

Filling Out Application Form SR

*Detach and read these instructions before completing this form.
Make sure all applicable spaces have been filled in before you return this form.*

BASIC INFORMATION

When to Use This Form: Use Form SR for copyright registration of published or unpublished sound recordings. It should be used when the copyright claim is limited to the sound recording itself, and it may also be used where the same copyright claimant is seeking simultaneous registration of the underlying musical, dramatic, or literary work embodied in the phonorecord.

With one exception, "sound recordings" are works that result from the fixation of a series of musical, spoken, or other sounds. The exception is for the audio portions of audiovisual works, such as a motion picture soundtrack or an audio cassette accompanying a filmstrip; these are considered a part of the audiovisual work as a whole.

Deposit to Accompany Application: An application for copyright registration of a sound recording must be accompanied by a deposit consisting of phonorecords representing the entire work for which registration is to be made.

Unpublished Work: Deposit one complete phonorecord.

Published Work: Deposit two complete phonorecords of the best edition, together with "any printed or other visually perceptible material" published with the phonorecords.

Work First Published Outside the United States: Deposit one complete phonorecord of the first foreign edition.

Contribution to a Collective Work: Deposit one complete phonorecord of the best edition of the collective work.

The Copyright Notice: For sound recordings first published on or after March 1, 1989, the law provides that a copyright notice in a specified form "may be placed on all publicly distributed phonorecords of the sound recording." Use of the copyright notice is the responsibility of the copyright owner and does not require advance permission from the Copyright Office. The required form of the notice for phonorecords of sound recordings consists of three elements: (1) the symbol "©" (the letter "P" in a circle); (2) the year of first publication of the sound recording; and (3) the name of the owner of copyright. For example "© 1993 XYZ Record Co." The notice is to be "placed on the surface of the phonorecord, or on the label or container, in such manner and location as to give reasonable notice of the claim of copyright." Works first published prior to March 1, 1989, **must** carry the notice or risk loss of copyright protection.

For information about notice requirements for works published before March 1, 1989, or other copyright information, write: Information Section, LM-401, Copyright Office, Library of Congress, Washington, D.C. 20559.

PRIVACY ACT ADVISORY STATEMENT Required by the Privacy Act of 1974 (P.L. 93-579)

The authority for requesting this information is title 17, U.S.C., secs. 409 and 410. Furnishing the requested information is voluntary. But if the information is not furnished, it may be necessary to delay or refuse registration and you may not be entitled to certain relief, remedies, and benefits provided in chapters 4 and 5 of title 17, U.S.C.

The principal uses of the requested information are the establishment and maintenance of a public record and the examination of the application for compliance with legal requirements.

Other routine uses include public inspection and copying, preparation of public indexes, preparation of public catalogs of copyright registrations, and preparation of search reports upon request.

NOTE: No other advisory statement will be given in connection with this application. Please keep this statement and refer to it if we communicate with you regarding this application.

LINE-BY-LINE INSTRUCTIONS

Please type or print using black ink.

1 SPACE 1: Title

Title of This Work: Every work submitted for copyright registration must be given a title to identify that particular work. If the phonorecords or any accompanying printed material bear a title (or an identifying phrase that could serve as a title), transcribe that wording completely and exactly on the application. Indexing of the registration and future identification of the work may depend on the information you give here.

Nature of Material Recorded: Indicate the general type or character of the works or other material embodied in the recording. The box marked "Literary" should be checked for nondramatic spoken material of all sorts, including narration, interviews, panel discussions, and training material. If the material recorded is not musical, dramatic, or literary in nature, check "Other" and briefly describe the type of sounds fixed in the recording. For example: "Sound Effects"; "Bird Calls"; "Crowd Noises."

Previous or Alternative Titles: Complete this space if there are any additional titles for the work under which someone searching for the registration might be likely to look or under which a document pertaining to the work might be recorded.

2 SPACE 2: Author(s)

General Instructions: After reading these instructions, decide who are the "authors" of this work for copyright purposes. Then, unless the work is a "collective work," give the requested information about every "author" who contributed any appreciable amount of copyrightable matter to this version of the work. If you need further space, request additional Continuation Sheets. In the case of a collective work such as a collection of previously published or registered sound recordings, give information about the author of the collective work as a whole. If you are submitting this Form SR to cover the recorded musical, dramatic, or literary work as well as the sound recording itself, it is important for space 2 to include full information about the various authors of all of the material covered by the copyright claim, making clear the nature of each author's contribution.

Name of Author: The fullest form of the author's name should be given. Unless the work was "made for hire," the individual who actually created the work is its "author." In the case of a work made for hire, the statute provides that "the employer or other person for whom the work was prepared is considered the author."

What is a "Work Made for Hire"? A "work made for hire" is defined as: (1) "a work prepared by an employee within the scope of his or her employment"; or (2) "a work specially ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire." If you have checked "Yes" to indicate that the work was "made for hire," you must give the full legal name of the employer (or other person for whom the work was prepared). You may also include the name of the employee along with the name of the employer (for example: "Elster Record Co., employer for hire of John Ferguson").

