



Copyright Office

37 CFR Parts 201, 202, and 203

[Docket No. 2026-2]

Copyright Office Fees

AGENCY: U.S. Copyright Office, Library of Congress.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Copyright Office proposes the adoption of a new fee schedule. The Office last adjusted fees in 2020, based on a study of its fiscal 2016 and 2017 costs. Since that time, the costs of providing Office services have risen substantially due to inflation and other increases. The proposed fees are intended to enable recovery of a percentage of the Office's costs, closer to historical levels, without imposing undue barriers to access its services. The Office welcomes public comment on the proposed changes in advance of submission of the fee schedule to Congress.

DATES: Written comments must be received no later than 11:59 p.m. Eastern Time on [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: For reasons of government efficiency, the Copyright Office is using the *regulations.gov* system for the submission and posting of public comments in this proceeding. All comments should be submitted electronically through *regulations.gov*. Specific instructions for submitting comments are available on the Copyright Office website at <http://copyright.gov/rulemaking/feestudy2026>. If electronic submission of comments is not feasible due to lack of access to a computer or the internet, please contact the Office using the contact information below for special instructions.

FOR FURTHER INFORMATION CONTACT: Rhea Efthimiadis, Assistant to the General Counsel, by email at mefi@copyright.gov, or by telephone at 202-707-8350.

SUPPLEMENTARY INFORMATION: The Copyright Office last adjusted its fee schedule in March 2020 based on a multi-year study of the Office’s fiscal 2016 and 2017 costs.¹ Since that time, both inflation and the costs of providing Office services have risen substantially. To maintain fiscally responsible operations at a level commensurate with stakeholder demand for services, and in recognition of actual to-date cost increases and projected inflation, the Office proposes fee adjustments. The Office’s goal is to restore recovery of the historically higher percentage of its actual expenses from fees in order to support its operations and provide high quality services to the public. This notice describes the Office’s statutory authority in setting fees, outlines the methodology employed in studying its costs, and provides the justification for the proposed adjustments.

As discussed below, central to the Office’s mission is ensuring that our fees do not impose undue barriers to access copyright services. While the fees proposed here fall far short of covering the Office’s actual costs, we recognize that some of the increases are substantial and may impact some copyright stakeholders more than others. The Office is exploring ways to minimize this impact so that all stakeholders are able to use our services. Among other things, the Office will issue a Notice of Inquiry (“NOI”) on possible future alternative fee structures.² As discussed below, at least some such alternative fee structures are expected to be technically feasible within the Enterprise Copyright System (“ECS”) registration system now in development. The responses to the NOI will assist in determining which ones may be appropriate and desirable once ECS is fully operational.

I. Statutory Framework

¹ 85 FR 9374 (Feb. 19, 2020) (effective Mar. 20, 2020); Booz Allen Hamilton, *2017 Fee Study Report* (2017), https://www.copyright.gov/rulemaking/feestudy2018/fee_study_report.pdf.

² See *infra* Part III.A.1.iii.

The Copyright Act requires the Office to collect fees to apply toward the costs of providing certain services. The Act allows the Office to periodically adjust those fees, including for the following services enumerated in section 708:

(1) On filing an application under section 408 for registration of a copyright claim or for a supplementary registration, including the issuance of a certificate of registration if registration is made;

(2) On filing each application for registration of a claim for renewal of a subsisting copyright under section 304(a), including the issuance of a certificate of registration if registration is made;

(3) For the issuance of a receipt for a deposit under section 407;

(4) For the recordation, as provided by section 205, of a transfer of copyright ownership or other document;

(5) For the filing, under section 115(b), of a notice of intention to obtain a compulsory license;

(6) For the recordation, under section 302(c), of a statement revealing the identity of an author of an anonymous or pseudonymous work, or for the recordation, under section 302(d), of a statement relating to the death of an author;

(7) For the issuance, under section 706, of an additional certificate of registration;

(8) For the issuance of any other certification;

(9) For the making and reporting of a search as provided by section 705, and for any related services;

(10) On filing a statement of account based on secondary transmissions of primary transmissions pursuant to section 119 or 122; and

(11) On filing a statement of account based on secondary transmissions of primary transmissions pursuant to section 111.³

Fees for the services described in paragraphs (1) through (9) above are established in accordance with a statutorily mandated process. The Register must first “conduct a study of the costs incurred by the Copyright Office for the registration of claims, the recordation of documents, and the provision of services.”⁴ The study is to “consider the timing of any adjustment in fees and the authority to use such fees consistent with the budget.”⁵ On the basis of the study, the Register may “adjust fees” by regulation “to not more than that necessary to cover the reasonable costs incurred by the Copyright Office for” its services “plus a reasonable inflation adjustment to account for any estimated increase in costs.”⁶ The Register must then prepare a proposed fee schedule and submit it with the accompanying economic analysis to Congress.⁷ The proposed schedule may be instituted after the end of 120 days after submission unless, within that 120-day period, Congress enacts a law stating in substance that it does not approve it.⁸

Section 708 requires that fees under section 708(a)(1)–(9) “be fair and equitable and give due consideration to the objectives of the copyright system.”⁹ Accordingly, the Copyright Office must consider not only the reasonable costs of services provided, but also the public interest.

The Copyright Act also authorizes the Register of Copyrights to establish fees for services other than those listed in paragraphs (1) through (9) of section 708(a). Though not subject to the procedural requirements of section 708(b), these fees are generally

³ 17 U.S.C. 708(a).

⁴ *Id.* at 708(b)(1).

⁵ *Id.*

⁶ *Id.* at 708(b)(2).

⁷ *Id.* at 708(b)(5).

⁸ *Id.*

⁹ *Id.* at 708(b)(4).

evaluated and adjusted as part of the fee study mandated by section 708(b) (as is the case here). First, paragraphs (10) and (11) of section 708(a) provide that the Copyright Office's Licensing Section may charge filing fees for the statements of account that cable and satellite companies must submit under the statutory licenses in sections 111, 119, and 122 for the secondary transmissions of primary broadcast television transmissions.¹⁰ Such filing fees must "be reasonable and may not exceed one-half of the cost necessary to cover reasonable expenses incurred by the Copyright Office for the collection and administration of the statements of account and any royalty fees deposited with such statements."¹¹ Second, section 708 authorizes the Register to set fees for any "other services," such as "preparing copies of Copyright Office records," and states that these fees must be "based on the cost of providing the service."¹² Various other provisions of the Copyright Act outside section 708 authorize the establishment of fees for specific services and require fees to be set based on costs.¹³

The Register has "wide discretion to adjust Copyright Office fees by regulation."¹⁴ In 1997, Congress amended section 708 specifically to grant the Register broad discretion and permanent authority to set fees for the Office.¹⁵ The statute generally instructs the Register to set fees at a level that covers the Office's overall costs.¹⁶ In doing

¹⁰ *Id.* at 708(a)(10), (11).

¹¹ *Id.* at 708(a).

¹² *Id.*

¹³ *See, e.g., id.* at 104A(e)(1)(C) ("The Register of Copyrights is authorized to fix reasonable fees based on the costs of receipt, processing, recording, and publication of notices of intent to enforce a restored copyright and corrections thereto."); *id.* at 512(c)(2) (requiring the Register to "maintain a current directory of agents" designated to receive notifications of claimed infringement, and authorizing the "payment of a fee by service providers to cover the costs of maintaining the directory").

¹⁴ 2 Melville B. Nimmer & David Nimmer, *Nimmer on Copyright* sec. 7.24 (2013).

¹⁵ *See* Act of Nov. 13, 1997, Pub. L. No. 105-80, 111 Stat. 1529, 1532 (1997); H.R. Rep. No. 105-25, at 16 (1997).

¹⁶ *See* 17 U.S.C. 708(b)(1), (2) (providing that the Register "may . . . adjust fees to not more than that necessary to cover the reasonable costs incurred by the Copyright Office" for "the registration of claims, the recordation of documents, and the provision of services"). In some limited circumstances, the statute specifies that the fees for a specific service may not exceed the

so, she may set fees that account for the indirect costs of providing services, and use fee revenue from some services to offset losses from others in order to encourage the public to utilize them.¹⁷

II. Cost Study

Since Congress first gave the Register the authority to set and adjust fees, the Office has adjusted its fees approximately every three to five years. The last such adjustment went into effect in March 2020.

In August 2023, the Office initiated a new cost study by contracting with the Library of Congress’s Federal Research Division (“FRD”), with oversight from the Office’s Assistant Register and Director of Operations and the Chief Economist. Based on information gathered in its study, FRD “conducted a comprehensive review of the full costs required [for the Office] to operate . . . and provide fee-based services, including current costs and future projected costs.”¹⁸ In addition to studying the Office’s costs, FRD built a cost and revenue projection model.

