

# Deadlines for Replying

## to Copyright Office Correspondence

The Copyright Office often provides time frames to respond to correspondence. This circular provides an overview of these time frames and introduces some of the consequences of failing to reply in a timely manner. It covers

- Permanent closure of a registration application
- Delay to the effective date of registration
- Delay in recording a document related to copyright

After you submit an application for copyright registration or a document for recordation, the Copyright Office may need to communicate with you. If the communication you receive from the Office specifies a time frame for your reply, it is important that you reply within that time frame to avoid negative consequences.<sup>1</sup> When you reply within the time frame, you will not receive an acknowledgement or be contacted again about the matter raised in the Office's communication unless further information is required.

**NOTE:** The Office may consider a reasonable request for an extension of time if the request is received prior to the original deadline. If you need extra time to reply, request additional time from the Office before the end of the reply period.

### Communications about Registration Examination

After you submit a claim for copyright registration, a registration specialist will examine the materials you provide. Whenever possible, the registration specialist will examine an application without communicating with you. However, the registration specialist will communicate with you by email if information is missing or requires clarification, or if you've used a single application where a standard application is required. The Office sends most of its correspondence by email from the address [cop-ad@loc.gov](mailto:cop-ad@loc.gov). Check all your folders, including any spam or junk folders, for messages from this address.

Because the Office uses email as its primary means of communication, it is important to maintain an accurate, verifiable email address with the Office. If your email address changes, either contact the registration specialist assigned to your case or provide the new email address through the Contact Us link on the Office's website to add a note to your file.

## Communications about Recordation Examination

Prior to recording a document pertaining to copyright or a notice of termination, a recordation specialist will examine the document to determine if it satisfies the requirements of the Copyright Act and the Office's regulations and to determine if the correct filing fee has been paid. A recordation specialist may communicate with you if the document does not appear to relate to copyright, if the document does not comply with the Office's regulations, or if there are any discrepancies in the document. The Office will communicate using the contact information you provided.

## Specified Time Frames for Reply

In general, you should reply to Office correspondence according to the time frame provided in the correspondence. When an examiner communicates by phone and does not receive a reply within a reasonable time, the examiner will follow up in writing, after which you should reply within the timeframe provided in the correspondence. The following table provides time frames for replying to registration-related Office correspondence.

<b>Type of Communication</b>	<b>Time Frame for Reply</b>
Phone	A reasonable time.
Email (general communication)	45 calendar days
Email (request for deposit copies)	45 calendar days
Letter	45 calendar days

## Closed File

If a registration specialist communicates with you, and you fail to reply within the time frame specified in the communication, the Office may close your file without completing examination and without informing you that the file has been closed. The Office will not return the filing fee or deposit. When your file is closed, you must refile a new application, filing fee, and deposit copy or copies.

If the failure to respond to the communication was caused by extraordinary circumstances, you can request that the Office reopen the file. For more information, see [chapter 600](#), section 605.8, of the *Compendium of U.S. Copyright Office Practices*.

## Effective Date of Registration

When the Office registers a work it assigns an effective date of registration to the certificate of registration. The effective date of registration is the day that the Office receives in proper form all required elements—an acceptable application, an acceptable deposit, and a nonrefundable filing fee. When a file is closed for failure to reply to Office correspondence, the claim must be refiled. The effective date of registration for the work will be the date when the Office receives *all* required elements for the new claim. For general information regarding the effective date of registration, see *Copyright Registration (Circular 2)*.

## Effective Date of Recordation of Documents and Notices of Termination

The date of recordation is the date when the Office receives the written document or notice of termination in proper form with the proper filing fee. If you submit a document for recordation that does not comply with Office regulations or without the proper filing fee, the Office may communicate with you to correct the issue. For example, delay in replying to the Office's correspondence will affect the date of recordation, which may in turn affect your compliance with statutory time limits and conditions required to establish constructive notice. Delay in the recordation of a notice of termination may negatively affect whether a notice of termination will take effect.

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### NOTE

1. This circular is intended as an overview of the deadlines for replying to Copyright Office correspondence. The authoritative source for U.S. copyright law is the Copyright Act, codified in Title 17 of the *United States Code*. Copyright Office regulations are codified in Title 37 of the *Code of Federal Regulations*. Copyright Office practices and procedures are summarized in the third edition of the *Compendium of U.S. Copyright Office Practices*, cited as the *Compendium*. The copyright law, regulations, and the *Compendium* are available on the Copyright Office website at [www.copyright.gov](http://www.copyright.gov).

## **For Further Information**

### ***By Internet***

The copyright law, the *Compendium*, electronic registration, application forms, regulations, and related materials are available on the Copyright Office website at [www.copyright.gov](http://www.copyright.gov).

### ***By Email***

To send an email inquiry, click the *Contact Us* link on the Copyright Office website.

### ***By Telephone***

For general information, call the Copyright Public Information Office at (202) 707-3000 or 1-877-476-0778 (toll free). Staff members are on duty from 8:30 am to 5:00 pm, Eastern time, Monday through Friday, except federal holidays. To request application forms or circulars by postal mail, call (202) 707-9100 or 1-877-476-0778 and leave a recorded message.

### ***By Regular Mail***

Write to

Library of Congress  
U.S. Copyright Office  
Publications Section  
101 Independence Avenue, SE #6304  
Washington, DC 20559-6304

