

***THE COMPLETE COPYRIGHT KIT FOR
COMPOSERS & MUSICIANS***

BuzzGig

the business of creativity

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INTRODUCTION

I created this e-Book because I hate to fill out copyright registration forms. Most of my entertainment clients hate filling out the forms too, so they want me to file the registrations for them. *The Complete Copyright Kit* is a step-by-step guide to the process. All the examples in the *Kit* come from real life situations that my clients have faced. I want to make sure that composers and musicians understand copyright and obtain the maximum protection the law allows for their creative effort.

The law has many technical terms and special meanings for common words. This is emphatically the case with the copyright law. In everyday language, the term “*author*” conjures up images of a solitary figure hunched over his clattering typewriter. As defined by copyright law, he is an **Author**, but so are painters, composers, microchip designers, studio musicians, computer programmers, and photographers. When a word with a specific legal meaning is used in the text, **it looks like this**. Definitions appear in a separate section.

The first sections of *The Complete Copyright Kit* explain the basics of copyright protection and answer some common questions. The next portion of the *Kit* gives examples of common situations, and illustrates how the appropriate forms are to be filled out. Additional questions that may come up are addressed as well.



This icon points out shortcuts and tips.

For your convenience, the *Kit* also includes Copyright Office registration forms in Adobe PDF format which you can print out, along with links to the Copyright Office website. The *Kit* also contains a few simple contracts for your use. More complex issues require the services of a copyright attorney.

WHAT COPYRIGHT IS

Copyright is the exclusive right to sell, perform, display, change, or make copies of an original work.

The concept of copyright has been around for several hundred years and most nations have come to the same conclusion: in order to encourage **Authors** to create, their efforts must be protected. To protect against the theft of their work, countries grant authors certain exclusive rights.

Title 17 of the United States Code (the Copyright Act) lists six basic rights.

Authors and **Copyright Owners** can do or authorize others to do the following:

- Reproduce the work;
- Make **derivatives** based upon the work;
- Distribute **copies** of the work to the public by sale;
- Perform the work publicly;
- Display the work publicly; and
- In the case of **sound recordings** *only*, to perform the work publicly by means of a **digital audio transmission**.

What can be protected?

Copyright protection covers more than one would expect. Any original work of an **Author's** expression, which has been fixed in a tangible form, is protected under the Copyright Act. Although the Act has a list of types of works it shields, it is not an exclusive list. Copyrightable works include, but aren't limited to the following:

1. literary works;
2. musical works, including any accompanying words;
3. dramatic works, including any accompanying music;
4. pantomimes and choreographic works;
5. pictorial, graphic, and sculptural works;
6. **motion pictures** and other audiovisual works;
7. **sound recordings**; and
8. architectural works.

WHAT COPYRIGHT ISN'T

What is not protected by copyright?

Ideas are not protected by copyright

Copyright protects the expression of ideas, not the ideas themselves. You may have a great idea for a book, but there's no protection available for that idea alone, you have to write the book first.

Facts are not protected by copyright either, but explanations of facts are copyrightable. For example, Einstein could not copyright the formula $E=mc^2$. But he could get copyright protection for a book explaining his discovery and illustrating the principles of relativity.

Unoriginal and common things are not protected by copyright

Only original expressions of ideas are copyrightable. You can't get exclusive rights on a title, name, short phrase, familiar symbol, list of ingredients, or a color. You may have a copyright in the swimsuit photo of Ms. September, but not the calendar page listing its thirty days.

Intangibles are not protected by copyright

If the work hasn't been **fixed** in a tangible form (written down, tape recorded, or burned to a CD-ROM), then it is not subject to protection. Improv comedy skits live jazz solos, and dance routines are not copyrightable until they have been captured on tape or transcribed.

What's a patent?

A patent gives certain exclusive rights to an inventor for an invention, discovery, or process. To illustrate the difference, H.G. Wells could have obtained a patent on the time machine he invented, and a copyright on his book *The Time Machine*.

What's a trademark?

A trademark (or service mark) identifies the source of goods or services. The trademark Coca-Cola[®] assures the public that the can contains Coke[®], not Pepsi[®] or Seven-Up[®], even though you can't see inside the can.

The purpose of a trademark is to prevent consumer confusion. You have a copyright on the songs you've written and the CD you recorded. You can file with the U.S. Patent and Trademark Office for a national trademark on your band logo and a service mark on your band's name.

For information on patents and trademarks, go to the official site of the U.S. Patent and Trademark Office. <http://www.uspto.gov/>

A FEW COPYRIGHT QUESTIONS

When does my copyright start?

The copyright starts at the moment of **creation** - when the ink is dry on the paper or the performance is recorded on tape, or the CD-ROM is burned. As soon as the original expression of an **Author's** idea is in **fixed** tangible form, the copyright exists.

You don't have to file a **registration** form or **publish** the work to have a copyright, as long as it is in a form that is perceptible either directly or with the aid of a device like a CD player or computer.

Why should I register my copyright if protection is automatic?

There are several excellent reasons to **register** your claim to copyright.

- Registrations are public records identifying the **Copyright Claimant**;
- Registration is necessary before an **infringement** suit can be filed in court;
- Registration is evidence in court of your claim to ownership;
- If registration is made within three (3) months after **publication** or before an **infringement**, you may ask for additional damages and attorney's fees;
- Registration is necessary to obtain certain compulsory royalties; and
- Registration protects against the importation of infringing copies of your work.

How long does a copyright last?

That depends on how long you last. If the work was created after January 1, 1978, then the copyright lasts for the life of the **Author** plus seventy (70) years. If it was

a **joint work** (two or more **Authors** contributed), the copyright lasts for the life of the last surviving **Joint Author** plus seventy (70) years.

If it was a **work for hire**, (the work of an employee or contractor), then copyright lasts in the name of the **Employer** for ninety-five (95) years after **publication** or one hundred and twenty (120) years after **creation**, *whichever is shorter*. The same applies for **anonymous** and **pseudonymous** works, unless the author's identity is revealed on the **registration**.

Can't I use the "poor man's copyright" and just mail it to myself?

Obtaining copyright protection by mailing your work to yourself and not opening the envelope is an urban myth. Although you may have a postmark showing the date of mailing, it is not a substitute for **registration**. It's a waste of time and money because it has no legal benefits for infringement lawsuits. It will still be necessary to file for registration of your claim in the Copyright Office before a lawsuit. The postmarked envelope is not a public record or solid proof in court.

Why do you think they call it the "poor man's copyright"?

How much does it cost?

The registration fee is Forty Five Dollars (\$45.00), but fees are subject to change. For current fees, check the Copyright Office website (www.Copyright.gov) or call (202) 707-3000.

How do I pay?

Checks & money orders payable in U.S. dollars are acceptable. The Copyright Office will not take cash, credit cards, international money orders, or postal money orders for filing your **registration**.

If you bounce a check on the Copyright Office, your registration will be cancelled. The filing fee is not refundable.

When do I file?

A **registration** may be filed at any time within the life of the copyright, but in order to guarantee the strongest protection, file the registration forms within three (3) months of the first **publication** of the work.

Who can file the registration form?

The following persons are legally entitled to file:

- The **Author**;
- The **Copyright Claimant**;
- The **Employer** if the work was **made for hire**;
- The **Owner** of one or more of the exclusive right(s); and/or
- A duly authorized agent of the above persons.

Do I need an attorney or notary?

There is no requirement that applications be prepared, notarized, or filed by an attorney.

Where do I get copyright forms?

This Kit has copies of the most commonly used forms. You can also download forms directly from the Copyright Office's website.

You'll need a PDF reader such as Adobe Acrobat Reader[®] which can be downloaded for free from Adobe's website.

At the Copyright Office website, you can fill in the forms onscreen and print them out for filing.

Is it OK to make copies of the forms?

Yes. Photocopy all the blank application forms you need. Just make sure the forms are clear, legible, and on a good grade of white paper.

How do I print the forms out?

The forms should be printed in black ink on a single sheet of 8 1/2" by 11" white paper. Print them "head-to-head" so that when you turn the form over, the top of page 2 is directly behind the top of page 1. For the best quality, use a laser printer.

Type or print the required information in black ink. Illegible or improperly printed forms may be rejected.



If you're filling out more than one form, print out several undated back pages which contain your contact information. Load those preprinted pages in your laser printer, then fill out and print just the front sheets.

May I FedEx my application?

Yes, but it won't shave any time off the process. Save your money and mail it. If you're concerned about it being lost en route, send the completed form, fee, and deposit copies by certified mail and request a return receipt.

Can I do all of this online?

The Copyright Office is instituting an online filing system. Check its progress on the Copyright Office's website. You can download forms and information and do some research online but to date, the **registration** process still requires hard copies.

Their website has fill-in forms which allow you to enter information while the form is displayed on the screen by Adobe Acrobat. Just print the completed form and mail it to the Copyright Office. Don't forget to keep a copy for yourself

I hate filling out all these forms. Is there a short form?

Yes, if there is only one living **Author** who is the sole **Copyright Claimant**. There are other restrictions as well. You can download short forms PA, TX and VA from the Copyright Office. See Example 1 to learn how to fill out a short form.

How long does the registration process take?

The Copyright Office gets over 600,000 applications a year – give them some time. Even if you've filled out the form correctly, enclosed your **deposit copies** and proper fee; it still might take 4 to 6 months to receive your **registration** certificate.

After anthrax was discovered in envelopes mailed to Congress, the Copyright Office instituted special handling procedures. All incoming mail is screened off-site. This process may add 3 to 5 days to the delivery time for all mail sent to the Copyright Office.

If additional information is needed, you will receive a call or letter from the Copyright Office. If your application is rejected, you will receive a letter explaining the reason for rejection.

What if someone infringes my work before I get my certificate back?

The effective date of **registration** is the date that the Copyright Office first receives your application, payment, and **deposit copies** in proper form, even if it takes months to process your application and return the registration certificate to you.

If registration is made within three (3) months after the first **publication** of the work, the effective date of protection is then retroactive to the date of publication. A registration filed prior to an **infringement** of the work gives the **Copyright Owner** the option for asking for additional infringement penalties.

Can't somebody just lie on the registration form and claim that they wrote my song?

They can. **Registration** is an element of proof of **ownership**, but not the only element. If a claim-jumper files a **registration** for your work, you'll have to sue them for **infringement** in order to have yourself declared the **Copyright Owner**. You may even be able to prove intentional **infringement** against him.

However in order to have the option of asking for the maximum \$150,000 judgment against the thief, you have to file your registration before the infringement.

A Catch-22 can be avoided here by promptly filing your **registration** form within three months of publication, so your protection is retroactive to the date of **publication**.

Likewise don't get any ideas of being a claim-jumper yourself. Look closely at the bottom of the back page of Form PA: "17 U.S.C. §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration . . . shall be fined not more than \$2,500." It is a criminal offense to lie on an application.

Where do I put the copyright notice?

Although the use of a copyright **notice** is no longer required under U. S. law, you *should* use it. Place the notice where it would "give reasonable notice of the claim of copyright." The notice consists of three elements: the word "copyright" or its symbol ©, (the letter C in a circle), the year of first **publication** and the name of the **Copyright Owner**. For phonorecords embodying **sound recordings**, use the symbol ® (the letter P in a circle), the year of first **publication** of the sound recording; and the name of the **owner** of copyright in the sound recording.

We all wrote the song. There is no "I" in "Band."

Before you fill out the Form PA, the **Joint Authors** must agree on the division of ownership of the copyright. If three **Authors** are named, it is assumed that each **Author** owns 1/3 of the copyright. It's often likely that one band member wrote the music and

the other two wrote the words. If it's a 50% - 25% - 25% ownership split, the **Joint Authors** should sign a Joint Author agreement before filing the registration.



See the sample Joint Author Agreement for guidance. You really need to get this in writing because there is an "I" in "LAWSUIT".

The drummer is claiming he co-wrote the song, but all he did was suggest handclaps.

Each Joint Author has to contribute an independently copyrightable portion to the final work. Lyrics are copyrightable separately as poetry. Music is separately copyrightable as an instrumental composition. Handclaps alone may not be sufficiently original to be copyrightable.

The form has a space for 3 authors, but 4 of us wrote the song. What do we do?

If all the information you need to submit can't fit on one page, use Form CON, which is a continuation sheet for your application. See how that problem is solved in Example 3 and Example 9.

I wrote the lyrics and music, and I also recorded my song. Do I have to file both Form PA and Form SR?

Maybe. Form SR protects the **sound recording** – Form PA covers the underlying composition. If the **Author** of both is the same, then you can file a Form SR that also protects the composition.

If you wish to register only the underlying work that is a musical composition or dramatic work, use Form PA, even though you may send a CD or tape as the deposit copy. Use Form SR for registration of published or unpublished sound recordings, meaning the particular sounds or recorded performance of any musical composition.

To register, use Form SR, but *clearly state* that your claim covers both the composition and the sound recording of your performance.

See Example 8 for a Form SR registration that also covers the underlying composition.

Which form do I use for a multimedia work?

Form SR is also the appropriate form for registration of a multimedia kit that combines two or more kinds of authorship including a sound recording (such as a boxed set containing a book and an CD's).

