Copyright Office, Library of Congress

§ 201.38

at any time after the original NIE has been filed, as provided in section 104A(e)(1)(A)(iii) of title 17.

(e) Fee—(1) Amount. The filing fee for recording Correction NIEs is prescribed in §201.3(c).

(2) Method of payment. See 37 CFR 201.33(e)(1),(2).

(f) Public online access. Information contained in the Correction Notice of Intent to Enforce is available online in the Copyright Office History Documents (COHD) file through the Library of Congress electronic information system, available through the Internet. This file is available from computer terminals located in the Copyright Office itself or from terminals located in other parts of the Library of Congress through the Library of Congress Information System (LOCIS). Alternative ways to connect through Internet are the World Wide Web (WWW), using the Copyright Office Home Page at: http://www.loc.gov/copyright; directly to LOCIS through the telnet address at locis.loc.gov; or the Library of Congress through gopher LC MARVEL and WWW which are available 24 hours a day. LOCIS is available 24 hours a day, Monday through Friday. For the purpose of researching the full Office record of Correction NIEs on the Internet, the Office has made online searching instructions accessible through the Copyright Office Home Page. Researchers can access them through the Library of Congress Home Page on the World Wide Web by selecting the copyright link. Select the menu item “Copyright Office Records” and/or “URAA, GATT Amends U.S. law.” Images of the complete Correction NIEs as filed will be stored on optical disk and will be available from the Copyright Office.

APPENDIX A TO §201.34—CORRECTION NOTICE OF INTENT TO ENFORCE

CORRECTION OF NOTICE OF INTENT TO ENFORCE

1. Name of Copyright Owner (or owner of exclusive right) If this correction notice is to cover multiple works, the author and the rights owner must be the same for all works covered by the notice.

2. Title(s) (or brief description)

(a) Work No. 1—
Volume and Document Number: _____
English Translation: ______

(b) Work No. 2 (if applicable)—
Volume and Document Number: _____
English Translation: ______

(c) Work No. 3 (if applicable)—
Volume and Document Number: _____
English Translation: ______

(d) Work No. 4 (if applicable)—
Volume and Document Number: _____
English Translation: ______

3. Statement of incorrect information on earlier NIE:

4. Statement of correct (or previously omitted) information:

Give the following only if incorrect or omitted on earlier NIE:

(a) Type of work _____
(b) Rights owned ______
(c) Name of author (of entire work) _____
(d) Source Country _____
(e) Year of Publication (Approximate if precise year is unknown) _____
(f) Alternative titles ______

5. Explanation of error:

6. Certification and Signature: I hereby certify that for each of the work(s) listed above, I am the copyright owner, or the owner of an exclusive right, or the owner’s authorized agent, the agency relationship having been constituted in a writing signed by the owner before the filing of this notice, and that the information given herein is true and correct to the best of my knowledge.

Name and Address (typed or printed):

Telephone/Fax:
As agent for:

Date and Signature:


§§ 201.35–201.37 [Reserved]

§ 201.38 Designation of agent to receive notification of claimed infringement.

(a) General. This section prescribes interim rules under which service providers may provide the Copyright Office with designations of agents to receive notification of claimed infringement under section 512(c)(2) of title 17 of the United States Code, as amended. These interim rules shall remain in effect until more comprehensive rules
have been promulgated following a notice of proposed rulemaking and receipt of public comments.

(b) **Forms.** The Copyright Office does not provide printed forms for filing an Interim Designation of Agent to Receive Notification of Claimed Infringement.

(c) **Content.** An “Interim Designation of Agent to Receive Notification of Claimed Infringement” shall be identified as such by prominent caption or heading, and shall include the following information with respect to a single service provider:

1. The full legal name and address of the service provider;
2. All names under which the service provider is doing business;
3. The name of the agent designated to receive notification of claimed infringement;
4. The full address, including a specific number and street name or rural route, of the agent designated to receive notification of claimed infringement. A post office box or similar designation will not be sufficient except where it is the only address that can be used in that geographic location;
5. The telephone number, facsimile number, and electronic mail address of the agent designated to receive notification of claimed infringement;

(d) **Signature.** The Interim Designation of Agent to Receive Notification of Claimed Infringement shall include the signature of the appropriate officer or representative of the service provider designating the agent. The signature shall be accompanied by the printed or typewritten name and title of the person signing the Notice, and by the date of signature.

(e) **Filing.** A service provider may file the Interim Designation of Agent to Receive Notification of Claimed Infringement with the Copyright Information Section, Room LM–401, James Madison Memorial Building, Library of Congress, 101 Independence Avenue, SE, Washington, DC, during normal business hours, 9 am to 5 pm. If mailed, the Interim Designation should be addressed to: Copyright GC/I&R, PO Box 70400, Washington, DC 20024. Each designation shall be accompanied by a filing fee for Recordation of an Interim Designation of Agent to Receive Notification of Claimed Infringement under section 512(c)(2) in the amount prescribed in §201.3(c). Designations and amendments will be posted online on the Copyright Office’s website (http://www.loc.gov/copyright).

(f) **Amendments.** In the event of a change in the information reported in an Interim Designation of Agent to Receive Notification of Claimed Infringement, a service provider shall file with the Copyright Information Section an amended Interim Designation of Agent to Receive Notification of Claimed Infringement, containing the current information required by §201.38(c). The amended Interim Designation shall be signed in accordance with the requirements of §201.38(d) and shall be accompanied by a fee equal to the amount prescribed in §201.3(c) for Recordation of an Interim Designation of Agent to Receive Notification of Claimed Infringement under section 512(c)(2).

(g) **Termination and dissolution.** If a service provider terminates its operations, the entity shall notify the Copyright Office by certified or registered mail.