

The Licensing Connection

A NEWSLETTER FROM THE U.S. COPYRIGHT OFFICE LICENSING SECTION



PHOTO BY DAVID RICE

A Message from the Chief

Tracie Coleman, *Licensing Section Chief, U.S. Copyright Office*

In 2021, the Licensing Section continued its maximum telework status due to the ongoing pandemic, yet continued to move forward. The staff also continued its responsibility of administering the various royalty and non-royalty statutory licenses to support the mission of the section and Copyright Office.

In addition to providing the same level of service to our stakeholders, I am pleased to announce some exciting accomplishments in 2021:

1. We released a public Pay.gov payment option, which offers the convenience of using a credit or debit card as a form of payment.
2. We released an electronic form option for filing satellite statements of account.
3. We resumed limited services to patrons in the Copyright Public Records Reading Room.

I am also pleased to announce that, for the fourth consecutive year, the section received an unmodified or “clean” audit opinion of the statutory licensing fiduciary asset financial statements.

Looking ahead to 2022, we will start uploading examined paper statements of account (SOAs) to copyright.gov/licensing (see Digitization Project Updates pg 3).

As the Licensing Section finishes out the year, we want to thank you for your continued support.

On behalf of the entire Licensing Section, we wish you a safe and healthy holiday season, filled with peace and joy in the New Year.

Copyright Public Records Reading Room Reopens

The Copyright Public Records Reading Room in room 402 of the Madison Building officially closed in September 2021 (after temporarily closing in March 2020 due to the global pandemic). Licensing Section staff returned on-site to vacate the existing space and relocate material to a temporary swing space. During the move, we took the opportunity to recycle outdated paper files. The digitizing of our records paved the way for this reduction in space. Condensing our footprint and rightsizing our operation was a team-driven exercise that came in on time.

We are pleased to announce that as of November 15, the Copyright Public Records Reading Room has reopened to the public. It is currently located in room 447 of the Madison Building, and patrons can visit by appointment only to request and view Licensing Section documents. While documents such as statement of account forms are no longer stored in the reading room, staff will hand deliver those requested documents to the patron.

Be assured that the reading room adheres to the Library's safety protocols, which include mask requirements as well as social distancing. In addition, staff clean and sanitize each desk regularly. Our new operating hours are 9:00 a.m. to 3:30 p.m., Monday through Friday (except federal holidays). To schedule an appointment, please visit copyright.gov/licensing/. We ask that you schedule appointments at least a week in advance. If you have any questions, please contact us at licensing@copyright.gov. We look forward to seeing you! The Copyright Public Records Reading Room accepts researchers by appointment only. To schedule an appointment, please click here [Onsite Appointment for Copyright Research Services: Copyright Office Public Records Reading Room](#) (signupgenius.com)

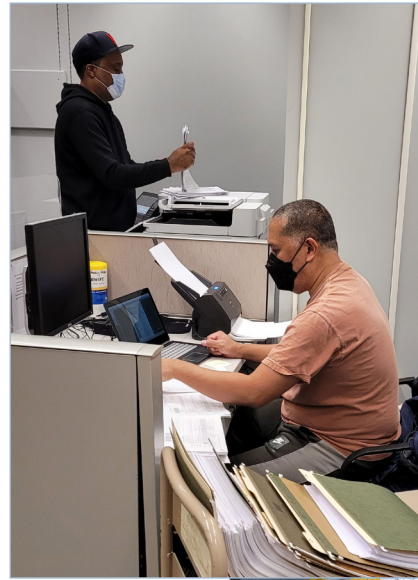


PHOTO BY ANGELA HIGHTOWER

- ▶ Patrons in the reading room.
- ▶ Cards removed from card catalog.



