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“To promote the Progress of Science and useful Arts”

Report to the Librarian of Congress

by the Register of Copyrights

THE COPYRIGHT OFFICE

Fiscal 1975 in the Copyright Office was a year of general, if not exactly steady, progress. One major goal, the automation of the copyright cataloging operation, was achieved with great difficulty but eventual success. There was accelerated movement toward the long-awaited general revision of the copyright law of the United States, and the Copyright Office played a leading role in several significant international copyright developments. Efforts to improve the quality and efficiency of the office's work and the job satisfaction of its staff continued, and systematic management planning for the future increased in both scope and momentum. Pervading every aspect of the activities during the year was a startling growth in workload, the largest annual increase in total registrations in the 105-year history of the Copyright Office.

ADMINISTRATIVE DEVELOPMENTS

In a 13-page memorandum addressed to the Librarian of Congress on September 25, 1974, the register of copyrights sought to articulate both the general and the specific objectives to be attained by the Copyright Office during the decade beginning in fiscal 1975. This document, which was circulated widely to the staff, expresses not only an ambitious long-range legal, international, and administrative program for the office, but also stresses the importance of a consistent and well-judged management philosophy for achieving it. Among other things, it

emphasizes the need to establish an atmosphere of enthusiasm, job satisfaction, teamwork, and mutual trust and respect within the office and complete equality of opportunity, tangible and early recognition of accomplishment, and the best possible working conditions and job environment for every staff member. Concurrently, the office would seek to improve the efficiency of operations by putting renewed emphasis on maximum service to the public, on excellence in every phase of the work, and on initiative, imagination, and flexibility in adapting to change.

Fiscal 1975 saw a genuine effort to translate these words into deeds. As a step in this direction the register and deputy register, later joined by the executive officer, held a series of meetings with all of the personnel of the Copyright Office. At these four all-day sessions, individual staff members were encouraged to raise any general or specific matters involving management that were of concern to them. The meetings were stimulating, challenging, and difficult for both management and employees. They produced some immediate action and, at least in certain cases, increased mutual understanding and respect. In particular, there was new emphasis on the quality as well as the quantity of the work to be performed and on individual responsibility for productivity.

The Copyright Office as well as the Library of Congress reached a milestone in automation with the establishment of the first major on-line cataloging system in the Library. Known by the acronym

COPICS (Copyright Office Publication and Interactive Cataloging System), it is aimed at the automation of all the activities of the Copyright Cataloging Division. Included in the system are:

Preparation and editing of catalog entries covering all copyright registrations, now totaling some 426,135 separate entries annually.

Duplication and sorting of all catalog cards, currently totaling about 1.25 million cards per year.

Reproduction of copy for all parts of the *Catalog of Copyright Entries*, now running about 11,000 printed pages each year.

Testing of the COPICS software, which was developed by the Information Systems Office of the Library's Administrative Department, got under way shortly after the start of the fiscal year. In September, 60 video terminals were installed in the Copyright Office in Arlington, Va., and connected by telephone lines to the Library's computers on Capitol Hill. Thereupon COPICS became operational, first with the cataloging of sound recordings, then with the "arts" classes, next with music, and finally with books. By the end of the fiscal year all of the Cataloging Division's operations were automated except those involving periodicals, assignments and related documents, notices of use, and notices of intention to use. Software to handle these classes of material was in preparation as the year ended.

Everyone expected problems in implementing a system of the magnitude of COPICS, but instead of the anticipated bugs in the software, the major problems arose from the hardware and the fact that the computers were in a different city and telephone jurisdiction from the terminals. In operation the COPICS program itself proved to be well designed, and the inevitable software problems were relatively minor and capable of efficient solution. Strenuous efforts were made by the Information Systems Office and the Copyright Office to improve the system's hardware and its servicing with some positive results. In early November 1974, however, it was decided to return to manual operations until the reliability of the equipment and communication had markedly improved. A gradual return to on-line cataloging in late December 1974 revealed that in

general the reliability of the system improved, but a new problem of response time (the elapsed period between the time the computer is addressed and the time it answers) arose, worsening as the MARC on-line activities began. Acceptance testing of COPICS, which had begun in January 1975, was extended. At the very end of the fiscal year, additional hardware installed at the Library's Computer Center resulted in further improvements, and COPICS was formally accepted shortly after the close of fiscal 1975.

Despite the struggle to get it installed and fully operational, COPICS can only be judged a success: a huge step forward in the work-processing methods of the Copyright Office that has not only produced immediate benefits but will also provide the foundation on which the office's efficient discharge of its record-keeping responsibilities will be built in the years to come. A duplicative manual operation has been replaced by an automated system that reduces the clerical aspects of cataloging to a minimum, eliminates a number of repetitious steps, and, without delay, automatically produces presorted cards, book-form and microform catalogs, and a comprehensive machine-readable data base, which will eventually allow searching by automated means. Some of these marvels are already a reality, and all of them are within reach. With these capabilities at hand, and with most of the growing pains overcome, the Copyright Office can look toward absorbing the added recordkeeping responsibilities that will accompany enactment of the general revision bill with more assurance than would otherwise be possible.

Acceptance of COPICS has meant the phasing out of an entire section in the Cataloging Division: all of the duties performed by the Editing and Publishing Section, which had been responsible for production of the book-form catalogs, will shortly be performed by machine. The impact of this change on the 30 individual employees in the section was anticipated well in advance of the implementation of the necessary reduction-in-force (RIF) procedures. Toward the end of the fiscal year considerable effort was expended in finding suitable positions for all of these employees in other sections and divisions.

Further efforts to begin implementation of the administrative objectives of the Copyright Office, as set forth in the register's memorandum of September 25, 1974, were undertaken with respect to the structure and work-handling methods of all four line divisions and the staff organization within the

Office of the Register. In the Examining Division experiments involving a greater use of technicians and a team approach to the examining process appeared to be successful as the fiscal year ended. A thorough examination of production evaluation in the Cataloging Division, including questions of quotas, standards, individual cataloger responsibilities, and team approaches, was also undertaken toward the close of the year. A reorganization affecting the Reference, Service, and Cataloging Divisions resulted in the establishment in the Reference Division of a new Certifications and Documents Section to prepare certifications, additional certificates of registration, and other documents based on the records of the Copyright Office. Transfer of this operation was accompanied by the establishment in the Service Division of a new Files Services and Administrative Support Unit in the Materials Control Section, and a restructuring of the filing operations in that section. As part of the reorganization, the Microfilm Project, which had been established in 1968 to undertake the micro-filing of the unique and irreplaceable Copyright Office records, was moved from the Cataloging to the Reference Division.

Planning continued throughout the year on what is probably the most immediate and difficult processing problem in the Copyright Office: the development of an automated system to handle all of the fiscal, work-flow, and control functions involved in the gigantic copyright paperwork operation. The present manual system is inadequate to deal with the constantly increasing current workload and could not cope with the procedures that would be necessary to implement the revision of the copyright law. The register's memorandum of September 25, 1974, pointed out that the registration-deposit system posited in the revision bill involves a tremendous increase in regular workload. In addition, the system is radically different from the present one, making it imperative to plan an entirely new system for the future as well as a carefully conceived detailed operation of transition from the old to the new. "Hence," the memorandum continued, "it is not only important to get the old system as fully automated and debugged as possible before the revision bill is enacted, but also to plan into that system the capability of making the transition to the new system." Whether the copyright law is revised or not, the memorandum laid out the following goals for an automated operation:

Elimination of duplicate preparation of the same records.

