



# In answer to your query

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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Claims to copyright in published and unpublished photographs can be registered in the Copyright Office. This form letter describes the methods available for applying to register single published and unpublished photographs, collections of unpublished photographs, and photographs published together in a unit, such as in a calendar or a book.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**PUBLISHED OR UNPUBLISHED?** Under copyright law, publication is the distribution of copies of a work—in this case, a photograph—to the public by sale or other transfer of ownership or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**NOTE:** Published and unpublished photographs cannot be registered on the same application.

**UNPUBLISHED PHOTOGRAPHS** You can apply to register a single unpublished photograph or an unpublished collection of photographs with one application and filing fee using eCO, Form CO, or paper Form VA. For collections of unpublished photographs: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

Sincerely yours,

Register of Copyrights

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

## Registering a Copyright with the U.S. Copyright Office

An application for copyright registration contains three essential elements: a completed application form, a nonrefundable filing fee, and a nonreturnable deposit—that is, a copy or copies of the work being registered and “deposited” with the Copyright Office.

A copyright registration is effective on the date the Copyright Office receives all the required elements in acceptable form.

### Online Registration

Online registration through the electronic Copyright Office (eCO) is the preferred way to register basic claims for literary works; visual arts works; performing arts works, including motion pictures; sound recordings; and single serials.

Advantages of eCO filing include the lowest filing fee; the fastest processing time; online status tracking; secure payment by credit or debit card, electronic check, or Copyright Office deposit account; and the ability to upload certain categories of deposits directly into eCO as electronic files. To access eCO, go to the Copyright Office website and click on *electronic Copyright Office*.

### Fill-In Form CO

The new fill-in Form CO is the next-best option for registering basic claims. Simply complete Form CO on your personal computer,

print it out, and mail it along with a check or money order and your deposit. To access Form CO, go to the Copyright Office website and click on *Forms*.

### Registration with Paper Forms

Paper versions of Forms TX (literary works); VA (visual arts works); PA (performing arts works); SR (sound recordings); SE (single serials); and CON (continuation sheet for paper applications) are still available. However, these paper forms are not accessible on the Copyright Office website; staff will send them by postal mail upon request (limit of two copies of each form). Certain other applications *must* be completed on paper and mailed to the Copyright Office with the appropriate fee and deposit. These applications, available on the Office’s website by clicking on *Forms*, include Form RE (renewal of copyright claims) and forms for group submissions. For a complete list, see *sl-35, Registering a Copyright with the U.S. Copyright Office*.

See Circular 1, *Copyright Basics*, for complete details about copyright, deposit requirements, and registration procedures.

**NOTE: Copyright Office fees are subject to change. For current fees, please check the Copyright Office website, write the Copyright Office, or call (202) 707-3000.**

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## For Further Information

### By Internet

Circulars, announcements, regulations, certain application forms, and other materials are available from the Copyright Office website at *www.copyright.gov*. To send an email communication, click on *Contact Us* at the bottom of the homepage.

### By Telephone

For general information about copyright, call the Copyright Public Information Office at (202) 707-3000. Staff members are on duty from 8:30 AM to 5:00 PM, eastern time, Monday

through Friday, except federal holidays. Recorded information is available 24 hours a day. To request paper application forms or circulars, call the Forms and Publications Hotline at (202) 707-9100 and leave a recorded message.

### By Regular Mail

Write to  
*Library of Congress  
Copyright Office-COPUBS  
101 Independence Avenue, SE  
Washington, DC 20059-6304*