

Copyright Registration for Single Serial Issues

This circular provides background information about the registration of copyright claims in single serial issues.

For information on group registration for daily newspapers and newsletters, see Circular 62A, *Group Registration of Newspapers and Newsletters on Form G/DN*, and Form G/DN. For information on group registration for weekly or monthly serials, see Circular 62B, *Group Registration for a Group of Serial Issues*.

Serials

For copyright purposes, serials are defined as works issued or intended to be issued in successive parts bearing numerical or chronological designations and intended to be continued indefinitely. The classification “serial” includes periodicals, newspapers, magazines, bulletins, newsletters, annuals, journals, proceedings of societies, and other similar works.

Definitions

Work Made for Hire

A “work made for hire” is a work prepared by an employee within the scope of his or her employment, or a work specially ordered or commissioned for certain uses (including use as a contribution to a collective work), if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire. The employer is the author of a work made for hire.

Collective Work

A “collective work” is a work, such as a periodical issue, anthology, or encyclopedia, in which a number of contributions, constituting separate and independent works in themselves, are assembled into a collective whole.

How to Register a Single Issue

Here are the options for registering your copyright, beginning with the fastest and most cost-effective method.

Option 1: Online Registration

Online registration through the electronic Copyright Office (eCO) is the preferred way to register single serial issues. Advantages of online filing include

- a lower filing fee

- fastest processing time
- online status tracking
- secure payment by credit or debit card, electronic check, or Copyright Office deposit account
- the ability to upload certain categories of deposits directly into eCO as electronic files

NOTE: You can still register using eCO and save money even if you will submit a hard-copy deposit, which is required under the mandatory deposit requirements for published works. The system will prompt you to specify whether you intend to submit an electronic or a hard-copy deposit, and it will provide instructions accordingly. Hard-copy deposits are required for all published works.

To access eCO, go to the Copyright Office website at *www.copyright.gov* and click on *electronic Copyright Office*.

Option 2: Registration with Fill-In Form CO

The next best option for registering single serial issues is the new fill-in Form CO. Using 2-D barcode scanning technology, the Office can process these forms much faster and more efficiently than paper forms completed manually. Simply complete Form CO on your personal computer, print it out, and mail it along with a check or money order and your deposit. To access Form CO, go the Copyright Office website and click on *Forms*. Do not save your filled-out Form CO and reuse it for another registration. The 2-D barcode it contains is unique for each work that you register.

NOTE: Make sure your Form CO has a 2-D barcode on each page. Do not use screen shots to create your Form CO.

Option 3: Registration with Paper Forms

Paper versions of forms are still available. The paper forms are not accessible on the Copyright Office website; however, staff will send them to you by postal mail upon request. Remember that online registration through eCO and fill-in Form CO can be used for these types of applications.

Mailing Addresses for Applications Filed on Paper and for Hard-copy Deposits

*Library of Congress
U.S. Copyright Office-SE
101 Independence Avenue SE
Washington, DC 20559-6226*

NOTE: A claim to copyright in a single issue does not give blanket protection for other issues published under the same serial title. Each serial issue is considered a separate work for copyright purposes.

The Claimant and the Extent of the Claim

The copyright claimant is the person, organization, or legal entity authorized to claim copyright in the serial issue. The claimant is the author or the person or organization to whom all rights have been transferred.

The claimant registering a serial may claim copyright not only in the collective-work authorship for which the claimant is responsible but also in any independently authored contributions in which all rights have been transferred to the claimant by the contributors.

If the serial issue includes any independently authored contributions in which all rights have *not* been transferred by the contributor to the claimant for the serial issue as a whole, those contributions are not included in the claim being registered, because the claimant in these contributions is different from the claimant in the entire serial issue.

A separately authored contribution *can*, however, be registered for copyright independently. To register such a contribution, the contributor should file a separate claim.

