

The Licensing Connection

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

Licensing Division Goes Virtual!



PHOTO BY DAVID RICE

Daffodils bloom outside the Madison building in Washington, DC, home to the United States Copyright Office. The building is closed at this time but staff remain diligent carrying out duties virtually.



PHOTO COURTESY ANNA MUNICHKINA

Accounting technician Anna Munichkina at her self-assembled desk.



PHOTO COURTESY GLORIA DIXON

Digitization project supervisor Gloria Dixon in her "office" space.

In mid-March, the Library of Congress closed its doors to the public in response to the pandemic while the Copyright Office transitioned to total remote work. While we are unable to answer telephone inquiries and process paper filings, the division remains diligent as we continue to respond to email inquiries, examine electronic statements of account (eSOAs), process payments and fees, and make progress with division's digitization project.

Remote work is not new to the Licensing Division; the division has had routine telework in place for most staff since 2014. Adapting these routines for the long term presented unique challenges to staff workspaces, which were met with creativity and ingenuity. Televisions became dual monitors for library technician Corey Davis, who realized that he'd underestimated the efficiency of his office setup. In the same spirit, accounting technician Anna Munichkina assembled a new desk from boards and drawer chests—no need for an IKEA.

With the change in space also came a change in habits; digitization project supervisor Gloria Dixon designated her sofa as "office" space, making a point not to sit there on weekends—although she does still find herself eating at her desk!

As the Library begins to implement a gradual restoration of in-person operations, the Licensing Division eagerly anticipates a return to full service as we continue to discover new ways to work and serve.



Pay.gov Encouraged for All Statement of Account Payments

The Licensing Division strongly encourages all cable and satellite operators and DART importers/manufacturers to use Pay.gov, the U.S. Treasury's web-based remittance system, when making their electronic payments. The division will soon require the use of Pay.gov for all royalty and filing fee payments.

Acting Licensing Division Chief and Assistant Chief Mark DiNapoli Retires after 40 Years at the Library of Congress!

The Licensing Division announces the retirement of division chief Mark DiNapoli. Since he joined the Licensing Division in 1979, Mark has served in a wide variety of roles—from examiner to section head to chief—dedicating himself to every facet of the division’s operations. To honor his retirement, we’ve collected tributes from those who worked with Mark over the decades in the Licensing Division and beyond.

[Mark] always wanted to help. If he didn't know the answer to a question or a problem, he would go and find it. And not on his time but quickly and efficiently. Mark didn't do this because he felt he had to; he did it because he truly wanted to do so, and he enjoyed it. That is the hallmark of a public servant.

— **Judge William Roberts,**
Associate Register for Public Information and Education (retired)

For those of us who deal with the cable compulsory license, Mark was an incredible resource. And if he didn't know the answer to a question off the top of his head—a rarity—he never hesitated to say he'd find the answer, and he never failed to get back with an answer. He'll be missed not just for his institutional knowledge, but for his good “cheers.”

— **Seth Davidson,**
Member, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

It has been a pleasure working with Mark over the last 30+ years. He always has a positive attitude and demonstrates unparalleled professionalism. Regardless of the issue, he has always been dedicated to helping solve an issue and providing valuable feedback. He has been an outstanding advocate and resource over the years. Thank you, Mark, for all you have done for us at Cable Data. We wish you all the best in your retirement.

— **Jonda K. Martin,**
President of Cable Data Corporation

It was a pleasure to get to work with Mark DiNapoli since I came on board in 2019. Even though our time working together was fairly short, I quickly came to rely on his deep knowledge of the Licensing Division's mission and operations. He was extremely dedicated and hardworking and cared deeply about everyone he worked with in the Licensing Division, the Copyright Office, Library of Congress, and beyond. I wish him all the best as he endeavors on this new chapter of his well-deserved retirement.

— **Chris Fredericks,**
Deputy Chief Financial Officer, Copyright Office

Mark's knowledge of Licensing Division history is incomparable. He could make the rules and regulations established in the past relate to what was current in your everyday life. He was great at giving speeches that would inform and motivate the staff or leading a tour of the division. He was always on the go, working nonstop not only for the division but also for the staff. Mark, thank you for your tireless effort, wisdom, and guidance.

— **Erica Hilliard,**
Senior Licensing Examiner, Licensing Division

When I came to the Licensing Division in 2008, I quickly learned that Mark was the Licensing Division historian. His records of policy and procedure dated back to the 1980s. Mark also had excellent recall. He could give details of a licensing requirement, a policy change, or a law implemented from 20 years ago as if it occurred yesterday. I learned a great deal of the licensing through monthly meetings and in general conversation. I also had the pleasure of attending a cable conference with Mark in LA. I quickly learned that cable stakeholders held Mark in high regard. Many stopped by our booth to have short conversations about SOAs with him or just to say “hello.” The Licensing Division is in great condition because of Mark, and as sad as it was to see him go, I wish him well in retirement.

— **Tracie Coleman,**
Acting Chief, Licensing Division

Through my tenure at the Library of Congress, I've come across a variety of people from different backgrounds, cultures, and nationalities. I must say that Mark DiNapoli was one of the most interesting and enlightening. To many, Mark was a book of knowledge when it came to everything that makes up the Licensing Division. However, there is also another side to him that many of us enjoyed. A few years ago, Mark, Tracie Coleman, and I attended the National Cable & Telecommunications Association Conference (NCTA) in Los Angeles on my birthday. Mark and Tracie made sure that even though I was miles away from my family, I still had a special birthday. I'll also remember Mark telling me about his travels and adventures to various parts of the country with friends, his enjoyment of all types of music and attending concerts at the Borgata Hotel, and how his hearty appetite comes from him being Italian. I gained a wealth of knowledge from working with Mark in the Licensing Division, and he is truly missed.

— **Tymica Carroll,**
Senior Licensing Examiner, Licensing Division



From all of us in the Licensing Division
have a wonderful retirement Mark!

Federal Register Notices Pertaining to Licensing

The following *Federal Register* notices were published in recent months.

Copyright Office Fees

February 19, 2020 [85 FR 9374] [PDF](#)

Digital Performance Right in Sound Recordings and Ephemeral Recordings

February 20, 2020 [85 FR 9663] [PDF](#)

Ephemeral Recording and Digital Performance of Sound Recordings (Web V): Determination of Royalty Rates and Terms for Ephemeral Recording and Digital Performance of Sound Recordings (Web V)

February 28, 2020 [85 FR 11857] [PDF](#)

Determination of Rates and Terms for Digital Performance of Sound Recordings and Making of Ephemeral Copies To Facilitate Those Performances (Web V)

March 4, 2020 [85 FR 12745] [PDF](#)

Distribution of Digital Audio Recording Royalty Funds

March 19, 2020 [85 FR 15816] [PDF](#)

Procedural Regulations of the Copyright Royalty Board Requiring Electronic Filing of Claims

June 24, 2020 [85 FR 37752] [PDF](#)

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Please take our survey here:

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Digitization Project Scanning Concludes

Scanning concluded in March for the Licensing Division's digitization project, which aims to make division records available for public use. These records include cable statements of account (SOAs), section 112 and 114 notices of use of sound recordings, section 115 notices of intention to obtain a compulsory license, and the division's catalog card collection—totaling over one million pages! With quality review and metadata collection for these files now well underway, the project draws ever nearer to completion.

Out & About

Licensing Division 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 2020/1

SATELLITE: The **\$725 filing fee per statement** in addition to the appropriate royalty fee is to be filed between **July 1 and July 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 **July 1 and August 29**, inclusive.*

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

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