

Announcement

from the Copyright Office, Library of Congress, Washington, D.C. 20559

ADOPTION OF REGULATION

RECORDING OF NOTICES OF IDENTITY AND SIGNAL CARRIAGE COMPLEMENT OF CABLE SYSTEMS

The following excerpt is taken from Volume 42, No. 53 of the Federal Register for Friday, March 18, 1977 (p. 15065-68).

Title 37—Patents, Trademarks, and Copyrights

CHAPTER II—COPYRIGHT OFFICE, LIBRARY OF CONGRESS

PART 201—GENERAL PROVISIONS

Recording of Notices of Identity and Signal Carriage Complement of Cable Systems

AGENCY: Library of Congress, Copyright Office.

ACTION: Final Regulation.

SUMMARY: This regulation makes clear that the public records of the Copyright Office are open to the recording of notices of identity and signal carriage complement required to be made by cable systems under section 111(d)(1) of Title 17 of the United States Code as amended by Pub. L. 94-553 (90 Stat. 2541), the Act for General Revision of the Copyright Law. The regulation pertains to the nature of the document to be filed and the action to be taken by the Copyright Office upon its receipt. The regulation is interim in nature and may be modified and supplemented in further rulemaking proceedings.

EFFECTIVE DATE: March 18, 1977.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: Section 111(c) of the first section of Pub. L. 94-553 establishes a compulsory licensing system under which cable systems may make secondary transmissions of copyrighted works. Section 111(d)(1) establishes the following initial recording requirements for cable systems which seek to enjoy the benefits of the compulsory license:

(1) Any system that is in operation on April 17, 1977 must record the following information in the Copyright Office no later than April 18, 1977:

(a) "The identity and address of the person who owns or operates the secondary transmission service or has power to exercise primary control over it"; and

(b) "The name and location of the primary transmitter or primary transmitters whose signals are regularly carried by the cable system."

(2) Any system that begins operation after April 17, 1977, must record the specified information (quoted in the preceding paragraph) at least one month before the date operations commence. (As a transitional exception, the recording deadline for any system that starts operating between April 18, 1977, and May 18, 1977, is April 18, 1977.)

(3) After making the record described in the preceding two paragraphs, the cable system must then make supplemental records "within thirty days after each occasion on which the ownership or control or the signal carriage complement of the cable system changes."

On January 27, 1977 the Copyright Office published a proposed regulation

(e) *Recording in Copyright Office.* (1) The Copyright Office will record the Notices described in this section by placing them in the appropriate public files of the Office.

(2) Upon request and payment of a fee of \$3, the Copyright Office will furnish a certified receipt for any such Notice.

(17 U.S.C. 207, and under the following sections of Title 17 of the United States Code as amended by Pub. L. 94-553: §§ 111(d)(1); 702)

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