I paid for it, so it's automatically a "Work For Hire" right?

Wrong. It's not a **work for hire** unless the **Author** is your employee, or you have commissioned the **Author** in a written agreement *prior* to the creation of the work.

See the sample contracts for Assignments of Copyright and Work-For-Hire situations.

Do I have a copyright on my live performances?

No, not until that performance has been recorded. Until it has been **fixed** in a tangible form, it doesn't have all three required elements of copyrightability: originality, expression, and fixation.

Somebody else used my title for his song. Isn't that infringement?

Titles and short phrases are not copyrightable. At last count the Copyright Office has registered 2,339 songs with the title *I Love You*.

Can I copyright my domain name?

No. The Internet Corporation for Assigned Names and Numbers (ICANN) handles that. Contact them at www.icann.org.

It took me months to record my CD. What is the date of creation?

If a work is prepared over a period of time, the part of the work that is **fixed** on a particular date constitutes the **creation date** of the work.

For **sound recordings**, the creation date is usually when the final mixed and mastered tape is sent to pressing plant.



Copyright registration forms ask for the *year of creation* and the *date and nation of publication*.

When do I have to renew my copyright?

You do not have to renew a copyright in a work created on or after January 1, 1978. For works **published** or **registered** before that date, you may file a renewal. This is a complex area, so get the advice of a knowledgeable copyright attorney.

Can foreigners register their works in the United States?

Yes. All works that are unpublished, regardless of the domicile or nationality of the **Author**, can be protected in the United States.

Yes, if the work was first **published** in the U.S.

Yes, if the work was first **published** in a country that has a copyright treaty with the U.S.

Yes, if the Author was domiciled in the U.S. when the work was **published** in the U.S.

Yes, if a citizen or legal resident of a country that has a copyright treaty with the U.S created the work.

No, if the work was published in a country that does not have a copyright treaty with the U.S. such as Bhutan, Iran, or Yemen.

How do I get an International Copyright?

There is no such thing, and anyway you don't need one. The United States has signed the Berne Convention, an international copyright treaty with over 150 other countries throughout the world. The U.S. honors foreign copyrights and vice versa.

I'm 16. Can a minor claim copyright?

Yes, there is no minimum age for an **Author**, as long as their contribution is an original expression in fixed form. However, each state has laws regulating business transactions that involve minors. Consult an attorney for advice on buying, selling, or using copyrights owned by a minor.

I've moved, do I have to tell the Copyright Office?

You are not required by law to do so. You may file a Form CA to correct an old address, or file a new registration form on another work with your new address. This essentially gets your new address into the database. See Copyright Office Circular 12 for other ways to update your information and the fees involved.

Does the Copyright Office sell my personal information?

No, but remember that part of the purpose of **registration** is to create a public record. The Copyright Office is open to the public, and anyone can search the records.

How do I get my song (book, play, movie, poster) published?

Good question, but that's something beyond the scope of this tutorial.

Is there a list of songs or movies in the public domain?

Every year thousands of works fall into **public domain**, however the Copyright Office does not keep a current list of these works. For any particular work, you can search the records in person, hire an attorney or have the Copyright Office run a search for you. Check the prices and procedures on the Copyright Office website.

I bought the painting. Doesn't that mean I own the copyright too?

No, there is a difference between owning the thing and having the right to make copies of the work. You need a separate written agreement to transfer ownership of the copyright in addition to the ownership of the painting.

I bought several copyrights from an author, how do I register them?

As long as the **transfer** is a valid written contract and signed by the **Author**, a **registration** can be filed with the Copyright Office listing you as the new **Copyright Owner**. Circular 12 covers the Recordation of Transfers and Other Documents.

No hable Inglés.

La Oficina del Derecho de Autor de los Estados Unidos tienes publicaciones en Español para autores. www.copyright.gov/circs/circ1-espanol.html

I'm just using a little bit of that song – that's fair use isn't it?

Probably not. To back up a claim of **fair use**, four questions must be asked.

1. What is the purpose and character of the use? Is it used for a commercial or nonprofit educational purpose?
2. What is the nature of the copyrighted work itself?
3. How much was taken?
4. How will this use affect the market for the copyrighted work?

Fair use is not permission to do what you want, but a legal defense in court after you have already been sued for copyright **infringement**. You better ask a copyright attorney for advice regarding **fair use** issues.

Oops, I filled out the form with the wrong information. What do I do?

File Form CA to correct or amplify information given to the Copyright Office in an earlier registration. It's not cheap, so check the website for the current fee.

I forgot to put the check in the envelope. I forgot to put the deposit copy in the envelope.

Applications and fees received without appropriate **deposit copies** will not be processed and ordinarily will be returned. Unpublished deposits without applications or fees ordinarily will be returned, as well. If you wish to register the work, you must deposit additional copies or phonorecords with your application and fee.

WHICH FORM DO I USE?

Most registrations will use one of these five forms:

- Form PA:** If the work could be performed in front of an audience, use this form. Categories include musical works & lyrics, dramatic works, and plays (including accompanying music), pantomimes, dance, motion pictures, videos, and other **audiovisual works**. Use the same form whether or not the work has been **published** (offered for sale to the public).
- Form SR:** Use this for **published** and unpublished **sound recordings**. These are works that result from the recording of musical, spoken, or other sounds, like special effects or bird calls. Form SR protects the recording, not the underlying work. Use Form PA if you want to register a movie soundtrack or the audio part of a filmstrip, because these are considered part of an **audiovisual work** as a whole.
- Form TX:** Use this form for published and unpublished non-dramatic **literary works**. Form TX is appropriate for written items like novels, short stories, poetry, essays, textbooks, nonfiction books, catalogues, compilations of information, databases, and computer programs. If the work is part of a newspaper, magazine, periodical, or serial, use Form SE.
- Form VA:** Pictorial, graphic, 2-dimensional, and sculptural works, including architectural works (**published** and unpublished) are registered using this form. Some of the items registered on this form include paintings, drawings, graphics, applied art, photographs, prints, art

reproductions, maps, globes, charts, technical drawings, diagrams, and models.

Designs, labels, and advertisements may be registered on Form VA, but the requirements are strict.

Remember the difference between copyright and patent. Copyright doesn't cover ideas or systems, because patent law protects them. You hold the copyright on a beautiful model of your invention, but registering that model on Form VA just protects the 3-dimensional object, not the invention.

Use Form VA if the copyrightable material in the work you are registering is mainly pictorial or graphic; use Form TX if it consists mainly of text with illustrations.

Form CON: This is not a registration form itself, but a continuation sheet if there is not enough space on Forms PA, SR, TX, or VA.

There are other specialized forms used for group contributions to periodicals and renewals of old (pre-1978) copyrights. If you need to file these, consult a copyright attorney.

Filing a Form SR is not the same as filing a Form PA. The PA protects the underlying composition. Think of it as a "sheet music" copyright. The Form SR protects the **sound recording** of the composition, not the composition itself.

For example, the copyright for the song *White Christmas* is registered on Form PA protecting the composition. Everyone who then covers the song (with proper licenses), could file a Form SR to register protection of the **sound recordings** of their voices singing *White Christmas*. They don't have rights to the sheet music, just their recorded performance of the tune.

There's always an exception to the rule. In certain cases, Form SR may also be used where the same **Copyright Claimant** is seeking simultaneous registration of the underlying musical, dramatic, or literary work embodied in a **phonorecord**. A Form SR is used for both the composition and the recording in Example 8.

EXAMPLES:

The following section contains several common situations with examples of how to fill out the corresponding Forms PA, SR, and CON.

- 1 **Form PA** – 1 Author, Unpublished Composition
- 2 **Form PA** – 1 Author, Revised Version Published
- 3 **Form PA & Form CON** – Unpublished Collection
- 4 **Form PA** – Foreign Joint Author with Pseudonym & Joint Author Agreement
- 5 **Form PA** – Derivative Work based on Public Domain
- 6 **Form PA** – Work for Hire
- 7 **Form SR** – Sound Recording of a Performance
- 8 **Form SR** – 1 Author, Registration of both Composition and Performance
- 9 **Form SR & Form CON** – Band Releases its own CD, Joint Author Agreement
- 10 **Form SR** – Label Releases a CD

Example 1: Short Form PA – 1 Author, Unpublished Composition

Cal Composer just met his new girlfriend. There's a melody rattling around his head, so he wrote an instrumental piece for her. Cal uses the short version of Form PA.

Space 1: Title of the Work

Cal named his work *I Think I Like You*. There is no alternative title.

Space 2: Name and Address of Author & Owner of the Copyright

Cal composed the melody by himself, so he is the only **Author**. He doesn't use a pen name (**pseudonym**), and doesn't want his work to be **anonymous**. Nobody hired him to write the melody, so it is not a **work for hire** situation. Any of these would require him to use the standard Form PA. He completes the section using his full name, *Calvin Coolidge Composer*, and address in the USA.

Space 3: Year of Creation

Creation is not the same as **publication**. Every work is created when it is in **fixed** format.

Space 4: Date and Nation of Publication

Cal created the tune, but he has not yet offered it for sale to the public, so it has not yet been **published**. He leaves the date and nation of publication information blank.

Space 5: Type of Authorship in This Work

In this example, the tune is an instrumental, so Cal just checks off the box for Music.

Space 6: Signature

Cal is the **Author**, so he checks off the box, and signs the form.

Space 7: Contact for Rights and Permissions

Cal is the one to contact, and the information is the same as he previously filled out in Space 2, so he checks off the box.

Space 8: Mailing Information

The registration certificate will be mailed to Cal at the address in the box.

Space 9: Deposit Account & Correspondence

Cal doesn't file enough registration forms to warrant the use of a deposit account, so he skips this space.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.



REGISTRATION NUMBER

PA PAU
Effective Date of Registration

Application Received

Deposit Received
One Two

Fee Received

Examined By

Correspondence

TYPE OR PRINT IN BLACK INK. DO NOT WRITE ABOVE THIS LINE.

Title of This Work: <small>Alternative title or title of larger work in which this work was published:</small>	1	I Think I Like You
Name and Address of Author and Owner of the Copyright: <small>Nationality or domicile: Phone, fax, and email:</small>	2	Calvin Coolidge Composer 1234 Main Street Anytown, ST 99999 Phone (000) 987-6543 Fax () Email: cccomposer@aol.com
Year of Creation:	3	2008
If work has been published, Date and Nation of Publication:	4	a. Date _____ Month _____ Day _____ Year _____ <small>(Month, day, and year all required)</small> b. Nation _____
Type of Authorship in This Work: <small>Check all that this author created.</small>	5	<input checked="" type="checkbox"/> Music <input type="checkbox"/> Other text (includes dramas, screenplays, etc.) <input type="checkbox"/> Lyrics <small>(If your work is a motion picture or other audiovisual work, use the Standard Form PA.)</small>
Signature: <small>(Registration cannot be completed without a signature.)</small>	6	<i>I certify that the statements made by me in this application are correct to the best of my knowledge.* Check one:</i> <input checked="" type="checkbox"/> Author <input type="checkbox"/> Authorized agent x Calvin C. Composer
Name and Address of Person to Contact for Rights and Permissions: <small>Phone, fax, and email:</small>	7	<input checked="" type="checkbox"/> Check here if same as #2 above. Phone () Fax () Email: _____

8 Certificate will be mailed in window envelope to this address:	Name ▼	Calvin C. Composer	9 Deposit Account # _____ Name _____ _____ _____ _____ DO NOT WRITE HERE Page 1 of _____ pages
	Number/Street/Apt ▼	1234 Main Street	
	City/State/Zip ▼	Anytown, ST 99999	

*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.
Form PA-Short Rev. 07/2006 Print: 07/2006 -- 000 Printed on recycled paper U.S. Government Printing Office: 2006-00000000-0000

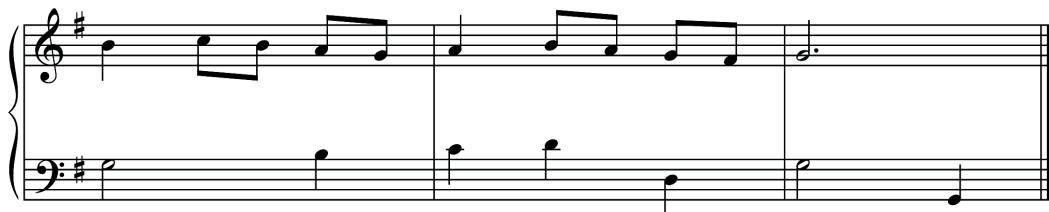
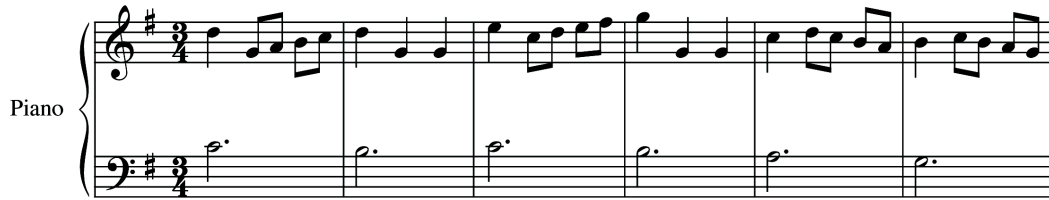
Deposit Copy and Fees

Since his tune was never released, it is **unpublished** and only one **deposit copy** is needed. He makes sure that the form is completely filled out and puts the title and his name and address on the sheet music. After making a copy of the application for his files, Cal puts one copy of the sheet music into the envelope along with the completed Form PA and a check payable to the Register of Copyrights. The envelope is addressed to:

Library of Congress Copyright Office 101 Independence Avenue, S. E. Washington, D.C. 20559-6000
--

I Think I Like You

Calvin C. Composer



Form PA deposit copy
© 2008 Calvin C. Composer 1234 Main Street Anytown, ST 99999

CALVIN C. COMPOSER 1234 Main St. Anytown ST 99999		4508 DATE <u>January 32, 2008</u>
PAY TO THE ORDER OF	<u>Register of Copyrights</u> <u>* * Forty - Five & 0/00 * *</u>	<u>\$ \$ 45.00</u> DOLLARS
9th National Bank Mid City Branch Anytown, ST		
<u>Form PA "I Think I Love You"</u>		<u>Calvin C. Composer</u> 0632 5711 9926 4508 77

Cal can expect to get his registration certificate back from Washington in 4 to 6 months.



