

U.S. COPYRIGHT OFFICE SERVICES

Contents

2401	What This Chapter Covers	1
2402	The Records Research and Certification Section (RRCS)	1
2403	Contact Information for RRCS	2
2404	The Public Records Reading Room	2
2405	Limitations on U.S. Copyright Office Services and Information	3
2405.1	Reader Registration Cards	3
2405.2	Restricted Records	3
2405.3	Limitations on Services	4
2405.4	Delays for Requests Submitted by Mail	4
2406	Searches of U.S. Copyright Office Records	4
2406.1	Searches Conducted by Members of the Public	4
2406.2	Searches Conducted by RRCS	5
2406.2(A)	Who May Request a Search?	5
2406.2(B)	How to Request a Search	5
2406.2(C)	Search Fees	6
2406.3	Limitations on Information Available for Searches	6
2407	Viewing, Inspecting, and Copying U.S. Copyright Office Records	7
2407.1	Registration Records	7
2407.1(A)	Who May View, Inspect, or Obtain Copies of the U.S. Copyright Office's Registration Records?	7
2407.1(B)	Registration Records That May be Viewed, Inspected, or Copied	8
2407.1(B)(1)	Registrations, Applications, and Correspondence	8
2407.1(B)(2)	Deposits for Claims that Have Been Registered or Refused	8
2407.1(B)(3)	Pending Applications	9
2407.1(B)(4)	Deposits for Pending Applications	9
2407.1(C)	How to Request an Inspection of the U.S. Copyright Office's Registration Records	10
2407.1(C)(1)	Registrations, Applications, and Correspondence	10
2407.1(C)(2)	Deposits	10
2407.1(D)	How to Request Copies of the U.S. Copyright Office's Registration Records	11

2407.1(D)(1)	Applications, Correspondence, and Other Registration Records	11
2407.1(D)(2)	Deposits	12
2407.1(E)	Limitations on Inspections and Copying of Registration Records	13
2407.1(E)(1)	In Process Files	13
2407.1(E)(2)	Custody of Deposits	13
2407.2	Recordation Records	14
2407.2(A)	Who May View, Inspect, or Obtain Copies of the U.S. Copyright Office’s Recordation Records?	14
2407.2(B)	Recordation Records That May Be Viewed, Inspected, or Copied	14
2407.2(B)(1)	Recordations	14
2407.2(B)(2)	Pending Recordations	14
2407.2(C)	How to Request an Inspection of the U.S. Copyright Office’s Recordation Records	15
2407.2(D)	How to Request Copies of the U.S. Copyright Office’s Recordation Records	16
2407.2(E)	Limitations on Inspections and Copying of Recordation Records	16
2407.2(E)(1)	In Process Files	16
2407.2(E)(2)	Refused Recordations	16
2407.3	Administrative Manuals	16
2407.4	Notices of Intent to Enforce Restored Copyrights	17
2407.5	Designation of Agent Information	17
2407.6	Inspection and Copying Fees	17
2408	Additional Certificates of Registration or Renewal	17
2408.1	Who May Obtain an Additional Certificate of Registration or Renewal?	18
2408.2	How to Obtain an Additional Certificate of Registration or Renewal	18
2408.3	Fees for Additional Certificates of Registration or Renewal	18
2409	Certification of U.S. Copyright Office Records	18
2409.1	Who May Obtain Certification of U.S. Copyright Office Records?	19
2409.2	Records That May Be Certified	19
2409.2(A)	Search Reports	19
2409.2(B)	Certificates of Registration	20
2409.2(C)	Registration Records	20
2409.2(D)	Deposits	20
2409.2(D)(1)	Deposit Copy(ies) and Identifying Material	21
2409.2(D)(2)	Actual Deposits	21
2409.2(E)	Certificates of Recordation	21

2409.2(F) Recorded Documents 22

2409.2(G) Prints or Labels Deposited in the U.S. Patent and Trademark Office
Before July 1, 1940 22

2409.2(H) Other Records Maintained by the U.S. Copyright Office 22

2409.3 How to Request Certified Copies of U.S. Copyright Office Records 23

2409.4 Certification Fees 23

2409.5 Limitations on Certification of U.S. Copyright Office Records 23

2410 Full-Term Retention of Deposits 23

2410.1 Who May Request Full-Term Retention? 24

2410.2 How to Request Full-Term Retention 24

2410.3 Full-Term Retention Fees 25

2411 Expedited Service 25

2411.1 Who May Request Expedited Service? 25

2411.2 How to Request Expedited Service 25

2411.3 Fees for Expedited Service 26

2412 Services Provided to Other U.S. Government Agencies 26

2413 Denial of Service and Appeals 26

U.S. COPYRIGHT OFFICE SERVICES

2401 What This Chapter Covers

This Chapter discusses the practices and procedures for searching, retrieving, viewing, inspecting, copying, and certifying certain public records that are maintained by the U.S. Copyright Office. It also discusses other services provided by the Office, such as issuing additional **certificates of registration** and arranging for the full-term retention of **deposits**.

This Chapter does not discuss the Office's policies or procedures for responding to requests submitted under the Freedom of Information Act ("FOIA"). For information concerning FOIA requests, see the Office's **FOIA webpage**.

For information concerning the practices and procedures for recording a **transfer** of copyright ownership or other documents pertaining to copyright, see **Chapter 2300**.

For information concerning services provided by the Licensing Division, including searching, copying, and certifying records related to the **compulsory** and **statutory licenses**, see the Licensing Division's **webpage**.

2402 The Records Research and Certification Section (RRCS)

The Records Research and Certification Section ("RRCS") is the section of the U.S. Copyright Office that is primarily responsible for providing access to the Office's public records, including **certificates of registration**, applications, **deposits**, correspondence related to copyright registrations and **renewals**, recorded documents, and certificates of **recordation**.

Specifically, RRCS provides the following services to the public:

- Providing access to the Office's completed catalogs, indexes, and/or other public records.
- Searching the Office's public records and preparing written reports concerning the information contained therein.
- Facilitating requests to inspect deposits and other public records.
- Providing copies of the Office's public records for use in litigation or other authorized purposes.
- Preparing additional copies of certificates of registration or renewal.
- Certifying Office records.

These services are described in more detail in Sections 2406 through 2409 below.

RRCS is part of the U.S. Copyright Office's Office of Public Records and Repositories. Among other responsibilities, this Office processes requests for full-term retention of deposits. This service is discussed in Section 2410 below.

2403 Contact Information for RRCS

RRCS is located in Room LM-453 of the James Madison Memorial Building, 101 Independence Avenue SE, Washington, DC 20559. The section is open Monday through Friday from 8:30 a.m. to 5:00 p.m. Eastern Time (except on legal holidays).

