

amend his or her record may request a review of the denial. The decision will be made within 30 business days, unless the Office can demonstrate good cause for extending the 30 day period. If the requestor is dissatisfied with the agency's final determination, the individual may bring a civil action against the Office in the appropriate United States district court. appeal the refusal to correct or amend a record pertaining to the individual. The individual should submit a written appeal to the General Counsel, Copyright Office, Copyright GC/I&R, P.O. Box 70400, Washington, DC 20024. Appeals, and the envelopes containing them, should be plainly marked "Privacy Act Appeal." Failure to so mark the appeal may delay the Copyright Office General Counsel's response. An appeal should contain a copy of the request for amendment or correction and a copy of the record alleged to be untimely, inaccurate, incomplete or irrelevant.

(b) The General Counsel will issue a written decision granting or denying the appeal within 30 working days after receipt of the appeal unless, after showing good cause, the General Counsel extends the 30 day period. If the appeal is granted, the requested amendment or correction will be made promptly. If the appeal is denied, in whole or part, the General Counsel's decision will set forth reasons for the denial. Additionally, the decision will advise the requester that he or she has the right to file with the Copyright Office a concise statement of his or her reasons for disagreeing with the refusal to amend the record and that such statement will be attached to the requester's record and included in any future disclosure of such record.

[43 FR 776, Jan. 4, 1978, as amended at 64 FR 36575, July 7, 1999; 65 FR 39820, June 28, 2000; 65 FR 48914, Aug. 10, 2000; 66 FR 34373, June 28, 2001; 73 FR 37840, July 2, 2008]

#### § 204.9 Judicial review.

Within two years of the receipt of a final adverse administrative determination, an individual may seek judicial review of that determination as provided in 5 U.S.C. 552a(g)(1).

## PART 205—LEGAL PROCESSES

### Subpart A—General Provisions

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- 205.1 Definitions.
- 205.2 Address for mail and service; telephone number.
- 205.3 Waiver of rules.
- 205.4 Relationship of this part to the Federal Rules of Civil and Criminal Procedure.
- 205.5 Scope of this part related to Copyright Office duties under title 17 of the U.S. Code.

### Subpart B—Service of Process

- 205.11 Scope and purpose.
- 205.12 Process served on the Register of Copyrights or an employee in his or her official capacity.
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### Subpart C—Testimony by Employees and Production of Documents in Legal Proceedings in Which the Office is Not a Party

- 205.21 Scope and purpose.
- 205.22 Production of documents and testimony.
- 205.23 Scope of testimony.

AUTHORITY: 17 U.S.C. 702.

SOURCE: 69 FR 39334, June 30, 2004, unless otherwise noted.

### Subpart A—General Provisions

#### § 205.1 Definitions.

For the purpose of this part:

*Demand* means an order, subpoena or any other request for documents or testimony for use in a legal proceeding.

*Document* means any record or paper held by the Copyright Office, including, without limitation, official letters, deposits, recordations, registrations, publications, or other material submitted in connection with a claim for registration of a copyrighted work.

*Employee* means any current or former officer or employee of the Copyright Office, as well as any individual subject to the jurisdiction, supervision, or control of the Copyright Office.

*General Counsel*, unless otherwise specified, means the General Counsel of the Copyright Office or his or her designee.