

## Copyright Office, Library of Congress

## § 203.2

4. With protective folders rather than without.

### VII. Microforms

- A. Related Materials:
  1. With indexes, study guides, or other printed matter rather than without.
  - B. Permanence and Appearance:
    1. Silver halide rather than any other emulsion.
    2. Positive rather than negative.
    3. Color rather than black and white.
  - C. Format (newspapers and newspaper-formatted serials):
    1. Reel microfilm rather than any other microform.
    - D. Format (all other materials):
      1. Microfiche rather than reel microfilm.
      2. Reel microfilm rather than microform cassettes.
      3. Microfilm cassettes rather than micro-opaque prints.
    - E. Size:
      1. 35 mm rather than 16 mm.

### VIII. Machine-Readable Copies

- A. Computer Programs
  1. With documents and other accompanying material rather than without.
  2. Not copy-protected rather than copy-protected (if copy-protected then with a backup copy of the disk(s)).
  3. *Format:*
    - a. PC-DOS or MS-DOS (or other IBM compatible formats, such as XENIX):
      - (i) 5¼" Diskette(s).
      - (ii) 3½" Diskette(s).
      - (iii) Optical media, such as CD-ROM—best edition should adhere to prevailing NISO standards.
    - b. Apple Macintosh:
      - (i) 3½" Diskette(s).
      - (ii) Optical media, such as CD-ROM—best edition should adhere to prevailing NISO standards.
  - B. Computerized Information Works, Including Statistical Compendia, Serials, or Reference Works:
    1. With documentation and other accompanying material rather than without.
    2. With best edition of accompanying program rather than without.
    3. Not copy-protected rather than copy-protected (if copy-protected then with a backup copy of the disk(s)).
    4. *Format*
      - a. PC-DOS or MS-DOS (or other IBM compatible formats, such as XENIX):
        - (i) Optical media, such as CD-ROM—best edition should adhere to prevailing NISO standards.
        - (ii) 5¼" Diskette(s).
        - (iii) 3½" Diskette(s).
      - b. Apple Macintosh:
        - (i) Optical media, such as CD-ROM—best edition should adhere to prevailing NISO standards.

- (ii) 3½" Diskette(s).

### IX. Works Existing in More Than One Medium

Editions are listed below in descending order of preference.

- A. Newspapers, dissertations and theses, newspaper-formatted serials:
  1. Microform.
  2. Printed matter.
- B. All other materials:
  1. Printed matter.
  2. Microform.
  3. Phonorecord.

[54 FR 42299, Oct. 16, 1989, as amended at 62 FR 51603, Oct. 2, 1997]

## PART 203—FREEDOM OF INFORMATION ACT: POLICIES AND PROCEDURES

### ORGANIZATION

- Sec.
- 203.1 General.
  - 203.2 Authority and functions.
  - 203.3 Organization.

### PROCEDURES

- 203.4 Methods of operation.

### AVAILABILITY OF INFORMATION

- 203.5 Inspection and copying.

### CHARGES FOR SEARCH FOR REPRODUCTION

- 203.6 Schedule of fees and methods of payment for services rendered.

AUTHORITY: 17 U.S.C 702; 5 U.S.C 552, as amended.

SOURCE: 43 FR 774, Jan. 4, 1978, unless otherwise noted.

### ORGANIZATION

#### § 203.1 General.

This information is furnished for the guidance of the public and in compliance with the requirements of section 552 of title 5, United States Code, as amended.

[43 FR 774, Jan. 4, 1978, as amended at 66 FR 34373, June 28, 2001]

#### § 203.2 Authority and functions.

(a) The administration of the copyright law was entrusted to the Library of Congress by an act of Congress in 1870, and the Copyright Office has been a separate department of the Library since 1897. The statutory functions of the Copyright Office are contained in and carried out in accordance with the

### § 203.3

### 37 CFR Ch. II (7-1-02 Edition)

Copyright Act. Pub. L. 94-553 (90 Stat. 2541-2602), 17 U.S.C. 101-1101.

[43 FR 774, Jan. 4, 1978, as amended at 62 FR 35421, July 1, 1997]

#### § 203.3 Organization.

(a) *In general.* The Office of the Register exercises overall direction of the work of the Copyright Office, including work in conjunction with copyright legislation, litigation and promulgation of copyright regulations. The Office of the Register of Copyrights includes the legal, administrative, and automation staff.

(b) The Associate Register of Copyright for Operations has oversight of the operating divisions of the Copyright Office. The operating divisions are:

(1) The Receiving and Processing Division, which receives incoming materials, dispatches outgoing materials and establishes control over fiscal accounts.

(2) The Examining Division, which examines all applications and material presented to the Copyright Office for registration of original and renewal copyright claims, and which determines whether the material deposited constitutes copyrightable subject matter and whether the other legal and formal requirements of title 17 have been met.

(3) The Cataloging Division, which prepares the bibliographic description of all copyrighted works registered in the Copyright Office, including the recording of legal facts of copyright pertaining to each work, in an on-line database in which copyright records can be searched; and which also examines and catalogs in an on-line database documents submitted for recordation.

(4) The Information and Reference Division, which provides a national copyright information service through the Public Information Office, educates the public on the copyright law, issues and distributes information materials, responds to reference requests regarding copyright matters, prepares search reports based upon copyright records, certifies copies of legal documents concerned with copyright, and maintains liaison with the United States Customs Service, the Department of the Treas-

ury, and the United States Postal Service on certain matters. The Information and Reference Division also develops, services, stores, and preserves the official records and catalogs of the Copyright Office, including applications for registration, historical records, and materials deposited for copyright registration that are not selected by the Library of Congress for addition to its collections.

(5) The Licensing Division, which implements the sections of the Copyright Act dealing with secondary transmissions of radio and television programs, compulsory licenses for making and distributing phonorecords of non-dramatic musical, pictorial, graphic, and sculptural works in connection with noncommercial broadcasting. The Licensing Division is in charge of collecting the statutory royalties and distributing these royalties based on either a voluntary agreement among the interested parties or a determination of the Copyright Arbitration Royalty Panels.

(c) The Copyright General Counsel is a principal legal officer of the Office. The General Counsel has overall supervisory responsibility for the legal staff and primary responsibility for providing liaison on legal matters between the Office and the Congress, the Department of Justice and other agencies of Government, the courts, the legal community, and a wide range of interests affected by the copyright law. The Copyright General Counsel has responsibility for overseeing all functions related to the administration of the compulsory licenses including oversight of the Copyright Arbitration Royalty Panels.

(d) The Associate Register of Copyrights for International Affairs and Policy is a principal legal adviser to the Register with primary responsibility for the international aspects of copyright protection, as well as legislative and policy matters.

(e) The Associate Register of Copyrights for National Programs is primarily responsible for initiating, planning, developing, and implementing projects and activities related to the Copyright Office electronic registration, recordations, and deposit system (CORDS).