A. Cost Study Methodology and Findings

FRD employed a mixed quantitative and qualitative methodology to assess the Office’s costs.¹⁹ To collect data, it began by building an instrument to measure the time employees spent processing fee-based services (“time-use data”) over a four-week period.²⁰ FRD deployed an additional survey to collect time-use data for conducting work

cost of providing that service. For instance, the statute specifies that the statement of account filing fees under paragraphs (10) and (11) of section 708(a) “may not exceed one-half of the cost necessary to cover reasonable expenses incurred by the Copyright Office for the collection and administration of the statements of account.” *Id.* at 708(a).

¹⁷ H.R. Rep. No. 105-25, at 16 (1997).

¹⁸ Federal Research Division, *U.S. Copyright Office FY2024 Fee Study: Cost Assessment Report 3* (2025) (“FRD Report”), <http://copyright.gov/rulemaking/feestudy2026>.

¹⁹ A full description of FRD’s cost assessment methodology is available in Appendix II of the FRD Report. *See id.* app. II.

²⁰ FRD distributed this data collection instrument to employees in the Office of Registration Policy and Practice (“RPP”), the Office of Copyright Records (“CR”), and the Licensing Section (“LS”).

on second appeals for registration claims.²¹ For further quantitative analysis, it reviewed personnel cost records, non-personnel financial records, licensing fiduciary statements, annual report data, and transaction costs for receiving and shipping materials.²² It conducted qualitative interviews to confirm or qualify the time-use data, gather additional context, and collect estimates for services where time-use data was not available.²³

Using this data, FRD developed an original model for estimating the costs of the Office's fee-based services according to government-identified best practices.²⁴ The model incorporates both the direct and indirect costs of providing each service. Direct costs vary depending on service volume and are largely attributed to the paid time of the primary employee providing the service, calculated using 2025 General Schedule salary rates.²⁵ Indirect costs are fixed personnel and non-personnel costs that are required to operate the Office and support providing the service but are not directly attributable to the service.²⁶ Non-personnel indirect costs include the costs of IT infrastructure and modernization, office equipment, travel, and contract services.²⁷ Personnel indirect costs can include employees' paid time when not directly providing the service (*e.g.*, training, meetings, or leave) and the paid time of employees who support or oversee the fee-based service.²⁸ Indirect costs are allocated proportionally based on service volume and time

²¹ FRD distributed this additional survey to employees in the Office of the General Counsel and the Office of Policy and International Affairs.

²² FRD Report app. II at 36–37.

²³ *Id.* at 41.

²⁴ *Id.* at 8 (noting guidance from the Federal Accounting Standards Advisory Board, the U.S. Government Accountability Office, and the Office of Management and Budget).

²⁵ *Id.* at 6, 12. Where applicable, direct costs also include the cost of receiving and sending physical materials related to registration and recordation services. *Id.* at 9.

²⁶ *Id.* at 7–8.

²⁷ *Id.* at 8–9, 16. IT modernization costs are allocated only to RPP and CR services. FRD did not allocate additional IT modernization costs to LS because the section spends its own separate budget for those costs. *Id.* at 16.

²⁸ *Id.* at 9, 14. The model incorporates three pools of indirect costs for RPP, CR, and LS and one overarching pool of indirect costs representing general overhead. *Id.* at 9.

spent providing the service.²⁹ To measure annual service volume, FRD calculated the average volume between fiscal years 2020 and 2024, when available.³⁰

Across the Office, FRD estimated \$15.6 million in annual direct costs and \$81.8 million in annual indirect costs for its fee-based services.³¹ This estimate accounts for \$14,052,125 in direct costs and \$16,565,171 in indirect costs for registration services; \$1,316,863 in direct costs and \$6,242,077 in indirect costs for copyright records services; \$201,078 in direct costs and \$943,583 in indirect costs for the Licensing Section’s record request and filing services; and \$48,097,279 in overhead operating expenses.³²

In addition to estimating the costs of the Office’s fee-based services, FRD determined that the median Consumer Price Index (“CPI”), a statistical measure of core inflation based on the median price change of goods and services, has increased approximately 23% since fees were last updated (between the years 2020 and 2025).³³ FRD further provided a conservative estimate of the projected year-over-year inflation at 3% for 2026 through 2030.

B. Further Methodology and Adjustments

The Office’s fees are set to recoup a reasonable portion of costs while encouraging participation in the copyright system and maintaining a robust and accurate system of copyright records. When considering adjustments to the fee structure, in addition to cost considerations and inflation adjustments,³⁴ the Office must give “due consideration to the objectives of the copyright system,”³⁵ which include “encourag[ing]

²⁹ *Id.* at 7.

³⁰ *Id.* app. II at 39.

³¹ *Id.* at 1.

³² *Id.* at 32.

³³ *See id.* app. II at 39; *CPI Inflation Calculator*, U.S. Bureau of Lab. Statistics, https://www.bls.gov/data/inflation_calculator.htm (last visited Mar. 6, 2026).

³⁴ 17 U.S.C. 708(b)(1)–(2).

³⁵ *Id.* at 708(b)(4).

the production of original literary, artistic, and musical expression for the good of the public.”³⁶ Thus, setting fees involves considering at least two factors.

First, the Office’s services help maintain the value and vitality of the copyright system. Copyright transactions are a substantial and economically significant portion of the nation’s gross domestic product.³⁷ Participation in the voluntary copyright registration and recordation systems furthers important national objectives.³⁸ While registration is voluntary, it is often indispensable for authors who wish to protect their rights in the works they create. A registration certificate made before or within five years of publication constitutes “prima facie evidence of the validity of the copyright and of the facts stated in the certificate.”³⁹ A certificate or a refusal of registration is required for a copyright owner of a U.S. work to bring an infringement lawsuit in federal court.⁴⁰ Moreover, registration must be made in a timely manner to allow a copyright owner to

³⁶ *Fogerty v. Fantasy, Inc.*, 510 U.S. 517, 524 (1994); see also U.S. Copyright Office, *2022–2026 Strategic Plan: Fostering Creativity and Enriching Culture* (2022) (“Strategic Plan 2022”), <https://www.copyright.gov/reports/strategic-plan/USCO-strategic2022-2026.pdf> (“The Office’s core services of registration, recordation, and statutory licensing play an important role in expanding culture and knowledge, supporting the ability to protect and exploit creative works while facilitating their dissemination through licensing and other lawful uses, here and abroad.”).

³⁷ According to one report, in 2023, core copyright industries added more than \$2 trillion to the U.S. gross domestic product, or 7.66% of the U.S. economy. Int’l Intell. Prop. All., *Copyright Industries in the U.S. Economy: The 2024 Report 1* (2024), https://www.iipa.org/files/uploads/2025/02/IIPA-Copyright-Industries-in-the-U.S.-Economy-Report-2024_ONLINE_FINAL.pdf. Core copyright industries also employed almost 11.6 million workers, who were paid an average of 50% more than the average U.S. annual wage. *Id.* According to statistics released by the Bureau of Economic Analysis, the digital economy is estimated to have accounted for 10% of the U.S. gross domestic product, or \$2.6 trillion, in 2022. U.S. Bureau of Econ. Analysis, *Measuring the Digital Economy* (Dec. 6, 2023), <https://apps.bea.gov/scb/infographics/2024/0224-scb-infographic-digital-economy.pdf>.

³⁸ See generally Letter from Karyn A. Temple, Register of Copyrights & Dir., U.S. Copyright Office, to Thom Tillis, Chairman, S. Comm. on the Judiciary, Subcomm. on Intell. Prop., and Christopher A. Coons, Ranking Member, S. Comm. on the Judiciary, Subcomm. on Intell. Prop., Explanation of U.S. Copyright Office Registration Processes and Challenges, at 3–6 (May 31, 2019) (noting that registration, augmented by recordation, provides the public with authoritative information about millions of vetted copyright claims, promotes judicial efficiency in infringement actions, and assists the Library of Congress in growing its collections).

³⁹ 17 U.S.C. 410(c).

⁴⁰ *Id.* at 411(a). A purported copyright owner can still bring suit in federal court if the Copyright Office refuses registration, but the refusal must be issued before the claim is filed. See *Fourth Estate Pub. Ben. Corp. v. Wall-Street.com, LLC*, 586 U.S. 296, 308 (2019).

seek statutory damages or attorneys' fees.⁴¹ Enabling authors and their assignees to efficiently register their works is therefore vital to meaningful judicial remedies and securing the value of copyrights.

In addition, the Office's maintenance of a public database of copyright ownership serves the general public—users of copyrighted materials as well as copyright owners. A robust public record of copyright ownership and copyright status facilitates efficient marketplace transactions (and the corresponding dissemination of copyrighted works) and encourages development of innovative business models that rely on accurate information about the legal status of copyrighted works.