The **deposit copy** sent with the your application becomes the property of the Library of Congress. **Be sure to keep a deposit copy for yourself.**

Example 2: Form PA – 1 Author, Revised Version Published

Calvin later re-worked his original melody and added lyrics to his instrumental. He gave permission to a local band to record the song on their CD that was recently released. Now Cal wants to register his claim in the new, **published** version of the song. Most of the Form PA for the new version will be identical to his first short form PA application with a few important exceptions.

Space 1: Title, Previous or Alternative Titles, Nature of this Work

The title of the new version goes into the first blank. The title of the old instrumental is considered the previous title. This new version has both words and music.



Someone may not know the “official” title of your work, so list additional titles. Most people remember a song by its first line, or the hook, even though that might not be your title.

Space 2: Name of Author

This section has the same information as Cal’s first application. However he must add that he created *both the lyrics and the music* because he’s claiming **Authorship** of *both*.

Space 3: Dates of Creation and Publication

Even though the melody was written first, Cal just recently added the lyrics. The **creation** date is the year when he completed this particular version (words and music), even though an earlier instrumental version exists.

The **Author** or **Copyright Owner** controls the creation of copies and their sale. The Copyright Law defines **publication** as *distribution of copies to the public by sale or rental*. A work is also considered published if there was an offer to distribute copies to a middleman for further distribution to the general public or public performance.

Cal's friends had his written permission to record the song for the first time for their album. Since anyone can buy a CD containing Cal's song, his work is considered published as of the first day the CD went on sale in the USA.



You can't file a registration form claiming a future date as the publication date.

Space 4: Copyright Claimant

Cal wrote the music and the lyrics by himself, so he is the only **Author** and thus the only **Copyright Claimant**.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.



For best results, fill in the form on-screen and then print it.

REGISTRATION NUMBER

PA PAA
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

I'M PRETTY SURE I LIKE YOU

PREVIOUS OR ALTERNATIVE TITLES ▼

I THINK I LIKE YOU

NATURE OF THIS WORK ▼ See instructions

words and music

2

NAME OF AUTHOR ▼

a Calvin Coolidge Composer

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼
1984 - -

Was this contribution to the work a "work made for hire"?

Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country

OR { Citizen of USA
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

words and music

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NAME OF AUTHOR ▼

b Was this contribution to the work a "work made for hire"?

Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country

OR { Citizen of
Domiciled in

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

c Was this contribution to the work a "work made for hire"?

Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country

OR { Citizen of
Domiciled in

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3

a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2008

This information must be given in all cases.

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Month February Day 30 Year 2008

United States Nation

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Calvin C. Composer
1234 Main Street
Anytown, ST 99999

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of _____ pages

Space 5: Previous Registration

In this example, the melody was previously registered in the Copyright Office, so Cal checks off the “Yes” box. It is the policy of the Copyright Office to assign only one registration number to a work, so the applicant must explain why he’s seeking another **registration**.

If the band had just recorded Cal’s first instrumental version, he would check off box 5(a) for the now **published** work.

This case is a bit different. Cal built on his old work. He added lyrics to his instrumental, so he checks off box 5(c) and gives the previous registration number and year.



Note that his prior registration number will start with the letters “PAu” which stands for a Form PA unpublished work. Registration numbers for **published** musical works start with the letters PA.

Space 6: Derivatives

Cal’s new composition used his pre-existing material, namely his melody. He lists the pre-existing material and that he added lyrics.

Space 7: Deposit Account & Correspondence

No deposit account for Cal yet, so he skips this section.

Space 8: Certification

Calvin signs the form as the Author.

Mailing Information

The address box will show through a window in the envelope containing the registration certificate from Washington.

EXAMINED BY _____	FORM PA
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE	FOR
Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?
 Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼ If your answer is No, do not check box A, B, or C. 5

a. This is the first published edition of a work previously registered in unpublished form.
b. This is the first application submitted by this author as copyright claimant.
c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: **Previous Registration Number** ▼ PAu 000-000 **Year of Registration** ▼ 2008

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation. 6
Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

music

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼ 7

lyrics added

See instructions before completing this space.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account. 8
Name ▼ _____ **Account Number** ▼ _____

n/a

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼ 9

Calvin C. Composer
1234 Main Street
Anytown, ST 99999

Area code and daytime telephone number (000) 987-6543 Fax number () _____
Email cocomposer@aol.com

CERTIFICATION* I, the undersigned, hereby certify that I am the 10

Check only one ▶ { author
 other copyright claimant
 owner of exclusive right(s)
 authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive right(s) ▲
of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Calvin C. Composer Date Feb. 31, 2008

Handwritten signature (X) ▼ 11

x Calvin C. Composer

Certificate will be mailed in window envelope to this address:	Name ▼ <u>Calvin C. Composer</u>	YOU MUST: • Complete all necessary spaces • Sign your application in space 8 SEND ALL 3 ELEMENTS IN THE SAME PACKAGE: 1. Application form 2. Nonrefundable filing fee in check or money order payable to Register of Copyrights 3. Deposit material MAIL TO: Library of Congress Copyright Office 101 Independence Avenue SE Washington, DC 20559-6000	12
	Number/Street/Apt ▼ <u>1234 Main Street</u>		
	City/State/Zip ▼ <u>Anytown, ST 99999</u>		

*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Form PA - Full Rev: 07/2006 Print: 07/2006 - xx,000 Printed on recycled paper U.S. Government Printing Office: 2006-xxx-xxxx/60,xxx

Deposit Copy and Fees

The deposit copy requirement is different for **published** and unpublished works. Because his work is now **published**, Cal must send in two copies of his sheet music, or two CD's or cassettes containing his song. He can't send in the band's whole CD because he's not claiming **Authorship** of all the compositions on the band's CD. Cal burns his tune on three CD's. He could either rip the band's recording or perform the song himself. Remember that this copyright registration is for the composition, not the sound recording of its performance.

He makes sure that the form is completely filled out, putting the title and his name and address on two CD's. The form, check and both CD's are mailed to the Copyright Office. Cal keeps the third CD for his files.



Example 3: Form PA & Form CON – Unpublished Collection

Cal's creative juices are flowing and he's writing songs all the time. He knows that even though he holds the copyright from the moment he created these works, he should file for **registration**. But there's just so many, and at \$45.00 per registration, it would be very expensive.

The solution is for Cal to file his compositions as an unpublished collection under these guidelines:

- The elements of the collection must be assembled in an orderly form;
- The combined elements must bear a single title identifying the collection as a whole;
- The **Copyright Claimant** in all the elements and in the collection as a whole is the same; and
- All the elements are by the same **Author**, or, if they are by different authors, at least one of the authors has contributed copyrightable authorship to each element.

Space 1: Title & Nature of the Work

Cal decides to name his collection of 5 pieces *The Songs of Spring*. He prints out another Form PA, but soon realizes that there is not enough room for the individual titles of all the songs that comprise his collection. He starts out on Space 1, but has to use Form CON to list all the titles. Cal includes his name in an alternative title for his collection.



It's a good idea to include your name as part of a collection's title because an unpublished collection is not indexed under the individual contents, but under the title of the collection.

Space 2: Name of Author

No change.

Space 3: Dates of Creation and Publication

Although the songs were written over a period of time, the date of **creation** is the year when this collection was completed. This collection has not been released for sale to the public yet, so it is not **published**.

Space 4: Copyright Claimant

Cal wrote all of the individual songs that comprise his collection, so he is the only **Copyright Claimant**.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

For best results, fill in the form on-screen and then print it.

REGISTRATION NUMBER

PA PAA
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼ **SONGS OF SPRING COLLECTION**

PREVIOUS OR ALTERNATIVE TITLES ▼
Calvin C. Composer: Songs of Spring

NATURE OF THIS WORK ▼ See instructions
words and music

2

a NAME OF AUTHOR ▼
Calvin Coolidge Composer

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼
1984 - -

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of **USA**
Domiciled in _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
words and music

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

b NAME OF AUTHOR ▼
Was this contribution to the work a "work made for hire"?
 Yes
 No
AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of _____
Domiciled in _____

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

c NAME OF AUTHOR ▼
Was this contribution to the work a "work made for hire"?
 Yes
 No
AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of _____
Domiciled in _____

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3

a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED
2008 Year

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Month _____ Day _____ Year _____ Nation _____
Complete this information ONLY if this work has been published.

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
**Calvin C. Composer
1234 Main Street
Anytown, ST 99999**

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED
FUNDS RECEIVED

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of _____ pages

For best results, fill in the form on-screen and then print it.

Continuation Sheet for Application Forms

C Form _____ / CON
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

- This Continuation Sheet is used in conjunction with Forms CA, PA, SE, SR, TX, and VA only. Indicate which basic form you are continuing in the space in the upper right-hand corner.
- Try to fit the information called for into the spaces provided on the basic form.
- If you do not have enough space on the basic form, use this Continuation Sheet, and submit it with the basic form.
- If you submit this Continuation Sheet, clip (do not tape or staple) it to the basic form and fold the two together before submitting them.
- **Space A of this sheet is intended to identify the basic application. Space B is a continuation of space 2 on the basic application. Space B is not applicable to Short Forms. Space C (on the reverse side of this sheet) is for the continuation of Spaces 1, 4, or 6 on the basic application or for the continuation of Space 1 on any of the three Short Forms PA, TX, or VA.**

PA	PAU	SE	SEG	SEU	SR	SRU	TX	TXU	VA	VAU
----	-----	----	-----	-----	----	-----	----	-----	----	-----

EFFECTIVE DATE OF REGISTRATION

(Month) (Day) (Year)

CONTINUATION SHEET RECEIVED

Page _____ of _____ pages

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

IDENTIFICATION OF CONTINUATION SHEET: This sheet is a continuation of the application for copyright registration on the basic form submitted for the following work:

- TITLE: Give the title as given under the heading "Title of this Work" in space 1 of the basic form.

A
Identification of Application

SONGS OF SPRING COLLECTION

- NAME(S) AND ADDRESS(ES) OF COPYRIGHT CLAIMANT(S): Give the name and address of at least one copyright claimant as given in space 4 of the basic form or space 2 of any of the Short Forms PA, TX, or VA.

Calvin C. Composer 1234 Main Street Anytown, ST 99999

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

B
Continuation of Space 2

d

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of ► _____
Domiciled in ► _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by the author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

e

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of ► _____
Domiciled in ► _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by the author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

f

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of ► _____
Domiciled in ► _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by the author in which copyright is claimed. ▼

Use the reverse side of this sheet if you need more space for continuation of spaces 1, 4, or 6 of the basic form or for the continuation of Space 1 on any of the Short Forms PA, TX, or VA.

CONTINUATION OF (Check which): Space 1 Space 4 Space 6

C

Continuation
of other
Spaces

Songs of Spring Collection:
Spring Is Springing
Winter Has Gone
Blooms In My Garden
Gotta Cut Them Weeds
Summer Is Coming

Certificate
will be
mailed in
window
envelope
to this
address:

Name ▼	Calvin C. Composer
Number/Street/Apt ▼	1234 Main Street
City/State/Zip ▼	Anytown, ST 99999

YOU MUST:

- Complete all necessary spaces
- Sign your application

**SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE:**

1. Application form
2. Nonrefundable fee in check or money order payable to Register of Copyrights
3. Deposit Material

MAIL TO:

Library of Congress, Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

D

Space 5: Previous Registration

No previous registration.

Space 6: Derivatives & Compilations

This collection of songs is not a **compilation**. A **compilation** is a selection of preexisting materials arranged in such a way that *the resulting work as a whole constitutes an original work of authorship*. Cal did not select and edit preexisting materials by other **Authors**.

Space 7: Deposit Account & Correspondence

No change.

Space 8: Certification

No change.

Mailing Information

No change.



Double check to make sure that the name and address information given on both sides of Form PA is consistent with the Form CON continuation sheet, your payment check, and the deposit copy.