Possibility for each step in the process to draw on the data generated previously.

Control of and immediate access to each case pending in the office.

Ensurance of even flow of work and immediate identification of bottlenecks.

Improvement in the efficiency and safeguards of the Copyright Office's accounting methods.

Provision of updated, readily accessible, and consistent in-process records.

The need for automation of the Copyright Office's current work-processing system, for the restructuring of the work-handling methods and organization throughout the Copyright Office, and for the realistic possibility of enactment of the general revision bill made it necessary to reorganize the staff of the Office of the Register itself. This step involved reestablishment of the position of executive officer as head of the Administrative Office with responsibility for the effective day-to-day administration of the Copyright Office, together with the establishment of a Planning and Technical Office responsible for automation and implementation of the revised law. The reorganization also affected the Office of the General Counsel, with the creation of the post of assistant general counsel and the reactivation of the Copyright Office's central subject files.

The Congressional Budget and Impoundment Control Act of 1974, which for the first time required legislative agencies like the Library of Congress to prepare five-year budget projections, provided valuable impetus to long-range planning for the Copyright Office, particularly with respect to the impact of general revision of the copyright law in the next decade. It forced management to come to grips in detail with what revision would mean in terms of organization, personnel, and funding. The comprehensive plan, developed by a task force headed by the deputy register, was an eye-opener and has already proved its significance to the future of the Copyright Office.

There were several key management appointments

during fiscal 1975. Robert D. Stevens, dean of the Graduate School of Library Science at the University of Hawaii, returned to the Library of Congress as chief of the Copyright Cataloging Division. He replaced Leo J. Cooney, the major architect of COPICS, to whom the office owes a permanent debt. John E. Daniels, who had served as associate assistant administrator for management services and as budget and executive officer of the Federal Energy Administration, was named to the newly reactivated post of executive officer of the Copyright Office. Herbert O. Roberts, Jr., was appointed assistant chief of the Examining Division, and Orlando Campos of the Service Division.

On June 17, 1975, after more than 35 years of service in the Copyright Office, Meriam C. Jones retired. Ms. Jones, appointed head of the Compliance Section of the Reference Division when it was established in 1948, played a dominant role in making policy and formulating procedures for implementation of the mandatory registration requirements of the copyright statute.

COPYRIGHT BUSINESS AND PUBLICATIONS

The best index of the overall size of the Copyright Office workload is the total number of copyright registrations, which totaled 401,274 in fiscal 1975. This was the first time registrations passed the 400,000 mark, and it represented the largest annual workload in the history of the office. More significant, the increase over fiscal 1974, also a record-breaking year, amounted to 7.6 percent, or 28,442 registrations, the largest yearly increase in registrations to date, slightly surpassing the 28,071 figure chalked up in 1947 during the postwar boom. It was also the largest annual percentage increase for more than a quarter of a century, since that same boom year of 1947.

This annual report covers the year marking the end of the third quarter of the 20th century, and a summary of registration statistics is thus appropriate, as well as interesting and evocative. The Copyright Office was established as part of the Library of Congress in 1870, and in 1871, the first full year of operation, registrations totaled nearly 13,000. By 1876 they had reached about 15,000, and in the 25 years between 1876 and 1900 they more than quintupled, rising to just under 95,000—a total percentage increase of over 530 percent, and

an average annual increase of 7.4 percent. This precipitate growth declined in the next quarter century, the figure climbing from about 93,000 in 1901 to slightly less than 166,000 in 1925, a total percentage increase of 78 percent and an average annual increase of 2.3 percent. During the 25 years from 1926 to 1950 registrations leveled off even more, rising from about 178,000 to 211,000, a total percentage increase of 18 percent, and an average annual increase of only one percent. In the past 25 years the upward trend resumed, doubling from 200,000 in 1951 to over 400,000 in 1975. For the most recent quarter century, registrations have risen a total of 100 percent, representing an average annual increase of 2.6 percent. The average annual increases since 1970 have been around 5 percent, but even compared to that figure, the 7.6-percent increase in 1975 is impressive.

In handling its 1975 workload the Copyright Office processed some 428,000 applications and recorded a total of nearly 16,000 notices of use, notices of intention to use, and assignments and related documents. Fees amounting to \$2,447,000 were deposited in the U.S. Treasury. Some 633,000 separate articles were received as deposit copies, and of these nearly 378,000 were transferred to other departments of the Library. Among the various classes of registrations, musical compositions chalked up the largest increase, followed by books and, to a lesser extent, periodicals. Significant annual percentage increases were seen in registrations for works of art, reproductions of works of art, and renewals.

During the fiscal year the Copyright Office distributed more than 50 new or revised publications, consisting mostly of information circulars and announcements of national and international copyright developments. It also issued the regular annual and semiannual publications of the various parts of the *Catalog of Copyright Entries*, but with some significant changes. On January 9, 1975, the first of the book-form catalogs to be produced with the use of COPICS was published. This milestone volume covered sound recordings (class N) registered for copyright in 1972. As the fiscal year ended, the Editing and Publishing Section in the Cataloging Division was completing the last of the catalogs to be produced manually; henceforth all of the final copy of the book-form catalogs will be produced from LC computer tapes.

Significant changes will be made in the contents

of two parts of the published book-form catalogs. The directory of publishers, which had been dropped from the map (class F) segment of the catalog, will be reinstated and, in the future, catalog entries for sound recordings (class N) will include not only a general album title but, where the album contains individual selections, the contents titles as well.

GENERAL REVISION OF THE COPYRIGHT LAW

The 20th year of the current program for general revision of the copyright law was the most active and significant since 1967, when the bill passed the House of Representatives and was the subject of full hearings in the Senate. During fiscal 1975 the latest version of the revision bill passed the Senate and full hearings in the House got under way. The bill was moving forward rapidly as the year began, and its momentum accelerated as the months passed. By the end of the year the talk about the bill had ceased to be "whether" and was becoming "when."

As noted in last year's annual report, the event that triggered this dramatic legislative revival was the Supreme Court's definitive decision on copyright and cable television in *Teleprompter Corp. v. Columbia Broadcasting System, Inc.*, 415 U.S. 394 (1974). Action on the pending revision bill (S. 1361) resumed almost immediately, and fiscal 1975 began with the first of several recent developments in the general revision program. On July 3, 1975, the Senate Judiciary Committee reported the bill favorably, with some amendments and a 228-page report (S. Rept. No. 93-983). By far the most controversial issues in the reported bill involved the provision establishing a royalty for the public performance of sound recordings (section 114), and the provisions on cable television dealing with CATV carriage of broadcasts of sporting events (section 111).

Mainly because of these two issues, which in varying degrees had some implications for communications policy, the Senate Committee on Commerce asked that S. 1361 be referred to it for consideration. In an unusual move, the copyright bill was referred to that committee, but only for 15 days. On July 29, 1974, the Senate Commerce Committee also reported the bill (S. Rept. No. 93-1035), with further amendments and a 92-page report. The amendments proposed by the Commerce Com-

mittee not only extended the cable television and performance royalty sections but also deprived the proposed Copyright Royalty Tribunal of the responsibility for periodic review of the annual royalty for jukebox performances.

