

Checklists

(Section 115 of Title 17, U.S. Code)

Checklist of Required Information (115)

The following information must be contained in each Notice of Intention to Obtain a Compulsory License for Making and Distributing Phonorecords.” There is no official form issued for this filing. For additional information see Circular 96 (201.18 & 201.19)

- 1 A statement that the records of the Copyright Office have been searched for the name and address of the copyright owner and the results of the search.
- 2 There is to be a **Separate Notice for each work** for which a compulsory license is desired.
- 3 Each Notice is to be designated as “Notice of Intention to Obtain a Compulsory License for Making and Distributing Phonorecords”.

Each notice is to contain the following:

- 1 full **legal name** of the person or entity intending to obtain the compulsory license, together with all fictitious or assumed names;
- 2 the **address** of the place of business of the person or entity. A post office box is normally not acceptable.
- 3 the **nature of the business organization** used by the person intending to obtain the license (e.g., corporation, partnership, etc);
 - a if it is a corporation registered with the Securities and Exchange Commission, this should be stated.
 - b if it is a corporation not registered with the SEC, it should list the names and officers and each owner of 25% or more securities.
 - c in all other cases the owners of 25% or more of the securities should be listed.
- 4 the **fiscal year** of the person or entity intending to obtain the compulsory license (if the fiscal year is a calendar year the Notice shall so state);
- 5 the **title** of the nondramatic musical work and the **name(s) of the author(s)** if known;
- 6 **type of all phonorecord configurations** (e.g., single disk, long playing, cassette, etc.) already made and anticipated to be made;
- 7 the **anticipated date of initial distribution** of phonorecords already made or anticipated to be made under the compulsory license;
- 8 the **name of the principal recording artist or group** actually engaged or anticipated to be engaged in rendering the performances fixed on phonorecord;
- 9 **catalog number(s)** and **label name(s)**
- 10 **signature** of the person or entity intending to obtain the compulsory license followed by the printed or typewritten name of the person signing and the date of signature.



Checklist for Monthly Statement of Account

Monthly Statements of Account shall be clearly and prominently identified as a “Monthly Statement of Account Under Compulsory License for Making and Distributing Phonorecords,” and must include the following information:

- 1 Period covered by this statement (month and year).
- 2 The full legal name of the compulsory licensee, together with all fictitious or assumed names used by such person or entity for the purpose of conducting the business of making and distributing phonorecords.
- 3 Business address of compulsory licensee (A post office box or similar designation is not necessarily acceptable, except where it is the only address that can be used in that geographic location).
- 4 Title of musical work embodied in phonorecords made under the compulsory license and owned by the copyright owner being served with the Monthly Statement.
- 5 Name of the author of each musical work, if known.
- 6 Number of phonorecords made during the period covered by this statement.
- 7 Catalog number(s) and label name(s) used on the phonorecords.
- 8 The names of the principal recording artist or group engaged in rendering the performance fixed on the phonorecords.
- 9 The playing time on the phonorecords of each non-dramatic musical work covered by the statement.
- 10 Type of configuration (i.e., phonorecord, cassette, single disk, long playing disk, reel-to-reel).
- 11 Royalty payment calculation.
- 12 Oath and signature.

Checklist for Annual Statement of Account

Annual Statements of Account shall be clearly and prominently identified as an “Annual Statement of Account Under Compulsory License for Making and Distributing Phonorecords,” and must include a clear statement of the following information:

- 1 Period covered by this statement (any Annual Statement of Account shall cover the full fiscal year of the compulsory license).

2 The full legal name of the compulsory licensee, together with all fictitious or assumed names used by such person or entity for the purpose of conducting the business of making and distributing phonorecords.

3 A statement of the nature of the business organization used by the compulsory licensee in connection with the making and distribution of phonorecords (for example, a corporation, a partnership, or an individual proprietorship).

- 1 If the compulsory licensee is a corporation registered with the Securities and Exchange Commission, the Annual Statement shall state that this is the case.
- 2 If the compulsory licensee is a corporation not registered with the Securities and Exchange Commission, the Annual Statement shall state that this is the case.
- 3 In all other cases, the Annual Statement shall include the names of each entity or individual owning a beneficial interest of 25% or more in the entity exercising the compulsory license.
- 4 Business address of compulsory licensee. (A post office box or similar designation is not necessarily acceptable, except where it is the only address that can be used in that geographic location.)
- 5 Title of the musical work embodied in phonorecords made under the compulsory license and owned by the copyright owner being served the Annual Statement.
- 6 Name of the author of the musical work, if known.
- 7 The playing time of the musical work.
- 8 The total royalty payable for the fiscal year.
- 9 The total sum paid under Monthly Statements of Account.
- 10 Royalty payment calculation.
- 11 Signature.
- 12 Certification. Each Annual Statement of Account shall be certified by a licensed Certified Public Accountant.

Filing and Service*

In general, the filing fees are as follows:

- \$12.00 Notice of Intention
- \$ 8.00 Certificate of Filing
- No fee for Acknowledgment of Receipt and Filing

*See Circular 96 (37 CFR) Section 201.18(e) and (37 CFR) Section 201.19(e)(7)(f)(7) for more information.