EXAMINED BY _____	FORM PA
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE	FOR COPYRIGHT OFFICE USE ONLY
Yes	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?
 Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼ If your answer is No, do not check box A, B, or C.
a. This is the first published edition of a work previously registered in unpublished form.
b. This is the first application submitted by this author as copyright claimant.
c. This is a changed version of the work, as shown by space 6 on this application.
If your answer is "Yes," give: **Previous Registration Number** ▼ **Year of Registration** ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.
Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

n/a

a 6

See instructions before completing this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

n/a

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ **Account Number** ▼

n/a

a 7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name / Address / Apt / City / State / Zip ▼

Calvin C. Composer
1234 Main Street
Anytown, ST 99999

Area code and daytime telephone number (000) 987-6543 Fax number ()
Email cccomposer@aol.com

b

CERTIFICATION* I, the undersigned, hereby certify that I am the

- Check only one ▶ author
 other copyright claimant
 owner of exclusive right(s)
 authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Calvin C. Composer Date May 32, 2008

Handwritten signature (X) ▼



x

Calvin C. Composer

Certificate will be mailed in window envelope to this address:

Name ▼	Calvin C. Composer
Number/Street/Apt ▼	1234 Main Street
City/State/Zip ▼	Anytown, ST 99999

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

9

*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Deposit Copy and Fees

This collection is unpublished, so Cal needs only one deposit copy with his fee. Either he can submit the sheet music for the individual pieces that make up his collection, or he can perform the compositions himself on a tape or CD. Remember he's registering the compositions, not the **sound recording** of his performance.



Example 4: Form PA – Foreign Joint Author with Pseudonym

Cal has decided to work with a Canadian songwriter named Reginald Postlethwaite Smythe. He is better known by his stage name, or **pseudonym**, “Atomic Reggie.” For their first **joint work** Cal wrote the music and Reggie wrote the lyrics. For a **joint work** each element must be copyrightable in itself. Cal and Reggie’s song meets this requirement.

If a work has **Joint Authors**, it is assumed that there is **joint ownership** of the copyright from the moment of **creation**. Even though Reggie wrote the words and Cal composed the music, they agreed to merge their contributions into a unified whole. Thus each **Author** is considered to have an equal split of the ownership of the entire work.

It’s best if the **Authors** enter into a **Joint Author Agreement** clearly stating how the copyright ownership is split. Anytime there is more than one **Joint Author**, it is assumed that each owns an equal portion. This is not always the case. See the Kit for a sample agreement.

Joint Author Agreement

JOINT AUTHOR AGREEMENT

The parties listed below desire to collaborate in the writing of a musical work (herein called the Composition) entitled **I LOVE YOU MORE THAN MY GUITAR.**

The parties undertake to create the Composition jointly. It is their intention that their individual contributions be merged into inseparable or interdependent parts of a unitary whole. The copyright in the Composition shall be secured and held jointly by the co-authors in the percentages listed below. All income, licensing fees, and royalties from the Composition, as well as from any and all subsidiary rights of every kind, shall be divided as follows:

To Calvin C. Composer Fifty percent (50%)

To Reginald P. Smythe (a/k/a "Atomic Reggie") Fifty percent (50%)

Each party shall keep the others fully informed of the progress of all negotiations had in connection with licensing negotiations, or the disposition of any subsidiary rights therein. No license for the use or publication of the Composition, or for the disposition of any subsidiary rights therein, shall be valid without the signature of all parties.

All moneys, as and when due, shall be paid directly to the parties at their respective addresses herein stated.

In all advertisements, credits, posters, or other printed matter used in connection with the Composition, the names of the parties shall be equally announced as joint authors. In no event shall any name appear without the others.

All expenses, which may reasonably be incurred under this agreement, shall be mutually agreed upon in advance, and shall be shared according to the percentage of interest of the parties.

Nothing herein contained shall be construed to create a partnership between the co-authors. Their relation shall be one of collaboration on a single Composition.

The term of this agreement shall be the life of the copyright in the Composition and any renewals thereof.

After the death of a joint author, the survivor(s) shall cause to be paid to the estate of the decedent the decedent's share of the proceeds of the Composition and of subsidiary rights therein, and furnish to the deceased co-authors' estate a true copy of all agreements pertaining thereto.

This agreement shall be to the benefit of, and shall be binding upon, the executors, administrators and assigns of the parties.

Agreed this 14th day of June, 2008.

Calvin C. Composer

Calvin C. Composer
1234 Main Street
Anytown, ST 99999 USA
Telephone (000) 987-6543
Social Security # 444-44-4444
Date of Birth: April 8, 1984
Performing Rights Society BMI

Reginald P. Smythe

Reginald P. Smythe
1789 McQuade Place
Victoria, BC V8X 4Y6 Canada
Telephone (999) 555-5555
Social Security # n/a
Date of Birth: August 5, 1985
Performing Rights Society: SOCAN

Space 1: Title & Nature of the Work

This is straightforward. Cal wrote the music and Reggie wrote the words.

Space 2: Name of Author

Since Atomic Reggie writes under his **pseudonym**, his real name is listed here along with his pen name. Although the Copyright Office allows applicants to leave this space blank, it is not a good idea. **Anonymous** and **pseudonymous** works have a

different term of copyright if the **Authors** are not identified. Here Cal lists Reggie's real name and also clearly discloses his pseudonym. Reggie is a foreign citizen, so that information is also given.

Space 3: Dates of Creation and Publication

The parts of a **joint work** do not have to be written simultaneously. The joint work is **created** when the two parts are merged into a unitary whole.

Space 4: Copyright Claimant

Cal list both himself and Reggie as **Copyright Claimants** listing both their addresses. **Joint Authorship** usually means **Joint Ownership** in equal portions, or as stated in the Joint Author Agreement.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.



For best results, fill in the form on-screen and then print it.

REGISTRATION NUMBER _____

PA _____ PAU _____

EFFECTIVE DATE OF REGISTRATION

Month _____ Day _____ Year _____

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼
I LOVE YOU MORE THAN MY GUITAR

PREVIOUS OR ALTERNATIVE TITLES ▼ _____

NATURE OF THIS WORK ▼ See instructions
words and music

2 a NAME OF AUTHOR ▼ **Calvin Coolidge Composer** DATES OF BIRTH AND DEATH
 Year Born ▼ **1984** Year Died ▼ **--**

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE
 Name of Country: **USA**
 OR { Citizen of **USA**
 Domiciled in _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
 Anonymous? Yes No
 Pseudonymous? Yes No

NOTE
 Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
composer of music

2 b NAME OF AUTHOR ▼ **Reginald Postlethwaite Smythe whose pseudonym is "Atomic Reggie"** DATES OF BIRTH AND DEATH
 Year Born ▼ **1985** Year Died ▼ **--**

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE
 Name of Country: **CANADA**
 OR { Citizen of **CANADA**
 Domiciled in _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
 Anonymous? Yes No
 Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
author of lyrics

2 c NAME OF AUTHOR ▼ _____ DATES OF BIRTH AND DEATH
 Year Born ▼ _____ Year Died ▼ _____

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE
 Name of Country: _____
 OR { Citizen of _____
 Domiciled in _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
 Anonymous? Yes No
 Pseudonymous? Yes No

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **2008** This information must be given in all cases. **3 b** DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
 Month _____ Day _____ Year _____ Nation _____

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Calvin C. Composer 1234 Main Street Anytown, ST 99999 USA	Reginald P. Smythe 1789 McQuade Place Victoria, BC V8X 4Y6 Canada
--	--

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED _____
 ONE DEPOSIT RECEIVED _____
 TWO DEPOSITS RECEIVED _____
 FUNDS RECEIVED _____

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
 • See detailed instructions. • Sign the form at line 8. DO NOT WRITE HERE
Page 1 of _____ pages

Space 5: Previous Registration

None.

Space 6: Derivatives & Compilations

None.

Space 7: Deposit Account & Correspondence

Cal is better at dealing with paperwork, so he lists his contact address.

Space 8: Certification

Cal is a **Joint Author**, so he can sign the application. It's not necessary for Reggie to sign, too.

Mailing Information

The registration certificate will be mailed to Cal's address.

EXAMINED BY _____	FORM PA
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE	FOR
Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?
 Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼ If your answer is No, do not check box A, B, or C.
a. This is the first published edition of a work previously registered in unpublished form.
b. This is the first application submitted by this author as copyright claimant.
c. This is a changed version of the work, as shown by space 6 on this application.
If your answer is "Yes," give: **Previous Registration Number** ▼ **Year of Registration** ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.
Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

n/a

a 6

See instructions before completing this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

n/a

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ **Account Number** ▼

n/a

a 7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name / Address / Apt / City / State / Zip ▼

Calvin C. Composer
1234 Main Street
Anytown, ST 99999

Area code and daytime telephone number (000) 987-6543 Fax number ()
Email cccomposer@aol.com

b

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▶ author
 other copyright claimant
 owner of exclusive right(s)
 authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Calvin C. Composer

Date June 31, 2008

Handwritten signature (X) ▼



x

Calvin C. Composer

Certificate will be mailed in window envelope to this address:

Name ▼	Calvin C. Composer
Number/Street/Apt ▼	1234 Main Street
City/State/Zip ▼	Anytown, ST 99999

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

9

*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Deposit Copy and Fees

One copy of the unpublished sheet music or CD goes with the application and fee to Washington D.C.



Reggie does not need to file another application back home in Canada. The Canadian courts will recognize and uphold the U.S. copyright.



Example 5: Form PA – Derivative Works

Cal is much better at writing music than writing lyrics. While looking for inspiration, he runs across a collection of Shakespeare’s sonnets and decides to set a poem to music. Since all of Shakespeare’s work is in the **public domain**, Cal is free to adapt the sonnet and add his music to the pre-existing work. If he had chosen a poem that was still in copyright (or not in the **public domain**), he would have to get the permission of the poet, because the right to make a **derivative work**, such as setting a poem to music, is held by the **Copyright Owner**.

Space 1: Title & Nature of the Work

Since the sonnet is in the **public domain**, Cal can name his composition anything he wishes.

Space 2: Name of Author

Cal can only claim **Authorship** in what he created, namely the music he added to the verse. He doesn’t have to list Shakespeare as a **Joint Author**.

Space 3: Dates of Creation and Publication

Although the sonnet was written first (in 1609), the date of **creation** is the date that Cal added the music to the poetry; that is when the new work was created.

Space 4: Copyright Claimant

Cal is the sole **Copyright Claimant** to the music only; the sonnet still remains in the public domain for anyone else to use or adapt.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

For best results, fill in the form on-screen and then print it.

REGISTRATION NUMBER

PA PAU
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

WHAT SHOULD I DO BUT TEND

PREVIOUS OR ALTERNATIVE TITLES ▼

Sonnet 57

NATURE OF THIS WORK ▼ See instructions

words and music

2

NAME OF AUTHOR ▼

a Calvin Coolidge Composer

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼
1984 - -

Was this contribution to the work a "work made for hire"?

Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country
OR { Citizen of USA
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No
Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

composer of music

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NAME OF AUTHOR ▼

b

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country
OR { Citizen of
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No
Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

c

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country
OR { Citizen of
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No
Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3

a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2008 Year

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Month Day Year Nation

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Calvin C. Composer
1234 Main Street
Anytown, ST 99999

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of _____ pages

Space 5: Previous Registration

None. Shakespeare didn't file a copyright claim.

Space 6: Derivatives & Compilations

Here Cal lists the preexisting work and details the changes he made.

Space 7: Deposit Account & Correspondence

No change.

Space 8: Certification

Cal signs the certification. Shakespeare can't claim a copyright in the **derivative** work, because his sonnet is in **public domain**. If the sonnet was still protected by copyright, Shakespeare or his heirs would have to approve Cal's derivative use.