PHOTO BY KEVIN HORNBERGER

Pay.gov Releases Updated Forms for Cable, DART, and Satellite Filers as Mandate Approaches

Starting July 1, 2022, the Licensing Section will mandate the use of Pay.gov, the U.S. Treasury's web-based remittance system, for all Licensing Section payments. A soft launch of the public forms on the Pay.gov site occurred in time for the 2021.1 cable accounting deadline; we are also accepting payments for satellite and DART royalty and filing fees via Pay.gov. In addition to streamlining the payment process, the new forms allow filers to make payments using a credit card, ACH credit, or ACH debit. The Licensing Section encourages filers to use Pay.gov for the 2021.2 accounting period to familiarize themselves with the new forms ahead of the implementation of the mandate. An updated tutorial is also available at copyright.gov/licensing to assist filers with navigating the new payment process. For further assistance, contact the Licensing Section. We encourage all users to begin using the public forms as soon as possible, although the private form will remain available through June 30, 2022, after which it will be deactivated.



Digitization Project Updates

The Licensing Section continues its efforts to digitize its physical records and expand the digital repository of records available for public use on the section's website. Staff have completed the final quality review for paper cable statements of account submitted for the 2016.1 through 2018.2 accounting periods and expect to upload them in early 2022, while final review proceeds for statements from the 2015.2 period in reverse chronological order ending with statements from 2010. Additionally, staff have begun scanning paper statements submitted for the 2019.1 accounting period to the present.

Quality review is also underway for examined electronic statements of account submitted for the 2017.1 through 2019.2 periods.

From April 2020 through May 2021, staff from across the Copyright Office collaborated remotely to name digitally scanned catalog cards, processing the equivalent of 240 drawers containing over 250,000 individual cards. A second quality review is now underway.

Licensing and Legislation

Comment Period Closes for Proposed Rates and Terms for Making and Distributing Phonorecords of Nondramatic Musical Works from 2023 through 2027

The Copyright Royalty Judges **announced** that because a comment filed by the settling parties included additional material (in particular a memorandum of understanding) that relates to statements in some of the comments the Judges received, the Judges reopened the comment period for an additional thirty days. The proposed rule published for comment sets certain rates and terms applicable during the period beginning January 1, 2023, and ending December 31, 2027, for the section 115 statutory license for making and distributing phonorecords of nondramatic musical works and is based on regulations proposed pursuant to a partial settlement among the settling parties. The comment period for the proposed rule published June 25, 2021, at **86 FR 33601**, which was reopened on July 29, 2021, at **86 FR 40793**, was reopened a second time. Comments were due no later than November 22, 2021.

Copyright Royalty Judges Announce Cost of Living Adjustment in the Royalty Rates Satellite Carriers Pay for a Compulsory License under the Copyright Act

The Copyright Royalty Judges announced a cost of living adjustment (COLA) of 6.2 percent in the royalty rates satellite carriers pay for a compulsory license under the Copyright Act. The COLA is based on the change in the Consumer Price Index from October 2020 to October 2021. These rates are applicable to the period January 1, 2022, through December 31, 2022. For more information, click [here](#).

Copyright Royalty Judges Announce Cost of Living Adjustment in the Royalty Rates Commercial and Noncommercial Noninteractive Webcasters Pay for Statutory Licenses

The Copyright Royalty Judges announced a cost of living adjustment (COLA) in the royalty rates that commercial and noncommercial noninteractive webcasters pay for eligible transmissions pursuant to the statutory licenses for the public performance of and for the making of ephemeral reproductions of sound recordings. These rates are applicable to the period January 1, 2022, through December 31, 2022. For more information, click [here](#).

Adjustment of Cable Statutory License Royalty Rates

The Copyright Royalty Judges published for comment a proposed settlement governing royalty rates and terms for the retransmission of over-the-air television and radio broadcast stations by cable television systems to their subscribers. Having received no comments, the Judges adopt the existing rates and terms as proposed by the settlement. For more information click [here](#).

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Are you receiving timely information from the Licensing Section?

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Out & About

Licensing Section staff may be available to attend, exhibit, or participate in upcoming activities—even virtually!

Let us know your plans at licensing@copyright.gov.

Important Reminders for 2021/2

SATELLITE: The **\$725 filing fee per statement** in addition to the appropriate royalty fee is to be filed between **January 1 and January 30**, inclusive.*

CABLE: The **filing fee (\$15 for SA-1, \$20 for SA-2, or \$725 for SA-3) per statement** in addition to the appropriate royalty fee is to be filed between **January 1 and March 1**, inclusive.*

*Please remit the royalty fee and filing fee in one EFT payment.

For more information visit our [website](#).