Copyright registration also provides significant benefits to the Library of Congress, which maintains an unparalleled collection of materials for the use of Congress and the American public. Through the copyright system, the Library receives books, motion pictures, sound recordings, and other works that build its collection.⁴² In fiscal year 2024 alone, the value of the materials that the Office provided to the Library was estimated at approximately \$57.3 million.⁴³ Copyright thus plays a pivotal role in fostering and preserving knowledge, ideas, and cultural identity for future generations.

Second, the Office is guided by the statutory goal of cost recovery, and seeks to optimize its revenue without lessening participation in the national copyright system. Use of the Office's primary services—including copyright registration and recordation—is mostly voluntary; if fees were set at the significantly higher levels needed for total cost recovery, that could result in a substantial decrease in the use of those services to the detriment of the public. Demand for the services varies depending on prices—if fees are

⁴¹ 17 U.S.C. 412.

⁴² Through copyright registration and the mandatory deposit provision of the copyright law, the Copyright Office acquires published copyrighted works that the Library of Congress can select for its collections. *See id.* at 407–408.

⁴³ U.S. Copyright Office, *Fiscal 2024 Annual Report 5* (2025), <https://copyright.gov/reports/annual/2024/ar2024.pdf>.

set too high, potential users (including many non-profit or non-corporate users) may reduce their participation.

At the same time, the Office must bring in sufficient revenues to cover its expenses. From at least 2009 to 2018, the Office recovered approximately 60% of its actual expenses from fees,⁴⁴ and Congress appropriated the remainder. In recent years, however, the percentage of actual costs recovered from fees has decreased sharply; in fiscal year 2024, the Office recovered only 41% of its actual expenses from fees. In addition to inflation, several factors contribute to this precipitous decline. While budget activities, like labor and modernization, are generally appropriated by Congress, their costs often end up exceeding the appropriated amounts. In recent budget years, there have been significant gaps between the funding provided for salaries via continuing resolution and the amounts needed to implement mandatory federal pay raises. Thus, the Office must absorb these costs within its preexisting budget. Moreover, since 2019, with the support of Congress, the Office has dedicated substantial resources to modernizing its information technology. Congress has directed the Office to spend “not less than” certain appropriated amounts on “modernization initiatives,”⁴⁵ but we must supplement those amounts to keep pace with our timeline for ECS planning and development and to account for the increased costs of IT services as well as inflation.

In addition to overseeing the national copyright registration and recordation systems, the Office continues to perform its statutory functions by advising Congress on copyright policy and legislation; working with the courts, the Department of Justice, and other federal agencies on copyright litigation and international matters; conducting

⁴⁴ In the study of the Office’s costs for the last fee adjustment, the external consultant likewise recommended that the Office target a 60% cost recovery from fees. Booz Allen Hamilton, *2017 Fee Study Report 2* (2017), https://www.copyright.gov/rulemaking/feestudy2018/fee_study_report.pdf.

⁴⁵ See Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026, Pub. L. No. 119-37, 139 Stat. 578 (2025).

administrative and regulatory activity as required to administer the Copyright Act; educating the public about copyright; and improving its public-facing applications and enhanced services. The Office does so with the support of a modest budget,⁴⁶ and if we do not continue to recover a sufficient portion of our actual expenses through fees, will have no choice but to request additional appropriations from Congress.

III. The Office’s Schedule of Proposed Fees

After evaluating FRD’s cost study and considering the objectives of the Copyright Act,⁴⁷ policy goals, and overall fairness, as well as general guidance from the Government Accountability Office⁴⁸ and the Office of Management and Budget,⁴⁹ the Office proposes adjustments to our fee schedule. The Office analyzed potential changes to fees under section 708(a)(1)–(9) to ensure they remain “fair and equitable and give due consideration to the objectives of the copyright system,” as required by the statute. The proposed fee schedule ensures that the Office continues to be a prudent fiduciary of public funds while supporting the policy goals of promoting creativity and enabling the effective exercise of rights.

Overall, the Office has determined that fees should be raised an average of 43% to account for increases in the cost of providing services. This reflects both historic inflation since the last fee study and anticipated inflation over the next three years. When looking at the cost data on which the last fee adjustment was based—dating back to as early as

⁴⁶ See generally Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026, Pub. L. No. 119-37, 139 Stat. 578 (2025).

⁴⁷ See 17 U.S.C. 708(b)(4) (requiring that fees for services specified in paragraphs (1)–(9) of subsection (a) “be fair and equitable and give due consideration to the objectives of the copyright system”).

⁴⁸ See U.S. Gov’t Accountability Office, *Federal User Fees: A Design Guide* (May 2008), <http://www.gao.gov/assets/210/203357.pdf>.

⁴⁹ Office of Mgmt. and Budget, *Circular No. A-25* (2017), <https://www.whitehouse.gov/wp-content/uploads/2017/11/Circular-025.pdf>.

fiscal year 2016—the median CPI increased approximately 33%.⁵⁰ Going forward, year-over-year inflation is projected at 3% for 2026 through 2030, approximating 10% over the next three years.⁵¹

In preparing this proposal, the Office first considered inflation, and adjusted each fee “to account for any estimated increase in costs.”⁵² We then determined the appropriate portion of costs to recover through each fee, based on its expected impact to the copyright system. For example, we generally apportioned more cost recovery to services that are primarily used by corporate organizations, and less to services used by individual creators.⁵³ Next, the Office categorized analogous services together (*e.g.*, group registration options) and set the same fee for each of them, where appropriate. For some services, amounts were further adjusted to incentivize or disincentivize their use. Finally, we reviewed each adjustment to assess its impact on projected revenue. Where significant cost-based increases would not result in additional projected revenue due to low service volume, we proposed only slight increases.

The Office estimates that revenues generated by these proposed fees would be roughly \$51 million per year over the next five years (compared to the current schedule’s projected \$41 million per year), and would achieve approximately 53% projected cost recovery during the first year of implementation. While the proposed increase in fees may reduce service volume, at least temporarily, the decrease should be offset by a more consistent long-term level of cost recovery.

The Office seeks public comments on the proposed fee changes and will consider these comments as we finalize the fee schedule for submission to Congress.

⁵⁰ *CPI Inflation Calculator*, U.S. Bureau of Lab. Statistics, https://www.bls.gov/data/inflation_calculator.htm (last visited Mar. 6, 2026). As noted earlier, the median CPI increased approximately 23% since the fee adjustment based on those costs went into effect in 2020. *Id.*

⁵¹ *Id.*

⁵² 17 U.S.C. 708(b)(2).

⁵³ In the tables below, the Office provides the actual costs associated with each fee.

A. *Registration, Recordation, and Related Services*

1. Basic and Group Registrations

i. *Basic Registrations*

Section 708(a)(1) requires the payment of fees “on filing each application under section 408 for registration of a copyright claim or for a supplementary registration, including the issuance of a certificate of registration if registration is made.”⁵⁴ While basic registration applications produce the highest volume of all the Office’s fee-generating services, processing these claims also represents our largest cost center, accounting for approximately 30% of total expenditures.⁵⁵ Currently, the average cost recovery for Single and Standard applications stands at approximately 37% and 47%, respectively. These figures are well below the Office’s historical cost recovery of 60% for most services.

The Office proposes increasing fees for Standard Applications and those submitted on paper, to begin to narrow the gap between their costs and fees. As to Standard Applications, we propose raising the fee primarily to account for the rising cost of goods and services due to inflation. The Office is currently recovering only 47% of its cost in processing claims submitted on the Standard Application.⁵⁶ We are proposing to increase this fee from \$65 to \$85—below the historical and projected inflation rate (43%) set forth above—to increase the cost recovery from 47% to an average 62% in the first year of the new fee term. The cost recovery for each subsequent year will be lower to the extent that the Office’s costs continue to rise.

⁵⁴ 17 U.S.C. 708(a)(1).

⁵⁵ FRD Report at 1–2.

⁵⁶ At the time of the last adjustment in 2020, the Office estimated a 69% cost recovery for the fee set for the Standard Application. U.S. Copyright Office, *Proposed Schedule and Analysis of Copyright Fees to Go into Effect in Spring 2020* at 24 (2019), <https://www.copyright.gov/rulemaking/feestudy2018/proposed-fee-schedule>.