EXAMINED BY _____	FORM PA
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE	FOR COPYRIGHT OFFICE USE ONLY
Yes	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?
 Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼ If your answer is No, do not check box A, B, or C.
a. This is the first published edition of a work previously registered in unpublished form.
b. This is the first application submitted by this author as copyright claimant.
c. This is a changed version of the work, as shown by space 6 on this application.
If your answer is "Yes," give: **Previous Registration Number** ▼ **Year of Registration** ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.
Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

William Shakespeare's Sonnet No. 57

a 6
See instructions before completing this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

music added to existing poem

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ **Account Number** ▼

n/a

a 7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name / Address / Apt / City / State / Zip ▼

Calvin C. Composer
1234 Main Street
Anytown, ST 99999

Area code and daytime telephone number (000) 987-6543 Fax number ()
Email cccomposer@aol.com

b

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▶ author
 other copyright claimant
 owner of exclusive right(s)
 authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Calvin C. Composer

Date July 32, 2008

Handwritten signature (X) ▼



x

Calvin C. Composer

Certificate will be mailed in window envelope to this address:

Name ▼	Calvin C. Composer
Number/Street/Apt ▼	1234 Main Street
City/State/Zip ▼	Anytown, ST 99999

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

9

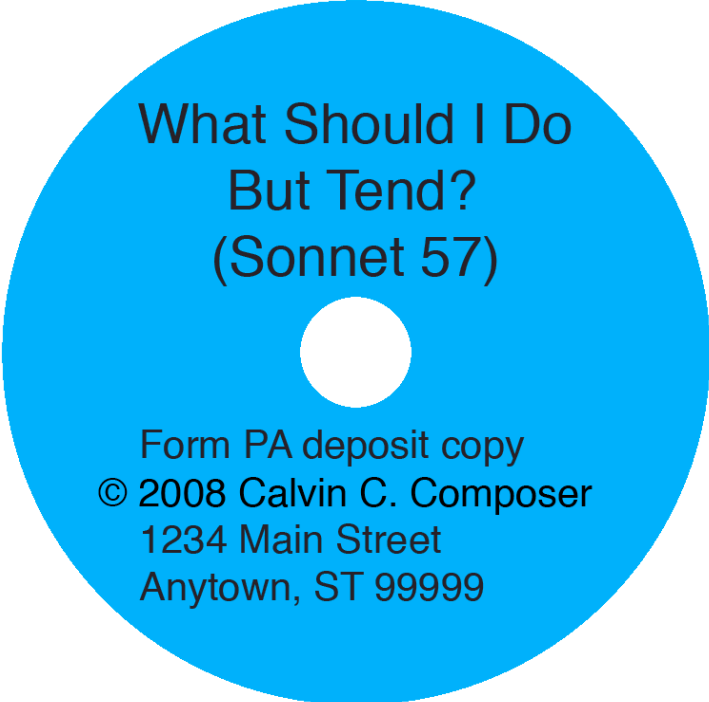
*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Mailing Information

The registration certificate will be mailed to Cal, not William Shakespeare.

Deposit Copy and Fees

Since the work is still unpublished, only one copy of the CD or sheet music goes to Washington D.C. Don't forget to write the title of the work on the check to the Copyright Office.



What Should I Do
But Tend?
(Sonnet 57)

Form PA deposit copy
© 2008 Calvin C. Composer
1234 Main Street
Anytown, ST 99999

Example 6: Form PA – Work For Hire

Cal's success leads him to get a job writing jingles professionally. Since he is employed to write music, anything he creates in the course and scope of his job is a **work for hire**. Although Cal is the **Author**, he is not the **Copyright Owner**. By law, Cal's **Employer** (World Wide Burger Empire) owns the copyright.

Before work starts on the jingle, Cal signed the following Work for Hire Agreement with World Wide Burger Empire, Inc.

WORK FOR HIRE AGREEMENT

THIS AGREEMENT MADE by and between **Calvin C. Composer** (hereinafter referred to as "*Employee*") and **World Wide Burger Empire, Inc.** (hereinafter referred to as "*Employer*") for the creation of a "work for hire" as defined under §101 of the 1976 Copyright Act of the United States.

Description of the authorized work for hire :

Have a Burger for Breakfast Advertising Jingle

Employee further acknowledges that Employer is considered the author of the work and Employer is the exclusive owner of copyright in each work made for hire, and of all rights comprised in copyright, and that Employer shall have the right to exercise all rights of copyright ownership with respect thereto, including but not limited to all exclusive rights specified in 17 U.S.C. § 106.

It is further understood that all materials, data, property and other items used in the creation of this commissioned work remain the property of Employer, and that Employer retains all rights in these materials, and that Employee may use these materials only for the creation of the commissioned work for hire. Any unauthorized copying or other use of these materials or the commissioned work by anyone other than Employee for this specific commission will be considered an infringement of Employer's copyright.

In the event that the commissioned work is not considered a "work for hire", then it shall be deemed that Employee has assigned to Employer any and all existing copyrights therein throughout the United States and the world, and any and all rights of every kind, nature or description attaching to or which may attach to said work and/or embraced by or included in the copyright and any renewal and/or extension thereof, and any actions that may accrue from the date of creation thereof; in the United States and the world.

Thus done and signed August 1, 2008.

EMPLOYEE:

Calvin C. Composer

Calvin C. Composer

1234 Main Street

Anytown, ST 99999

Social Security # 444-44-4444

Date of Birth April 8, 1984

EMPLOYER:

William "Bill" Barrister, Esq.

World Wide Burger Empire, Inc.

by: William Barrister, its attorney

1776 Extra Cheese Blvd.

Cowtown, ST 99999

Space 1: Title & Nature of the Work

Cal wrote the catchy tune to the *Have A Burger for Breakfast* jingle used in the company's advertising campaign.

Space 2: Name of Author

Cal's jingle is a **work for hire**, so the box is checked "Yes." Calvin is an employee, so his **Employer** is the **Author**. The date of birth is blank since Cal's contribution was a **work for hire**. The work was not created **anonymously** or under a **pseudonym**. Corporations are not citizens, but are domiciled in the U.S.

Space 3: Dates of Creation and Publication

Even though the jingle is in a popular TV commercial, you can't buy a copy of it, so the work is unpublished. *Public performance does not equal publication.*

Space 4: Copyright Claimant

The corporation is the **Author** for this work for hire, so it is the **Copyright Claimant**. Usually copyright in a work belongs initially to the **Author** of the work, but in a **work for hire**, the **Employer** or other person for whom the work was prepared is the **Author**. The **Copyright Claimant** is either the **Author** of the work or a person or organization to whom the copyright initially belonging to the **Author** has been transferred. A brief statement explaining how the claimant(s) obtained ownership of the copyright is needed, as done here. There is no need to attach the Work For Hire contract itself to the Form PA.



Since the law states that an **Author** owns the copyright upon the **fixation** of his expression in tangible form, a contract to make a **work for hire** has to be *signed before the work is created.*

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

For best results, fill in the form on-screen and then print it.

REGISTRATION NUMBER

PA PAU
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼
Have a Burger for Breakfast Jingle

PREVIOUS OR ALTERNATIVE TITLES ▼
none

NATURE OF THIS WORK ▼ See instructions
music

2 a NAME OF AUTHOR ▼ **World Wide Burger Empire, Inc.** DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼
employer for hire of Calvin C. Composer

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of _____
Domiciled in **USA**

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
composer of music

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

b NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of _____
Domiciled in _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

c NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of _____
Domiciled in _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **2008** Year This information must be given in all cases.

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Month _____ Day _____ Year _____ Nation _____
Complete this information ONLY if this work has been published.

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼ **World Wide Burger Empire, Inc.**
1776 Extra Cheese Blvd.
Cowtown, ST 99999

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼
by written work for hire agreement

APPLICATION RECEIVED _____
ONE DEPOSIT RECEIVED _____
TWO DEPOSITS RECEIVED _____
FUNDS RECEIVED _____

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ▶ • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of _____ pages

Space 5: Previous Registration

None.

Space 6: Derivatives & Compilations

The music for this jingle is totally original and not a derivative.

Space 7: Deposit Account & Correspondence

World Wide Burger Empire's law firm has filed this application for registration listing their attorney's contact information.

Space 8: Certification

The corporation's attorney, Bill Barrister, signs the form as an authorized agent for World Wide Burger Empire, Inc.

Mailing Information

The registration certificate will be mailed to Bill Barrister's law firm.

EXAMINED BY _____	FORM PA
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE	FOR COPYRIGHT OFFICE USE ONLY
Yes	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?
 Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼ If your answer is No, do not check box A, B, or C.
a. This is the first published edition of a work previously registered in unpublished form.
b. This is the first application submitted by this author as copyright claimant.
c. This is a changed version of the work, as shown by space 6 on this application.
If your answer is "Yes," give: **Previous Registration Number** ▼ **Year of Registration** ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.
Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

not applicable

a 6

See instructions before completing this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

n/a

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ **Account Number** ▼

n/a

a 7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name / Address / Apt / City / State / Zip ▼

Bill Barrister, Esq.
Dewey, Cheatham & Howe - Attorneys at Law
4321 State Avenue Suite 504
Cowtown, ST 99999

b

Area code and daytime telephone number (000) 000-0000 Fax number (000) 000-0001
Email

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▶ author
 other copyright claimant
 owner of exclusive right(s)
 authorized agent of World Wide Burger Empire, Inc.
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

William Barrister, Esq. Date August 32, 2008

Handwritten signature (X) ▼



x

William Barrister

Certificate will be mailed in window envelope to this address:

Name ▼	Bill Barrister, Esq. Dewey, Cheatham & Howe
Number/Street/Apt ▼	Attorneys at Law 4321 State Avenue Suite 504
City/State/Zip ▼	Cowtown, ST 99999

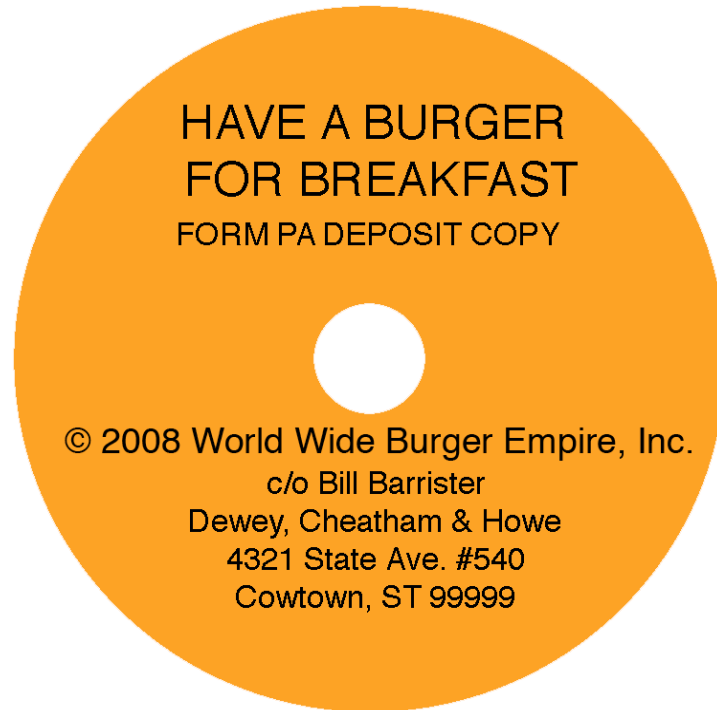
YOU MUST:
• Complete all necessary spaces
• Sign your application in space 8
SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:
1. Application form
2. Nonrefundable filing fee in check or money order payable to *Register of Copyrights*
3. Deposit material
MAIL TO:
Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

9

*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Deposit Copy and Fees

This work is unpublished, so Mr. Barrister sends a single deposit copy of either the sheet music or a CD or tape along with the application Form PA and a check for the registration fee. The Copyright Office does not need a copy of Cal's Work For Hire employment agreement.



Example 7: Form SR – Sound Recording of a Performance

Penny Nicholls is a concert pianist. Through diligent practice and dedication to technique, she can play Chopin’s *Minute Waltz* in only 58 seconds, a world record. She wants to sell her own recording to launch her career.

Penny is registering her copyright in her musical performance, not the underlying composition, so she uses Form SR for the **sound recording**.

Space 1: Title & Nature of the Work

Penny gives the formal title of the piece along with its nickname.

Space 2: Name of Author

Penny did not write the composition, but she is the **Author** of the **sound recording**. The Copyright law defines **Authorship** in **sound recordings** as the *performance and/or sound production which is fixed on tape*.

Space 3: Dates of Creation and Publication

Although Chopin wrote the *Minute Waltz* in 1847, the important date here is the date of **creation** of Penny’s **sound recording**, which is the year she finished editing and mixing her home studio recording. A CD has not yet been released to the public for sale, so the work remains unpublished.

Space 4: Copyright Claimant

Penny is the **Author** of the sound recording and thus the **Copyright Owner** and **Copyright Claimant** from the moment her performance were recorded on tape.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

REGISTRATION NUMBER

For best results, fill in the form on-screen and then print it.

SR SRU
EFFECTIVE DATE OF REGISTRATION
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼ **MINUTE WALTZ**

PREVIOUS, ALTERNATIVE, OR CONTENTS TITLES (CIRCLE ONE) ▼

Waltz in D Flat, Op. 64 No. 1 Frederic Chopin

2 a NAME OF AUTHOR ▼ **Penny Nicholls** DATES OF BIRTH AND DEATH
Year Born **1985** Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of ▶ **USA**
Domiciled in ▶ _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
author of sound recording

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

b NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of ▶ _____
Domiciled in ▶ _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

c NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of ▶ _____
Domiciled in ▶ _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **2008** **b** DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
This information must be given in all cases. Complete this information ONLY if this work has been published. Month ▶ _____ Day ▶ _____ Year ▶ _____
Year Nation

4 a COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼ **Penny Nicholls**
77 Sunset Strip
Anytown, ST 99999

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED
FUNDS RECEIVED

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ▶ • Complete all applicable spaces (numbers 5–9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8. **DO NOT WRITE HERE**
Page 1 of _____ pages



The back pages of most copyright forms ask for identical information.

Space 5: Previous Registration

Penny has not registered this particular sound recording before.

Space 6: Derivatives & Compilations

This is not a derivative work, just a performance.

Space 7: Deposit Account & Correspondence

Penny lists her contact information.

Space 8: Certification

Penny is the **Author** of the **sound recording**, since she is the performer and producer.

Mailing Information

The registration certificate will be mailed to Penny.