The Senate debate on the revision bill began on September 6, 1974, and ended with a favorable vote on September 9, 1974. The most controversial issue proved to be section 114, which would have created rights, subject to compulsory licensing, requiring broadcasters, jukebox operators, and music services to pay royalties for playing copyrighted sound recordings. The "sports blackout" provision of the cable television section, and the possibility of tribunal review of the jukebox royalty, also figured prominently in the debate. In the end, the "performance royalty" and "sports blackout" provisions were deleted from the bill, the jukebox royalty was made unreviewable, and some other amendments were added. None of the changes were central to the basic purpose or structure of the bill.

When the final Senate vote came it was overwhelming: 70 ayes and one nay. Although there was no time left in the 93d Congress for the House of Representatives to complete work on S. 1361, the general opinion was that the revision bill had undergone a remarkable recovery and that the state of its health was quite good.

At the beginning of the 94th Congress the revision bill, in the form in which it passed the Senate, was introduced in both Houses. The Senate bill, S. 22, was introduced by Senator John L. McClellan on January 15, 1975, and an identical House version, H.R. 2223, was introduced by Representative Robert W. Kastenmeier on January 28, 1975.

Senate review of the bill by the Subcommittee on Patents, Trademarks, and Copyrights included consideration of a proposal (known informally as the "Mathias amendment") that would create a new compulsory licensing system for performances of nondramatic literary and musical works on public radio and television. On April 13, 1975, the subcommittee reported the bill favorably to the full Senate Judiciary Committee with a number of amendments. Although the "Mathias amendment" was not included in these, it produced, among the interests involved, a number of meetings aimed at resolving the issue through voluntary licensing.

The Senate subcommittee's most controversial amendment was its restoration of the provisions for periodic review of the royalty rate for jukebox

performances. Of special interest to the Copyright Office were the amendments it had recommended as separate legislation to raise the fees for registration and other Copyright Office functions and services and to allow authors to group contributions to periodicals in a single application for registration under certain circumstances.

Hearings on the revision bill, the first in the House of Representatives since 1965, began before the House Judiciary Subcommittee on Courts, Civil Liberties, and Administration of Justice on May 7, 1975. Roughly 15 days of House hearings were projected, and eight of these had been held by the end of the fiscal year.

On May 7, 1975, the hearings were opened with testimony from John G. Lorenz, Acting Librarian of Congress, from Abraham L. Kaminstein, former register of copyrights and one of the principal architects of the general revision bill, and from Barbara Ringer, the present register. In her extensive opening testimony, Ms. Ringer sought to put the bill in historical perspective, to pinpoint the major issues remaining to be settled, and to answer the subcommittee's initial questions about the substantive content and status of the legislation. The seven principal issues identified in her testimony were:

Cable television

Library photocopying

Fair use and reproduction for educational and scholarly purposes

Public and nonprofit broadcasting

Royalty for jukebox performance

Mechanical royalty for use of music in sound recordings

Royalty for performance of recordings.

Related issues involved the proposed Copyright Royalty Tribunal, and the register also noted the likelihood of issues arising in connection with the "manufacturing clause" and the rights of graphic artists and designers.

The next day, representatives of the Departments of State, Justice, and Commerce presented the views of their agencies on the bill, and on May 14 and 15

the subcommittee heard testimony on library photocopying, fair use, and proposals for exemptions covering certain educational uses. Hearings were also held on June 3, 5, 11, and 12, 1975, at which the main topics debated were the jukebox royalty review, the entire question of copyright liability of cable television systems, and the Copyright Royalty Tribunal.

Although the subcommittee was presented with a number of interrelated issues and subissues, it was apparent as the 1975 hearings drew to a close that the areas of agreement far exceeded those of disagreement and that the bulk of the bill had remained almost entirely unchanged since it passed the House in 1967. Fundamental provisions such as the establishment of a single federal copyright system, duration based on the life of the author plus 50 years, ownership and transfer of rights, subject matter, and formalities are intact, and they represent the heart of Title I of the legislation.

Title II of the bill consists of what had originally been separate comprehensive legislation for the protection of ornamental designs of useful articles, based on copyright principles. Beginning in the early 1950's, and for more than a decade thereafter, the Copyright Office had worked long and hard for the enactment of this design bill, which has already passed the Senate on three occasions. It is encouraging that this legislation has now been made a part of the program for general revision of the copyright law and shares the momentum of the revision bill itself.

OTHER COPYRIGHT LEGISLATION

In addition to the general revision bill itself, fiscal 1975 saw considerable legislative activity in the copyright area, much of it related, however, to the revision of the copyright law.

The 1975 "Short Bill"

Three matters dealt with in the general revision bill were considered by Congress as too urgent to await final action on the omnibus legislation and were made the subject of a separate measure. This "short bill" was passed by both Houses and, in a real legislative cliffhanger, was signed into law on the last day of calendar 1974.

The first of these matters involved permanent

federal legislation to combat record and tape piracy. In 1971, Congress amended the present law to offer federal copyright protection against unauthorized duplication of sound recordings fixed on or after February 15, 1972. However, it did so only on a temporary basis, and the "record piracy" amendment was scheduled to expire on December 31, 1974, unless extended in the meantime. On August 21, 1974, the House Judiciary Subcommittee on Courts, Civil Liberties, and the Administration of Justice reported favorably a bill (H.R. 13364) introduced by its chairman, Representative Kastenmeier, to make the amendment permanent and to increase the criminal penalties for piracy and counterfeiting of copyrighted recordings. The Kastenmeier bill, as amended, was favorably reported by the full House Judiciary Committee on September 30, 1974 (H. Rept. No. 93-1389), and passed the House of Representatives, under suspension of rules, by a two-thirds nonrecord vote on October 7, 1974.

Meanwhile, on September 9, 1974, immediately following Senate passage of the general revision bill, Senator McClellan had introduced S. 3976, an interim package consisting of provisions similar to the Kastenmeier record piracy bill but with somewhat higher criminal penalties; a provision to extend, until December 31, 1976, renewal copyrights otherwise scheduled to expire at the end of 1974; and provisions establishing a National Commission on New Technological Uses of Copyrighted Works. Since all these provisions were covered in the general revision bill, the Senate passed S. 3976 on September 9 within minutes following its introduction.

On November 26, 1974, the House Judiciary Subcommittee, under Representative Kastenmeier's chairmanship, held hearings on S. 3976. The only witness was the register of copyrights, who was asked to testify on the extension of expiring renewals, the National Commission, and the present status of copyright law revision. No testimony was sought with respect to the antipiracy provisions of the bill, since the House had already acted favorably upon the subject. The bill was reported by the subcommittee to the full House Judiciary Committee with some amendments on December 10, 1974, and by the full committee to the House of Representatives on December 12, 1974 (H. Rept. No. 93-1581). On December 19, 1974, the bill passed the House by a vote of 292 to 101, and the bill as amended by the House was accepted by the Senate

later the same day, the last day of the 93d Congress. The legislation (Public Law 93-573) was signed by President Ford on December 31, 1974, only a few hours before the record piracy legislation and some 150,000 renewal copyrights were scheduled to expire.

The last-minute legislative action had a further regenerative effect upon the general revision program. Specifically, the two-year extension of expiring renewals (the ninth in a series going back to 1962) was based on the assumption that the omnibus package (which would give all subsisting copyrights a total term of 75 years) could be enacted into law by the end of 1976.