As to paper applications, the Office charges higher fees than for electronic applications, given the substantially higher costs of processing paper applications, and to incentivize use of the electronic system. We now propose to raise the fee for paper applications from \$125 to \$185, which is slightly above historical and projected inflation rate, but approximates the actual cost of this service. The Office has concluded that these proposed fees are “fair and equitable, and give due consideration to the objectives of the copyright system.”⁵⁷

The Office also proposes eliminating the Single Application registration option.⁵⁸ Established via interim rule in 2013, the Single Application was introduced in response to a prior fee study.⁵⁹ It was intended to provide a lower cost option for registering simple claims involving one work by a single author who is the sole owner of all rights in the work. It cannot be used for claims involving multiple authors, different copyright owners, or complex forms of authorship.⁶⁰

While the Single Application was intended to be a streamlined option, it has proven to be inefficient for both applicants and the Office. The Single Application results in the highest percentage of refusals among all types of registration applications,⁶¹ as

⁵⁷ 17 U.S.C. 708(b)(4).

⁵⁸ If implemented, the Office would retire Circular 11 and remove the relevant sections of the *Compendium* that discuss the Single Application. Any draft Single Application that was previously created and saved in the electronic registration system would be permanently discarded.

⁵⁹ In 2012 the Office proposed to increase the fee for submitting an application through the electronic registration system—the first such increase since the system was introduced. 77 FR 3506 (Jan. 24, 2012); 77 FR 18743 (Mar. 28, 2012) (proposing to increase the fee for filing an electronic registration application from \$35 to \$65). The Office also proposed to create a new application with a lower filing fee which could be used to register one work by a single author. The Single Application was made available to the public in June 2013, and the filing fee for this service was set at \$35. 78 FR 38843, 38845 (June 28, 2013); 79 FR 15910 (Mar. 24, 2014).

⁶⁰ For example, the Single Application cannot be used to register works made for hire or works that contain material that was not created by the author named in the application. 37 CFR 202.3(b)(2)(i)(B)(1), (3).

⁶¹ This issue has persisted despite efforts to refine the application and clarify the eligibility requirements. See 83 FR 5227 (Feb. 6, 2018) (detailing past effort to enhance Single Application in 2017 and proposing additional enhancements); 83 FR 66627 (Dec. 27, 2018) (final rule implementing proposed enhancements).

applicants routinely use it to submit works that do not fit its criteria.⁶² The bulk of these refusals are on procedural grounds, regardless of whether the works themselves are copyrightable. Applicants seeking to remedy this type of error may resubmit their claims using a different registration application type, but in doing so they will incur additional fees.⁶³ The prevalence of unqualified submissions results in an examination process that is not simpler than the Standard Application, but more cost- and resource-intensive. The average cost recovery for the Single Application is approximately 10% less than the average cost recovery for the Standard Application, representing a significant subsidy.

Over time, the Office has seen a consistent decrease in the use of the Single Application. It accounted for only 6% of the basic claims received between 2021 and 2024, and the number received has decreased year-over-year by about 24%.⁶⁴ At the same time, the Office has created more cost-effective options to benefit individual creators and small businesses, permitting the registration of groups of works for a single filing fee. We currently offer options to register most classifications of groups of unpublished and published works; and, as discussed below, we are taking steps to explore other alternative fee structures. Eliminating the Single Application will allow us to more efficiently process the more widely-used registration options.

Based on these considerations, the Office proposes the following increases to the fees for basic registration applications, to be codified in 37 CFR 201.3(c).

⁶² In a few cases, the Office did not discover these defects until after the claim was approved, and as a result, the registration was cancelled. *See, e.g.*, VA0002207506, VA0002207503, VA0002207504 (cancelled because works made for hire cannot be registered with the Single Application).

⁶³ For instance, an applicant that initially submits a Single Application but, after refusal, resubmits the same claim on the Standard Application would pay a total of \$110 under the current fee schedule: \$45 for erroneously submitting the work on the Single Application plus \$65 to resubmit the work on the Standard Application.

⁶⁴ By contrast, the number of basic claims submitted on the Standard Application remained stable.

Basic Registrations	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)
Registration of a claim in an original work of authorship			
Standard Application (electronic only)	65	85	Varied ⁶⁵
Single Application (electronic only)	45	Eliminate	Varied ⁶⁶
Paper Application	125	185	Varied ⁶⁷

ii. Group Registrations

Each basic registration application is limited to a single work of authorship, with some exceptions. Under the Copyright Act, however, the Register of Copyrights may allow groups of related works to be registered with one application and one filing fee—a procedure known as “group registration.”⁶⁸ These fees are also authorized by 17 U.S.C. 708(a)(1).

In response to stakeholder interest, the Office has expanded the availability of group registration options. As the data above suggests, however, processing group registrations is often costly due to the amount of time required for examination of between 10 and 750 works of various classes and categories. The Office’s current cost recovery for most categories of group applications remains modest, in one category as low as approximately 5%. The effect of the high processing cost is compounded by the fact that group registrations are the second highest volume of services provided by the Office. Thus, to achieve a better cost recovery, we propose raising the fee for group registration options from \$85 to \$130,⁶⁹ with the exceptions described below.

⁶⁵ Average cost with physical deposit is \$151.76. Average cost with electronic deposit is \$124.38.

⁶⁶ Average cost with physical deposit is \$139.04. Average cost with electronic deposit is \$111.59.

⁶⁷ Average cost with physical deposit is \$182.93.

⁶⁸ See 17 U.S.C. 408(c)(1).

⁶⁹ Though this increase is slightly above the historical and projected inflation rate described above, the cost recovery for most options would remain under 60%.

First, the Office proposes more substantial fee increases for the group options to register photographic and non-photographic databases, and updates to news websites. Because these options primarily serve corporate applicants, we are allocating a greater portion of costs to these fees. Due to the relative inelasticity of the demand, the Office anticipates that the additional revenue from these fees can subsidize group registrations used primarily by individuals, for which greater cost recovery is impracticable. This is consistent with the Register’s discretionary authority to use fee revenue to offset lower fees for other services to further “the objectives of the copyright system,”⁷⁰ as discussed above.

Second, the Office proposes more modest fee increases for registering groups of published and unpublished photographs. Photographers typically produce a large number of works⁷¹ and have cited cost as an obstacle to registering them.⁷² In recognition of these challenges, the group registration options for photographers are currently heavily subsidized to result in a fee as little as \$0.07 per photograph if the applicant registers the maximum number of photographs (*i.e.*, 750).⁷³ The Office proposes raising the fee for these services from \$55 to \$85, which would be the same as the proposed fee for registering one work with the Standard Application. This works out to as little as \$0.11 per photograph if the applicant submits the maximum number of photographs permitted⁷⁴

⁷⁰ 17 U.S.C. 708(b)(4).

⁷¹ U.S. Copyright Office, *Copyright and Visual Works: The Legal Landscape of Opportunities and Challenges* 3 (2019), <https://www.copyright.gov/policy/visualworks/senate-letter.pdf> (noting that “photographers might take over one thousand photographs in a single session”).

⁷² See Coalition of Visual Artists, Comments Submitted in Response to U.S. Copyright Office’s Dec. 10, 2021, Deferred Registration Examination Study NOI at 6, 10 (Jan. 24, 2022); Copyright Alliance, Comments Submitted in Response to U.S. Copyright Office’s Dec. 10, 2021, Deferred Registration Examination Study NOI at 31–32 (Jan. 24, 2022); Shaftel & Schmelzer, Comments Submitted in Response to U.S. Copyright Office’s Dec. 10, 2021, Deferred Registration Examination Study NOI at 12–13 (Jan. 22, 2022).

⁷³ This fee has not changed since 2014. 79 FR 15910 (Mar. 24, 2014).

⁷⁴ As discussed above, applicants are currently able to submit up to 750 photos with each group registration application. The Office intends to increase this limit substantially when the new ECS

and is only slightly above the historical and projected inflation rate. These fees would achieve greater cost recovery while maintaining low levels on a per-work basis.

The Office proposes the following schedule of fees, to be codified in 37 CFR 201.3(c).

Group Registrations	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)⁷⁵
Group registration of contributions to periodicals (published within a 12-month period)	85	130	1,821.29
Group registration of updates and revisions to non-photographic databases (published within three calendar months within the same year)	500	700	506.58
Group registration of unpublished photographs (up to 750 unpublished photographs)	55	85	150.77 ⁷⁶
Group registration of published photographs (up to 750 published photographs)	55	85	105.52 ⁷⁷
Group registration of updates and revisions to photographic databases (published within three calendar months within the same year)	250	700	577.65
Group registration of serials, per issue, with a minimum of 2 issues (published within three calendar months within the same year)	35	50	65.84
Group registration of newspapers/newsletters (published within the same calendar month)	95	130	Varied ⁷⁸

registration system is made available to the public. *See* Copyright Public Modernization Committee Meeting (Oct. 10, 2024) (statement of Robert Kasunic, Dir., Office of Registration Policy & Practice (explaining that the new system is capable of receiving “between 1500 and 2000 files” and confirming that the Office “definitely . . . anticipate[s] raising the number [of photos permitted on a group registration application], which would effectively lower the cost”).