"Anonymous" or "Pseudonymous" Work: An author's contribution to a work is "anonymous" if that author is not identified on the copies or phonorecords of the work. An author's contribution to a work is "pseudonymous" if that author is identified on the copies or phonorecords under a fictitious name. If the work is "anonymous" you may: (1) leave the line blank; or (2) state "anonymous" on the line; or (3) reveal the author's identity. If the work is "pseudonymous" you may: (1) leave the line blank; or (2) give the pseudonym and identify it as such (for example: "Huntley Haverstock, pseudonym"); or (3) reveal the author's name, making clear which is the real name and which is the pseudonym (for example: "Judith Barton, whose pseudonym is Madeline Elster"). However, the citizenship or domicile of the author **must** be given in all cases.

Dates of Birth and Death: If the author is dead, the statute requires that the year of death be included in the application unless the work is anonymous or pseudonymous. The author's birth date is optional, but is useful as a form of identification. Leave this space blank if the author's contribution was a "work made for hire."

Author's Nationality or Domicile: Give the country in which the author is a citizen, or the country in which the author is domiciled. Nationality or domicile **must** be given in all cases.

Nature of Authorship: Give a brief general statement of the nature of this particular author's contribution to the work. If you are submitting this Form SR to cover both the sound recording and the underlying musical, dramatic, or literary work, make sure that the precise nature of each author's contribution is reflected here. Examples where the authorship pertains to the recording: "Sound Recording"; "Performance and Recording"; "Compilation and Remixing of Sounds." Examples where the authorship pertains to both the recording and the underlying work: "Words, Music, Performance, Recording"; "Arrangement of Music and Recording"; "Compilation of Poems and Reading."

3 SPACE 3: Creation and Publication

General Instructions: Do not confuse “creation” with “publication.” Every application for copyright registration must state “the year in which creation of the work was completed.” Give the date and nation of first publication only if the work has been published.

Creation: Under the statute, a work is “created” when it is fixed in a copy or phonorecord for the first time. Where a work has been prepared over a period of time, the part of the work existing in fixed form on a particular date constitutes the created work on that date. The date you give here should be the year in which the author completed the particular version for which registration is now being sought, even if other versions exist or if further changes or additions are planned.

Publication: The statute defines “publication” as “the distribution of copies or phonorecords of a work to the public by sale or other transfer of ownership, or by rental, lease, or lending”; a work is also “published” if there has been an “offering to distribute copies or phonorecords to a group of persons for purposes of further distribution, public performance, or public display.” Give the full date (month, date, year) when, and the country where, publication first occurred. If first publication took place simultaneously in the United States and other countries, it is sufficient to state “U.S.A.”

4 SPACE 4: Claimant(s)

Name(s) and Address(es) of Copyright Claimant(s): Give the name(s) and address(es) of the copyright claimant(s) in the work even if the claimant is the same as the author. Copyright in a work belongs initially to the author of the work (including, in the case of a work made for hire, the employer or other person for whom the work was prepared). The copyright claimant is either the author of the work or a person or organization to whom the copyright initially belonging to the author has been transferred.

Transfer: The statute provides that, if the copyright claimant is not the author, the application for registration must contain “a brief statement of how the claimant obtained ownership of the copyright.” If any copyright claimant named in space 4 is not an author named in space 2, give a brief statement explaining how the claimant(s) obtained ownership of the copyright. Examples: “By written contract”; “Transfer of all rights by author”; “Assignment”; “By will.” Do not attach transfer documents or other attachments or riders.

5 SPACE 5: Previous Registration

General Instructions: The questions in space 5 are intended to show whether an earlier registration has been made for this work and, if so, whether there is any basis for a new registration. As a rule, only one basic copyright registration can be made for the same version of a particular work.

Same Version: If this version is substantially the same as the work covered by a previous registration, a second registration is not generally possible unless: (1) the work has been registered in unpublished form and a second registration is now being sought to cover this first published edition; or (2) someone other than the author is identified as copyright claimant in the earlier registration and the author is now seeking registration in his or her own name. If either of these two exceptions apply, check the appropriate box and give the earlier registration number and date. Otherwise, do not submit Form SR; instead, write the Copyright Office for information about supplementary registration or recordation of transfers of copyright ownership.

MORE INFORMATION

“Works”: “Works” are the basic subject matter of copyright; they are what authors create and copyright protects. The statute draws a sharp distinction between the “work” and “any material object in which the work is embodied.”

“Copies” and “Phonorecords”: These are the two types of material objects in which “works” are embodied. In general, “copies” are objects from which a work can be read or visually perceived, directly or with the aid of a machine or device, such as manuscripts, books, sheet music, film, and videotape. “Phonorecords” are objects embodying fixations of sounds, such as audio tapes and phonograph disks. For example, a song (the “work”) can be reproduced in sheet music (“copies”) or phonograph disks (“phonorecords”), or both.