Congressional establishment of CONTU (National Commission on the New Technological Uses of Copyrighted Works) in advance of general revision also reflects a sense of urgency concerning the unsettled copyright questions within the commission's mandate. As stated in the new statute, the purpose of the commission is to study and compile data on:

Reproduction and use of copyrighted works of authorship

(a) in conjunction with automatic systems capable of storing, processing, retrieving, and transferring information, and

(b) by various forms of machine reproduction, not including reproductions by or at the request of instructors for use in face-to-face teaching activities.

Creation of new works by the application or intervention of such automatic systems or machine reproduction.

In addition to conducting studies and compiling data, CONTU is required to make recommendations for legislation. Its first report is due within one year of the commission's first sitting, and the deadline for its final report is December 31, 1977. Although the members of the commission were not appointed until after the end of the fiscal year, Congress appropriated funds to support the commission's work during fiscal 1976.

Registration Fees

The fees charged by the Copyright Office for its services are established by statute, and the last

amendment increasing the fee schedule was enacted in 1965. The basic registration fee has remained at \$6 for 10 years. The ratio of income from fees to operating costs has declined to 43 percent and, at the Librarian's request, bills to remedy this situation were introduced in the Senate by Senator McClellan (S. 3960, September 4, 1974) and in the House of Representatives by Representative Kastenmeier (H.R. 16601, September 11, 1974). No action was taken on either of these separate bills during the 93d Congress, although the provisions of S. 3960 were all incorporated in the general revision bill, S. 1361, and passed the Senate in that form on September 9, 1975.

A somewhat altered version of the fee bill was introduced in the 94th Congress by Representative Kastenmeier (H.R. 7149, May 20, 1975). Like its predecessor, H.R. 7149 would revise the fee schedule and permit registration of unpublished works in all classes of material. In addition, this legislation would allow collective registration of certain contributions to periodicals first published within a given one-year period and would provide procedures aimed at facilitating the voluntary licensing of copyrighted works for use in the LC programs for the blind and physically handicapped. It would also give the register some discretion to extend various filing deadlines in cases where delays result from postal disruptions.

Cable Television

Another measure to amend the current copyright law was introduced by Delegate Antonio Borja Won Pat of Guam on March 14, 1975. This bill (H.R. 4965) dealt with the videotaping of broadcasts for transmission by cable television systems in areas outside the continental United States and was closely related to amendments already accepted by the Senate in the context of the general revision bill.

Performance Royalties for Sound Recordings

As noted above, the 1973 general revision bill (S. 1361) originally provided for a compulsory licensing system under which royalties would be paid for broadcasts and other public performances of sound recordings. This provision was deleted when the Senate passed the bill on September 9, 1974, and

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was not restored in the 1975 revision bill. The proposal was kept alive, however, through the introduction of separate bills in the form of an amendment to the current 1909 copyright statute. Senator Hugh Scott introduced the first of these bills as S. 1111 on March 7, 1975, and a companion measure, H.R. 5345, was introduced by Representative George E. Danielson on March 21, 1975. Representative Danielson, joined by Representative Harold E. Ford, introduced the same bill as H.R. 7059 on May 19, 1975, and again, on June 10, 1975, he cosponsored it as H.R. 7750 with Representatives Bella S. Abzug, Alphonzo Bell, Robert W. Edgar, Robert N. Giaimo, Mark W. Hannaford, Floyd V. Hicks, Andrew J. Hinshaw, James G. O'Hara, Frederick W. Richmond, Stephen J. Solarz, Fortney H. Stark, and Frank Thompson, Jr. Yet another identical performance royalty bill was introduced by Representative Donald J. Mitchell as H.R. 8015.

Legislative Proposals Related to Copyright

On January 15, Senator McClellan introduced two bills that would affect the law of copyright. The first (S. 1) would completely revise the federal criminal code. As part of this revision, such penalties in the Copyright Code (Title 17) as the one for making a false affidavit in seeking registration of a claim to copyright and the one for the knowing infringement of copyright for profit would be increased. The other measure, S. 31, the latest in a series of bills, is intended to establish a uniform body of federal unfair competition law.

Three bills introduced in the 94th Congress are aimed at easing the current tax disadvantages of authors, artists, and composers when they donate their manuscripts, paintings, and similar property for a charitable purpose. H.R. 6057, introduced by Representatives John Brademas, Edward I. Koch, Frank Thompson, Jr., and Alfonzo Bell on April 16, 1975, is the companion of S. 1435, introduced by Senator Jacob J. Javits on April 15, 1975. The third bill to amend the Internal Revenue Code for this purpose is H.R. 6829, introduced by Representatives Edward I. Koch, Edward Beard, Phillip Burton, Joshua Eilberg, Michael J. Harrington, Richard L. Ottinger, Thomas M. Rees, Benjamin S. Rosenthal, James H. Scheuer, Gladys N. Spellman, Benjamin A. Gilman, and Abner J. Mikva on May 8, 1975.

On December 19, 1974, President Ford signed

into law the Presidential Recordings and Materials Preservation Act (Public Law 93-526), which has definite copyright implications. The expressed purpose of this legislation is twofold: to preserve and protect tape recordings, documents, and other materials relating to the presidency of Richard M. Nixon, and prepare appropriate access to them; and to establish an independent commission to study the disposition of records and documents of all federal officials. Former President Nixon has challenged the constitutionality of Title I of the act, which provides that, if the court should decide President Nixon holds property rights (e.g., common law copyright) in the papers and tapes, the government should purchase the material through an eminent domain proceeding. Title II provides for the creation of a Public Documents Commission to study problems and questions with respect to control, disposition, and preservation of records and documents of federal officials. The 17-member commission, which includes the Librarian of Congress, is directed to make specific recommendations for legislation, rules, and procedures as may be appropriate regarding the disposition of documents of federal officials.

INTERNATIONAL COPYRIGHT

Responding to an invitation from the chairman of the newly created All-Union Copyright Agency of the USSR (VAAP), the register of copyrights headed a delegation of U.S. government officials which visited Moscow and Leningrad in October 1974. The delegation, which included the deputy register, the general counsel of the Copyright Office, and the director of the Office of Business Practices, Department of State, met with the chairman, deputy chairman, and other officials of VAAP over a period of more than a week. They discussed a wide range of problems, mostly relating to the interpretation of newly enacted USSR copyright legislation and the effect of this legislation on dealings between U.S. and Soviet publishers.

In December 1974, a delegation of six VAAP officials, headed by the chairman, Boris Pankin, visited the United States and renewed the dialogue with their U.S. counterparts which had begun in October. During their three-day stay in Washington, Chairman Pankin and his delegation toured the Copyright Office and further discussed, point by point, the rough draft of a memorandum covering topics dis-

cussed earlier in Moscow. These included royalties and taxes, reprographic reproduction, publication of works by Soviet authors for which the contract authorizing publication was not handled by VAAP, performing rights, retroactivity, notice of copyright, and Soviet treatment of U.S. government publications.

From May 20 to May 22, 1975, Dorothy Schrader, general counsel of the Copyright Office, attended the first meeting of the Joint U.S./USSR Working Group on Intellectual Property in Moscow. Preliminary agreements were reached on several issues relating to the protection of intellectual property and procedures for future activities of the working group.