⁷⁵ For costs marked “N/A,” there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

⁷⁶ This is the average cost with an electronic deposit. The average cost with physical deposit is \$177.84.

⁷⁷ This is the average cost with an electronic deposit. The average cost with physical deposit is \$132.59.

⁷⁸ Total cost for group registration of newspapers is \$691.56. Total cost for group registration of newsletters is \$653.65.

Group registration of works on an album (up to 20 musical works or up to 20 sound recordings)	65	130	Varied ⁷⁹
Group registration of two-dimensional artwork (up to 20 published works)	85	130	N/A
Group registration of unpublished works (up to 10 unpublished works)	85	130	201.89
Group registration of short online literary works (up to 50 works published with three calendar months)	65	130	654.37
Group registration of updates to a news website (published within the same calendar month)	95	350	516.94

iii. Separate Subject of Inquiry: Alternative Fee Structures for Registration

Over the years, some stakeholders have urged the Office to adopt a number of alternative fee structures.⁸⁰ These could include, for instance, tiered fees (with a base fee for registering an individual work and an incrementally higher fee for each additional work) or a flat rate that would allow creators to register a specific number of works over a designated period of time.

The Office is committed to ensuring that our fee structures do not impose undue barriers to access our services, but consideration of these alternatives depends on both economic and technological feasibility. The current eCO system cannot practically be adapted to alternative fee structures, even if such alternatives are otherwise determined to

⁷⁹ Total cost with physical deposit is \$245.97. Total cost with electronic deposit is \$218.90.

⁸⁰ For stakeholders' public comments in response to past notices of inquiry and proposed rulemakings, *see, e.g.*, Coalition of Visual Artists, Comments Submitted in Response to U.S. Copyright Office's Dec. 10, 2021, Deferred Registration Examination Study NOI at 21 (Jan. 24, 2022); Shaftel & Schmelzer, Comments Submitted in Response to U.S. Copyright Office's Dec. 10, 2021, Deferred Registration Examination Study NOI at 21–23; Shaftel & Schmelzer, Comments Submitted in Response to U.S. Copyright Office's Oct. 17, 2018, Registration Modernization NOI at 8 (Jan. 11, 2019); Coalition of Visual Artists, Comments in Response to U.S. Copyright Office's Dec. 1, 2016, Group Registration of Photographs NPRM at 17 (Jan. 30, 2017); Graphic Artists Guild, Comments in Response to U.S. Copyright Office's Apr. 24, 2015, Copyright Protection for Certain Visual Works NOI at 9 (July 20, 2015); Graphic Artists Guild, Comments in Response U.S. Copyright Office's Mar. 28, 2012, 2014 Fee Study NPRM at 5 (May 14, 2012).

be viable. But the Office is far along in a multi-year modernization initiative, the ECS, which will include a “redesigned and easier to use registration system.”⁸¹ The ECS registration component will be considerably more flexible technologically and able to accommodate more alternatives.

To inform and prepare for the consideration of alternative fee structures, the Office will be issuing a separate notice of inquiry to obtain public comment on their potential operation and economic viability, including whether and how they could minimize or eliminate barriers to wider participation in the registration system. Stakeholders are encouraged to submit their comments regarding alternative fee structures in response to the notice of inquiry in that separate proceeding.

2. Other Registration Services

The Office provides other less commonly used registration and related services, as authorized by various provisions of the Copyright Act.

Several of these are low-volume services with a high cost per transaction, reflecting their time-consuming nature. The Office proposes raising such fees above the historical and projected inflation rates to achieve a higher cost recovery. For example, the cost per transaction for preregistration of certain unpublished works is about \$794, and we propose increasing the fee for this service from \$200 to \$320. We propose relatively small fee increases for renewal and restored copyright registration services, from \$125 to \$165 and \$100 to \$165 respectively.

The Office also proposes increases to recover more than the estimated cost per transaction for certain services for which demand is relatively inelastic because they are either compulsory or in strong demand among certain customer segments, and typically serve corporate organizations. For example, the costs per transaction for vessel design

⁸¹ See Strategic Plan 2022 at 7.

and mask work registrations are about \$261 and \$217 respectively, and the Office proposes increasing each fee to \$650. Unlike copyright registration, which is voluntary, registration is a mandatory condition for securing legal protection in a vessel design or a mask work.⁸² Similarly, the cost per transaction for the special handling surcharge,⁸³ which expedites the examination of claims in circumstances such as pending litigation, is about \$659. The Office proposes increasing this fee from \$800 to \$1,100. Although special handling is optional, the demand for expedited examination is relatively inelastic when a certificate is needed for federal litigation. Collecting these higher fees would allow for greater overall cost recovery and help offset the cost of other registration services used by small organizations or individual creators for which full cost recovery is impracticable.

The Office proposes setting the fees for supplementary applications at the same level as the fee for basic applications. Specifically, we propose decreasing the fee from \$100 to \$85 for most supplementary registrations, to match the proposed fee for the Standard Application. Likewise, we propose increasing the paper supplementary registration form fee to \$185, to match the fee proposed for the paper application for basic registration. These changes are intended to disincentivize applicants from submitting a duplicate registration application to correct or amplify the information on a prior registration. In such cases, submitting a supplementary registration is advisable (rather than seeking a new basic registration) because the supplementary will be cross-referenced in the basic registration and vice versa.

Finally, the Office proposes increasing the fees for registration appeals. Applicants have two opportunities to appeal the denial of a registration claim within the Copyright Office. At both stages, the intensive legal analysis necessary to process these

⁸² 17 U.S.C. 1310(a).

⁸³ Special handling fees are charged in addition to the otherwise applicable processing fees.

requests is considerably more costly than current fees reflect. Costs associated with review of a first appeal by the attorneys in the Office of Registration Policy and Practice are \$3,244. To offset a portion of this cost, we propose raising the fee for this service from \$350 to \$535 per claim. The second request for an appeal involves substantial work by senior attorneys, including the Register of Copyrights, the General Counsel and Associate Register of Copyrights, or their respective designees, resulting in a cost to the Office of \$9,471 per appeal.⁸⁴ We propose raising the fee for a second appeal from \$700 to \$1,200 per claim—still a small percentage of the actual cost.

The Office proposes the following schedule of fees for such services, to be codified in 37 CFR 201.3(c) and (d).

Other Registration Services	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)⁸⁵
Renewal registration			
Form RE	125	165	1,537.49
Addendum to Form RE	100	135	1,163.24
Registration of a claim in a restored copyright (Form GATT)	100	165	520.14
Preregistration of certain unpublished works	200	320	793.60
Correction or Amplification			
Supplementary registration			
Electronic filing	100	85	402.77
Paper filing (Form CA)	150	185	384.39
Correction of design registration (Form DC)	100	185	332.72
Registration of mask work (Form MW)	150	650	217.45
Registration of vessel designs (Form D-VH)	500	650	260.57

⁸⁴ See 37 CFR 202.5(f).

⁸⁵ For costs marked “N/A,” there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

Provision of an additional certificate of registration	55	80	N/A
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Special Services	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)⁸⁶
Request for reconsideration (per claim)			
First appeal	350	535	3,244.13
Second appeal	700	1,200	9,471.04
Secure test examination fee (per staff member, per hour)	250	375	84.55
Special handling surcharge for registration			
Expedited processing of application	800	1,100	658.74
Fee for each non-expedited claim using the same deposit	50	60	N/A
Small claims expedited registration fee per registration application request	50	55	N/A
Full term retention of published registration deposit			
Physical deposit	540	640	N/A
Electronic deposit	220	320	N/A
Voluntary cancellation of registration	150	320	323.61
Matching unidentified deposit to deposit ticket claim (per half hour)	40	50	N/A

3. Recordation

Recordation is another major service for which the Office collects fees.⁸⁷ The Office records three primary types of documents: transfers of copyright ownership, notices of termination, and other documents pertaining to a copyright. Recordation creates a public record of copyright ownership.

⁸⁶ For costs marked “N/A,” there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

⁸⁷ See 17 U.S.C. 708(a)(4), (6).

Approximately 90% of all recordings are now received electronically through the Office's online recordation system. Some recordation types cannot yet be handled electronically, however, including notices of termination and documents related to pre-1972 sound recordings.⁸⁸ Online recordation, where available, has shortened processing times, but the cost of processing both paper and electronic submissions still greatly outpaces the associated fees. Staff review documents for completeness and accuracy, index documents into the Office's public records, and may also correspond with a remitter to clarify any inconsistencies. Costs include the processing of incoming paper submissions by the Materials Control and Analysis Division, as well as sending recordation certificates to remitters. To achieve greater cost recovery, and in recognition that these services are largely used by corporate entities, the Office recommends raising the base recordation fee (for one work identified by one title or registration number) above the historical and projected inflation rate, from \$95 to \$215 for electronic submissions, and from \$125 to \$320 for paper submissions. We propose a parallel increase from \$95 to \$215 to the per-transfer fee for additional transfers, charged when a single document involves multiple transfers or other transactions.

