



21 September 2018

Ms. Karyn A. Temple
Acting Register of Copyrights and Director of the U.S. Copyright Office
United States Copyright Office
Library of Congress
101 Independence Ave., SE
Washington, D.C. 20559-6000

VIA *regulations.gov*

Re: Docket No. 2018-4 – Copyright Office Fees

Dear Ms. Temple:

Intellectual Property Owners Association (IPO) appreciates the opportunity to respond to the request for comments in the Notice of Proposed Rulemaking published on 24 May 2018 concerning the Copyright Office's adoption of a new fee schedule (the "Notice").

IPO is an international trade association representing companies and individuals in all industries and fields of technology who own, or are interested in, intellectual property rights. IPO's membership includes about 200 companies and close to 12,000 individuals who are involved in the association either through their companies or as inventor, author, law firm, or attorney members. IPO membership spans over 30 countries.

IPO advocates for effective and affordable IP ownership rights and offers a wide array of services, including supporting member interests relating to legislative and international issues; analyzing current IP issues; providing information and educational services; and disseminating information to the public on the importance of IP rights.

As previously stated in comments IPO has submitted, IPO strongly supports the Copyright Office's ongoing efforts to modernize its systems and processes to take advantage of efficiencies offered by modern technology. IPO members would like to see improvements such as, for example:

- a more robust and useful portal for searching the Copyright Office's records;
- a better registration portal, designed to, among other improvements, allow counsel to prepare forms for review and signature by clients, and permit electronic submission of updates to contact information, etc.;

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- provision of application programming interfaces to enable outside parties to build electronic services that interact with the Copyright Office's data; and
- electronic access to deposit copies.

To enable these improvements, IPO supports reasonable fee increases to raise funds necessary to implement modernization efforts and believes that partial funding of modernization costs through increased appropriations is also appropriate. The Notice indicates that the proposed fee increases are intended to support modernization efforts; they are calculated to cover 50% of the anticipated costs of modernization work, with the expectation that the balance will be covered through increased appropriations. Accordingly, IPO understands the fee proposal to be in line with its views regarding the importance of modernization efforts and appropriate sources of funding for those efforts. In supporting the fee increases, IPO hopes to see commensurate increases in funding from appropriations to support the balance of modernization costs.

IPO suggests that it would be beneficial to earmark some of the additional revenue derived from fee increases specifically for funding modernization efforts. Moreover, IPO believes it is important that funds raised by a copyright fee increase be available to support modernization efforts specific to the Copyright Office, rather than modernization efforts for the Library of Congress generally.

IPO does not have any comments on the specific increased fees proposed in the Notice, which appear reasonable. IPO notes, however, that the Copyright Office's current position that a registration must disclaim previously published material, and therefore that each published version of a work must be separately registered, makes any fee increase, however reasonable, exponentially more burdensome for owners of copyright in works that are published in multiple, frequently revised editions. This issue is particularly relevant for software companies and other owners of copyrights in computer programs, but also affects owners of any works that are published in multiple editions. IPO looks forward to the opportunity to participate in the Copyright Office's intended further study of the issue of registration for works that contain previously published material.

We again thank the U.S. Copyright Office for permitting IPO to provide comments and would welcome any further dialogue or opportunity to provide additional information.

Sincerely,



Mark Lauroesch
Executive Director