



U.S. Copyright Office Practices First Major Change in More Than Two Decades

Those endeavoring to protect their artistic masterpiece under United States copyright law know that the process of acquiring such protection is more involved than one might expect. The route to having a work federally registered and protected can be a confusing, but necessary, maze, unforgiving of any applicant's wrong turn. The U.S. Copyright Office ("Copyright Office"), however, has recently re-blazed the safest trails through that maze so that the relevant law and procedure of copyright protection is more accessible and understandable.

On August 19, 2014 the Copyright Office published what may be considered the holy grail of U.S. copyright law and procedure: its draft of the Compendium of U.S. Copyright Office Practices (the "Compendium III"). The draft is comprised of 1222 pages setting forth guidance on every nook and cranny of copyright law, from delineating the Copyright Office staff's roles and responsibilities to defining that type of authorship which is copyrightable in a "serial." Compendium III will remain in draft form during a 120-day comment period, and will take effect in mid-December of this year.

Compendium III not only adopts the role of its predecessors (Compendium I and Compendium II) in acting as an administrative manual to Copyright Office staff, but also presents itself as a legal and procedural guide to copyright applicants, practitioners, scholars, and all who work or are interested in this area of law. Thus, unlike the previous two editions, Compendium III does not exist primarily for the Copyright Office's internal use. Compendium III is also an organic document anticipated to grow and change. As necessary, the Copyright Office will amend Compendium III on its website to reflect the most recent changes in the law. The future amended versions will be available in a downloadable PDF format, while prior versions will be archived on the Copyright Office's website.

The draft Compendium III is organized by chapter, each dedicated to a specific subtopic of copyright law or procedure. The document begins with more elementary considerations, such as defining what a copyright is and to whom a duly-obtained copyright allows protection. Compendium III in subsequent chapters illustrates how to register a copyright and spells out other administrative procedures in effectuating such rights. Throughout the draft Compendium III are legal definitions and concepts that assist applicants and the Copyright Office examiners alike to identify and analyze relevant issues regarding specific applications.

In sum, Compendium III is a cutting-edge and comprehensive guide to the world of copyright law as practiced within the Copyright Office. In years to come, Compendium III, once promulgated, will provide applicants with a step-by-step and up-to-date guidebook on analyzing and properly obtaining critical copyright protection, while ensuring that the Copyright Office staff is knowledgeable of its role in providing such protection on a consistent basis for all.

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