

Privacy: Copyright Public Records

When you register a work with the Copyright Office, you create a public record of your claim. All information you provide on your copyright application will be available to the public, and some of it will be on the Internet. For more information about privacy and the Copyright Office, see **chapter 200**, section 205 of the *Compendium of U.S. Copyright Office Practices*.¹

As part of its administrative duties, the Copyright Office requests and receives certain types of personally identifiable information (PII) during the process of registering a copyright claim. Examples of requested PII include names, dates of birth, addresses, telephone numbers, fax numbers, and email addresses. The Copyright Act and Office regulations mandate the collection of some of this information; other information is optional. The Copyright Act requires the Office to preserve all collected information as part of the public record. As a result, you may want to consider the types of information you provide when you complete an application for registration.

What records does the Office make available to the public?

The Copyright Office is required to maintain records of registrations, which include the applications and deposits submitted to the Office, as well as any correspondence that occurs between the Office and an applicant during examination. These items are known as the official registration record.

From these records, the Office compiles and publishes a catalog of all copyright registrations. Post-1978 registration records are made available on the Copyright Office's website. This catalog is known as the online public record.

Who can see the PII in my copyright registration records?

Anyone can view copyright registration records. The Office is required by law to make copyright registrations available for public inspection, including any PII that is in an application for registration. Once a registration is completed and a claim has been cataloged, the entire registration record is available to the public for on-site inspection.

In addition, PII in post-1978 registrations made available through the online catalog can be viewed on the Copyright Office's website. Categories of information in copyright applications that are made available online include the type of work, registration number, title of the work, author, authorship, claimant, claimant address, birth year, preexisting material, date of creation, date of publication, and rights and permissions information.

Sample Catalog Records

The sample catalog records below show copyright application information typically displayed in the Copyright Office online database. Highlighting is added to show certain potentially personal information that will appear in the record.

Public Catalog

Copyright Catalog (1978 to present)
 Search Request: Left Anchored Copyright Number = VA0001626300
 Search Results: Displaying 1 of 1 entries

Labeled View

CROCODILE.

Type of Work: Visual Material
Registration Number / Date: VA0001626300 / 2008-02-12
Application Title: CROCODILE.
Title: CROCODILE.
Description: Electronic file (eService)
Copyright Claimant: SC & HD, INC., Address: 3281 S. Broadway, Los Angeles, CA, 90007
Date of Creation: 2007
Date of Publication: 2007-03-14
Nation of First Publication: United States
Authorship on Application: SC & HD, INC., employer for hire; Citizenship: United States. Authorship: 2-D artwork.
Rights and Permissions: Kc Cha, KC & HC, INC., 3281 S. Broadway, Los Angeles, CA, 90007, (323) 555-4400, chachatapestry@yahoo.com
Names: SC & HD, INC.

Public Catalog

Copyright Catalog (1978 to present)
 Search Request: Left Anchored Copyright Number = SR0100620956
 Search Results: Displaying 1 of 1 entries

Labeled View

Happy Some of the Time, et al.

Type of Work: Sound Recording and Music
Registration Number / Date: SR0100620956 / 2008-03-11
Application Title: Dips, Mids, and Highs.
Title: Happy Some of the Time, et al.
Description: Electronic file (eService)
Copyright Claimant: Whitson David Erickson, 1979- d.b.a. JoyfulSandbox Music. Address: 512 NE 4th St., Chisholm, MN 55719
Date of Creation: 2005
Date of Publication: September 28, 2005
Nation of First Publication: United States
Authorship on Application: Whitson David Erickson, 1979- d.b.a. JoyfulSandbox Music; Domicile: United States; Citizenship: United States. Authorship: sound recording, performance, production, Composition of Music and Lyrics.
Rights and Permissions: Whitson David Erickson, 512 NE 4th St., Chisholm, MN, 55719, United States, (612) 555-2352, (218) 555-3077, whit1124@vcu.edu
Contents: 1. Happy Some of the Time -- 2. Starlight -- 3. Rollercoaster Baby -- 4. Get Outta Here -- 5. I -- 6. Pick Up the Pieces -- 7. Will I? -- 8. Transient Thoughts from a Steady State Mind -- 9. Get to You -- 10. Star -- 11. The Storm -- 12. Don't Try and Tell Me -- 13. End Transmission -- 14. Broken Bones -- 15. Thank You.

How can I prevent PII from being placed on the Copyright Office website?