“Sound Recordings”: These are “works,” not “copies” or “phonorecords.” “Sound recordings” are “works that result from the fixation of a series of musical, spoken, or other sounds, but not including the sounds accompanying a motion picture or other audiovisual work.” Example: When a record company issues a new release, the release will typically involve two distinct “works”: the “musical work” that has been recorded, and the “sound recording” as a separate work in itself. The material objects that the recorded com-

Changed Version: If the work has been changed, and you are now seeking registration to cover the additions or revisions, check the last box in space 5, give the earlier registration number and date, and complete both parts of space 6 in accordance with the instructions below.

Previous Registration Number and Date: If more than one previous registration has been made for the work, give the number and date of the latest registration.

6 SPACE 6: Derivative Work or Compilation

General Instructions: Complete space 6 if this work is a “changed version,” “compilation,” or “derivative work,” and if it incorporates one or more earlier works that have already been published or registered for copyright, or that have fallen into the public domain, or sound recordings that were fixed before February 15, 1972. A “compilation” is defined as “a work formed by the collection and assembling of preexisting materials or of data that are selected, coordinated, or arranged in such a way that the resulting work as a whole constitutes an original work of authorship.” A “derivative work” is “a work based on one or more preexisting works.” Examples of derivative works include recordings reissued with substantial editorial revisions or abridgments of the recorded sounds, and recordings republished with new recorded material, or “any other form in which a work may be recast, transformed, or adapted.” Derivative works also include works “consisting of editorial revisions, annotations, or other modifications” if these changes, as a whole, represent an original work of authorship.

Preexisting Material (space 6a): Complete this space and space 6b for derivative works. In this space identify the preexisting work that has been recast, transformed, or adapted. For example, the preexisting material might be: “1970 recording by Sperryville Symphony of Bach Double Concerto.” Do not complete this space for compilations.

Material Added to This Work (space 6b): Give a brief, general statement of the additional new material covered by the copyright claim for which registration is sought. In the case of a derivative work, identify this new material. Examples: “Recorded performances on bands 1 and 3”; “Remixed sounds from original multitrack sound sources”; “New words, arrangement, and additional sounds.” If the work is a compilation, give a brief, general statement describing both the material that has been compiled and the compilation itself. Example: “Compilation of 1938 Recordings by various swing bands.”

7,8,9 SPACE 7,8,9: Fee, Correspondence, Certification, Return Address

Deposit Account: If you maintain a Deposit Account in the Copyright Office, identify it in space 7. Otherwise leave the space blank and send the fee of \$20 with your application and deposit.

Correspondence (space 7): This space should contain the name, address, area code, and telephone number of the person to be consulted if correspondence about this application become necessary.

Certification (space 8): This application cannot be accepted unless it bears the date and the handwritten signature of the author or other copyright claimant, or of the owner of exclusive right(s), or of the duly authorized agent of the author, claimant, or owner of exclusive right(s).

Address for Return of Certificate (space 9): The address box must be completed legibly since the certificate will be returned in a window envelope.

pany sends out are “phonorecords”: physical reproductions of both the “musical work” and the “sound recording.”

Should You File More Than One Application? If your work consists of a recorded musical, dramatic, or literary work and if both that “work” and the sound recording as a separate “work” are eligible for registration, the application form you should file depends on the following:

File Only Form SR if: The copyright claimant is the same for both the musical, dramatic, or literary work and for the sound recording, and you are seeking a single registration to cover both of these “works.”

File Only Form PA (or Form TX) if: You are seeking to register only the musical, dramatic, or literary work, not the sound recording. Form PA is appropriate for works of the performing arts; Form TX is for nondramatic literary works.

Separate Applications Should Be Filed on Form PA (or Form TX) and on Form SR if: (1) The copyright claimant for the musical, dramatic, or literary work is different from the copyright claimant for the sound recording; or (2) You prefer to have separate registrations for the musical, dramatic, or literary work and for the sound recording.

EXAMINED BY

FORM SR

CHECKED BY

☐ CORRESPONDENCE
Yes

 FOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

 a. ☐ This is the first published edition of a work previously registered in unpublished form.

 b. ☐ This is the first application submitted by this author as copyright claimant.

 c. ☐ This is a changed version of the work, as shown by space 6 on this application.

 If your answer is "Yes," give: **Previous Registration Number** ▼

Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

 a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▼

 b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ **Account Number** ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. **Name/Address/Apt/City/State/ZIP** ▼

Area Code and Telephone Number ►

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

☐ author

☐ other copyright claimant

☐ owner of exclusive right(s)

☐ authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

 of the work identified in this application and that the statements made
 by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Date ►

Handwritten signature (X) ▼

**Mail
certificate
to:**
**Certificate
will be
mailed in
window
envelope**
Name ▼

Number/Street/Apartment Number ▼

City/State/ZIP ▼

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

**SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE:**

1. Application form
2. Nonrefundable \$20 filing fee
in check or money order
payable to *Register of Copyrights*
3. Deposit material

MAIL TO:

 Register of Copyrights
 Library of Congress
 Washington, D.C. 20559-6000

*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.