



Copyright Registration of Photographs

FL-107

Claims to copyright in published and unpublished photographs can be registered in the Copyright Office. This form letter describes the methods available for applying to register single published and unpublished photographs, collections of unpublished photographs, and photographs published together in a unit, such as in a calendar or a book. For information about how to register groups of published photographs, including contributions to periodicals, see FL-124, *Group Registration of Published Photographs*. For complete details about application procedures, fees, and deposit requirements, see Circular 1, *Copyright Basics*; Circular 40, *Copyright Registration for Works of the Visual Arts*; and Circular 40A, *Deposit Requirements for Registration of Claims to Copyright in Visual Arts Material*.

PUBLISHED OR UNPUBLISHED? Under copyright law, publication is the distribution of copies of a work—in this case, a photograph—to the public by sale or other transfer of ownership or by rental, lease, or lending. Offering to distribute copies to a group of people for purposes of further distribution or public display also constitutes publication. However, a public display of a photograph does not in itself constitute publication.

The definition of publication in the U.S. copyright law does not specifically address online transmission. The Copyright Office therefore asks applicants, who know the facts surrounding distribution of their works, to determine whether works are published.

SINGLE PUBLISHED PHOTOGRAPHS AND PUBLISHED UNITS With one application and filing fee, you can apply to register a single published photograph or an entire unit or package of published photographs—for example, photos in a calendar, a set of baseball cards, or illustrations in a book. You can apply to register these types of photographs using eCO, Form CO, or paper Form VA. See the back side of this form letter for details.

NOTE: Published and unpublished photographs cannot be registered on the same application.

UNPUBLISHED PHOTOGRAPHS You can apply to register a single unpublished photograph or an unpublished collection of photographs with one application and filing fee using eCO, Form CO, or paper Form VA. For collections of unpublished photographs:

- the photographs must be neatly assembled;
- a collection title must be provided;
- the same party must be the copyright claimant for all the photos; and
- one author must have either created or contributed to all the photos. ©

Copyright Office fees are subject to change. For current fees, please check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.