complete records or fifty complete data records that were added to or modified in that version; i.e., primarily new content A statement in a cover letter or Note to Copyright Office confirming that the database is single-file
New multi-file database (one version)	<ul style="list-style-type: none"> For each data file, fifty complete data records from the data file or the entire data file, whichever is less A complete descriptive statement
Revised multi-file database (one version)	<ul style="list-style-type: none"> Fifty representative pages of complete records or fifty complete data records that were added to or modified in that version; i.e., primarily new content. A complete descriptive statement
Group Registration for database updates within a three-month period	<p>Option 1</p> <ul style="list-style-type: none"> Fifty pages of complete data records or fifty complete data records containing revised content that appeared in the database for the first time on the representative publication or creation date. <p>NOTE: The records must be clearly marked to show the copyrightable updates or revisions that were published (or created, if unpublished) on that date.</p> <ul style="list-style-type: none"> A complete descriptive statement
	<p>Option 2</p> <ul style="list-style-type: none"> Fifty pages of complete data records or fifty complete data records of entirely new content that appeared for the first time on the representative publication or creation date. A statement in a cover letter or Note to Copyright Office confirming that all of the content within the submitted data records is entirely new and all of that content was published (or created, if unpublished) on the representative date given in space 1 of the application. A complete descriptive statement

See additional information in these sections: [descriptive statement](#); [representative date](#).

► **Can I submit a summary or abridged view of my data records?**

No. You must submit complete data records that show the entire contents of the record—all of the text, data, photographs, etc. within that record.

► **How do I register a new non-photographic database?**

You have two options:

1. You can register the first version of a new database on the **eCO Standard Application** (\$65 fee) or on a **paper Form TX** (\$125 fee).

The Copyright Office recommends that applicants review the application tips in **Compendium III, Chapter 700, § 727.3** before starting this application. If you register a brand new database with the eCO Standard Application, the registration will cover the first version of the database; the registration does not extend to updates created or published over a period of time, or any future versions.

2. You can register a new database and up to three months of updates together using the group registration option: **paper Form TX** (\$500 fee). You cannot file a group registration application in eCO. You must use the paper application.

Please refer to the **deposit requirements table** for information on the required deposit.

► **I've already registered a non-photographic database. Now, I want to register updates to the database. What do I do?**

Depending on how often your database is updated with new compilation authorship, you have two options:

- Option 1: Register one revised version of the database.

You may register one revised version of a database on an **eCO Standard Application** (\$65 fee) or on a **paper Form TX** (\$125 fee). This option may be right for you if you change the database compilation infrequently.

This type of registration covers the compilation authorship in one version of the database; the registration does not extend to preexisting versions or future updates. The registration covers the selection, coordination, and arrangement of the information within the database, if the compilation of that information is sufficiently creative. The registration may also include any new copyrightable material in the updates that the claimant created or legally owns.

On the application, you should provide the previous registration number for the earlier version of the database, and you should complete the Limitation of Claim section of the application to exclude “previous version(s) of the database” from the claim.

Please refer to the **deposit requirements table** for information on the required deposit material for this application type.

- Option 2: Register multiple updates to a database within a three month period.

You may register up to three months of updates on one Group Registration (GRDB) application. This application must be completed on a **paper Form TX**; the current fee for this application is \$500. If you frequently update your database compilation, this may be a cost-effective way to register multiple versions of your database.

This registration covers all of the versions of the database published (or created, if unpublished) within the three-month period that contain new copyrightable compilation authorship. In addition to the compilation, the registration may also include any new copyrightable material in the updates that the claimant created or legally owns. This registration does not cover any preexisting versions, updates created or published outside of the three-month period, or versions within the registration period that do NOT contain copyrightable compilation authorship.

In space 1 of the application, the applicant is required to identify the title of the work, the three-month period, and other identifying information about the database in the following manner:

Group registration for database titled _____; [Published / Unpublished] updates [and revisions] from mm/dd/yyyy to mm/dd/yyyy; Representative [publication / creation] date: mm/dd/yyyy; Updated [frequency (daily, weekly, monthly, etc)].

Example: Global Foodie Database

Group registration for database titled Global Foodie Database; Published updates from 01/01/2021 to 03/31/2021; Representative publication date: 03/31/2021; Updated daily.

In space 5 of the application, you should provide the previous registration number and registration year of the earlier version. In space 6a of the application, you should exclude “previous version(s) of the database” from the claim.

Please refer to the **eligibility requirements**, **deposit requirements** and the **representative date** sections for more information on this application.

► What are the eligibility requirements for group registration (GRDB)?