When recording a document, the Office must index information about each of the copyrighted works to which the document pertains.⁸⁹ When the works associated with the document are submitted in paper form, they must be manually typed into our database to be indexed, which involves higher processing costs. The Office charges fees beyond the base fee for works in a document beyond the first one (referred to as "additional works and alternate identifiers") to cover these processing costs. We propose increasing the fees

⁸⁸ The Office uses an online system for designating an agent under 17 U.S.C. 512(c)(2) that is separate from the online recordation system. *DMCA Designated Agent Directory*, U.S. Copyright Office, <https://www.copyright.gov/dmca-directory/> (last visited Mar. 6, 2026).

⁸⁹ See, e.g., 17 U.S.C. 205(c).

for additional works submitted by paper from \$60 to \$215 per group of 10 or fewer additional works and alternate identifiers.

The Office also accepts electronic title lists for recordation through a tiered pricing structure based on the number of works being recorded. For the first four tiers, we propose increasing the fee from \$60 to \$215 for 1 to 50 additional works and alternate identifiers; from \$225 to \$300 for 51 to 500 additional works and alternate identifiers; from \$390 to \$520 for 501 to 1,000 additional works and alternate identifiers; and from \$555 to \$745 for 1,001 to 10,000 additional works and alternate identifiers. The proposed increases for the three tiers covering 51 to 10,000 additional works remain below historical and projected inflation.

For the fifth tier, the Office currently charges \$5,500 for more than 10,000 additional works and alternate identifiers. We propose adjusting the fee structure for this fifth tier to \$745 per group of 10,000 additional works and alternate identifiers. For this tier, only remitters who submit more than 80,000 works will see their costs increase; those who submit between 10,000 and 80,000 works will see a cost reduction. This reduction for those who submit between 10,000 and 80,000 titles lightens the burden for this set of remitters, further encouraging voluntary use of the online recordation system, while better aligning fees to remitters with substantially larger numbers of works. The increase for submissions of more than 80,000 works will offset the additional storage and system costs of that high volume of additional works.

The recordation program also administers services related to title II of the Music Modernization Act for recording schedules of sound recordings fixed before February 15, 1972.⁹⁰ These services have high provision costs but are generally low volume. To achieve a better cost recovery, the Office proposes increasing the fee for the filing and

⁹⁰ See 17 U.S.C. 1401.

removal of schedules listing pre-1972 sound recordings from \$75 to \$160 for a single sound recording, with an increase from \$10 to \$80 for schedules for additional sound recordings per group of 1 to 100 sound recordings. The current cost recovery for this service is approximately 7.3%; the proposed new fee of \$160 would increase the cost recovery to 15.6%.⁹¹ For submitting a notice of noncommercial use or a notice opting out of a proposed noncommercial use, we propose raising the fee from \$50 to \$160.

The recordation program also administers services related to the Digital Millennium Copyright Act.⁹² To qualify for some of the Act's safe harbors, service providers must designate an agent to receive notices of claimed copyright infringement. The cost of providing this service (\$741.02) is largely attributable to the amount of time needed to review service providers' requests to make available a post office box address in lieu of a street address. Although the cost far outweighs the current fee, the Office proposes only a slight fee increase from \$6 to \$25, to maintain accessibility for service providers of all sizes.

The Office proposes raising the special handling fee for the expedited recordation of documents from \$550 to \$1,100.⁹³ This increase would make the fee consistent with the special handling fees the Office proposes to charge for other expedited services. Given the striking decrease in processing times in the online system, the Office also expects a decrease in demand for expedited recordation.

Finally, the Office proposes increasing the fee for correcting online public catalog data due to erroneous electronic title submission from \$7 to \$10 per title, which reflects an inflationary increase.

⁹¹ FRD Report at 29.

⁹² *See* 17 U.S.C. 512.

⁹³ As noted above, special handling fees are charged in addition to the otherwise applicable processing fees.

The Office proposes the following fees for recordation services, to be codified in 37 CFR 201.3(c) and (d).

Recordation and Related Services	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)⁹⁴
Recordation of a document, including a notice of termination and a notice of intention to enforce a restored copyright:			
Base fee (includes 1 work identified by 1 title and/or registration number)			Varied ⁹⁵
Paper	125	320	
Electronic	95	215	
Additional transfer (per transfer) (for documents recorded under 17 U.S.C. 205)	95	215	Varied ⁹⁶
Additional works and alternate identifiers:			
Paper (per group of 10 or fewer additional works and alternate identifiers)	60	215	244.83
Electronic:			Varied ⁹⁷
1 to 50 additional works and alternate identifiers	60	215	
51 to 500 additional works and alternate identifiers	225	300	
501 to 1,000 additional works and alternate identifiers	390	520	
1,001 to 10,000 additional works and alternate identifiers	555	745	

⁹⁴ For costs marked “N/A,” there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

⁹⁵ According to FRD, “[t]he total costs of recording these documents, incorporating direct and indirect costs, range from \$245.89 to \$1,131.50.” FRD Report at 28.

⁹⁶ Average cost with electronic submission is \$403.63. Average cost with paper form is \$432.58.

⁹⁷ To allow simple comparison between titles provided on electronic or paper title lists, FRD calculated the cost of processing groups of ten additional titles. The total cost per group of ten titles provided electronically is \$88.31.

> 10,000 additional works and alternate identifiers	5,500 ⁹⁸	745 per additional group of 10,000	
Correction of online Public Catalog data due to erroneous electronic title submission (per title)	7	10	N/A
Designation of agent under 17 U.S.C. 512(c)(2) to receive notification of claimed infringement, or amendment or resubmission of designation	6	25	741.02
Schedule of pre-1972 sound recordings, or supplemental schedule of pre-1972 sound recordings (single sound recording)	75	160	1,027.22
Additional sound recordings (per group of 1 to 100 sound recordings)	10	80	454.23
Removal of pre-1972 sound recording from Office's database of indexed schedules (single sound recording)	75	160	N/A
Notice of noncommercial use of pre-1972 sound recording	50	160	741.02
Opt-out notice of noncommercial use of pre-1972 sound recording	50	160	741.02

Special Services	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)
Special handling fee for recordation of a document	550	1,100	Varied ⁹⁹

B. Record Retrieval, Search, and Certification Services

The Office's Records Research and Certification Division ("RRC") provides copies of completed and in-process registration and recordation records, search reports, and registration deposit materials.

⁹⁸ Under the current fee schedule, this tier covers 10,001 or more additional works and alternate identifiers.

⁹⁹ Average cost with electronic submission is \$4,121.08. Average cost with paper form is \$4,150.03.

The costs of providing RRC's services vary, depending on the complexity of the request. Search and retrieval services can be time-consuming and require specialized knowledge. The proposed fee schedule reflects an increase slightly above historical and projected inflation, while modestly addressing the cost-recovery shortfall. For instance, the Office proposes raising the per-hour fee for certifying records, preparing a search report, and retrieving records from \$200 to \$300. Certification costs \$1,166.49 to provide, and search and retrieval activities cost \$655.14.¹⁰⁰ We also propose raising the fee for creating a search or retrieval estimate from \$200 to \$300, to be credited against the final search and retrieval fee. The creation of an estimate itself is generally costly (\$826.18), as it requires staff to conduct a preliminary search of the Office's records.

For copying records, the Office proposes reverting to charging a variable fee based on the type of media being copied.¹⁰¹ Currently, the fee is approximately \$12 for all media, while the cost to provide this service is \$485.41. The Office previously shifted to the current media-neutral fee to simplify the fees for both the Office and the public.¹⁰² Reverting to a media-dependent fee will better account for the varying complexity of copying different media types. We propose charging \$20 for photocopies, \$105 for copies of audiocassettes and videocassettes, and \$55 for copies of CDs, DVDs, and flash drives. Service requests to copy formats unsupported by the Office and other copying of materials by outside providers would be assessed the actual cost of the provider.

The Office also proposes raising the fee for litigation statements from \$100 to \$320. Litigation statements are used to request copies of copyright deposits for actual or prospective litigation, and the demand for the service is relatively inelastic. The proposed increase would help offset the cost of other services for which greater cost recovery is

¹⁰⁰ The FRD Report does not separately distinguish retrieval costs, instead assessing the cost of "other search and retrieval activities" at \$655.14.

¹⁰¹ See 79 FR 15910, 15917 (Mar. 24, 2014).

