The Constitutional Provision Respecting Copyright

The Congress shall have Power ... To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

United States Constitution, Article I, Section 8
Dedication

This edition is dedicated to Marybeth Peters, the eleventh Register of Copyrights of the United States, who served in that capacity from 1994 until the end of 2010. As the Register of Copyrights for over sixteen years, Marybeth was instrumental in the consideration and enactment of most of the forty amendments to Title 17 that were enacted during her tenure, including the most recent amendments incorporated into this edition. Her advice and counsel on copyright law and policy matters were, and continue to be, valued by Members of Congress on both sides of the aisle and by the copyright community at large.
This volume contains the text of title 17 of the United States Code, including all amendments enacted through December 9, 2010, in the second session of the 111th Congress. This publication includes the Copyright Act of 1976 and all subsequent amendments to copyright law; the Semiconductor Chip Protection Act of 1984, as amended; and the Vessel Hull Design Protection Act, as amended. The Copyright Office is responsible for registering intellectual property claims under all three.

The United States copyright law is contained in chapters 1 through 8 and 10 through 12 of title 17 of the United States Code. The Copyright Act of 1976, which provides the basic framework for the current copyright law, was enacted on October 19, 1976, as Pub. L. No. 94-553, 90 Stat. 2541. The 1976 Act was a comprehensive revision of the copyright law in title 17. Listed below in chronological order of their enactment are subsequent amendments to title 17.

Chapters 9 and 13 of title 17 contain two types of design protection that are independent of copyright protection. Chapter 9 of title 17 is the Semiconductor Chip Protection Act of 1984 (SCPA), as amended. On November 8, 1984, the SCPA was enacted as title III of Pub. L. No. 98-620, 98 Stat. 3335, 3347. Chapter 13 of title 17 is the Vessel Hull Design Protection Act (VHDPA). It was enacted on October 28, 1998, as title V of the Digital Millennium Copyright Act (DMCA), Pub. L. No. 105-304, 112 Stat. 2860, 2905. Subsequent amendments to the title 17 provisions for SCPA and the VHDPA are also included in the list below, in chronological order of their enactment.

Significant copyright legislation enacted since the last printed edition of this circular in October 2007 includes the Satellite Television Extension and Localism Act of 2010. For more details, this statute appears at the end of the chronological list below of statutory enactments that amend title 17 of the United States Code.

For transitional and supplementary provisions that do not amend title 17, see the appendices.

Statutory Enactments Contained in Title 17 of the United States Code

• [Copyright Act of 1976], Pub. L. No. 94-553, 90 Stat. 2541 (for the general revision of copyright law, title 17 of the United States Code, and for other purposes), October 19, 1976.
of moneys by the Register of Copyrights in the Treasury of the United States), enacted August 5, 1977.

• [Copyright Amendments], Pub. L. No. 95-598, 92 Stat. 2549, 2676 (amending §201(e), title 17, United States Code, to permit involuntary transfer under the Bankruptcy Law), enacted November 6, 1978.


• [Copyright Amendments], Pub. L. No. 97-366, 96 Stat. 1759 (amending §110 and §708, title 17, United States Code, regarding the redesignation of registration fees as filing fees, and the exemption from copyright liability of certain performances of nondramatic literary or musical works), enacted October 25, 1982.

• Record Rental Amendment of 1984, Pub. L. No. 98-450, 98 Stat. 1727 (amending §109 and §115, title 17, United States Code, with respect to rental, lease or lending of sound recordings), enacted October 4, 1984.


• [Copyright Amendments], Pub. L. No. 99-397, 100 Stat. 848 (amending §111 and §801, title 17, United States Code, to clarify the definition of the local service area of a primary transmitter in the case of a low power television station), enacted on August 27, 1986.


• [Copyright Amendments], Pub. L. No. 100-617, 102 Stat. 3194 (extending for an additional eight-year period certain provisions of title 17, United States Code, relating to the rental of sound recordings and for other purposes), enacted November 5, 1988.


• Copyright Amendments Act of 1992, Pub. L. No. 102-307, 106 Stat. 264, 272 (amending chapter 3, title 17, United States Code, as described immediately below and by deleting subsection 108(i)), enacted June 26, 1992. (Also, through an independent provision that does not amend title 17 of the United States Code, the Act established the National Film Registry under title II, which is the National Film Preservation Act of 1992.)


• Sonny Bono Copyright Term Extension Act, title I of Pub. L. No. 105-298, 112 Stat. 2827 (amending chapter 3, title 17, United States Code, to extend the term of copyright protection for most works to life plus 70 years), enacted October 27, 1998.


• Digital Millennium Copyright Act, Pub. L. No. 105-304, 112 Stat. 2860, 2887 (title IV amending §108, §112, §114, chapter 7 and chapter 8, title 17, United States Code), enacted October 28, 1998. (This Act also contains four separate acts within titles I, II, III, and V that amended title 17 of the United States Code. These four acts are each separately listed below. See Appendix B for additional provisions of this Act that do not amend title 17 of the United States Code.)


• Individuals with Disabilities Education Improvement Act of 2004, Title III, Pub. L. No. 108-446, 118 Stat. 2647, 2807 (amending section 121, title 17, United States Code, to further expand authorized reproduction of copyrighted works for the blind or people with other disabilities), enacted December 3, 2004.

118 Stat. 2809, 3393 (amending section 119, title 17, United States Code throughout and by extending for an additional five years the statutory license for satellite carriers retransmitting over-the-air television broadcast stations to their subscribers), enacted December 8, 2004.


- Fraudulent Online Identity Sanctions Act, Title II of the Intellectual Property Protection and Courts Amendments Act of 2004, Pub. L. No. 108-482, 118 Stat. 3912, 3916 (amending section 504(c), title 17, United States Code, to add language making it a criminal violation to knowingly provide false contact information for a domain name that is used in connection with copyright infringement when registering the domain name with authorities), enacted December 23, 2004.

- Artists’ Rights and Theft Prevention Act of 2005 (also known as the “ART Act”), Title I of the Family Entertainment and Copyright Act of 2005, Pub. L. No. 109-9, 119 Stat. 218 (amending chapter 113, title 18, United States Code, to add a new section 2319B authorizing criminal penalties for unauthorized recording of motion pictures; amends section 506(a), title 17, United States Code, in its entirety; amending section 2319, title 18, United States Code, by adding criminal penalties for section 506(a); amending section 408, title 17, United States Code, by adding new language authorizing preregistration of works being prepared for commercial distribution; and directing the United States Sentencing Commission to establish policies and guidelines for intellectual property crimes), enacted April 27, 2005.


- Preservation of Orphan Works Act, Title IV of the Family Entertainment and Copyright Act of 2005, Pub. L. No. 109-9, 119 Stat. 218, 226 (amending section 108(i), title 17, United States Code, to add orphan works to the list of works that are exempt from certain limitations on uses by libraries and archives), enacted April 27, 2005.


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proofreading and editorial review, and graphic designer Cecelia Rogers, who was responsible for the document’s design and production.

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