To request a search of the Office's public records or to request a cost estimate for a search, members of the public may contact RRCS using the following information:

Email: copysearch@copyright.gov
Telephone: (202) 707-6787
Facsimile: (202) 252-3485

To request a cost estimate for a search, members of the public may contact RRCS by email or telephone or may submit an online request using the form posted on the Office's website.

For information concerning other services provided by RRCS, members of the public may contact RRCS staff using the following information:

Email: copycerts@copyright.gov
Telephone: (202) 707-6787
Facsimile: (202) 252-3485

Search requests, requests for copies of public records, or requests for other services provided by RRCS may be submitted by mail by sending the request to the following address:

U.S. Copyright Office
Records Research and Certification
P.O. Box 70400
Washington D.C. 20559-0400

A request to expedite any of the services provided by RRCS may be submitted by email, by facsimile, or by mail using the contact information listed above.

NOTE: Members of the public who request services from the U.S. Copyright Office via U.S. mail should be aware that mail deliveries may be delayed for the reasons discussed in Section 2405.4.

2404 The Public Records Reading Room

The public may access many of the public records maintained by the U.S. Copyright Office in person in the Office's Public Records Reading Room, which is located in Room LM-404 of the James Madison Memorial Building, 101 Independence Avenue SE, Washington, DC 20559. The Public Records Reading Room is open Monday through Friday from 8:30 a.m. to 5:00 p.m. Eastern Time (except on legal holidays).

2405 Limitations on U.S. Copyright Office Services and Information

2405.1 Reader Registration Cards

Members of the public must obtain a reader registration card from the Library of Congress in order to search for, view, or inspect certain records that are maintained by the U.S. Copyright Office. Reader registration cards are not required to access records that are made available through the Office's website.

Reader registration cards may be obtained by completing an application and presenting a valid driver's license, passport, or other photo identification at one of the following reader registration stations:

- Room LM-140 of the James Madison Memorial Building, 101 Independence Avenue SE, Washington, DC 20559. This station is open Monday through Friday from 8:30 a.m. to 4:30 p.m. Eastern Time (except on legal holidays) and on Saturdays from 8:30 a.m. to 5:00 p.m. Eastern Time.
- Room LJ-100 of the Thomas Jefferson Building, 10 First Street SE, Washington, DC 20540. This station is open Monday, Wednesday, and Thursday from 4:30 p.m. to 9:00 p.m. Eastern Time (except on legal holidays).

2405.2 Restricted Records

The following records will not be made available to the public, except to the extent that they are available under the Freedom of Information Act ("FOIA"):

- Correspondence, memoranda, reports, opinions, and similar material relating to internal matters of personnel and procedures, office administration, or security matters.
- Correspondence, memoranda, reports, opinions, and similar material relating to internal consideration of policy and decisional matters, including the work product of any attorney.

Records relating to pending applications or pending documents will not be made available to the general public, although specific persons may be permitted to access these records provided that they meet the requirements set forth in the Office's regulations. For information concerning these requirements, see Sections 2407.1(B)(3), 2407.1(B)(4), and 2407.2(B)(2) below.

Direct public access will not be permitted to any financial or accounting records, including those related to deposit accounts.

For additional information concerning restricted records, see *Limitations on the Information Furnished by the Copyright Office (Circular 1B)*.

37 C.F.R. § 201.2(b)(6), (c)(3).

2405.3 Limitations on Services

The U.S. Copyright Office generally does not provide the following services:

- Certifying records maintained by any person or organization other than the U.S. Copyright Office (including works held in the collections of the Library of Congress).
- Providing legal advice.
- Furnishing the names of copyright attorneys, publishers, agents, or other similar information.
- Assisting with the **publication**, performance, or production of a work.
- Comparing **deposits** submitted for registration to determine whether a work contains infringing material or is substantially similar to another work.
- Granting permission to use a copyrighted work.
- Conducting copyright enforcement.
- Issuing ISBN, ISSN, or ISRC numbers.

See 37 C.F.R. § 201.2(a).

2405.4 Delays for Requests Submitted by Mail

Members of the public who request services from RRCS via U.S. mail should be aware that all mail sent to the U.S. Copyright Office will be screened offsite before it is delivered. This will delay the delivery of any communication sent to the Office by U.S. mail.

2406 Searches of U.S. Copyright Office Records

2406.1 Searches Conducted by Members of the Public

Any member of the public may search the U.S. Copyright Office's public records using the Copyright Office's **Public Catalog**. This database is available through the Office's website. It contains records concerning registrations issued by the Office and documents recorded with the Office since January 1, 1978. It also contains records concerning **preregistrations** issued since November 15, 2005, registrations for **vessel designs** issued by the Office since July 29, 1999, and registrations for **mask works** issued since January 7, 1985.

Records relating to works registered before January 1, 1978, may be searched using the Office's card catalog, the *Catalog of Copyright Entries*, or other physical records maintained by the Office. Many of these records are stored in the Public Records Reading Room and may be accessed by any member of the public who presents a reader registration card.

For additional information on conducting self-searches, see *How to Investigate the Copyright Status of a Work* (Circular 22); *The Copyright Card Catalog and the Online Files of the Copy-*

right Office (Circular 23); and Obtaining Access to and Copies of Copyright Records and Deposits (Circular 6).

2406.2 Searches Conducted by RRCS

Upon request and for a fee, RRCS staff will conduct a search of the Office's public records and will prepare a written report concerning the information disclosed in any particular deposits, registrations, or recorded documents. As discussed in Section 2409.2(A), search reports prepared by the Office may be certified upon request. The Office's fees for these services are discussed in Sections 2406.2(C) and 2409.4 below.

When conducting a search, RRCS staff may consult registrations, renewals, and recorded documents, pending applications and requests for recordation, or other pertinent records maintained by the Office.

The procedure for requesting a search of the Office's records is discussed in Section 2406.2(B) below.

2406.2(A) Who May Request a Search?

Any member of the public may ask RRCS staff to conduct a search of the U.S. Copyright Office's public records.

2406.2(B) How to Request a Search

To request a search of the Office's public records, members of the public should submit a written request to RRCS. Written requests may be submitted by email, facsimile, mail, or in person, and should be sent to the address specified in Section 2403, together with the appropriate search fee. For information concerning the search fee, see Section 2406.2(C).

When requesting a search involving a work of authorship, members of the public should provide (i) the title of the work, (ii) the name(s) of the author(s), and (iii) the name(s) of the copyright claimant(s). The following information (if available) may also be useful:

- Variation(s) on the title of the work.
- Pseudonym(s) for the author of the work.
- The name(s) of the probable copyright owner(s).
- The approximate year when the work was created, published, and/or registered.
- A short description of the type of work (e.g., book, motion picture, stage play, screenplay, musical composition, sound recording, photograph, etc.).
- Copyright registration number(s) and the year of registration (if any).
- Any other data related to the registration.

