



In answer to your query

INTERNATIONAL COPYRIGHT

FL-100

There is no such thing as an “international copyright” that will automatically protect an author’s writings throughout the world. Protection against unauthorized use in a particular country depends on the national laws of that country. However, most countries offer protection to foreign works under certain conditions that have been greatly simplified by international copyright treaties and conventions. There are two principal international copyright conventions, the Berne Convention for the Protection of Literary and Artistic Works (Berne Convention) and the Universal Copyright Convention (UCC).

The United States became a member of the Berne Convention on March 1, 1989. It has been a member of the UCC since September 16, 1955. Generally, the works of an author who is a national or domiciliary of a country that is a member of these treaties or works first published in a member country or published within 30 days of first publication in a Berne Convention country can claim protection under the treaties. There are no formal requirements in the Berne Convention. Under the UCC, any formality in a national law can be satisfied by the use of a notice of copyright in the form and position specified in the UCC. A UCC notice should consist of the symbol © (C in a circle) accompanied by the year of first publication and the name of the copyright proprietor (example: © 2006 John Doe). This notice must be placed in such a manner and location as to give reasonable notice of the claim to copyright. Since the Berne Convention prohibits formal requirements that affect the “exercise and enjoyment” of the copyright, the United States changed its law on March 1, 1989, to make the use of a copyright notice optional. U.S. law, however, still provides certain advantages for use of a copyright notice; for example, the use of a copyright notice can defeat a defense of “innocent infringement.”

Even if a work cannot be brought under an international convention, protection may be available in other countries by virtue of a bilateral agreement between the United States and other countries or under specific provision of a country’s national laws. (See Circular 38A, *International Copyright Relations of the United States*.)

An author who desires copyright protection for his or her work in a particular country should first determine the extent of protection available to works of foreign authors in that country. If possible, this should be done before the work is published anywhere, because protection may depend on the facts existing at the time of first publication.

There are some countries that offer little or no copyright protection to any foreign works. For current information on the requirements and protection provided by other countries, it may be advisable to consult an expert familiar with foreign copyright laws. The U.S. Copyright Office is not permitted to recommend agents or attorneys or to give legal advice on foreign laws.

Sincerely yours,

Register of Copyrights

Copyright Office fees are subject to change. For current fees, please check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

Registering a Copyright with the U.S. Copyright Office

An application for copyright registration contains three essential elements: a completed application form, a nonrefundable filing fee, and a nonreturnable deposit—that is, a copy or copies of the work being registered and “deposited” with the Copyright Office.

When the Copyright Office issues a registration certificate, it assigns as the effective date of registration the date it received all the required elements in acceptable form.

Online Registration

Online registration through the electronic Copyright Office (eCO) is the preferred way to register basic claims for literary works; visual arts works; performing arts works, including motion pictures; sound recordings; and single serials.

Advantages of eCO filing include the lowest filing fee; the fastest processing time; online status tracking; secure payment by credit or debit card, electronic check, or Copyright Office deposit account; and the ability to upload certain categories of deposits directly into eCO as electronic files. To access eCO, go to the Copyright Office website and click on *electronic Copyright Office*.

Fill-In Form CO

The new fill-in Form CO is the next-best option for registering basic claims. Simply complete Form CO on your personal com-

puter, print it out, and mail it along with a check or money order and your deposit. To access Form CO, go to the Copyright Office website and click on *Forms*.

Registration with Paper Forms

Paper versions of Forms TX (literary works); VA (visual arts works); PA (performing arts works); SR (sound recordings); SE (single serials); and CON (continuation sheet for paper applications) are still available. However, these paper forms are not accessible on the Copyright Office website; staff will send them by postal mail upon request (limit of two copies of each form). Certain other applications *must* be completed on paper and mailed to the Copyright Office with the appropriate fee and deposit. These applications, available on the Office’s website by clicking on *Forms*, include Form RE (renewal of copyright claims) and forms for group submissions. For a complete list, see SL-35, *Registering a Copyright with the U.S. Copyright Office*.

See Circular 1, *Copyright Basics*, for complete details about copyright, deposit requirements, and registration procedures.

NOTE: Copyright Office fees are subject to change. For current fees, please check the Copyright Office website, write the Copyright Office, or call (202) 707-3000.

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*. To send an email communication, click on *Contact Us* at the bottom of the homepage.

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. 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 20059-6304*