How to Complete the Application

Author Information

The applicant must determine who is the author of the serial issue covered by the claim and whether the material produced by that author is a “work made for hire.” Where the author is a corporation or other organization, the application must indicate that the work was “made for hire.” Therefore, in the case of the typical serial issue that is made for hire, the applicant should give the full legal name of the employer and check “yes” to show that the work was made for hire.

Author Created

In most cases, the preferred description of the authorship in a serial issue is “collective work that may include text, editing, compilation, and contribution(s) in which copyright has been transferred to the claimant.” A more specific statement is not generally necessary but may be given if appropriate. If you use online registration or Form SE, check the “collective work ...” box. If you use Form CO, simply state “collective work” at the “other” line. The full statement is not required.

Copyright Claimant and Transfer

Give the full legal name and address of the claimant for the serial issue as a whole.

When the same name or names appear as author and claimant, there is no need to complete the “transfer” space.

Conversely, whenever the name of the serial claimant is different from the name of the author, a transfer statement is required.

When a serial issue includes independently authored contributions in which all rights have been transferred in writing to the claimant of the entire serial issue, it is not necessary to include the names of the contributors. Whether those contributors are listed or not, the copyright claim in the serial issue as a whole would extend to those contributions.

NOTE: If the application includes the names of those contributors who transferred their rights to the serial claimant, the application *must* include a brief transfer statement explaining how the rights were transferred, for example, “by written agreement.”

Notice of Copyright

Before March 1, 1989, the use of the copyright notice was mandatory on all published works, and any work first published before that date should have carried a notice. For works first published on and after March 1, 1989, use of the copyright notice is optional. For more information about copyright notice, see Circular 3, *Copyright Notice*.

Mandatory Deposit

Under the mandatory deposit provisions of the copyright law, two complete copies of the best edition of each issue of a serial published in the United States must be sent to the Copyright Office for the use of the Library of Congress. If registration is made, this requirement is automatically satisfied. If registration is not made, the two copies must be sent directly to the Copyright Acquisitions Division. (Registration is not mandatory.) It is the responsibility of the owner of copyright or the owner of the exclusive right of publication to fulfill this mandatory deposit requirement within three months after the date of publication in the United States. Failure to make the deposit can result in fines and other penalties.

Deposits of works that are not being registered should be sent to:

*Library of Congress
Copyright Office-407 Serials
101 Independence Avenue SE
Washington, DC 20559-6602*

If applicable, a copy of the mandatory deposit notice must also be included with the submission.

The mandatory deposit requirement also applies to works first published abroad that have subsequently been published in the United States. Copyright Office regulations, however, permit the deposit of one copy of a “foreign work,” that is, a work first published abroad that is later distributed in the United States without a change in copyrightable content, if (a) registration for the work is made before the work is distributed in the United States, or (b) registration for the work is made after the work is distributed in the United States but *before a demand for deposit is made by this Office*. If registration is not made, or if it is made after a demand, then two copies must be deposited. Failure to make the deposit can lead to fines and other penalties.

How to Obtain an ISSN Number

Obtaining an International Standard Serial Number (ISSN) is separate from copyright registration. The Copyright Office does not administer ISSN assignment. For information about obtaining an ISSN, write to *Library of Congress, National Serials Data Program, Serial Record Division, 101 Independence Avenue SE, Washington, DC 20540-4160*. Or obtain information from the Library of Congress website at www.loc.gov/issn.

For Further Information

By Internet

Circulars, announcements, regulations, certain application forms, and other materials are available from the Copyright Office website at www.copyright.gov.

By Telephone

For general information about copyright, call the Copyright Public Information Office at (202) 707-3000. Staff members are on duty from 8:30 AM to 5:00 PM, eastern time, Monday through Friday, except federal holidays. Recorded information is available 24 hours a day. If you want to request paper application forms or circulars, call the Forms and Publications Hotline at (202) 707-9100 and leave a recorded message.

By Regular Mail

Write to:

*Library of Congress
Copyright Office-COPUBS
101 Independence Avenue SE
Washington, DC 20559-6304*