When requesting a search involving a recorded document, members of the public should provide as much information about the document as possible. The following information (if known) may be helpful:

- The document recordation number(s).
- The title(s) of the work(s) and registration numbers listed in the document (if any).
- The name(s) of the party(ies) who executed the document(s).

2406.2(C) Search Fees

The current fees for conducting a search of the Office’s public records and for preparing a written report concerning the results of the search are set forth in the Office’s *fee schedule* under the heading “Searches of Records.”

2406.3 Limitations on Information Available for Searches

Searches conducted by RRCS are not necessarily conclusive, and members of the public should not assume that a work is protected by copyright or in the **public domain** based on the information or the lack of information in the Office’s records. Information concerning a particular work may be incomplete or nonexistent for many reasons, including the following:

- The information provided in the search request may not be complete or specific enough to identify the work.
- The work may be registered under a different title or as a part of a larger work.
- A work may or may not be registered as of the date that the search is conducted, because registration is optional for works created or first **published** on or after January 1, 1978, and registration for such works may be made at any time during the term of the copyright.
- An **unpublished** work created before January 1, 1978 may or may not be registered as of the date that the search is conducted, because unpublished works were protected under the common law without the need for registration prior to January 1, 1978.
- A registration for a pre-1978 work may or may not be renewed as of the date that the search is conducted. A work registered or first published with **notice** before January 1, 1964 had to be renewed with the U.S. Copyright Office to prevent the work from falling into the public domain. By contrast, this requirement does not apply to works registered or first published with notice between January 1, 1964 and December 31, 1977. (Works created or first published on or after January 1, 1978, do not have **renewal** terms.)
- A search may be limited to the information that appears in the Copyright Office’s **Public Catalog**. This database will not include recent registrations or recordations issued by the Office that have not been added to the database as of the date that the search is conducted. In some cases, members of the public may inspect or obtain copies of pending records or obtain limited information concerning such records, subject to the restrictions discussed in Sections 2407.1(B)(3), 2407.1(B)(4), 2407.1(E)(1), 2407.2(B)(2), and 2407.2(E)(1) below.

- Recording a transfer of copyright ownership or other document pertaining to copyright is optional. As a result, documents concerning the ownership of a particular work may or may not be recorded with the Office as of the date that the search is conducted, or the records may be outdated or incomplete.
- The Office does not maintain lists of works that are in the public domain.
- In most cases, the Office's records do not contain a separate title for a contribution to a collective work or a contribution to a database but only the title of the collective work or database as a whole.
- The Office does not maintain records related to trademarks and patents. For information concerning these types of records, visit the U.S. Patent and Trademark Office's website.

2407 Viewing, Inspecting, and Copying U.S. Copyright Office Records

The U.S. Copyright Office allows authorized parties to view, inspect, and obtain copies of the Office's public records, and it provides indexes to assist in locating and retrieving such records. Some records are available online or in the Public Records Reading Room, but not all. "Viewing" a public record may be accomplished by accessing the Office's website (www.copyright.gov) or by visiting the Office's Public Records Reading Room. "Inspecting" a public record may be accomplished only by submitting a written request to RRCS.

The specific parties who are authorized to view, inspect, and obtain copies of applications, deposits, and other registration records are discussed in Section 2407.1(A) below. The procedures for requesting an inspection or obtaining copies of these records are discussed in Sections 2407.1(C) and 2407.1(D) below.

The specific parties who are authorized to view, inspect, and obtain copies of recorded documents and other recordation records are discussed in Section 2407.2(A) below. The procedures for requesting an inspection or obtaining copies of these records are discussed in Sections 2407.2(C) and 2407.2(D) below.

For information concerning the procedures for inspecting or obtaining copies of the Office's administrative manuals, notices of intent to enforce restored copyrights, or designations of agents to receive notification of claimed infringement, see Sections 2407.3 through 2407.5 below.

2407.1 Registration Records

2407.1(A) Who May View, Inspect, or Obtain Copies of the U.S. Copyright Office's Registration Records?

Online Records: Any member of the public may view or make copies of the registration records that are made available through the U.S. Copyright Office's website.

Records in the Public Records Reading Room: Certain registration records may be viewed or copied by any member of the public who presents a reader registration card, including the records located in the Public Records Reading Room.

Pending Applications: As a general rule, records relating to pending applications may be inspected or copied only by the **claimant** named in a pending application or the claimant’s duly authorized agents. The specific types of records that may be inspected or copied and the specific parties who may inspect or obtain copies of those records are discussed in Section 2407.1(B)(3) below.

Deposit Copy(ies): The **deposit copy(ies)** for a work that has been registered or refused by the Office may be inspected by any member of the public who presents a reader registration card. By contrast, the claimant named in the application and his or her duly authorized agent are generally the only parties who may inspect the deposit copy(ies) for a pending application.

Any of the parties listed below may request a certified or uncertified copy of the deposit copy(ies) or **identifying material** for a copyright claim, provided that the party satisfies the conditions set forth in Section 2407.1(D)(2):

- The claimant of record for the copyright.
- A designated agent for the claimant of record.
- The owner of any of the **exclusive rights** in the copyright (including an heir of a deceased author or copyright owner), provided that the ownership can be demonstrated by written documentation of the **transfer** of ownership.
- An attorney representing the plaintiff or the defendant in actual or prospective litigation involving the copyrighted work.
- A court issuing an order for the reproduction of the deposit for a registered work that is to be submitted as evidence in a case involving that work.

The specific procedures for requesting an inspection or copies of the Office’s public records are discussed in Sections 2407.1(C) and 2407.1(D) below.

2407.1(B) Registration Records That May be Viewed, Inspected, or Copied

2407.1(B)(1) Registrations, Applications, and Correspondence

As a general rule, registration records for claims that have been registered or refused by the U.S. Copyright Office may be viewed or copied by any member of the public, including certificates of registration, completed applications, and any written communications between the **applicant** and the Office.

2407.1(B)(2) Deposits for Claims that Have Been Registered or Refused

As a general rule, the **deposit copy(ies)** or **identifying material** for a claim that has been registered or refused by the U.S. Copyright Office may be inspected by any member of the public, provided that the Office has retained a copy of that material. As discussed in Section 2407.1(A), certain parties who satisfy the conditions set forth in Section 2407.1(D)(2) may obtain a reproduction of the deposit for a claim that has been registered or refused.