The first meeting of the Intergovernmental Copyright Committee, formed under the Universal Copyright Convention as revised in 1971, was held in Paris on June 2 and 3, 1975. The U.S. delegation consisted of the register of copyrights and the general counsel of the Copyright Office. Ms. Ringer was elected as the first chairman of the 1971 intergovernmental committee and presided at the meeting. The purpose of the meeting was principally organizational and included adoption of rules of procedure governing the future meetings of the IGCC. One of the important rules adopted concerned the transition between the Intergovernmental Copyright Committee of the 1952 Geneva version of the Universal Copyright Convention and the new IGCC. Under this rule, lots were drawn at the first session to determine when the terms of office of the 18 members ended. The term of the United States will end at the close of the second ordinary session in 1977.

An important international meeting on reprographic reproduction of copyrighted works was held from June 16 to June 21, 1975, in Washington, D.C. The meeting consisted of subcommittees of the governing bodies of both the Universal and the Berne Copyright Conventions, and was aimed at discussion of the entire range of copyright problems respecting photocopying and other forms of facsimile copying and reprography. The meeting was held at the invitation of the United States government, with the Department of State and the Copyright Office jointly providing staff support and hospitality. The head of the U.S. delegation was Ms. Ringer, register of copyrights, and the alternate head was Harvey J. Winter, director of the Office of Business Practices at the Department of State. Other

members of the U.S. delegation were L. Clark Hamilton, deputy register of copyrights, Ms. Schrader, general counsel, and Lewis Flacks, attorney-adviser of the Copyright Office, and Damon LaBrie, economic/commercial officer in the Office of Business Practices of the Department of State.

Under the chairmanship of I.J.G. Davis, head of the delegation of the United Kingdom, the meeting of the two subcommittees lasted for seven days and produced a massive, 40-page report. Thirty-three countries and seven international nongovernmental organizations were represented. After an extensive general discussion of the problems of reprography in various countries, the subject matter was divided for consideration under the following headings:

Methods of Remuneration and Control

- (a) Contractual schemes
- (b) Statutory schemes
- (c) Surcharge on equipment

Users of Reprography

- (a) Private users
- (b) Nonprofit libraries, archives, documentation centers, and public scientific research institutions
- (c) Educational institutions
- (d) Commercial enterprises
- (e) Government offices

Special Problems of Developing Countries

Procedural Questions.

At the end of the meeting, the delegates adopted a resolution leaving it with the countries "to resolve this problem by adopting any appropriate measures which, respecting the provisions of the [Berne and Universal Copyright Conventions] . . . , establish whatever is best adapted to their educational, cultural, social and economic development. . . ." A key point in the resolution was a recommendation that in "those States where the use of processes of reprographic reproduction is widespread, such States could consider, among other measures, encouraging the establishment of collective systems to exercise and administer the right to remuneration."

During the last week of the fiscal year, from June 23 to June 27, 1975, the second session of the Advisory Group of Non-Governmental Experts on the Protection of Computer Programs met in Geneva. Last year's session had recommended that a study be made of the feasibility of an international regis-

ter for computer programs, and that the dialogue concerning practicable legal regimes for protection of programs be continued. The second meeting was attended by Mr. Hamilton and Harriet L. Oler, copyright attorney on the staff of the general counsel of the Copyright Office. As a result of the discussions at the second session, the International Bureau of the World Intellectual Property Organization (WIPO) was directed to draft model provisions for national laws on the protection of computer software. It will also draft treaty provisions for a minimum protection on the international level as well as for the establishment of an international register and deposit system to be organized by the International Bureau.

LEGAL PROBLEMS

Soundtracks for motion pictures, designs for typefaces, and library photocopying all claimed Copyright Office attention during fiscal 1975.

Motion Picture Soundtracks

An important amendment to the Copyright Office Regulations with respect to motion picture soundtracks and the material recorded on them became effective on May 12, 1975. For the first time the office adopted an affirmative position that, for purposes of registration, a sound motion picture is an entity. Thus, any copyrightable component part of a motion picture soundtrack is to be considered an integral part of the motion picture as a whole, and covered by registration for the motion picture. This position also means that, where the soundtrack of a revised version of a motion picture includes such copyrightable new matter as dialogue dubbed from one language to another, it will be possible for registration to be made solely on the basis of that new matter.

Correlatively, after the effective date of the new regulation, separate registration for a copyrightable component part of a published motion picture, such as a musical composition, will be possible only if the motion picture bears a separate notice covering the particular component part. In such cases separate registration can be made on the basis of a deposit of two complete copies of the part, transcribed legibly from the soundtrack in accordance with the applicable Library of Congress acquisitions policy statement. For examination purposes, the transcribed

copies should be accompanied by blow-ups or other identifying reproductions of the frames that reveal the title, the music or drama credits, and the copyright notice relating to the component part of the motion picture for which registration is being sought.

The new regulation also makes clear that it has no effect on renewal practices. A renewal application covering a component part of a motion picture soundtrack will be accepted only if a separate registration for the part had been made for the first 28-year term of copyright. The regulation states that the amendment is entirely prospective in operation and that it does not affect in any way the validity or legal efficacy of registration made or other actions taken in accordance with earlier Copyright Office practices.

The regulation with respect to sound recordings was revised at the same time to make clear that sound recordings registrable in class N do not include the integrated soundtrack of a motion picture.

Designs for Typefaces

Protection for typeface designs under the present copyright law emerged as a major domestic copyright issue, and the proponents of protection continued to press their case during the fiscal year. The current Copyright Office Regulations have been interpreted to prohibit copyright registration for typeface designs, and any change in the regulation to permit registration has been strongly opposed. In October, the Copyright Office announced that consideration was being given to amending the Copyright Office Regulations to permit registration of typeface designs, and that a public hearing would be held on November 6 "to facilitate the widest possible public expression of views on the legal and policy questions implicit in the possible change in registration practices. . . ." The all-day hearing on November 6, 1974, marked an important event in the history of the Copyright Office: the first time a formal public hearing was held preparatory to consideration of a change in the Copyright Office Regulations. Written comments were also invited.

The various points of view were strongly and ably presented. One argument of particular importance to the Copyright Office was that, since the revision bill was under active consideration by Congress, the problem of copyright protection for typeface designs should be considered in a legislative rather

than a regulatory context. On June 6, 1975, the register of copyrights wrote to Representative Kastenmeier, chairman of the House Judiciary Subcommittee, suggesting the appropriateness of testimony from both sides of the question of protection for typeface designs under the bill. A day of hearings on designs and typefaces was held on July 17, 1975.

Library Photocopying

In the fall of 1974 the Copyright Office and the National Commission on Libraries and Information Science (NCLIS) formed an ad hoc group representing authors, publishers, and librarians in an effort to resume the dialogue concerning copyright and library photocopying and to determine whether or not some basis for agreement could be found. The group was rather grandly named the Conference for the Resolution of Copyright Issues and came to be known as the Upstairs/Downstairs Group. It held three meetings during the year, chaired by the register of copyrights and Frederick Burckhardt, chairman of NCLIS. A working group formed under its auspices met a number of times. Although no consensus could be reached on matters of substance, eventually some agreement was achieved on a proposal for a study to be undertaken under NCLIS auspices. This study, which was still on the drawing boards as the year ended, would involve a survey of library "loan" practices involving photocopies and the test of a possible licensing mechanism. The main accomplishment of the Upstairs/Downstairs Group in fiscal 1975 was to keep the parties talking during a particularly difficult period in the history of what has been called the Great Copyright Controversy.