To qualify for the group registration option, all of these requirements must be met:

- The work must qualify as a database.
- The updates or revisions must be original works of authorship.
- All the updates or revisions to the database must have the same general title.
- The subject and general content of the updates or revisions must be similar.
- The organization of the updates or revisions must be similar.
- All the updates or revisions must be owned by the same copyright claimant.
- The database must be fixed in a machine-readable copy.
- The database updates must be created or published within a three-month period within a single calendar year (e.g., October 1–December 31).

► What is a representative date?

For group registrations (GRDB), the fifty pages or records that you submit with your application must contain data or other content from one date within the three-month period. This is known as the “representative date” for your submission.

If the database is unpublished, the fifty pages that you submit must contain content that was created on the representative date. If the database is published, the fifty pages must contain content that was first published on the representative date. As with all database registrations, the deposit and application must demonstrate sufficient original or creative compilation authorship.

► Can I use more than one representative date?

No. All of the records or pages must be from one particular day within the three-month period indicated on the application.

► How is the representative date different from the publication date?

The representative date and the publication date may be but are not necessarily the same.

The representative date refers to the content shown in the fifty records or fifty pages of records submitted with the application. For an unpublished database, the representative date is the date the deposited records were created. For a published database, it is the date the deposited records were first published.

The publication date given in space 3b on Form TX should refer to the last copyrightable update included in the group.

Example 1: You are registering a group of database updates that were published between January 1 and March 31. The deposited records were first published on March 22.

Update period: January 1–March 31
Representative date: March 22
Publication date: March 31

Example 2: You are registering a group of database updates that were created between July 1 and September 5. The deposited records were created on July 7.

Update period: July 1 to September 5
Representative date: July 7
Publication date: not applicable; the database updates are unpublished

► **When do I need to provide a descriptive statement?**

All applications for multi-file databases and group registrations (GRDBs) must be accompanied by a descriptive statement. This document, submitted along with the deposit material, provides identifying information about the database.

The descriptive statement must include the following information:

- The title of the database.
- The name and address of the copyright claimant.
- A subtitle, date of creation, or date of publication (if any) that may be used to distinguish any separate or distinct data files within the database.
- The name and content of each separate data file, including its subject, the origin(s) of the data, and the approximate number of data records that it contains.
- The nature and frequency of the changes in the database and the location within the database or the separate data files where the changes appear.

If the database contains a copyright notice, the descriptive statement also should provide the following information:

- If the notice is in a machine-readable format, the applicant should provide the exact content of the notice and indicate the manner and frequency with which it is displayed (e.g., at a computer when a user signs on, continuously on the computer screen display, on printouts from the database, etc.).
- If the notice appears on copies of the database or on magnetic tape reels or the containers for those reels, the applicant should submit a photocopy or other sample of the notice.

See **Compendium III, Chapter 1100, § 1112.7(C)**

► **How do I describe the nature of the changes in the descriptive statement?**

It is critical that the descriptive statement describes the specific, new compilation authorship in the group of updates. When describing the nature of changes in the descriptive statement, the applicant must explain how the new compilation being registered is sufficiently different from the compilation that was registered and/or published in previous versions. The description of the nature of the changes should explain how the selection, coordination, and/or arrangement of material in the version(s) of the database being registered are sufficiently creative to warrant a new registration.

For example, if the coordination and arrangement of the database changed to include, remove or revise data fields, identify those specific fields and describe the changes. In addition, if the database contains a new creative selection, please describe it and explain how the selection differs from previous versions. For example, if the criteria by which data is selected for inclusion in the database changed, describe the changes.

► ***I own the database, but I don't own the text, photographs, artwork or other material in the database. What can I register?***

Your registration may only include the material you created or legally own. You may register a database if you selected, coordinated, and/or arranged the content that appears within the database, or if you own the copyright in the compilation of the database content. However, you cannot register the content (text, artwork, photographs, etc.) that appears within the database if you did not create that material or do not own the copyright in that material.

If you intend to register the compilation, but not the database records, you should describe the material you are registering as a “compilation of database information.”

If you are using a paper Form TX, you should describe the material you are registering (“compilation of database information”) in spaces 2a and 6b. In space 6a, you should provide a brief description of the material that you do not own, such as “third party text and photographs.”

If you are using the electronic Standard Application in eCO, you should describe the material you are registering (“compilation of database information”) in the space marked “Other” in the Author section. On the Limitation of Claim screen, you should use the space marked “Other” in the Material Excluded column to describe the material that you do not own, such as “third party text and photographs.” You should use the space marked “Other” in the Material Included column to describe the new material being registered (“compilation of database information”).

► ***I don't own the database, but I created some of the records in it. What can I register?***

You can only register the copyrightable material you created or legally own. If you did not create the compilation of database records or if you do not own the copyright in the compilation, it is not possible to register all of the individual records on one application. Instead, you should submit a separate Standard Application in eCO for each copyrightable record that you want to register.