¹⁰² 85 FR 9374, 9384 (Feb. 19, 2020).

unattainable. Finally, we propose raising the hourly fee for the expedited processing of records retrieval, search, and certification services from \$500 to \$1,100, which is consistent with the special handling fees proposed for other expedited services.

The Office proposes the following fee schedule for records retrieval, search, and certification services, to be codified at 37 CFR 201.3(c) and (d).¹⁰³

Record Retrieval, Search, and Certification Services	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)¹⁰⁴
Certification of other Copyright Office records, including search reports (per hour)	200	300	1,166.49
Search report prepared from official records other than Licensing Section records (per hour, 2 hour minimum)	200	300	655.14
Estimate of retrieval or search fee (credited to retrieval or search fee)	200	300	826.18
Retrieval of in-process or completed Copyright Office records or other Copyright Office materials:			
Retrieval of paper records (per hour, 1 hour minimum)	200	300	N/A
Retrieval of digital records (per hour, half hour minimum, quarter hour increments)	200	300	N/A

Record Retrieval, Search, and Certification Services	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)¹⁰⁵
Copying of Copyright Office records by staff	12 ¹⁰⁶		485.41
Photocopy		20	
Audiocassette		105	

¹⁰³ The fees for retrieval, copying, and certification services specific to the Copyright Claims Board are codified separately and are not affected by this proposed fee schedule. *See* 37 CFR 201.3(g).

¹⁰⁴ For costs marked “N/A,” there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

¹⁰⁵ For costs marked “N/A,” there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

¹⁰⁶ This fee covers copying for all media types.

Videocassette		105	
CD or DVD		55	
Flash drive		55	
Unsupported formats and other copying of materials by outside providers, at cost of provider		Varied	
Special handling fee for records retrieval, search, and certification services (per hour, 1 hour minimum)	500	1,100	N/A
Litigation statement (Form LS)	100	320	161.80

C. Miscellaneous Fees

The Office administers several miscellaneous fees for the removal of certain personally identifiable information (“PII”) from the Office’s online public catalog, services related to financial accounting, and other peripheral services.

For the following fees, the Office had insufficient volume to compute a transaction cost, and therefore recommends only small increases: administration and processing service charges for deposit account overdraft, dishonored deposit account replenishment check, and uncollectible or non-collectible negotiable payment; and the recordation of notices to libraries and archives under 17 U.S.C. 108(h). These increases are well below the historical and projected inflation rate set forth above.

Considering labor and costs, the Office estimates that it costs from \$10 to \$105 to deliver documents by fax and by Federal Express mailing, respectively. Thus, we have proposed increases to provide those services at cost and require payment in advance. Payments that are greater than the service provider costs would be reimbursed to the customer.

Finally, the Office proposes raising the fee for the reconsideration of a denied request to remove certain PII from our online public catalog. The proposed fee better reflects, but remains well below, the cost of providing that service.

The Office proposes the following miscellaneous fees, as authorized by 17 U.S.C. 708 and other provisions of the Copyright Act, to be codified at 37 CFR 201.3(c) and (d).

Related Services	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)
Request to remove PII from online catalog			
Initial request	100	100	784.83
Reconsideration of denied request	60	135	2,696.67

Special Services	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)¹⁰⁷
Overdraft of deposit account	285	305	N/A
Dishonored replenishment check for deposit account	500	535	N/A
Uncollectable or nonnegotiable payment	115	125	N/A
Notice to libraries and archives (17 U.S.C. 108(h))	50	55	N/A
Each additional title	20	20	N/A
Service charge for Federal Express mailing	45	105	N/A
Service charge for delivery of documents via fax	1	10	N/A

D. Licensing Section Fees

The Licensing Section administers certain statutory licenses and related provisions and also provides services to the Copyright Royalty Board, which oversees rate determinations and distributions for certain statutory licenses.¹⁰⁸

¹⁰⁷ For costs marked “N/A,” there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

¹⁰⁸ The Licensing Section administers aspects of statutory licenses for secondary transmissions by cable systems (section 111), and ephemeral recordings (section 112), as well as statutory licenses for the public performance of sound recordings by means of a digital audio transmission (section 114), making and distributing phonorecords of nondramatic musical works (section 115), secondary transmissions for satellite carriers (section 119), secondary transmissions by satellite carriers for local retransmissions (section 122), and the distribution of digital audio recording devices and media (section 1003).

The Licensing Section collects fees for the filing of cable and satellite statements of account, to recover some of the costs of administering the cable and satellite licenses. It deducts its operating costs from the royalty fees it collects, and invests any remaining balance in interest-bearing securities with the U.S. Treasury for later disbursement to copyright owners. Unlike other fees collected by the Copyright Office, the revenue from filing fees under sections 111, 119, and 122 by statute may not exceed 50% of certain costs associated with the administration of the relevant statutory licenses.¹⁰⁹

For all Licensing Section fees, the Office proposes small increases to account for inflation. The proposed fees associated with section 111, 119, and 122 licenses will still remain, in the aggregate over the next five-year period, below 50% of the Office’s reasonable expenses in administering them. Some degree of uncertainty is inherent in these estimates, as the costs are calculated based on when the fees are identified, not when the statements of account are submitted. Additionally, the Office expects the volume of cable statements of account to decrease over the course of the new fee term, as they have done for a number of years.¹¹⁰ We have therefore proposed fees for cable and satellite statements of account in a conservative manner, to ensure that, over the five-year period, revenues remain within the 50% threshold established by statute.

The Office proposes the following Licensing Section fees to be codified at 37 C.F.R. 201.3(e).

Licensing section services	Current Fees (\$)	Proposed Fees (\$)	Calculated Cost of Service (\$)¹¹¹
Recordation of a notice of intention to make and distribute phonorecords (17 U.S.C. 115)	75	100	443.91

¹⁰⁹ See 17 U.S.C. 708(a).

¹¹⁰ Cable system filings decreased by approximately 11% between fiscal years 2023 and 2024; and satellite filings remain low, with only six received from two filers in fiscal year 2024.

¹¹¹ For costs marked “N/A,” there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

Additional titles (per group of 1 to 10 titles) (paper filing)	20	25	N/A
Additional titles (per group of 1 to 100 titles) (electronic filing)	10	15	N/A
Statement of account amendment for cable systems, satellite systems, and digital audio recording device distributors	50	70	414.10
Recordation of certain contracts by cable television stations located outside the 48 contiguous states	50	70	710.26
Initial or amended notice of use of sound recordings (17 U.S.C. 112 and 114)	50	70	502.88
Statement of account for cable systems (17 U.S.C. 111)			
Form SA1	15	20	275.87
Form SA2	20	25	275.87
Form SA3	725	960	406.51
Statement of account for satellite systems (17 U.S.C. 119 or 122)	725	960	252.59
Search report prepared from Licensing Section records (per hour, 2 hour minimum)	200	300	710.26

E. Freedom of Information Act Requests

The Freedom of Information Act (“FOIA”), section 552 of title 5 of the United States Code, provides a statutory right of access to federal agency records. FOIA establishes procedures by which a member of the public may request records from a federal agency and the parameters by which an agency must operate when responding. In addition to requiring agencies to promulgate regulations addressing the requirements for making requests and appeals, FOIA tasks them with establishing the fees they may charge.¹¹²

¹¹² All fees collected in the course of providing FOIA services are to be deposited into the Treasury of the United States. The Freedom of Information Reform Act of 1986; Uniform Freedom of Information Act Fee Schedule and Guidelines, 52 FR 10012, 10017 (Mar. 27, 1987) (directing that funds collected for providing FOIA services must be deposited into general revenues of United States and not into agency accounts).

Unless a waiver or reduction of fees has been granted, these rules permit the Office to charge an hourly rate for the search and review of requested records by administrative or professional staff.¹¹³ Current regulations require requesters to pay fees by check or money order. As part of broader efforts to make its services digitized, interconnected, and easier to navigate, the Office seeks to simplify this process by requiring requesters to make their payments via the methods prescribed in 37 CFR 201.6(a), including through *Pay.gov*. This will ensure consistency in payment methods across the Office's services.

F. Technical Amendments

The Office will adopt technical amendments as needed to conform existing regulations to any changes to the fee schedule.

List of Subjects in 37 CFR Parts 201, 202, and 203

Copyright, General provisions, Freedom of Information Act, Policies and Procedures

Proposed Regulations

For the reasons set forth in the preamble, the Copyright Office proposes amending 37 CFR parts 201, 202, and 203 as follows:

PART 201—GENERAL PROVISIONS

1. The authority citation for part 201 continues to read as follows:

Authority: 17 U.S.C. 702.

2. In § 201.3, revise paragraphs (c), (d), and (e) to read as follows:

§ 201.3 Fees for registration, recordation, and related services, special services, and services performed by the Licensing Division.