All information provided on the application for registration will become a permanent part of the public record of the Copyright Office, and some of that information will be available online through the Office's website, including the name and address of the copyright claimant. Some things to consider when completing an online application include:

- *Claimant Address.* The claimant address will appear in the online public catalog. Select the address that you wish to appear on the registration record, such as a post office box or business address rather than a home address.
- *Rights and Permissions.* This optional screen allows an applicant to provide contact information for third parties interested in seeking permission. Any information provided on this screen will be made available online. Do not include personal contact information, including addresses, phone numbers, or email addresses that you wish to keep private. If you want to include rights and permissions information but do not want to provide personal details, you may provide information for a third-party agent, a post office box, or a designated email address.

If someone else submits an application on your behalf, it is still your responsibility to ensure that the information you want to keep out of the public record is omitted. Information provided in an application becomes part of the public record regardless of whether you or your authorized agent prepared and submitted the application.

Can I substitute or remove personal information that I don't want to include in the online public record?

In certain circumstances, an author, claimant of record, or the authorized representative of the author or claimant of record may, for a fee, submit a request to remove or substitute PII from the online public record subject to the following limitations:

- *Name Changes* – The Office will only grant a request to substitute the name of an author or claimant with the person's current legal name. The request must be accompanied by a copy of official documentation of the name change. The Office will not grant a request to remove a name or replace it with a pseudonym.
- *Claimant Address* – The Office will only grant a request to substitute the claimant's address. The Office will not grant a request to remove a claimant's address from the online public record.
- *Removal of Information* – The Office will grant a request to remove information entirely from the online public record only if the safety, privacy, or other stated concern substantially outweighs the need for the information to remain in the record. When making a request to remove information, you must explain in detail why the presence of PII in the online record presents a specific threat to your personal safety or personal security or presents other circumstances that support the request.

How do I submit a request to substitute or remove PII from the online public record?

You must make your request in writing, and label it “Request to Remove PII.” Your request must include the following:

- The copyright registration number(s) associated with the record.
- The name of the author and/or claimant of record on whose behalf the request is made.
- A statement identifying the PII that is to be removed or substituted.
- Where applicable, verifiable substitute nonpersonally-identifiable information that should replace the PII currently in the online record.
- A statement providing the reasons supporting the request.
- The statement “I declare under penalty of perjury that the foregoing is true and correct.”
- If the request is submitted by an authorized representative of the author or claimant of record, an additional statement that “I am authorized to make this request on behalf of [name of author or claimant of record].”
- A telephone number.
- An email address (if available).
- A physical mailing address to which the Office’s response can be sent (if no email address is provided).

The request must be signed and dated by the author, claimant of record, or the duly authorized agent of the author or claimant of record. It must be accompanied by the appropriate **filing fee** specified in the Office’s fee schedule in the field marked “Removal of PII from Registration Records.” Fees can be paid by check, money order, or bank draft payable to the U.S. Copyright Office, or they can be charged to a deposit account.

Where do I send my request?

Send your request by mail to:

Associate Register of Copyrights and Director of the Office of Public Information and Education
U.S. Copyright Office
P.O. Box 70400
Washington, DC 20024-0400

Will my registration records help provide contact information for someone interested in using my work?

Yes. Records of copyright registrations and recorded documents are available to the public to identify the author(s) and copyright owner(s) of a work. The public record will also provide information about an agent who can be contacted to license the registered work and to grant permission to use it.

Why is my copyright registration information now appearing on search engines such as Google?

Your copyright registration is a public record, therefore others can access it and may create alternative means to make the information in it more widely available. The Copyright Office is not responsible for the form or the substance of third-party redistribution of Copyright Office records.

NOTE

1. This circular is intended as an introduction to personally identifiable information made available to the public. The authoritative source for U.S. copyright law is the Copyright Act, codified in Title 17 of the *United States Code*. Copyright Office regulations are codified in title 37 of the *Code of Federal Regulations*. Copyright Office practices and procedures are summarized in the third edition of the *Compendium of U.S. Copyright Office Practices*, cited as the *Compendium*. The copyright law, regulations, and the *Compendium* are available on the Copyright Office website, www.copyright.gov.

For Further Information

By Internet

The copyright law, the *Compendium*, electronic registration, application forms, regulations, and related materials are available on the Copyright Office website at www.copyright.gov.

By Email

To send an email inquiry, click the *Contact Us* link on the Copyright Office website.

By Telephone

For general information, call the Copyright Public Information Office at (202) 707-3000 or 1-877-476-0778 (toll free). Staff members are on duty from 8:30 am to 5:00 pm, Eastern time, Monday through Friday, except federal holidays. To request application forms or circulars by postal mail, call (202) 707-9100 or 1-877-476-0778 and leave a recorded message.

By Regular Mail

Write to

Library of Congress
U.S. Copyright Office
Publications Section
101 Independence Avenue, SE #6304
Washington, DC 20559-6304