JUDICIAL DEVELOPMENTS

The actions of the United States Supreme Court in two important copyright cases highlighted the judicial developments in copyright law during fiscal 1975.

Last year's annual report dealt at great length with the action of the United States Court of Claims in *Williams & Wilkins Co. v. The United States*, 487 F.2d 1345 (Ct. Cl. 1973), holding, in a split 4-3 decision, that the photocopying activities of the National Institutes of Health and National Library of Medicine constituted a "fair use" rather than a copyright infringement. The Supreme Court agreed

to review the decision, and a great many groups and organizations involved in the basic issues underlying the controversy filed briefs as amici curiae on one side of the case or the other.

On February 25, 1975, in a spectacular anticlimax, the Supreme Court split 4-4 in the *Williams & Wilkins* case, with Justice Harry A. Blackmun disqualifying himself from participating in the decision. The automatic effect of the deadlock was to affirm the Court of Claims' decision in favor of the government libraries. It also effectively deprived the decision of any precedential weight and wiped out any authority the Court of Claims majority opinion might otherwise have carried. In a recent habeas corpus decision *Neil v. Biggers*, 409 U.S. 188 (1972), the U.S. Supreme Court itself has declared that an equally divided affirmance "merely ends the process of direct review but settles no issue of law." The Court has thus left the issue squarely up to Congress to settle.

On June 17, 1975, the Supreme Court handed down a decision on the scope of musical performing rights that has significance for both the licensing practices under the present copyright statute and the provisions of the proposed revision bill. In *Twentieth Century Music Corp. v. Aiken*, 95 S. Ct. 2040, the defendant, owner and operator of a fast-service food shop in downtown Pittsburgh, had "a radio with outlets to four speakers in the ceiling," which he apparently turned on and left on throughout the business day. Lacking any performing license, he was sued for copyright infringement by two ASCAP members. He lost in the District Court, won a reversal in the Third Circuit Court of Appeals, and finally prevailed, by a margin of 7-2, in the Supreme Court. The majority opinion was delivered by Justice Potter Stewart; Justice Blackmun wrote an opinion disagreeing with practically everything in the majority opinion but concurring with the result; and Chief Justice Warren E. Burger wrote a blistering dissent in which Justice William O. Douglas joined.

The *Aiken* decision is based squarely on the two Supreme Court decisions dealing with cable television, in both of which Justice Stewart also wrote the majority opinions. In *Fortnightly Corp. v.*

United Artists, 392 U.S. 390, and again in *Teleprompter Corp. v. Columbia Broadcasting System, Inc.*, 415 U.S. 394, the Supreme Court had held that a CATV station was not "performing," within the meaning of the 1909 statute, when it picked up broadcast signals off the air and retransmitted them to subscribers by cable. The *Aiken* decision extends this interpretation of the scope of the 1909 statute's right of "public performance for profit" to a situation outside the CATV context and, without expressly overruling the decision in *Buck v. Jewell-LaSalle Realty Co.*, 283 U.S. 191 (1931), effectively deprives it of much meaning. For more than 40 years the *Jewell-LaSalle* rule was thought to require a business establishment to obtain copyright licenses before it could legally pick up any broadcasts off the air and retransmit them to its guests and patrons. As reinterpreted by the *Aiken* decision, the rule of *Jewell-LaSalle* applies only if the broadcast being retransmitted was itself unlicensed.

In his dissent Justice Burger made the following highly relevant observations:

There can be no really satisfactory solution to the problem presented here, until Congress acts in response to long-standing proposals. My primary purpose in writing is not merely to express disagreement with the Court but to underscore what has repeatedly been stated by others as to the need for legislative action. Radio today is certainly a more commonplace and universally understood technological innovation than CATV, for example, yet we are, basically, in essentially the same awkward situation as in the past when confronted with these problems.

We must attempt to apply a statute designed for another era to a situation in which Congress has never affirmatively manifested its view concerning the competing policy considerations involved.

Yet, the issue presented can only be resolved appropriately by the Congress.

In closing this report on a transitional year in the history of the Copyright Office, it may be appropriate to hope, with the Chief Justice, that Congress will at last act "in response to long-standing proposals" in fiscal 1976.

Respectfully submitted,

BARBARA RINGER
Register of Copyrights

International Copyright Relations of the United States as of June 30, 1975

This table sets forth U.S. copyright relations of current interest with the other independent nations of the world. Each entry gives country name and alternate name and a statement of copyright relations. The following code is used:

Bilateral	Bilateral copyright relations with the United States by virtue of a proclamation or treaty, as of the date given. Where there is more than one proclamation or treaty, only the date of the first one is given.
BAC	Party to the Buenos Aires Convention of 1910, as of the date given. U.S. ratification deposited with the government of Argentina, May 1, 1911; proclaimed by the President of the United States, July 13, 1914.
UCC Geneva	Party to the Universal Copyright Convention, Geneva, 1952, as of the date given. The effective date for the United States was September 16, 1955.
UCC Paris	Party to the Universal Copyright Convention as revised at Paris, 1971, as of the date given. The effective date for the United States was July 10, 1974.
Phonogram	Party to the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms, Geneva, 1971, as of the date given. The effective date for the United States was March 10, 1974.
	<i>Foreign sound recordings fixed and published on or after February 15, 1972, with the special notice of copyright prescribed by law (e.g., ©1975 Doe Records, Inc.), may be entitled to U.S. copyright protection only if the author is a citizen of one of the countries with which the United States maintains bilateral or phonogram convention relations as indicated below.</i>
Unclear	Became independent since 1943. Has not established copyright relations with the United States but may be honoring obligations incurred under former political status.
None	No copyright relations with the United States.

Afghanistan None	Bangladesh Unclear	Cambodia (Khmer Republic) UCC Geneva Sept. 16, 1955
Albania None	Barbados Unclear	Cameroon UCC Geneva May 1, 1973 UCC Paris July 10, 1974
Algeria UCC Geneva Aug. 28, 1973 UCC Paris July 10, 1974	Belgium Bilateral July 1, 1891 UCC Geneva Aug. 31, 1960	Canada Bilateral Jan. 1, 1924 UCC Geneva Aug. 10, 1962
Andorra UCC Geneva Sept. 16, 1955	Bhutan None	Central African Republic Unclear
Argentina Bilateral Aug. 23, 1934 BAC April 19, 1950 UCC Geneva Feb. 13, 1958 Phonogram June 30, 1973	Bolivia BAC May 15, 1914	Chad Unclear
Australia Bilateral Mar. 15, 1918 UCC Geneva May 1, 1969 Phonogram June 22, 1974	Botswana Unclear	Chile Bilateral May 25, 1896 BAC June 14, 1955 UCC Geneva Sept. 16, 1955
Austria Bilateral Sept. 20, 1907 UCC Geneva July 2, 1957	Brazil Bilateral Apr. 2, 1957 BAC Aug. 31, 1915 UCC Geneva Jan. 13, 1960	China Bilateral Jan. 13, 1904
Bahamas, The Unclear	Bulgaria UCC Geneva June 7, 1975 UCC Paris June 7, 1975	Colombia BAC Dec. 23, 1936
Bahrain None	Burma Unclear	Congo Unclear
	Burundi Unclear	

