

answer material for tests, bibliographies, appendixes, and indexes, and an ‘instructional text’ is a literary, pictorial, or graphic work prepared for publication and with the purpose of use in systematic instructional activities.”

In determining whether any work is eligible to be considered a work made for hire under paragraph (2), neither the amendment contained in section 1011(d) of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted by section 1000(a)(9) of Public Law 106-113, nor the deletion of the words added by that amendment— (A) shall be considered or otherwise given any legal significance, or (B) shall be interpreted to indicate congressional approval or disapproval of, or acquiescence in, any judicial determination, by the courts or the Copyright Office. Paragraph (2) shall be interpreted as if both section 2(a)(1) of the Work Made for Hire and Copyright Corrections Act of 2000 and section 1011(d) of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted by section 1000(a)(9) of Public Law 106-113, were never enacted, and without regard to any inaction or awareness by the Congress at any time of any judicial determinations.”

[17 U.S.C. § 101.](#)

Works of the Performing Arts: For purposes of copyright registration, the U.S. Copyright Office uses the term “works of the performing arts” to refer collectively to the following works of authorship: musical works, including any accompanying words; sound recordings; dramatic works, including any accompanying music; choreographic works; pantomimes; audiovisual works; and motion pictures. “This class includes all published and unpublished works prepared for the purpose of being performed directly before an audience or indirectly by means of a device or process.” [37 C.F.R. § 202.3\(b\)\(1\)\(ii\).](#)

Works of the Visual Arts: See “[Visual arts works.](#)”

World Intellectual Property Organization (“WIPO”): A specialized agency of the United Nations that administers intellectual property matters of concern to the member ~~States~~states of the United Nations in order to ensure that the rights of creators and owners of intellectual property are protected worldwide and that inventors and authors are, thus, recognized and rewarded for their ingenuity.

WTO: An abbreviation for “World Trade Organization.”