

owner of an exclusive right, or the owner's authorized agent and that the information given herein is true and correct to the best of my knowledge.

Signature \_\_\_\_\_

Name (printed or typed) \_\_\_\_\_

As agent for (if applicable) \_\_\_\_\_

Date: \_\_\_\_\_

(ii) Optional information:

(A) Type of work (painting, sculpture, music, motion picture, sound recording, book, etc.);

(B) Name of author(s);

(C) Source country;

(D) Approximate year of publication;

(E) Additional identifying information (director, leading actors, subject/content, etc.);

(F) Rights for which the Notice of Intent to Enforce is being filed (translation, screenplay, etc.);

(G) Telefax number at which owner, exclusive rights holder, or agent thereof can be reached.

(4) Notices of Intent to Enforce may cover multiple works provided that each work is identified by title, all the works have the same author, all the works are owned by the identified copyright owner or owner of an exclusive right, and the rights for which the notice is being filed are the same. In the case of Notices of Intent to Enforce covering multiple works, the notice will separately designate for each work covered the title of the work, or if untitled, a brief description of the work; an English translation of the title if the title is in a foreign language; alternative titles, if any; the type of work; the source country; the approximate year of publication; and additional identifying information.

(5) Notices of Intent to Enforce may be submitted to the Copyright Office on or after January 1, 1996.

(e) Fee.

(1) *Amount.* The fee for recording Notices of Intent to Enforce is \$30 for notices covering one work. For notices covering multiple works as described in paragraph (d)(4) of this section, the fee is \$30, plus \$1 for each additional work covered beyond the first designated work. (For example, the fee for a Notice of Intent to Enforce covering 3 works would be \$32.)

(2) *Method of Payment.* (i) Checks, money orders, or bank drafts. The Copyright Office will accept checks, money orders, or bank drafts made payable to the Register of Copyrights. Remittances must be redeemable without service or exchange fees through a United States institution, must be payable in United States dollars, and must be imprinted with American Banking Association routing

numbers. International money orders, and postal money orders that are negotiable only at a post office are not acceptable. Currency will not be accepted.

(ii) Copyright Office deposit account.

The Copyright Office maintains a system of Deposit Accounts for the convenience of those who frequently use its services. The system allows an individual or firm to establish a Deposit Account in the Copyright Office and to make advance deposits into that account. Deposit Account holders can charge copyright fees against the balance in their accounts instead of sending separate remittances with each request for service. For information on Deposit Accounts please write: Register of Copyrights, Copyright Office, Library of Congress, Washington, DC 20559. Request a copy of Circular 5, "How to Open and Maintain a Deposit Account in the Copyright Office."

(iii) Credit cards (for use only in filings under the Uruguay Round Agreements Act). The Copyright Office will accept VISA, MasterCard, and American Express. A filer using a credit card must provide a separate cover letter stating the name of the credit card he or she wishes to use, the credit card number, the expiration date of the credit card, and his or her signature authorizing the Office to charge the fees to his or her account. Debit cards cannot be accepted for payment. To protect the security of the credit card number, the filer must not write his or her credit card number on the Notice of Intent to Enforce.

(f) *Public online access.*

(1) Almost all of the information contained in the Notice of Intent to Enforce may be secured online through the Internet. This information may be secured in the Copyright Office History Documents (COHD) file through the Library of Congress electronic information system LC MARVEL.

(2) Alternative ways to connect through Internet are:

(i) Telnet to locis.loc.gov or the numeric address 140.147.254.3, or

(ii) telnet to marvel.loc.gov, or the numeric address 140.147.248.7 and log in as marvel, or

(iii) use a Gopher Client to connect to marvel.log.gov, (use port 70), or

(iv) use the Library of Congress World Wide Web at: <http://lcweb.loc.gov>, or <http://www.loc.gov>.

(3) Information available online: The title or brief description if untitled; an English translation of the title; the alternative titles if any; the name of the copyright owner or owner of an exclusive right; the author; the type of work; the date of receipt of the NIE in

the Copyright Office; the date of publication in the **Federal Register**; the rights covered by the notice; and the address, telephone and telefax number (if given) of the copyright owner.

(4) Online records of Notice of Intent to Enforce will be searchable by the title, the copyright owner or owner of an exclusive right, and the author.

(g) *NAFTA work.* The copyright owner of a work restored under NAFTA by the filing of a NAFTA Statement of Intent to Restore with the Copyright Office prior to January 1, 1995, is not required to file a Notice of Intent to Enforce under this regulation.

## PART 202—REGISTRATION OF CLAIMS TO COPYRIGHT

4. The authority citation for part 202 is revised to read as follows:

**Authority:** 17 U.S.C. 702.

5. A new § 202.12 is added to read as follows:

### § 202.12 Restored copyrights.

(a) *General.* This section prescribes rules pertaining to the registration of foreign copyright claims which have been restored to copyright protection under section 104A of 17 U.S.C., as amended by the Uruguay Round Agreements Act, Pub. L. No. 103-465.

(b) *Definitions.* (1) For the purposes of this section, *restored copyright* has the same meaning as set forth in 17 U.S.C. 104A(h), as amended by the URAA.

(2) *Descriptive statement for a computer program* is a statement consisting of the following elements: the title of the computer program; a description of the purpose and function of the program; an identification of size of the program (i.e. quantity of lines, pages, or bytes in the programming code); the language in which the program is written; and the operating system, platform or computer environment in which the program functions.

(3) *Descriptive statement for a database* is a statement consisting of the following elements: title of the database; name and content of each separate file of the database, including a description of its subject matter; origin of its data or contents; an estimate of the total number of pages or data records.

(4) *Reliance party* means any person who—

(i) With respect to a particular work, engages in acts, before the source country of that work becomes an eligible country, which would have violated 17 U.S.C. 106 if the restored work had been subject to a copyright protection and who, after the source country becomes