- Costa Rica** ¹
Bilateral Oct. 19, 1899
BAC Nov. 30, 1916
UCC Geneva Sept. 16, 1955
- Cuba**
Bilateral Nov. 17, 1903
UCC Geneva June 18, 1957
- Cyprus**
Unclear
- Czechoslovakia**
Bilateral Mar. 1, 1927
UCC Geneva Jan. 6, 1960
- Dahomey**
Unclear
- Denmark**
Bilateral May 8, 1893
UCC Geneva Feb. 9, 1962
- Dominican Republic** ¹
BAC Oct. 31, 1912
- Ecuador**
BAC Aug. 31, 1914
UCC Geneva June 5, 1957
Phonogram Sept. 14, 1974
- Egypt**
None
- El Salvador**
Bilateral June 30, 1908, by virtue
of Mexico City Convention, 1902
- Equatorial Guinea**
Unclear
- Ethiopia**
None
- Fiji**
UCC Geneva Oct. 10, 1970
Phonogram Apr. 18, 1973
- Finland**
Bilateral Jan. 1, 1929
UCC Geneva Apr. 16, 1963
Phonogram Apr. 18, 1973
- France**
Bilateral July 1, 1891
UCC Geneva Jan. 14, 1956
UCC Paris July 10, 1974
Phonogram Apr. 18, 1973
- Gabon**
Unclear
- Gambia, The**
Unclear
- Germany**
Bilateral Apr. 15, 1892
UCC Geneva with Federal Republic
of Germany Sept. 16, 1955
UCC Paris with Federal Republic of
Germany July 10, 1974
Phonogram with Federal Republic
of Germany May 18, 1974
UCC Geneva with German Demo-
cratic Republic Oct. 5, 1973
- Ghana**
UCC Geneva Aug. 22, 1962
- Greece**
Bilateral Mar. 1, 1932
UCC Geneva Aug. 24, 1963
- Grenada**
Unclear
- Guatemala** ¹
BAC Mar. 28, 1913
UCC Geneva Oct. 28, 1964
- Guinea**
Unclear
- Guinea-Bissau**
Unclear
- Guyana**
Unclear
- Haiti**
BAC Nov. 27, 1919
UCC Geneva Sept. 16, 1955
- Honduras** ¹
BAC Apr. 27, 1914
- Hungary**
Bilateral Oct. 16, 1912
UCC Geneva Jan. 23, 1971
UCC Paris July 10, 1974
Phonogram May 28, 1975
- Iceland**
UCC Geneva Dec. 18, 1956
- India**
Bilateral Aug. 15, 1947
UCC Geneva Jan. 21, 1958
Phonogram Feb. 12, 1975
- Indonesia**
Unclear
- Iran**
None
- Iraq**
None
- Ireland**
Bilateral Oct. 1, 1929
UCC Geneva Jan. 20, 1959
- Israel**
Bilateral May 15, 1948
UCC Geneva Sept. 16, 1955
- Italy**
Bilateral Oct. 31, 1892
UCC Geneva Jan. 24, 1957
- Ivory Coast**
Unclear
- Jamaica**
Unclear
- Japan** ²
UCC Geneva Apr. 28, 1956
- Jordan**
Unclear
- Kenya**
UCC Geneva Sept. 7, 1966
UCC Paris July 10, 1974
- Korea**
Unclear
- Kuwait**
Unclear
- Laos**
UCC Geneva Sept. 16, 1955
- Lebanon**
UCC Geneva Oct. 17, 1959
- Lesotho**
Unclear
- Liberia**
UCC Geneva July 27, 1956
- Libya**
Unclear
- Liechtenstein**
UCC Geneva Jan. 22, 1959
- Luxembourg**
Bilateral June 29, 1910
UCC Geneva Oct. 15, 1955
- Madagascar**
(Malagasy Republic)
Unclear
- Malawi**
UCC Geneva Oct. 26, 1965
- Malaysia**
Unclear

Maldives Unclear	Oman None	Spain Bilateral July 10, 1895 UCC Geneva Sept. 16, 1955 UCC Paris July 10, 1974 Phonogram Aug. 24, 1974
Mali Unclear	Pakistan UCC Geneva Sept. 16, 1955	Sri Lanka Unclear
Malta UCC Geneva Nov. 19, 1968	Panama BAC Nov. 25, 1913 UCC Geneva Oct. 17, 1962 Phonogram June 29, 1974	Sudan Unclear
Mauritania Unclear	Paraguay BAC Sept. 20, 1917 UCC Geneva Mar. 11, 1962	Swaziland Unclear
Mauritius UCC Geneva Mar. 12, 1968	Peru BAC April 30, 1920 UCC Geneva Oct. 16, 1963	Sweden Bilateral June 1, 1911 UCC Geneva July 1, 1961 UCC Paris July 10, 1974 Phonogram Apr. 18, 1973
Mexico Bilateral Feb. 27, 1896 BAC Apr. 24, 1964 UCC Geneva May 12, 1957 Phonogram Dec. 21, 1973	Philippines Bilateral Oct. 21, 1948 UCC status undetermined by Unesco. (Copyright Office considers that UCC relations do not exist.)	Switzerland Bilateral July 1, 1891 UCC Geneva Mar. 30, 1956
Monaco Bilateral Oct. 15, 1952 UCC Geneva Sept. 16, 1955 UCC Paris Dec. 13, 1974 Phonogram Dec. 2, 1974	Poland Bilateral Feb. 16, 1927	Syria Unclear
Mongolia None	Portugal Bilateral July 20, 1893 UCC Geneva Dec. 25, 1956	Tanzania Unclear
Morocco UCC Geneva May 8, 1972	Qatar None	Thailand Bilateral Sept. 1, 1921
Mozambique Unclear	Romania Bilateral May 14, 1928	Togo Unclear
Nauru Unclear	Rwanda Unclear	Tonga None
Nepal None	San Marino None	Trinidad and Tobago Unclear
Netherlands Bilateral Nov. 20, 1899 UCC Geneva June 22, 1967	Saudi Arabia None	Tunisia UCC Geneva June 19, 1969 UCC Paris June 10, 1975
New Zealand Bilateral Dec. 1, 1916 UCC Geneva Sept. 11, 1964	Senegal UCC Geneva July 9, 1974 UCC Paris July 10, 1974	Turkey None
Nicaragua ¹ BAC Dec. 15, 1913 UCC Geneva Aug. 16, 1961	Sierra Leone None	Uganda Unclear
Niger Unclear	Singapore Unclear	United Arab Emirates None
Nigeria UCC Geneva Feb. 14, 1962	Somalia Unclear	United Kingdom Bilateral July 1, 1891 UCC Geneva Sept. 27, 1957 UCC Paris July 10, 1974 Phonogram Apr. 18, 1973
Norway Bilateral July 1, 1905 UCC Geneva Jan. 23, 1963 UCC Paris Aug. 7, 1974	South Africa Bilateral July 1, 1924	Upper Volta Unclear
	Soviet Union UCC Geneva May 27, 1973	

Uruguay
BAC Dec. 17, 1919

Vatican City
(Holy See)
UCC Geneva Oct. 5, 1955

Venezuela
UCC Geneva Sept. 30, 1966

Vietnam
Unclear

Western Samoa
Unclear

Yemen (Aden)
Unclear

Yemen (San'a)
None

Yugoslavia
UCC Geneva May 11, 1966
UCC Paris July 10, 1974

Zaire
Unclear

Zambia
UCC Geneva June 1, 1965

¹ Effective June 30, 1908, became a party to the 1902 Mexico City Convention, to which the United States also became a party effective the same date. As regards copyright relations with the United States, this convention is considered to have been superseded by adherence of this country and the United States to the Buenos Aires Convention of 1910.