EXAMINED BY _____	FORM SR
CHECKED BY _____	
CORRESPONDENCE	FOR
<input type="checkbox"/> Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
- a. This work was previously registered in unpublished form and now has been published for the first time.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a
not applicable

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b
not applicable

6
See instructions before completing this space.

DEPOSIT ACCOUNT If the registration fee is to be charged to a deposit account established in the Copyright Office, give name and number of Account.

Name ▼ Account Number ▼
a not applicable

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

b
Penny Nicholls
77 Sunset Strip
Anytown, ST 99999
(000) 000-1110
Area code and daytime telephone number (000) 000-1111
Fax number
Email sixcents@comcast.net

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

- author owner of exclusive right(s)
- other copyright claimant authorized agent of _____
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Penny Nicholls Date October 32, 2008

Handwritten signature ▼

Penny Nicholls

Certificate will be mailed in window envelope to this address

Name ▼	Penny Nicholls
Number/Street/Apt ▼	77 Sunset Strip
City/State/Zip ▼	Anytown, ST 99999

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

9

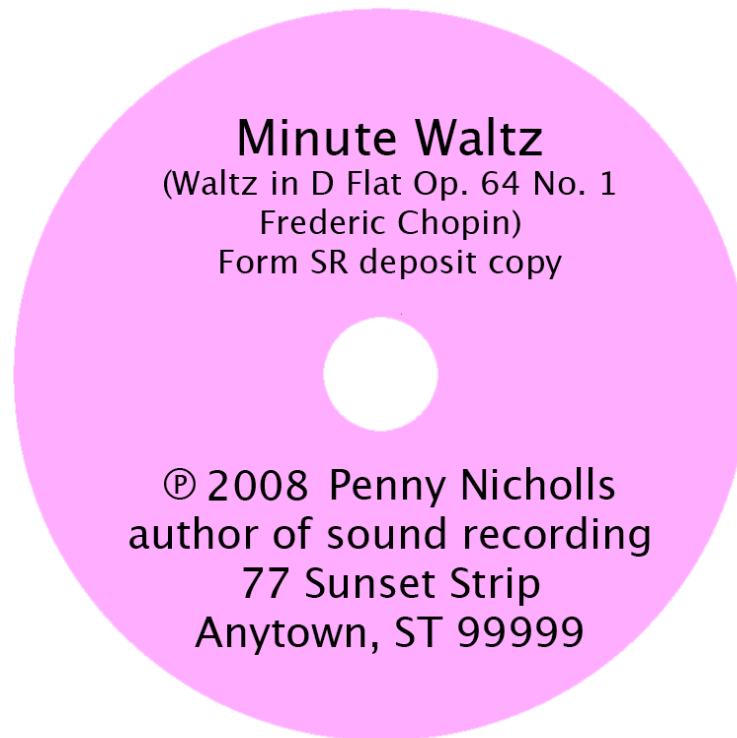
*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Deposit Copy and Fees

This work is unpublished, so only one **deposit copy** is needed with her fee and Form SR. Penny could send a cassette, 45 or LP, but it's much easier for her to burn a CD for the Copyright Office.



Penny's copyright notice is not the familiar © which would protect a musical composition, but the Form SR "P in a circle" (P) symbol which is the indication of a copyright claim in a sound recording.



Example 8: Form SR – Composition and Performance

Penny decides to record and sell performances of her own original composition while on tour. She has two options to obtain complete protection:

File a Form PA to register her copyright in the composition alone

AND File a Form SR to protect her recorded musical performance alone

OR File a Form SR to cover both

Since she is both the **Author** of the **sound recording** as the sole performer, and **Author** of the compositions as the sole composer, she can protect both on Form SR. This also saves her from having to pay a second registration fee.

Space 1: Title & Nature of the Work

Penny gives the title, and specifically lists the two parts of her copyright claim, both the authorship of the underlying composition and the sound recording of her performance of the music.

Space 2: Name of Author

Penny is the **Author** of the composition, plus she is the **Author** of the **sound recording**. A single registration for both can be filed only if the **Copyright Claimant** is the same for both the sound recording and the underlying composition.



In this case, the authorship statement in Space 2 should clearly state that Penny's claim covers both her musical composition and her recorded performance.

Space 3: Dates of Creation and Publication

Penny's CD was pressed and sent to distributors for future release to the public for sale.

The work is published as of the date she sent it to the distributors, whether or not anyone later buys it. **Publication** includes the offering to distribute phonorecords to a group of persons for purposes of further distribution.

Space 4: Copyright Claimant

Penny is the **Author** and thus the **Copyright Owner** and **Copyright Claimant**.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

For best results, fill in the form on-screen and then print it.

REGISTRATION NUMBER

SR SRU
EFFECTIVE DATE OF REGISTRATION
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼
PIANO SUITE IN A MAJOR, Opus 1, No. 1
PREVIOUS, ALTERNATIVE, OR CONTENTS TITLES (CIRCLE ONE) ▼

2 a NAME OF AUTHOR ▼ **Penny Nicholls** DATES OF BIRTH AND DEATH
Year Born **1985** Year Died ▼
Was this contribution to the work a "work made for hire"?
 Yes No
AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of **USA**
Domiciled in _____
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.
NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
composer of music and author of sound recording

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

b NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼
Was this contribution to the work a "work made for hire"?
 Yes No
AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of _____
Domiciled in _____
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.
NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

c NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼
Was this contribution to the work a "work made for hire"?
 Yes No
AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of _____
Domiciled in _____
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.
NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **2008** This information must be given in all cases. **b** DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Complete this information ONLY if this work has been published. Month **November** Day **12** Year **2008**
United States of America Nation

4 a COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼ **Penny Nicholls**
77 Sunset Strip
Anytown, ST 99999
TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼
b

APPLICATION RECEIVED
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED
FUNDS RECEIVED

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ▶ • Complete all applicable spaces (numbers 5–9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8. **DO NOT WRITE HERE**
Page 1 of _____ pages

Except for the application date, the back page for this application is identical to the previous example.

Space 5: Previous Registration

Penny has not registered this particular sound recording previously.

Space 6: Derivatives & Compilations

This is not a **derivative** work, because both the composition and the sound recording are wholly original.

Space 7: Deposit Account & Correspondence

Penny lists her contact information.

Space 8: Certification

Penny is the **Author** of the composition and the **sound recording**, since she is both the performer and the record producer as listed in Space 2a.

Mailing Information

The registration certificate will be mailed to Penny.

EXAMINED BY _____	FORM SR
CHECKED BY _____	
CORRESPONDENCE	FOR
<input type="checkbox"/> Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
- a. This work was previously registered in unpublished form and now has been published for the first time.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a
not applicable

6
See instructions before completing this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b
not applicable

DEPOSIT ACCOUNT If the registration fee is to be charged to a deposit account established in the Copyright Office, give name and number of Account.

a
not applicable

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

b

Penny Nicholls
77 Sunset Strip
Anytown, ST 99999
(000) 000-1110

Area code and daytime telephone number
Email **sixcents@comcast.net**

Fax number (000) 000-1111

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

- author owner of exclusive right(s)
- other copyright claimant authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Penny Nicholls

Date **November 13, 2008**

Handwritten signature ▼

Penny Nicholls

Certificate will be mailed in window envelope to this address

Name ▼	Penny Nicholls
Number/Street/Apt ▼	77 Sunset Strip
City/State/Zip ▼	Anytown, ST 99999

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to *Register of Copyrights*
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

9

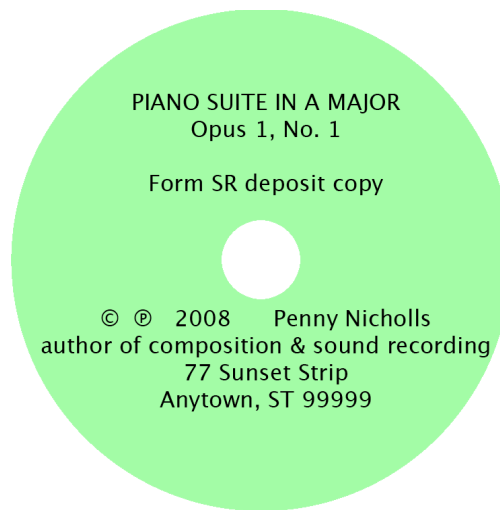
*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Deposit Copy and Fees

Since the CD was offered to distributors for later retail sale, the work has been **published**. Two CD's should be submitted to the Copyright Office with Form SR and the application fee.



Note that the deposit copy uses both copyright notices, the © for Penny's composition, and the ℙ for the sound recording of her performance. The deposit copies reflect her authorship of both elements.



Example 9: Form SR & Form CON – Band Releases its own CD

A power trio (named *Les Stooges Trois*) wants to press a CD to sell from the bandstand. Some of the songs were written or co-written by band members, some are covers. They get production help from Ted, a buddy who is a studio engineer, but not a songwriter.

Since all the **Authors** of the compositions are not the same as all the **Authors** of the **sound recording**, a single Form SR cannot be used. The composers must file Form PA's for their individual compositions, and the band must file a Form SR for its performance.



A mechanical license and/or right of first publication must be obtained from the composers whose songs appear on the record. Covering a copyrighted tune on a record without permission and payment is **infringement**.

Space 1: Title & Nature of the Work

The trio & Ted have created a musical sound recording. Ordinarily record labels hold the **sound recording** copyright (Form SR ©) while a songwriter (or music publishing company) owns the Form PA © copyright in the compositions performed on the record.

Space 2: Name of Author

There are four **Authors** here, so a Form CON is needed for Ted's information. Without a written agreement to the contrary, the four individuals are **Joint Authors** of the sound recording and each owns an undivided 25% interest in the copyright. Since there was no specific written employment contract signed before the recording session, Ted's contribution cannot be a **work for hire**.

In this example, the four individuals decided not to split their ownership evenly, so they signed a Joint Author Agreement with a 30% - 30% - 30% - 10% division of ownership. A sample form for this agreement is included in the Kit.



A Joint Authorship Agreement can be used for compositions, sound recordings, and anything that is copyrightable. The agreement must be signed before the **fixation** of the work. In short – *sign the contract before the tape rolls.*

JOINT AUTHOR AGREEMENT

The parties listed below desire to collaborate in the creation of a sound recording (herein called “the CD”) entitled NUTS TO SOUP.

The parties undertake to create the sound recording jointly. It is their intention that their individual contributions be merged into inseparable or interdependent parts of a unitary whole. The copyright in the CD shall be secured and held jointly by the co-authors in the percentages listed below. All income, licensing fees, and royalties from the CD, as well as from any and all subsidiary rights of every kind, shall be divided as follows:

<u>To</u>	<u>Moe Howard</u>	<u>Thirty percent (30%)</u>
<u>To</u>	<u>Larry Fine</u>	<u>Thirty percent (30%)</u>
<u>To</u>	<u>Curly Howard</u>	<u>Thirty percent (30%)</u>
<u>To</u>	<u>Ted Healy</u>	<u>Ten percent (10%)</u>

Each party shall keep the others fully informed of the progress of all negotiations had in connection with licensing negotiations, or the disposition of any subsidiary rights therein. No license for the use or publication of the CD, or for the disposition of any subsidiary rights therein, shall be valid without the signature of all parties.

All moneys, as and when due, shall be paid directly to the parties at their respective addresses herein stated.

In all advertisements, credits, posters, or other printed matter used in connection with the CD, the names of the parties shall be equally announced as joint authors. In no event shall any name appear without the others.

All expenses which may reasonably be incurred under this agreement shall be mutually agreed upon in advance, and shall be shared according to the percentage of interest of the parties.

Nothing herein contained shall be construed to create a partnership between the co-authors. Their relation shall be one of collaboration on a single CD.

The term of this agreement shall be the life of the copyright in the CD and any renewals thereof.

After the death of a joint author, the survivor(s) shall cause to be paid to the estate of the decedent the decedent's share of the proceeds of the CD and of subsidiary rights therein, and furnish to the deceased co-authors' estate a true copy of all agreements pertaining thereto.

This agreement shall be to the benefit of, and shall be binding upon, the executors, administrators and assigns of the parties.

Agreed this 1st day of November, 2008.

Moe Howard

Larry Fine

Curly Howard

Ted Healy

Space 3: Dates of Creation and Publication

The date of publication is the release date of the CD.

Space 4: Copyright Claimant

All four individuals are **Copyright Claimants**, so all four names are listed.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

REGISTRATION NUMBER

For best results, fill in the form on-screen and then print it.