2407.1(B)(3) Pending Applications

Records related to pending applications for registration may be inspected or copied by the **claimant** named in the application or an authorized representative of the claimant. This includes the application and any written communications between the **applicant** and the Office concerning the **claim**. It also includes any **request for reconsideration** that is currently pending before the Office.

In exceptional circumstances, the **Register of Copyrights** may allow someone other than the copyright claimant to inspect or obtain copies of a pending application or the correspondence file for a pending application, provided that (i) the request is made in writing, (ii) the person making the request is properly and directly concerned, and (iii) there is good cause for providing access to the requested materials.

Members of the general public may obtain limited information concerning pending applications using the computers located in the Public Records Reading Room. This information may include:

- The title(s) of the work(s).
- The administrative classification for the work (*e.g.*, TX, PA, VA, SR, etc.).
- The correspondent or the author named in the application.
- The claimant named in the application.
- The date that the application, deposit, and/or filing fee were received by the Office.
- The case number/service request number assigned to the application.
- The status of the application.

37 C.F.R. § 201.2(b)(3)(i), (b)(5), and (c)(1)-(2).

NOTE: The computers in the Public Records Reading Room cannot be used to determine whether a claim is pending or whether it has been registered or refused.

Members of the public may ask RRCS to prepare a written report concerning a pending application. The Office charges a fee for this service, which is discussed in Section 2406.2(C) above. The limited information that will be included in the report is set forth in Section 201.2(b)(3)(i) of the regulations.

2407.1(B)(4) Deposits for Pending Applications

The **deposit copy(ies)** or **identifying material** for a pending application may be inspected by the **claimant** named in the application or an authorized representative of the claimant.

As discussed in Section 2407.1(A), certain parties who satisfy the conditions set forth in Section 2407.1(D)(2) may obtain a reproduction of the deposit for a pending application.

2407.1(C) How to Request an Inspection of the U.S. Copyright Office’s Registration Records

This Section discusses the procedure for requesting an inspection of the Office’s registration records. The specific parties who are authorized to inspect these records are discussed in Sections 2407.1(A) through 2407.1(B)(4) above. If the request is approved, the requested records will be made available for inspection at the Office during normal business hours. In all cases, the requesting party must present a reader registration card before he or she will be allowed to inspect any public records maintained by the Office.

2407.1(C)(1) Registrations, Applications, and Correspondence

To inspect the **certificate of registration**, application, or correspondence file for a pending application or a **claim** that has been registered or refused by the Office, an authorized party should submit a written request to RRCS that contains the following information:

- The party’s name and contact information.
- A description of the material the party wishes to inspect.
- The date the party wishes to inspect the materials.
- The registration and/or renewal number(s) (if any) and/or the case number/service request number assigned to the application.

NOTE: RRCS cannot retrieve records for inspection unless the requesting party provides a registration and/or renewal number, a case number, or a service request number.

The following information (if available) may also be useful:

- The title(s) of the work(s).
- The administrative classification for the work (*e.g.*, TX, PA, VA, SR, etc.).
- The author, claimant, and/or correspondent named in the application.
- The date that the registration was issued (if any) or the date that the application, deposit, and/or filing fee were received by the Office.

The request should be sent to RRCS at the address specified in Section 2403 together with the appropriate fee. For information concerning the inspection fee, see Section 2407.6.

2407.1(C)(2) Deposits

To inspect the **deposit copy(ies)** or **identifying material** for a pending application or a **claim** that has been registered or refused by the Office, authorized parties should submit a written request to RRCS at the address specified in Section 2403 together with the appropriate fee. The request should include the information set forth in Section 2407.1(C)(1).

In addition, the requesting party must complete and sign a form titled “Request for Inspection of Copyright Deposit.” Copies of this form may be obtained from RRCS at the address provided in Section 2403 above. By signing this form the requesting party agrees not to copy or deface the deposit. Willfully removing, mutilating, obliterating, damaging, or destroying any record deposited with the U.S. Copyright Office is a crime that is punishable under 18 U.S.C. §§ 1361, 2071(a).

During the inspection, the requesting party may take limited notes directly on this form. When the inspection is complete and before the party leaves the inspection area, RRCS staff will review the form to ensure that the party’s notes (if any) do not constitute prohibited copying. *See Compuware Corp. v. Serena Software International, Inc.*, 77 F. Supp. 2d 816 (E.D. Mich. 1999) (noting that the Copyright Office imposes “strict limitations” on the inspection of deposit copies).

NOTE: Physical deposits are stored offsite. Therefore, requesting parties should make an appointment with RRCS and should request the item(s) they wish to inspect well in advance of their visit to the Office.

2407.1(D) How to Request Copies of the U.S. Copyright Office’s Registration Records

This Section discusses the procedure for requesting copies of the Office’s registration records. The specific parties who may obtain copies of these records are discussed in Sections 2407.1(A) through 2407.1(B)(4) above.

2407.1(D)(1) Applications, Correspondence, and Other Registration Records

To obtain copies of an application, correspondence, or other records related to a pending application or a claim that has been registered or refused by the Office, authorized parties should submit a written request to RRCS containing the following information:

- The party’s name and contact information.
- A clear identification of the type of records to be copied (*e.g.*, correspondence, copies of deposits, etc.).
- A clear identification of the specific records to be copied, including the following information (if possible):
 - The type of work involved (*e.g.*, novel, lyrics, photograph, etc.).
 - The complete title of the work.
 - The name of the author(s) of the work, including any pseudonym(s) by which the author may be known.
 - The name of the copyright claimant(s).
 - The registration number (if any).
 - The year or approximate year the registration was issued.

The request should be sent to RRCS at the address specified in Section 2403, together with the appropriate fee.

For information concerning the procedure for requesting an additional **certificate of registration or renewal**, see Section 2408.

2407.1(D)(2) Deposits

To obtain certified or uncertified reproductions of the **deposit copy(ies)**, **phonorecords**, or **identifying material** for a **copyright claim**, authorized parties should submit a written request to RRCS containing the information set forth in Section 2407.1(D)(1).

The Office may provide a reproduction of the deposit for a pending application or a registered or refused claim, provided that the Office has retained the material and provided that one of the following conditions has been met:

- The Office receives written authorization from the **copyright claimant** of record or his or her designated agent.
- The Office receives written authorization from the owner of any of the **exclusive rights** in the copyright (including an heir of a deceased author or copyright owner), provided that the ownership has been demonstrated by written documentation of the **transfer** of ownership.
- The Office receives a court order for the reproduction of the deposited copy(ies), phonorecord(s), or identifying material for a registered work that is the subject of litigation, provided that the order is issued by a court with jurisdiction over the case and provided that the reproduction is to be submitted as evidence.
- The Office receives a written request from an attorney representing a plaintiff or defendant in litigation involving the work (either actual or prospective), provided that the request contains the following information:
 - The names of all the parties involved.
 - The nature of the controversy.
 - The name of the court in which the case is pending, or in the case of prospective litigation, a full statement of the facts of the controversy involving the work.
 - Satisfactory assurance that the requested copy will be used only in connection with the litigation specified in the request.

