

A New Task for the Copyright Office: Licensing Jukeboxes

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“Throughout its century-long history, the Copyright Office has survived some difficult years, but never one comparable to fiscal 1978,” wrote Register of Copyrights Barbara Ringer in the Copyright Office report for that year. The difficulty she cites arose from the need to implement the 1976 Copyright Act, which took effect on January 1, 1978. The act brought many substantive changes to the Office. Among them was the introduction of an entirely new function: licensing.

“Setting up the Licensing Division was exciting, because we were starting from scratch—there were no established procedures. But it was a lot of work,” says **Jim Cole**, chief of the Information and Records Division, who in 1977 became the first head of the Licensing Division’s Examining Section.

The division was charged with administering four compulsory licenses included in the 1976 Copyright Act. The licenses permitted interested parties to use copyrighted content under certain conditions if royalties were paid. One of the initial licenses—more have been added since 1976—was meant to facilitate the public performance of music on coin-operated jukeboxes.

Before passage of the 1976 act, copyright owners received no royalties when their music was played on jukeboxes. Under the new law, jukebox operators had to apply for a license with the Copyright Office every January; pay an annual royalty fee, initially \$8 for each player; and display a licensing certificate on the player by March 1 of the year of the certificate’s issue.



On January 25, 1978, Barbara Ringer holds the first licensing certificate issued to a jukebox operator. To her right is Jon Brightman of the Library’s Automated Systems Office; Susan Aramayo, the first Licensing Division chief; and Michael Pew, who was then Assistant Register for Automation and Records.

The certificate specified the name and address of the jukebox operator, along with a model, manufacturer, and serial number. Printed out on a two-part three-by-five-inch card, it had to be displayed in the title slot for a jukebox song. “The operators weren’t happy about that,” Cole says. “They complained that the certificate took up space that could have been used for a song.”

But failure to display a certificate could result in an infringement suit from a music creators’ representative, such as ASCAP (the American Society of Composers, Authors, and Publishers), whose agents visited establishments with jukeboxes to see if they were properly licensed.

The jukebox compulsory license was replaced in 1990 with a license negotiated between representatives of music creators and jukebox operators, and the Jukebox License Office, located in Nashville, took over administration of the license. ©