SR SRU
EFFECTIVE DATE OF REGISTRATION
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼
NUTS TO SOUP
PREVIOUS, ALTERNATIVE, OR CONTENTS TITLES (CIRCLE ONE) ▼

2 a NAME OF AUTHOR ▼ **Moe Howard** DATES OF BIRTH AND DEATH
Year Born ▼ **1970** Year Died ▼ **- -**
Was this contribution to the work a "work made for hire"?
 Yes No
AUTHOR'S NATIONALITY OR DOMICILE
Name of Country **USA**
OR { Citizen of ► **USA**
Domiciled in ► _____
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
co-author of sound recording

b NAME OF AUTHOR ▼ **Larry Fine** DATES OF BIRTH AND DEATH
Year Born ▼ **1971** Year Died ▼ **- -**
Was this contribution to the work a "work made for hire"?
 Yes No
AUTHOR'S NATIONALITY OR DOMICILE
Name of Country **USA**
OR { Citizen of ► **USA**
Domiciled in ► _____
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
co-author of sound recording

c NAME OF AUTHOR ▼ **Curly Howard** DATES OF BIRTH AND DEATH
Year Born ▼ **1972** Year Died ▼ **- -**
Was this contribution to the work a "work made for hire"?
 Yes No
AUTHOR'S NATIONALITY OR DOMICILE
Name of Country **USA**
OR { Citizen of ► **USA**
Domiciled in ► _____
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
co-author of sound recording

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **2008** This information must be given in all cases. **b** DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Month ► **November** Day ► **31** Year ► **2008**
United States of America Nation

4 a COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
Moe Howard, Larry Fine, Curly Howard, Ted Healy
88 Bluebird Lane Anytown ST 99999
TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼
b

APPLICATION RECEIVED
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED
FUNDS RECEIVED

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ► • Complete all applicable spaces (numbers 5–9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8. **DO NOT WRITE HERE**
Page 1 of _____ pages

For best results, fill in the form on-screen and then print it.

Continuation Sheet for Application Forms



REGISTRATION NUMBER

- This Continuation Sheet is used in conjunction with Forms CA, PA, SE, SR, TX, and VA only. Indicate which basic form you are continuing in the space in the upper right-hand corner.
- Try to fit the information called for into the spaces provided on the basic form.
- If you do not have enough space on the basic form, use this Continuation Sheet, and submit it with the basic form.
- If you submit this Continuation Sheet, clip (do not tape or staple) it to the basic form and fold the two together before submitting them.
- **Space A of this sheet is intended to identify the basic application. Space B is a continuation of space 2 on the basic application. Space B is not applicable to Short Forms. Space C (on the reverse side of this sheet) is for the continuation of Spaces 1, 4, or 6 on the basic application or for the continuation of Space 1 on any of the three Short Forms PA, TX, or VA.**

PA	PAU	SE	SEG	SEU	SR	SRU	TX	TXU	VA	VAU
----	-----	----	-----	-----	----	-----	----	-----	----	-----

EFFECTIVE DATE OF REGISTRATION

(Month) (Day) (Year)

CONTINUATION SHEET RECEIVED

Page _____ of _____ pages

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

IDENTIFICATION OF CONTINUATION SHEET: This sheet is a continuation of the application for copyright registration on the basic form submitted for the following work:

- TITLE: Give the title as given under the heading "Title of this Work" in space 1 of the basic form.

A

Identification
of
Application

NUTS TO SOUP

- NAME(S) AND ADDRESS(ES) OF COPYRIGHT CLAIMANT(S): Give the name and address of at least one copyright claimant as given in space 4 of the basic form or space 2 of any of the Short Forms PA, TX, or VA.

Moe Howard 88 Bluebird Land Anytown, ST 99999

NAME OF AUTHOR ▼

d Ted Healy

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

1974 - -

B

Continuation
of Space 2

Was this contribution to the work a "work made for hire"?

Yes

No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ► USA

Domiciled in ► _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No

Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by the author in which copyright is claimed. ▼

co-author of sound recording

NAME OF AUTHOR ▼

e

Was this contribution to the work a "work made for hire"?

Yes

No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ► _____

Domiciled in ► _____

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No

Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by the author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

f

Was this contribution to the work a "work made for hire"?

Yes

No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ► _____

Domiciled in ► _____

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No

Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by the author in which copyright is claimed. ▼

Use the reverse side of this sheet if you need more space for continuation of spaces 1, 4, or 6 of the basic form or for the continuation of Space 1 on any of the Short Forms PA, TX, or VA.

CONTINUATION OF (Check which): Space 1 Space 4 Space 6

C

Continuation
of other
Spaces

n/a

Certificate
will be
mailed in
window
envelope
to this
address:

Name ▼	Moe Howard
Number/Street/Apt ▼	88 Bluebird Land
City/State/Zip ▼	Anytown, ST 99999

YOU MUST:

- Complete all necessary spaces
- Sign your application

**SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE:**

1. Application form
2. Nonrefundable fee in check or money order payable to Register of Copyrights
3. Deposit Material

MAIL TO:

Library of Congress, Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

D

Space 5: Previous Registration

None.

Space 6: Derivatives & Compilations

None.

Space 7: Deposit Account & Correspondence

Moe usually takes care of the paperwork for the band, so he lists his address.

Space 8: Certification

Although Moe is acting as on behalf of the three others, he is also an **Author**, and therefore can sign as such.

Mailing Information

The Form SR registration certificate (including Form CON) will be mailed to Moe at his address. He is not claiming the whole copyright himself. Instead, the four **Joint Authors** are listed in Space 4.

EXAMINED BY _____	FORM SR
CHECKED BY _____	
CORRESPONDENCE	FOR
<input type="checkbox"/> Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
- a. This work was previously registered in unpublished form and now has been published for the first time.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

5

If your answer is "Yes," give: **Previous Registration Number** ▼ **Year of Registration** ▼

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a none

6

See instructions before completing this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b none

DEPOSIT ACCOUNT If the registration fee is to be charged to a deposit account established in the Copyright Office, give name and number of Account.

Name ▼ **Account Number** ▼

a n/a

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. **Name/Address/Apt/City/State/Zip** ▼

b

Moe Howard
88 Bluebird Land
Anytown, ST 99999
(999) 000-1234 Fax number (999) 000-4321
Area code and daytime telephone number
Email lesstoogestros@hotmail.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

- author owner of exclusive right(s)
- other copyright claimant authorized agent of

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Moe Howard Date December 3, 2008

Handwritten signature ▼

Moe Howard

Certificate will be mailed in window envelope to this address

Name ▼	Moe Howard
Number/Street/Apt ▼	88 Bluebird Land
City/State/Zip ▼	Anytown, ST 99999

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to *Register of Copyrights*
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

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*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Deposit Copy and Fees

The envelope must contain Form SR and Form CON, along with two CD's and a check for thirty dollars. The four **Joint Authors** are listed on the deposit copy as well. Since this is a Form SR registration for the **sound recording** only, the © symbol is the appropriate copyright notice.



Example 10: Form SR – Label Releases a CD

After the moderate success of their first album, *Les Stooges Trois* went back into the studio to cut another CD without Ted. An independent label, Very Noisy Records, Inc., wants to buy the copyright in order to press and distribute the album. Moe, Larry, and Curly assign their sound recording copyright to the label. Very Noisy Records releases the CD and files a registration form. Before releasing the album, the label still needs to obtain a mechanical license and/or right of first publication from the individual composers and/or their publishing companies.

The Assignment of Copyright needs to be signed by all three **Authors** of the **sound recording**. It usually is a part of the contract the band signs with the label.

This is *not* a **Work For Hire** situation. The band did not sign a recording contract with the label *before* they cut the album. This is a buyout of the sound recording copyright.

*Note that 35 years from now, the **Joint Authors** and/or their heirs will have a right to **terminate** this assignment to Very Noisy Records and reclaim the copyright. Termination of a **Work For Hire** agreement is not permitted.*

ASSIGNMENT OF COPYRIGHT

KNOW ALL MEN BY THESE PRESENTS, the undersigned copyright Owners:

Name:	Moe Howard	Larry Fine	Curly Howard
Address:	88 Bluebird Lane Anytown, ST 99999	same address	same address
SS # :	111-11-1111	222-22-2222	33-33-3333
d/o/b:	Jan. 1, 1970	March 5, 1971	Sept. 18, 1972

for and in consideration of the sum of Thirty Thousand Dollars (\$30,000.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby assign, transfer and set over to the Assignee:

Name: Very Noisy Records, Inc.

Address: 757 Abbey Road Suite 201
Anytown, ST 99999
Telephone: (123) 456-7890
Tax ID #: 00-0000000

Description : Sound recording created in 2008 entitled *PICK TWO* created and authored by Assignors together with any and all Assignors' existing copyrights therein throughout the United States and the world, and any and all Assignors' rights of every kind, nature or description attaching to or which may attach to said work and/or embraced by or included in the copyright and any renewal and/or extension thereof, and any actions that may accrue from the date of creation thereof; in the United States and the world.

IN WITNESS WHEREOF, the undersigned have executed the foregoing instrument on December 23, 2008, Anytown, ST

Moe Howard
ASSIGNOR Moe Howard

Frank Fandango
ASSIGNEE Very Noisy Records, Inc.
By: Frank Fandango, President

Larry Fine
ASSIGNOR Larry Fine

Curly Howard
ASSIGNOR Curly Howard

Space 1: Title & Nature of the Work

Very Noisy Records is filing for registration of its **sound recording** copyright in *Pick Two*.

Space 2: Name of Author

The three members of the band are the **Authors** of the **sound recording**. Due to the Assignment they signed, they are no longer the **owners**. **Authorship** is still important for two reasons; the three individuals (or their heirs) have the right to

terminate the assignment to Very Noisy Records. The length of copyright protection in a joint work lasts for the life of the last surviving **Joint Author** plus seventy (70) years, even though the copyright was sold to Very Noisy Records.

Space 3: Dates of Creation and Publication

The master tape was finished in 2008, but the CD was released the next year. The date of **publication** is the release date of the CD, not the **creation** date, nor the date of the Assignment of its copyright to Very Noisy Records.

Space 4: Copyright Claimant

Very Noisy Records Inc. is the **Copyright Claimant**, but not the **Author**, so it has to briefly explain the basis of its claim. In this case, there is a written assignment of the copyright to Very Noisy.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

REGISTRATION NUMBER

For best results, fill in the form on-screen and then print it.

SR SRU
EFFECTIVE DATE OF REGISTRATION
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼ **PICK TWO**
PREVIOUS, ALTERNATIVE, OR CONTENTS TITLES (CIRCLE ONE) ▼

2 a NAME OF AUTHOR ▼ **Moe Howard** DATES OF BIRTH AND DEATH
Year Born ▼ **1970** Year Died ▼ **- -**
Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country **USA**
OR { Citizen of ► **USA** Domiciled in ► _____
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
co-author of sound recording

b NAME OF AUTHOR ▼ **Larry Fine** DATES OF BIRTH AND DEATH
Year Born ▼ **1971** Year Died ▼ **- -**
Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country **USA**
OR { Citizen of ► **USA** Domiciled in ► _____
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
co-author of sound recording

c NAME OF AUTHOR ▼ **Curly Howard** DATES OF BIRTH AND DEATH
Year Born ▼ **1972** Year Died ▼ **- -**
Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country **USA**
OR { Citizen of ► **USA** Domiciled in ► _____
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
co-author of sound recording

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **2008** This information must be given in all cases. **b** DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Month ► **January** Day ► **31** Year ► **2009**
United States of America Nation

4 a COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼ **Very Noisy Records, Inc.**
757 Abbey Road Suite 201
Anytown, ST 99999
TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼
b **by written assignment of copyright**

APPLICATION RECEIVED
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED
FUNDS RECEIVED

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page. • Sign the form at line 8. DO NOT WRITE HERE
Page 1 of _____ pages

Space 5: Previous Registration

Les Stooges Trois could have filed a Form SR on their unpublished sound recording in 2008 before they assigned it, but they did not register their copyright, so this space is marked “No.”

Space 6: Derivatives & Compilations

None. The sound recording is totally original and contains no samples or remixes of prior recordings.

Space 7: Deposit Account & Correspondence

Very Noisy Records files a lot of registration forms, so they maintain a Deposit Account with the Copyright Office. Frank handles the paperwork and is fully authorized by his company to sign all deals and to file all registrations.

Space 8: Certification

Very Noisy Records is the **Copyright Claimant** because of the Assignment of Copyright. The label now owns all the rights granted under Section 106 of the Copyright Act. *Frank Fandango filed the registration form in April, but within three months of the January publication; so the effective date of protection against infringers is retroactive to the January release date.*

Mailing Information

The certificate will be mailed to Very Noisy Records, the new owner of the copyright.

EXAMINED BY _____	FORM SR
CHECKED BY _____	
CORRESPONDENCE	FOR
<input type="checkbox"/> Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
- a. This work was previously registered in unpublished form and now has been published for the first time.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

5

If your answer is "Yes," give: **Previous Registration Number** ▼ **Year of Registration** ▼

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a none

6

See instructions before completing this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b none

DEPOSIT ACCOUNT If the registration fee is to be charged to a deposit account established in the Copyright Office, give name and number of Account.

Name ▼ **a Very Noisy Records** Account Number ▼ **000-00-0000-00**

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CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

b **Frank Fandango**
Very Noisy Records, Inc.
757 Abbey Road Suite 201
Anytown, ST 99999
 Area code and daytime telephone number **(123) 456-7890** Fax number **(123) 098-7654**
 Email **frank@verynoisys.com**

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

- author owner of exclusive right(s)
- other copyright claimant authorized agent of _____
- Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Frank Fandango Date **April 15, 2009**

Handwritten signature ▼

Frank Fandango

Certificate will be mailed in window envelope to this address

Name ▼ **Very Noisy Records, Inc.**
 Number/Street/Apt ▼ **757 Abbey Road Suite 201**
 City/State/Zip ▼ **Anytown, ST 99999**

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to *Register of Copyrights*
3. Deposit material

MAIL TO:

Library of Congress
 Copyright Office
 101 Independence Avenue SE
 Washington, DC 20559-6000

9

*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Deposit Copy and Fees

Frank grabs 2 CD's from the warehouse and mails them as the **deposit copies** with the Form SR.