In the case of a request from an attorney representing the plaintiff or defendant in actual or prospective litigation, RRCS will ask the attorney to complete and submit a signed litigation statement on **Form LS**. RRCS will accept an electronic or handwritten signature. The form should contain the information set forth above for each deposit requested, along with the attorney's bar number or equivalent identifying information. However, the litigation statement may not be necessary if the attorney represents the copyright claimant of record in the litigation and if he or she is the designated agent for that claimant.

In all cases, the request for copies and the written authorization for that request should be sent to the address specified in Section 2403, along with the appropriate fee. For information concerning the copying fee, see Section 2407.6.

If the deposit consists of a phonorecord, RRCS will provide a proximate reproduction of the **sound recording** or the underlying musical, dramatic, or **literary work** embodied in the deposit, along with a photocopy of the title and the registration number (if any) that appears on the phonorecord. Upon request, RRCS will provide a copy of any printed or other visually perceptible material that appears in the deposit.

If the deposit consists of identifying material, RRCS will provide a copy that depicts or reproduces the deposit with varying degrees of fidelity depending on the requesting party's needs, such as a photocopy of a photograph.

If the work was submitted in a digital format, RRCS will provide a copy of the work in printed form or in digital form on a CD, DVD, or other storage medium.

See 37 C.F.R. § 201.2(d)(2)-(3).

2407.1(E) Limitations on Inspections and Copying of Registration Records

2407.1(E)(1) In Process Files

It is the general policy of the U.S. Copyright Office to deny direct public access to in-process files and to any work space or other areas where such files are kept.

2407.1(E)(2) Custody of Deposits

Once a claim has been registered or refused, the **deposit copy(ies)** or **identifying material** may or may not be retained by the Office. As a general rule, if the work is **unpublished** or if the **applicant** uploaded a digital copy or **phonorecord** of the work through the electronic registration system, the Office will retain the deposit copy or identifying material until the copyright expires. By contrast, the Office may or may not retain the deposit for a **published** work, but will do so if the applicant requests full-term retention. For a discussion of this procedure, see Section 2410.

If the applicant submits physical copies or phonorecords of a published work, the deposit will be offered to the Library of Congress for its collections. If the Library does not select the work for use in its collection, the deposit copies may be retained by the Office, they may be offered to another agency, library, or nonprofit institution, or they may be discarded.

As noted in Sections 2407.1(B)(2) and 2407.1(D)(2), the Office does not provide inspection or copies of deposits that have not been retained by the Office, including copies of works contained in the Library of Congress's collections.

- To request copies of an **audiovisual work** or other multimedia work contained in the Library's collections, members of the public should contact the Library's **Motion Picture, Broadcasting and Recorded Sound Division** by sending an email to mpref@loc.gov.

- To request copies of a **sound recording** contained in the Library’s collections, members of the public should contact the Library’s **Recorded Sound Reference Center** by sending an email to rsrc@loc.gov or by calling (202) 707-7833.
- For all other works contained in the Library’s collections, members of the public should contact the Library’s **Duplication Services** by sending an email to duplicationservices@loc.gov or by calling (202) 707-5640.

2407.2 Recordation Records

2407.2(A) Who May View, Inspect, or Obtain Copies of the U.S. Copyright Office’s Recordation Records?

Online Records: Any member of the public may view or make copies of the recordation records that are made available through the Office’s website.

Records in the Public Records Reading Room: Certain recordation records may be viewed or copied by any member of the public who presents a reader registration card, including the records that are located in the Public Records Reading Room.

Pending Records: Records relating to pending documents may be inspected or copied only by a party who executed a document that has been submitted for recordation or that party’s duly authorized agent. The specific types of records that may be inspected or copied are discussed in Section 2407.1(B)(2) below.

The specific procedures for requesting an inspection or copies of the Office’s public records are discussed in Sections 2407.2(C) and 2407.2(D) below.

2407.2(B) Recordation Records That May Be Viewed, Inspected, or Copied

2407.2(B)(1) Recordations

Documents that have been recorded with the U.S. Copyright Office may be viewed or copied by any member of the public, along with the certificate of recordation for each document and the document cover sheet (if any). Likewise, any member of the public may inspect or obtain a copy of any written communications between the **remitter** and the Office concerning a recorded document or a document that has been refused by the Office.

2407.2(B)(2) Pending Recordations

Documents that have been submitted for recordation may be inspected or copied by one of the persons who executed the document or an authorized representative of the aforementioned persons. The aforementioned persons also may inspect or obtain copies of any written communications between the **remitter** and the Office concerning a pending document, including the document cover sheet (if any).

Members of the general public may obtain limited information concerning pending documents using the computers located in the Public Records Reading Room. This information may include (i) the title(s) of the work(s) listed in the document, (ii) the name(s) of the parties who executed the document(s), and (iii) the date that the document was received by the Office, though much of this information may be incomplete.

NOTE: The computers in the Public Records Reading Room cannot be used to determine whether a document has been recorded, and the fact that a document has been submitted for recordation does not necessarily mean that a recordation has been made.

In the alternative, members of the public may ask RRCS to prepare a written report concerning a pending document. The Office charges a fee for this service, which is discussed in Section 2406.2(C) above.

2407.2(C) How to Request an Inspection of the U.S. Copyright Office’s Recordation Records

This Section discusses the procedure for requesting an inspection of the Office’s recordation records. The specific persons who are authorized to inspect these records are discussed in Sections 2407.2(A) through 2407.2(B)(2) above. In all cases, authorized parties must present a reader registration card before they will be allowed to view or inspect any public records maintained by the Office.

Documents that have been recorded with the U.S. Copyright Office may be viewed in the Public Records Reading Room, including the certificate of recordation for each document and the document cover sheet (if any).

To inspect a pending document that has been submitted for recordation or any written communications concerning a recorded document or pending document, authorized parties should submit a written request to RRCS containing the following information:

- The party’s name and contact information.
- The date on which the party would like to inspect the materials.
- The recordation number (if any).
- The case number that has been assigned to the document (if known).

The following information (if available) may also be useful:

- The title(s) of the work(s) listed in the document.
- The name(s) of the part(ies) who executed the document(s).
- The date the document was received by the Office.
- The name of the party who paid the filing fee and the date that the fee was paid.