² Bilateral copyright relations between Japan and the United States, which were formulated effective May 10, 1906, are considered to have been abrogated and superseded by the adherence of Japan to the Universal Copyright Convention, Geneva, 1952, effective April 28, 1956.

Number of Registrations by Subject Matter Class, Fiscal Years 1971-75

Class	Subject matter of copyright	1971	1972	1973	1974	1975
A	Books, including pamphlets, leaflets, etc.	96,124	103,231	104,523	104,806	111,887
B	Periodicals (issues)	84,491	84,686	88,553	92,224	95,062
	(BB) Contributions to newspapers and periodicals	1,884	2,004	2,074	2,172	2,554
C	Lectures, sermons, addresses	1,855	1,940	1,714	1,631	1,882
D	Dramatic or dramatico-musical compositions	3,553	3,838	3,980	4,016	4,914
E	Musical compositions	95,202	97,482	95,296	104,511	114,790
F	Maps	1,677	1,633	1,914	1,549	1,847
G	Works of art, models, or designs	7,916	7,901	8,621	8,525	11,010
H	Reproductions of works of art	3,047	3,434	3,190	3,612	5,042
I	Drawings or plastic works of a scientific or technical character	924	1,059	1,114	809	856
J	Photographs	1,160	1,140	1,354	1,409	1,507
K	Prints and pictorial illustrations	4,209	4,524	4,441	4,716	5,082
	(KK) Commercial prints and labels	4,424	4,118	4,216	4,964	4,663
L	Motion-picture photoplays	1,169	1,816	1,449	1,321	1,011
M	Motion pictures not photoplays	1,226	1,388	1,420	1,741	2,027
N	Sound recordings		1,141	6,718	9,362	8,938
R	Renewals of all classes	20,835	23,239	23,071	25,464	28,202
	Total	329,696	344,574	353,648	372,832	401,274

Number of Articles Deposited, Fiscal Years 1971-75

Class	Subject matter of copyright	1971	1972	1973	1974	1975
A	Books, including pamphlets, leaflets, etc.	189,887	203,875	206,671	206,905	220,523
B	Periodicals	168,114	168,463	176,142	183,474	189,085
	(BB) Contributions to newspapers and periodicals	1,884	2,004	2,074	2,172	2,554
C	Lectures, sermons, addresses	1,855	1,940	1,714	1,631	1,882
D	Dramatic or dramatico-musical compositions	3,993	4,216	4,538	4,567	5,450
E	Musical compositions	116,537	117,425	114,378	124,481	134,786
F	Maps	3,352	3,264	3,786	3,098	3,680
G	Works of art, models, or designs	13,894	13,590	14,843	14,611	18,895
H	Reproductions of works of art	6,056	6,821	6,313	7,126	9,966
I	Drawings or plastic works of a scientific or technical character	1,419	1,614	1,873	1,226	1,327
J	Photographs	2,056	2,063	2,471	2,481	2,612
K	Prints and pictorial illustrations	8,417	9,036	8,873	9,427	10,100
	(KK) Commercial prints and labels	8,846	8,235	8,408	9,920	9,321
L	Motion-picture photoplays	2,305	3,593	2,855	2,562	1,919
M	Motion pictures not photoplays	2,318	2,648	2,654	3,115	3,665
N	Sound recordings		2,282	13,388	18,431	17,586
	Total	530,933	551,069	570,981	595,227	633,351

*Number of Articles Transferred to Other Departments of the Library of Congress*¹

Class	Subject matter of articles transferred	1971	1972	1973	1974	1975
A	Books, including pamphlets, leaflets, etc.	107,468	115,242	120,452	122,157	² 135,092
B	Periodicals	176,259	176,161	183,755	190,359	196,619
	(BB) Contributions to newspapers and periodicals	1,884	2,004	2,074	2,196	2,562
C	Lectures, sermons, addresses	0	0	7	0	0
D	Dramatic or dramatico-musical compositions	41	226	179	184	195
E	Musical compositions	25,567	21,275	22,517	20,558	22,816
F	Maps	3,352	3,264	3,796	3,100	3,680
G	Works of art, models, or designs	376	1,252	2,957	1,928	4,112
H	Reproductions of works of art	845	1,620	2,933	2,579	2,871
I	Drawings or plastic works of a scientific or technical character	0	0	10	0	0
J	Photographs	42	65	66	188	565
K	Prints and pictorial illustrations	614	499	52	65	12
	(KK) Commercial prints and labels	409	220	38	13	0
L	Motion-picture photoplays	4	64	67	322	103
M	Motion pictures not photoplays	111	183	331	206	683
N	Sound recordings		2,282	13,405	18,321	8,338
	Total	316,972	324,357	352,639	362,176	377,648

¹ Extra copies received with deposits and gift copies are included in these figures. For some categories, the number of articles transferred may therefore exceed the number of articles deposited as shown in the preceding chart.

² Of this total, 30,677 copies were transferred to the Exchange and Gift Division for use in its programs.

Gross Cash Receipts, Fees, and Registrations, Fiscal Years 1971-75

	Gross receipts	Fees earned	Registrations	Increase or decrease in registrations
1971	2,089,620.19	2,045,457.52	329,696	+13,230
1972	2,313,638.14	2,177,064.86	344,574	+14,878
1973	2,413,179.43	2,226,540.96	353,648	+9,074
1974	2,411,334.59	2,312,375.71	372,832	+19,184
1975	2,614,059.72	2,447,295.14	401,274	+28,442
Total	11,841,832.07	11,208,734.19	1,802,024	

Summary of Copyright Business

Balance on hand July 1, 1974		\$ 604,316.68
Gross receipts July 1, 1974, to June 30, 1975		2,614,059.72
Total to be accounted for		3,218,376.40
Refunded	\$ 113,476.40	
Checks returned unpaid	5,098.82	
Deposited as earned fees	2,435,486.61	
Deposited as undeliverable checks	1,115.50	
Balance carried over July 1, 1975		
Fees earned in June 1975 but not deposited until		
July 1975	\$215,021.14	
Unfinished business balance	129,438.47	
Deposit accounts balance	315,950.08	
Card service	2,789.38	
	<u>663,199.07</u>	
		<u>3,218,376.40</u>

	Registrations	Fees earned
Published domestic works at \$6	251,505	\$1,509,030.00
Published foreign works at \$6	6,219	37,314.00
Unpublished works at \$6	104,006	624,036.00
Renewals at \$4	28,202	112,808.00
Total registrations for fee	<u>389,932</u>	<u>2,283,188.00</u>
Registrations made under provisions of law permitting registration without payment of fee for certain works of foreign origin	11,333	
Registrations made under Standard Reference Data Act, P.L. 90-396 (15 U.S.C. §290), for certain publications of U.S. government agencies for which fee has been waived	9	
Total registrations	<u>401,274</u>	
Fees for recording assignments		42,597.00
Fees for indexing transfers of proprietorship		13,891.00
Fees for recording notices of use		5,036.50
Fees for recording notices of intention to use		21,657.50
Fees for certified documents		11,063.00
Fees for searches made		58,885.00
Card service		10,977.14
Total fees exclusive of registrations		<u>164,107.14</u>
Total fees earned		<u>2,447,295.14</u>