The three music publishing companies (Silly Tunes, HaHa Music Pub. Co., and Howard's End Music) have to file individual Form PAs for their tunes.



DEFINITIONS

The full legal definitions of terms can be found in Section 101 of the Copyright Act [17 U.S.C. §101].

Actual Damages

If the registration was filed after an infringement, the Copyright Owner is limited to recovering his actual damages from the infringer and the infringer's additional profits. That's why Authors should always register their claims to copyright.

Anonymous Work

A work in which no natural person is identified as **Author**.

Audiovisual Work

A series of related images intended to be shown by the use of a machine, together with accompanying sound like **motion pictures** and videos.

Author

The creator of the original expression in a work is its **Author**. In **works for hire**, the employer or commissioning party is considered to be the **Author**.

Collective Work

A periodical, anthology, or encyclopedia, in which a number of contributions, constituting separate and independent works in themselves, are assembled into a unified whole.

Compilation

A work formed by the collection and assembling of preexisting materials or of data that are selected, coordinated, or arranged in such a way that the resulting work as a whole constitutes an original work of authorship. The term **compilation** includes **collective works**.

Copies

Material objects, (like books, sheet music, tapes, and floppy disks) other than **phonorecords**, in which a work is fixed by any method now known or later developed, and from which the work can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.

Copyright Owner (Copyright Claimant)

The owner of any or all of the exclusive rights granted under Section 106 of the Copyright Law. The **Author** is also the owner of copyright unless there is a written agreement by which the **Author** assigns the copyright to another person or entity, such as a publisher.

Creation

When a work is **fixed** in a tangible **copy** or **phonorecord** for the first time.

Deposit Copy

One copy (if unpublished) or two copies (if **published**) of the work to be registered for copyright. In certain cases such as works of the visual arts, identifying material such as a photograph may be used instead. The **deposit copy** is sent with the application and fee and becomes the property of the Library of Congress.

Derivative Work

A work based upon one or more preexisting works, such as a translation, musical arrangement, dramatization, fictionalization, **motion picture** version, **sound recording**, art reproduction, abridgment, condensation, or any other form in which a work may be recast, transformed, or adapted.

Digital Audio Transmissions

Since 1995 copyright owners of sound recordings have enjoyed an exclusive right to perform publicly their copyrighted work by means of a digital audio transmission, subject to certain limitations under the Digital Millennium Copyright Act of 1998. Digital audio transmissions include satellite broadcasts, streaming audio, and webcasts.

Distribution

When copies or phonorecords are offered for sale or lease to a group of wholesalers, broadcasters, or motion picture theaters, **publication** takes place if the purpose is further distribution, public performance, or public display.

Employer

The **Copyright Owner** of a work **made for hire**.

Fair Use

The use of a copyrighted work for the purposes of criticism, comment, news reporting, teaching, scholarship, or research, is not an **infringement** of copyright. **Fair Use** (17 U.S. Code §107) is a defense used when someone is sued for copyright **infringement**, not free rein to do anything you want.

Fixation

Fixation occurs when an **Author** puts the work in a tangible medium of expression sufficiently permanent to permit it to be perceived, reproduced, or otherwise communicated for a period of more than transitory duration. A machine or device (like a CD player, VCR, computer, or even a player piano) may be used to perceive the work.

Infringement

Copyright **infringement** occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a **derivative work** illegally or without the permission of the **Copyright Owner**.

Infringement Penalties

An **Author** or **Copyright Owner** who has **registered** his claim to a copyright can sue an infringer. A federal court may grant an injunction to prevent reproduction and **distribution** of the infringing items. These items may also be impounded and destroyed. If the date of **registration** was before the **infringement**, the **Copyright Owner** has the choice of asking the court to order the defendant to pay statutory damages and attorneys fees or repay the actual damages suffered. Statutory damages run from \$750 to \$30,000. In certain cases, they may drop to \$200 or rise to \$150,000.

If the **registration** was filed after an **infringement**, the **Copyright Owner** is limited to recovering his actual damages from the infringer and the infringer's additional profits. That's why **Authors** should always register their claims to copyright.

Joint Authors & Joint Owners

All the **Authors** are equal owners of the copyright in a **joint work** from the moment of its **creation**. A Joint Author Agreement should be signed if the ownership is not evenly split.

Joint Works

A work prepared by two or more **Joint Authors** with the intention that their contributions be merged into inseparable or interdependent parts of a unitary whole. Each portion must be independently copyrightable. That is, each part must be an original, fixed expression of an Author.

Literary Works

Works expressed in words, numbers, or other verbal or numerical symbols or indicia, regardless of the nature of the material objects, in which they are embodied such as books, periodicals, manuscripts, phonorecords, film, tapes, disks, or cards. **Audiovisual works** are not **literary works**.

Motion Pictures

Audiovisual works consisting of a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any.

Notice of Copyright

An identifier placed on copies of the work to inform the world of copyright ownership that generally consists of the symbol or word “copyright (or copr.),” the year of first **publication**, and the name of the **Copyright Owner**, for example: © 2009 John Doe

Its use is now optional, but still a good idea. Use of a copyright notice does not necessarily mean that **registration** of the **Author's** claim to the work was made with the Copyright Office.

Phonorecord

A material object in which a **sound recording** is embodied. It may be anything capable of reproducing sound such as vinyl LP's, compact discs, cassette tapes, microchips, a floppy disk containing an MP3 file, or even an 8 track tape.

Pseudonymous Work

Works where the **Author** is identified under a fictitious name.

Public Domain

When a work's copyright has expired, or if it fails to meet the requirements for copyright protection, it may be used freely without requiring the permission of the former **Copyright Owner**.

Public Performance and Display

To perform or display a work "publicly" means to perform or display it at a place open to the public (excluding a normal circle of family and friends; or transmit a performance or display of the work to the public. Don't confuse **public performance** with **publication**.

Publication

Distribution of **copies** or **phonorecords** of a work to the public by sale or other transfer of ownership, or by rental, lease, or lending. The sale of phonorecords

constitutes publication of the underlying work, for example, the musical, dramatic, or literary work embodied in a phonorecord.

By itself, a public performance or display of a work does not constitute **publication**. Since the material object does not change hands, a television broadcast is not a publication no matter how many people are exposed to the work.

Generally, publication occurs on the date on which copies of the work are first made available to a group of wholesalers for sale to the public. Publication is not required for **registration**.

Registration

The act of filing your application of a claim of **Copyright Ownership** with the Copyright Office. When the registration is complete, you'll receive a certificate from the Copyright Office with the registration number. The certificate is a copy of your application form on the Copyright Office's letterhead.

Sound Recordings

Works that result from the **fixation** of a series of musical, spoken, or other sounds, but not including the sounds accompanying a **motion picture** or other **audiovisual work**, regardless of the nature of the material objects, such as disks, tapes, or other **phonorecords**, in which they are embodied.

Termination of Transfer of Copyright

For assignments of copyright made after January 1, 1978, the **Author** (or his widow and heirs) may cancel the **transfer** after thirty-five (35) years. Termination is not available in the case of a **work for hire**. Detailed procedures for termination of a **transfer** are explained in §203 of the Copyright Act.

Transfer of Copyright

An assignment, mortgage, exclusive license, or any other sale of a copyright or of any of the exclusive rights comprised in a copyright, but not including a nonexclusive license. The assignment must be in writing and signed by the **owner** of the rights conveyed or such owner's duly authorized agent.

A copyright may also be transferred by operation of law and may be bequeathed by will or pass as personal property under applicable state laws.

Registration of a transfer of **copyright ownership** in the Copyright Office is not required, but it provides legal and business advantages.

Work For Hire

This is an exception to the general rule that the person who creates the work is its **Author**, and thus the **Copyright Owner**. If a work is made by an employee within the scope of their employment, or it was a specially commissioned contribution to a collective work, a part of a **motion picture** or other audiovisual work, a translation, a supplementary work, a compilation, an instructional text, a test, answer material for a test, or an atlas, it may be a work for hire. The **Employer** or commissioning party is considered to be the **Author** and thus the **Copyright Owner**.

SPECIAL CASES

Copyright is a complex legal field. This guide is a brief overview of the practical steps for registration of your claims to your works. There are limitless variations on the examples listed above.

Please seek the advice of an attorney that specializes in copyright for these issues:

- architectural works
- blanket licenses
- commissioned works
- compulsory licenses
- covering someone else's songs on your CD (§115)
- death of an author or joint author
- deposit accounts
- divorce of an author
- expedited searches
- fair use
- first publication
- first sale
- groups of contributions to periodicals (Form GR/CP)
- infringement
- inheritance
- licensing
- mask works (computer chips)
- mechanical rights (§115)
- moral rights in foreign countries
- ownership searches
- performing rights societies (ASCAP, BMI, SESAC)
- public domain
- publishing contracts signed before 1978
- renewals

- retransmission by cable systems
- restoration of copyright under URAA
- royalties
- satellite broadcasts
- serials
- sound recordings made before February 15, 1972
- statutory licenses
- termination of transfers
- translations
- trademarks
- wills
- works created before 1978
- works first published in foreign countries
- works for hire

QUICK REFERENCE CHART OF APPLICABLE FORMS:

<u>For this type of work:</u>	<u>Use this form:</u>
applied art	VA
art reproductions	VA
audiovisual work	PA
book	TX
catalogues	TX
charts	VA
choreography	PA
compilations of information	TX
computer programs	TX
databases	TX
diagrams	VA
dramas	PA
essay	TX
globes	VA
graphic	VA
graphics	VA
journals	TX
magazines	SE
maps	VA
models	VA
motion picture	PA
motion picture soundtrack	PA
multimedia (audio & book)	SR
music	PA

musical play	PA
newspaper	SE
non-dramatic works	TX
nonfiction books	TX
novel	TX
opera	PA
pantomime	PA
periodicals	SE
photographs	VA
pictorial	VA
poem	TX
prints	VA
sculptures	VA
short stories	TX
song lyrics	PA
speech	PA
technical drawings	VA
textbook	TX
three-dimensional works	VA
two-dimensional works	VA
words and music	PA
works of fine art	VA
written items	TX

REGISTRATION FORM CHECKLIST:

Every copyright registration form asks for the same basic information in the same spaces. Take a few minutes before you start to answer these questions:

- Space 1 What is the title of the work?
Does it have another title?
What is the nature of the work?
- Space 2 Who created it? Was it a **work for hire**?
How many **Authors** contributed?
What was each one's contribution?
What are their real names?
When were they born?
Are they still alive?
Are they U.S. citizens?
Did they use their real or pen names?
Is a Joint Author Agreement needed?
- Space 3 When was it completed?
Was it released for sale to the public (**published**)?
What was the release date?
Where was it published?
- Space 4 Who's the **Copyright Claimant**?
If it's not the **Author**, what's the claim based on?
Is there an Assignment of Copyright?
Was a **work for hire** agreement signed before **creation**?
- Space 5 Was this work **registered** before?

If so, why do you want another **registration**?
What's the previous registration number & date?

Space 6 Is this a **derivative** or **compilation**?
What was the preexisting material?
What was changed or added?

Space 7 Who should the Copyright Office contact for additional
information?

Space 8 Who is signing and submitting the form?
If it's not the **Author**, what authority do they have?

Space 9 Where is the certificate going to be sent?

Before you mail it, read every section of the form again. Has every blank been filled? Are the checkboxes in Space 2 and Space 5 marked correctly? Did you enclose the check for the filing fee? Is the **deposit copy** included? Did you write the title and your name on the **deposit copy**? Did you keep a copy of everything for your files?

NEED MORE INFORMATION?

Forms, instructions, and other related materials are available from the Copyright Office website at www.copyright.gov or at:

Library of Congress
Copyright Office
101 Independence Avenue, S. E.
Washington, D.C. 20559-6000

Public Information Office (202) 707-3000 8:30 a.m. to 5:00 p.m. Mon. through Fri.
Recorded information is available 24 hours a day.

Forms By Mail Hotline (202) 707-9100 24 hours a day. Leave a recorded message with your address and the forms will be mailed to you in a few weeks.



Go to www.Buzzgig.com for links to obtain forms and more information from the Copyright Office.

DISCLAIMER

Although I am an attorney, I'm not your attorney – hire one who specializes in copyright. The Copyright Office is not permitted to give legal advice either. If information or guidance is needed on matters such as disputes over the ownership of a copyright, suits against possible infringers, the procedure for getting a work published, or the method of obtaining royalty payments, it is essential to consult an attorney.

VISUALLY PERCEPTIBLE COPYRIGHT NOTICE

As per the requirements of 17 U.S.C. §401, and §403:

© 2007 Mark J. Davis & BuzzGig, LLC

Copyright is claimed in material exclusive
of U. S. Government statutes, circulars,
forms, and documents.

Your comments, suggestions, gripes, & praise can be sent to the **Author** at
comments@buzzgig.com