The request should be sent to RRCS at the address specified in Section 2403, together with the appropriate fee. For information concerning the inspection fee, see Section 2407.6.

2407.2(D) How to Request Copies of the U.S. Copyright Office’s Recordation Records

This Section discusses the procedure for obtaining copies of the Office’s recordation records. The specific persons who may obtain copies of these records are discussed in Sections 2407.2(A) through 2407.2(B)(2) above.

Documents that have been recorded with the Office may be copied in the Public Records Reading Room, including the certificate of recordation for each document and the document cover sheet (if any).

In the alternative, members of the public may submit a written request to RRCS containing the following information:

- The person’s name and contact information.
- The volume and page number for the recorded document.
- Whether the copies should be certified or uncertified.

To request copies of a pending document that has been submitted for recordation or any written communications concerning a recorded document or a pending document, authorized parties should submit a written request to RRCS containing the information set forth above.

In all cases, the request should be sent to RRCS at the address specified in Section 2403, together with the appropriate fee. For information concerning this fee, see Section 2407.6.

2407.2(E) Limitations on Inspections and Copying of Recordation Records

2407.2(E)(1) In Process Files

As discussed in Section 2407.1(E)(1), it is the general policy of the U.S. Copyright Office to deny direct public access to in-process files and to any work space or other areas where such files are kept.

2407.2(E)(2) Refused Recordations

The Office will retain a copy of any document that has been recorded with the Office and any written communications concerning that document. The Office will not retain a copy of a document if recordation has been refused, although it will retain a copy of any written communications between the remitter and the Office concerning such documents.

2407.3 Administrative Manuals

The U.S. Copyright Office maintains various administrative manuals that describe the Office’s practices and procedures, including this *Compendium of U.S. Copyright Office Practices, Third Edition*, as well as prior editions of the *Compendium*. These administrative manuals are available for inspection and copying either on the Office’s website or upon request.

2407.4 Notices of Intent to Enforce Restored Copyrights

The U.S. Copyright Office maintains a complete list of all notices of intent to enforce restored copyrights that have been filed with the Office under the **Uruguay Round Agreements Act** (“URAA”) and the North American Free Trade Agreement (“NAFTA”). See 17 U.S.C. § 104A(e) (1)(B)(ii). These records may be viewed or copied from the Office’s website or in the Public Information Office. For a definition and general discussion of restored works, see **Chapter 2000**, Section 2007.

2407.5 Designation of Agent Information

The Office maintains a directory of agents who have been designated to receive notifications of alleged copyright infringement under **Section 512(c)** of the Copyright Act. These records may be viewed or copied from the Office’s website. For additional information concerning these records, see **Chapter 2300**, Section 2312.

2407.6 Inspection and Copying Fees

The current fees for obtaining copies of the Office’s public records are set forth in the Office’s fee schedule under the heading “Copying of Copyright Office Records by staff.”

Although the Office does not charge a fee for inspecting its records, requesting parties are required to pay a fee for locating and retrieving the requested materials before the materials will be made available for inspection.

The current fees for locating and retrieving copies of the Office’s public records for inspection or copying are set forth in the Office’s fee schedule under the heading “Retrievals and Copies of Records.”

For information concerning the methods for paying these fees, see **Chapter 1400**, Sections 1403.4 and 1403.5.

2408 Additional Certificates of Registration or Renewal

An additional certificate is a certified copy of an original **certificate of registration or renewal**. Additional certificates are issued under the seal of the U.S. Copyright Office and they have the same legal effect as the original copy of the certificate.

The form of an additional certificate varies depending upon the date of the original registration.

- *Certificates of Registration and Renewal Issued on or before December 31, 1977:* An additional certificate for a claim registered or renewed on or before December 31, 1977 consists of a photocopy of the original application together with a preprinted certification statement containing the registration or renewal number and the date of the certification. If the Office is unable to prepare a photocopy of the original application, the additional certificate may be created by typing the title of the work, the date of publication, the name of the copyright claimant, the registration or renewal number, and the effective date of registration on a preprinted certification form.

- *Certificates of Registration or Renewal Issued on or after January 1, 1978*: Generally, an additional certificate for a claim registered or renewed on or after January 1, 1978, consists of either a photocopy of the original application or an electronically generated document containing pertinent information from the original application. For some registrations stored on microfilm, an additional certificate may consist of an image from the microfilm attached to a cover sheet that contains the seal of the Office, the signature of the Register of Copyrights, and a statement certifying the facts contained in the image from the microfilm.

In all cases, the signature of the Register of Copyrights and the official seal of the U.S. Copyright Office will appear on the certificate along with a stamp that identifies the document as an additional certificate.

NOTE: The Office will not issue an additional certificate for a registration that has been cancelled.

2408.1 Who May Obtain an Additional Certificate of Registration or Renewal?

Any member of the public may ask RRCS staff to provide an additional certificate of registration or renewal.

2408.2 How to Obtain an Additional Certificate of Registration or Renewal

To obtain an additional certificate of registration or renewal, the requesting party should submit a written request to RRCS containing the following information:

- The party's name and contact information.
- The registration number.
- The year or approximate year the registration was issued.

The request should be sent to RRCS at the address specified in Section 2403 together with the appropriate fee. For information concerning this fee, see Section 2408.3 below.

2408.3 Fees for Additional Certificates of Registration or Renewal

The current fee for obtaining an additional certificate of registration or renewal is set forth in the Office's fee schedule under the heading "Retrievals and Copies of Records: Additional certificate of registration."

For information concerning the methods for paying this fee, see Chapter 1400, Sections 1403.4 and 1403.5.

2409 Certification of U.S. Copyright Office Records

A **certification** is an official statement from the U.S. Copyright Office attesting to the authenticity of the records and/or search reports specified in the certification. In most cases, a certification

consists of a copy of one or more of the Office’s records or the relevant portions of those records, and a statement certifying that the record is a true representation of what it purports to be.

Certifications are issued under the name of the **Register of Copyrights**. They bear the official seal of the U.S. Copyright Office and the date that the certification was issued. For an image of the current seal, see **Chapter 100**, Section 101.4.

The Office has changed the appearance of its seal over time. See **Notice of New Copyright Office Seal**, 68 Fed. Reg. 71,171 (Dec. 22, 2003); **New Copyright Office Seal**, 42 Fed. Reg. 64,747 (Dec. 28, 1977). A certification issued under a prior seal is valid, notwithstanding the fact that the Office currently uses a different seal.

A record that lacks the official seal of the U.S. Copyright Office and/or the name of the Register of Copyright is not validly certified. In particular, records bearing the seal of the Library of Congress or any seal other than that used by the U.S. Copyright Office are not validly certified records of the U.S. Copyright Office.

The specific types of records that may be certified by the Office are discussed in Section 2409.2 below.

See generally 17 U.S.C. § 701(c) (“The Register of Copyrights shall adopt a seal to be used on and after January 1, 1978, to authenticate all certified documents issued by the Copyright Office.”).

2409.1 Who May Obtain Certification of U.S. Copyright Office Records?

Any member of the public may ask RRCS staff to certify the records discussed in Sections 2409.2(A), 2409.2(B), 2409.2(E), 2409.2(G), or 2409.2(H).

Certain records may be certified upon request from any member of the public, including recorded documents and certain types of registration records. By contrast, records relating to pending applications or pending documents may be certified only upon request from the claimant named in a pending application, the party who executed a document that has been submitted for recordation, their duly authorized agents, or by court order. The specific types of records that may be certified and the specific parties who may request this service are discussed in Sections 2409.2(C) and 2409.2(F) below.

As discussed in Section 2407.1(A), the Office may provide a certified copy of the **deposit copy(ies)** or **identifying material** for a pending application or a claim that has been registered or refused by the Office to certain parties that satisfy the conditions set forth in Section 2407.1(D)(2).

The procedure for requesting a certification is discussed in Section 2409.3 below.

2409.2 Records That May Be Certified

2409.2(A) Search Reports

RRCS will certify any search report that has been prepared by the U.S. Copyright Office. For information concerning search reports prepared by RRCS staff, see Section 2406.2.

2409.2(B) Certificates of Registration

The original copy of a **certificate of registration** is a certified copy of that record, but a photocopy or other reproduction of the original certificate is not considered a certified copy.

As discussed in Section 2408, the Office will issue an additional certificate of registration to any member of the public upon request. An additional certificate of registration, like the original certificate of registration, is considered a certified copy, but a photocopy or other reproduction of an additional certificate is not.

Although a separate **certification** is not required for the original copy of a certificate issued by the Office, RRCS will issue a so called “double certification” for these types of records if requested to do so.

RRCS will issue a certified copy of a cancelled registration that has been cancelled by the Office, although as discussed in Section 2408, it will not issue an additional certificate for a registration that has been cancelled.

2409.2(C) Registration Records

RRCS will certify records related to claims that have been registered or refused by the U.S. Copyright Office, including completed applications and any written communications between the **applicant** and the Office.

Records related to pending applications may be certified, provided that the request is submitted by the **claimant** named in the application or an authorized representative of the copyright claimant. This includes the application and any written communications between the applicant and the Office concerning the claim. It also includes any **request for reconsideration** that is currently pending before the Office.

A **certification** for these types of records typically contains the following information:

- A photocopy of the record specified in the request.
- A certified statement that identifies the records.
- The signature of the Register of Copyrights.
- The official seal of the U.S. Copyright Office.
- The date of the certification.

2409.2(D) Deposits

As discussed in Sections 2407.1(A) and 2409.1, RRCS may provide a certified copy of the **deposit copy(ies)** or **identifying material** for a pending application or a **claim** that has been registered or refused by the Office to certain parties that satisfy the conditions set forth in Section 2407.1(D)(2).

2409.2(D)(1) Deposit Copy(ies) and Identifying Material

A **certification** for the **deposit copy(ies)** or **identifying material** for a registered or refused claim typically contains the following information:

- A copy or phonorecord of the deposit or the portion of the deposit specified in the request.
- A certified statement that identifies the title of the work and the registration number (if any).
- The signature of the Register of Copyrights.
- The official seal of the U.S. Copyright Office.
- The date of the certification.

In some cases, the certification may also contain the following information:

- A copy of the page or surface bearing any visually perceptible **copyright notice** that appears on the deposit.
- A copy of any page or surface bearing the registration number or the date that the deposit was received by the Office.

2409.2(D)(2) Actual Deposits

The U.S. Copyright Office will certify and provide the actual **deposit copy(ies)** or **identifying material** that was submitted for registration (as opposed to certifying a reproduction of the deposit), provided that (i) the Office receives a valid order issued by a court with jurisdiction over a case in which the work is at issue, (ii) the work is to be submitted as evidence in the case, and (iii) the deposit has been under the Office's continuous control since the date that it was received. Actual deposits will be made available upon the condition that they will be promptly returned to the custody of the Office within a specified period of time.

When certifying an actual deposit, RRCS will prepare a certified statement confirming that the content of the copy, phonorecord, or identifying material is the same as the content of the copy, phonorecord, or identifying material used in support of the registration.

2409.2(E) Certificates of Recordation

The original copy of a certificate of recordation is a certified copy of that record, but a photocopy or other reproduction of the original certificate is not considered a certified copy.

Although a separate **certification** is not required for the original copy of a certificate of recordation issued by the Office, RRCS will issue a so called "double certification" for these types of records if requested to do so.

2409.2(F) Recorded Documents

RRCS will certify any document that has been recorded with the Office, as well as any written communications between a remitter and the Office concerning a recorded document or a document that has been refused by the Office.

Documents that have been submitted for recordation and any written communications between the remitter and the Office concerning a pending document may be certified, provided that the request is submitted by one of the persons who executed the document or an authorized representative of the aforementioned persons.

A **certification** for a recorded document typically contains the following information:

- A photocopy of the document or other record specified in the request.
- A photocopy of the certificate of recordation (if any).
- A photocopy of the document cover sheet (if any).
- A certified statement concerning the volume and page number where the document is recorded and the **date of recordation** (if any).
- The signature of the **Register of Copyrights**.
- The official seal of the U.S. Copyright Office.
- The date of the certification.

2409.2(G) Prints or Labels Deposited in the U.S. Patent and Trademark Office Before July 1, 1940

Prior to July 1, 1940, the U.S. Patent and Trademark Office (“USPTO”) retained carbon copies of each **certificate of registration** for prints or labels issued by the USPTO. Copies of these records were transferred to the U.S. Copyright Office on July 1, 1940. An additional certificate of registration for a print or label registered by USPTO before July 1, 1940, consists of the following:

- A photocopy of the index card from the Copyright Card Catalog;
- A carbon copy of the original certificate of registration issued by USPTO; and
- A certified statement that identifies the record.

2409.2(H) Other Records Maintained by the U.S. Copyright Office

RRCS will certify indexes of the Office’s records, blank application forms, information circulars, administrative manuals (including this *Compendium* as well as out-of-date publications), and all other public records maintained by the Office.

2409.3 How to Request Certified Copies of U.S. Copyright Office Records

To obtain a certified copy of records maintained by the Office, the requesting party should submit a written request to RRCS containing the following information:

- The party's name and contact information.
- A clear identification of the records to be certified.
- A clear and specific request for certification.

The request should be sent to RRCS as the address specified in Section 2403 together with the appropriate fee.

2409.4 Certification Fees

The requesting party must pay a separate **certification** fee for each record that is certified by the U.S. Copyright Office. The current fee for certifying a search report or other records is set forth in the Office's **fee schedule** under the headings "Searches of Records: Certification of search report (per hour)" and "Retrievals and Copies of Records: Certification of records, including search reports (per hour)."

In addition, the requesting party will be required to pay a fee for locating, retrieving, and copying the requested materials. For information concerning these fees, see Section 2407.6.

For information concerning the methods for paying these fees, see **Chapter 1400**, Sections 1403.4 and 1403.5.

2409.5 Limitations on Certification of U.S. Copyright Office Records

As noted in Sections 2407.1(B)(2) and 2407.1(D)(2), certain records may or may not be retained by the Office once a **claim** has been registered or refused. As discussed in Section 2405.3, the Office will not certify records that have not been retained by the Office. In particular, the Office will not certify works contained in the Library of Congress's collections, except for **deposit copies** that are temporarily on exhibit at the Library. For information concerning the procedure for obtaining copies of materials maintained by the Library, see Section 2407.1(E)(2) above.

2410 Full-Term Retention of Deposits

As a general rule, the U.S. Copyright Office will retain the **deposit copy(ies)** or **identifying material** for an **unpublished** work for the full term of the copyright.

The deposit for a **published** work may be retained under the control of the Office for the longest period considered practicable and desirable by the **Register of Copyrights** and the Librarian of Congress. At the end of this period, the work may be destroyed.

Upon request and payment of the appropriate fee, the Office will retain the deposit copies for a published work for a period of seventy-five years from the date of publication. This service is known as “full-term retention.”

17 U.S.C. § 704(d)-(e).

2410.1 Who May Request Full-Term Retention?

Full-term retention may be requested by the **applicant** who submitted the initial application or the copyright owner of record for the registered work. 37 C.F.R. § 202.23(a)(1).

2410.2 How to Request Full-Term Retention

To request full-term retention, the requesting party should submit a signed, written request containing the following information:

- The name and contact information of the **applicant** or the copyright owner of record.
- A clear statement of request for full-term retention.
- The title of the work as it appeared in the application for registration or **renewal**.
- The date of **publication** for the work.
- The registration number (if the work has been registered).

The request should be sent to the following address, along with the appropriate fee:

U.S. Copyright Office
Attn: Director of the Office of Public Records and Repositories
101 Independence Avenue SE
Washington, DC 20559-6000

A request for full-term retention may be submitted with the application for registration or renewal or at any time thereafter. If the request for full-term retention is submitted together with the application for registration or renewal, the applicant should submit an additional copy or phonorecord of the work, along with a cover letter that clearly requests full-term retention.

If the request is approved, the Office will send a written communication to the requesting party acknowledging payment of the fee and identifying the **deposit** for which full-term retention has been granted.

The Office may grant a request for full-term retention, provided that the request is made by an authorized party and provided that the Office has retained at least one copy, one phonorecord, or one set of **identifying material** in its control when the request is received. This includes deposits retained in a federal records center, but it does not include deposits that have been transferred to the collections of the Library of Congress.

The Office may deny a request for full-term retention if the deposit has been selected by the Library of Congress for its collections. Likewise, the Office may deny a request for full-term retention (i) if the storage would place an unreasonable burden on the Office due to the excessive size, fragility, or weight of the deposit, or (ii) if the retention would result in a health or safety hazard. The Office may nonetheless grant the request in such cases if the requesting party pays for the cost of preparing acceptable identifying materials in lieu of the actual deposit and provided that the payment is received within sixty days after the date that the Office denied the initial request.

37 C.F.R. § 202.23.

2410.3 Full-Term Retention Fees

The current fee for full-term retention is set forth in the Office's **fee schedule** under the heading "Full-term retention of published copyright deposit."

For information concerning the methods for paying this fee, see **Chapter 1400**, Sections 1403.4 and 1403.5.

2411 Expedited Service

Expedited service is a procedure for accelerating the time period for satisfying a request for a search report, certified or uncertified copies of the U.S. Copyright Office's records, or other services provided by the Office. The Office charges an additional fee for expedited service, as discussed in Section 2411.3 below.

2411.1 Who May Request Expedited Service?

Any member of the public may request expedited service.

2411.2 How to Request Expedited Service

A request for expedited service should be submitted in writing and should contain the following information:

- A description of the service to be provided.
- A justification for expedited service, such as pending or prospective litigation, customs matters, contract or publishing deadlines, or the like.

A request for expedited service should be submitted to RRCS using the contact information specified in Section 2403 along with the appropriate fee.

RRCS may deny a request for expedited service if the request is not sufficiently justified or if RRCS is unable to process the request due to limited staff resources. If there are questions or issues that prevent RRCS from providing expedited service, it will notify the requesting party promptly after the request is received.

2411.3 Fees for Expedited Service

The requesting party must pay an additional fee for expedited service, which will be added to the fee for the primary service provided by the staff of RRCS. The additional fee must be paid for each service for which expedited service is requested and granted.

The current fee for an expedited search report is set forth in the Office's fee schedule under the heading "Searches of Records: Expedited report (surcharge per hour for first two hours plus \$200 per hour base fee)."

The current fee for obtaining certified or uncertified copies of the Office's records on an expedited basis is set forth under the heading "Retrievals and Copies of Records: Surcharge for expedited retrievals, certification, and copying (\$/hr)."

For information concerning the methods for paying this fee, see Chapter 1400, Sections 1403.4 and 1403.5.

2412 Services Provided to Other U.S. Government Agencies

The United States government and any of its agencies, employees, or officers are expected to pay all fees prescribed by the Copyright Act, although the Register of Copyrights has the discretion to waive these fees in occasional or isolated cases involving relatively small amounts. 17 U.S.C. § 708(c).

A request for a waiver of fees should be made in writing and should be submitted along with the request for service.

2413 Denial of Service and Appeals

The U.S. Copyright Office may deny a request for service for one or more of the following reasons:

- The requesting party is not authorized to inspect or obtain copies of the requested record.
- The requested record is not subject to viewing, inspection, or copying.
- The Office has not retained the requested record.
- The request would place undue hardship on the Office.

If the Office determines that the service cannot be provided, it will notify the requesting party in writing or by telephone and will explain the reasons for its decision.

If the Office declines to provide a requested service because the requesting party is not authorized to view, inspect, or obtain copies of the requested record, the party may submit an appeal to the Office of the General Counsel of the U.S. Copyright Office. For information concerning this procedure, the requesting party should contact the Office of the General Counsel.