* * * * *

¹¹³ 37 CFR 203.11(a)(1).

(c) *Registration, recordation, and related service fees.* The Copyright Office has established fees for these services. To calculate the fee specified by paragraph (c)(23) of this section, for each work identified in a document: The first title and/or first registration number provided for that particular work constitutes a work; and each additional title and registration number provided for that particular work beyond the first constitutes an alternate identifier. The fees are as follows:

Table 1 to **paragraph (c)**

Registration, recordation, and related services	Fees (\$)
(1) Registration of a claim in an original work of authorship:	
(i) Electronic filing:	85
(ii) Paper Filing (Forms PA, SR, TX, VA, SE, SR)	185
(2) Registration of a claim in a group of contributions to periodicals	130
(3) Registration of updates or revisions to a database that predominantly consists of non-photographic works	700
(4) Registration of a claim in a group of published photographs or a claim in a group of unpublished photographs	85
(5) Registration for a database that predominantly consists of photographs and updates thereto:	
(i) Electronic filing	700
(ii) Paper filing	700
(6) Registration of a renewal claim (Form RE):	
(i) Claim without addendum	165
(ii) Addendum (in addition to the fee for the claim)	135
(7) Registration of a claim in a group of serials (per issue,	50

minimum two issues):	
(8) Registration of a claim in a group of newspapers or a group of newsletters	130
(9) Registration of a group of works on an album	130
(10) Registration of a claim in a group of unpublished works or a claim in a group of two-dimensional artwork	130
(11) Registration of a claim in a group of unpublished works	130
(12) Registration of a claim in a group of short online literary works	130
(13) Registration of a group of updates to a news website	350
(14) Registration of a claim in a restored copyright (Form GATT)	165
(15) Preregistration of certain unpublished works	320
(16) Registration of a correction or amplification to a claim:	
(i) Supplementary registration:	
(A) Electronic filing	85
(B) Paper Filing for correction or amplification of renewal registrations, GATT registrations, and group registrations for non-photographic databases (Form CA)	185
(ii) Correction of a design registration: Form DC	185
(17) Registration of a claim in a mask work (Form MW)	650
(18) Registration of a claim in a vessel design (Form D/VH)	650
(19) Provision of an additional certificate of registration	80
(20) Certification of other Copyright Office records, including	300

search reports (per hour)	
(21) Search report prepared from official records other than Licensing Section records (per hour, 2 hour minimum)	300
(22) Estimate of retrieval or search fee (credited to retrieval or search fee)	300
(23) Retrieval of in-process or completed Copyright Office records or other Copyright Office materials:	
(i) Retrieval of paper records (per hour, 1 hour minimum)	300
(ii) Retrieval of digital records (per hour, half hour minimum, quarter hour increments)	300
(24) Recordation of a document, including a notice of termination and a notice of intention to enforce a restored copyright:	
(i) Base fee (includes 1 work identified by 1 title and/or registration number):	
(A) Paper	320
(B) Electronic	215
(ii) Additional transfer (per transfer) (for documents recorded under 17 U.S.C. 205)	215
(iii) Additional works and alternate identifiers:	
(A) Paper (per group of 10 or fewer additional works and alternate identifiers)	215
(B) Electronic:	
(1) 1 to 50 additional works and alternate	215

identifiers	
(2) 51 to 500 additional works and alternate identifiers	300
(3) 501 to 1,000 additional works and alternate identifiers	520
(4) 1,001 to 10,000 additional works and alternate identifiers	745
(5) Per group of 10,000 above 10,000 additional works and alternate identifiers	745
(iv) Correction of online Public Catalog data due to erroneous electronic title submission (per title)	10
(25) Designation of agent under 17 U.S.C. 512(c)(2) to receive notification of claimed infringement, or amendment or resubmission of designation	25
(26)(i) Schedule of pre-1972 sound recordings, or supplemental schedule of pre-1972 sound recordings (single sound recording)	160
(ii) Additional sound recordings (per group of 1 to 100 sound recordings)	80
(27) Removal of pre-1972 sound recording from Office's database of indexed schedules (single sound recording)	160
(28) Notice of noncommercial use of pre-1972 sound recording	160
(29) Opt-out notice of noncommercial use of pre-1972 sound recording	160
(30) Issuance of a receipt for a section 407 deposit	30
(31) Removal of PII from Registration Records:	

(i) Initial request, per registration record	100
(ii) Reconsideration of denied requests, flat fee	135

(d) *Special service fees.* The Copyright Office has established the following fees for special services of the Office:

Table 1 to **paragraph (d)**

Special services	Fees (\$)
(1) Service charge for deposit account overdraft	305
(2) Service charge for dishonored deposit account replenishment check	535
(3) Service charge for an uncollectible or non-negotiable payment	125
(4) Appeals:	
(i) First appeal (per claim)	535
(ii) Second appeal (per claim)	1,200
(5) Secure test examining fee (per staff member per hour)	375
(6) Copying of Copyright Office records by staff	
Photocopy	20
Audiocassette	105
Videocassette	105
CD or DVD	55
Flash drive	55
Unsupported formats and other copying of materials by outside providers, at cost of provider	Varied
(7)(i) Special handling fee for a claim	1,100

(ii) Handling fee for each non-special handling claim using the same deposit	60
(8) Small claims expedited registration fee per registration application request	55
(9) Special handling fee for recordation of a document	1,100
(10) Handling fee for extra deposit copy for certification	55
(11) Full-term retention of a published deposit:	
(i) Physical deposit	640
(ii) Electronic deposit	320
(12) Voluntary cancellation of registration	320
(13) Matching unidentified deposit to deposit ticket claim (per hour, one hour minimum)	50
(14) Special handling fee for records retrieval, search, and certification services (per hour, 1 hour minimum)	1,100
(15) Litigation statement (Form LS)	320
(16)(i) Notice to libraries and archives	55
(ii) Each additional title	20
(17) Service charge for Federal Express mailing	105
(18) Service charge for delivery of documents via facsimile (per page, 7 page maximum)	10

(e) *Licensing Section service fees.* The Copyright Office has established the following fees for specific services of the Licensing Section:

Table 1 to **paragraph (e)**

Licensing Section services	Fees (\$)
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(1)(i) Recordation of a notice of intention to make and distribute phonorecords (17 U.S.C. 115)	100
(ii) Additional titles (per group of 1 to 10 titles) (paper filing)	25
(iii) Additional titles (per group of 1 to 100 titles) (online filing)	15
(2) Statement of account amendment (cable television systems and satellite carriers, 17 U.S.C. 111 and 119; digital audio recording devices or media, 17 U.S.C. 1003)	70
(3) Recordation of certain contracts by cable TV systems located outside the 48 contiguous states	70
(4) Initial or amended notice of digital transmission of sound recording (17 U.S.C. 112, 114)	70
(5) Processing of a statement of account based on secondary transmissions of primary transmissions pursuant to 17 U.S.C. 111:	
(i) Form SA1	20
(ii) Form SA2	25
(iii) Form SA3	960
(6) Processing of a statement of account based on secondary transmissions of primary transmissions pursuant to 17 U.S.C. 119 or 122	960
(7) Search report prepared from Licensing Section records (per hour, 2 hour minimum)	300

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**PART 202—PREREGISTRATION AND REGISTRATION OF CLAIMS TO
COPYRIGHT**

3. The authority citation for part 202 continues to read as follows:

Authority: 17 U.S.C. 408(f), 702.

§ 202.3 [Amended]

4. Amend 202.3 as follows:

- a. In paragraph (b)(2)(i) remove the phrase “, the Single Application,”.
- b. Redesignate paragraph (b)(2)(C) as paragraph (b)(2)(B).
- c. Remove paragraphs (b)(2)(B)(1) through (3), and paragraph (b)(2)(C).
- d. In paragraph (c)(1), remove the phrase “As a general rule, an” and add in its place the word “An” and remove the second sentence.
- e. In paragraph (c)(3)(i), remove the phrase “As a general rule, the” and add in its place the word “The” and remove the second sentence.

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**PART 203— FREEDOM OF INFORMATION ACT: POLICIES AND
PROCEDURES**

5. The authority citation for part 203 continues to read as follows:

Authority: 5 U.S.C. 552.

- 6. In § 203.11, amend paragraph (a)(2) by removing “Requesters must pay fees by check or money order made payable to the United States Copyright Office” and adding in its place “Payment of the applicable fees under this paragraph shall be made by the methods established under § 201.6(a) of this chapter”.

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Dated: March 18, 2026

Emily L. Chapuis,

General Counsel and

Associate Register of Copyrights

[BILLING CODE 1410-30-P]

[FR Doc. 2026-05529 Filed: 3/19/2026 8:45 am; Publication Date: 3/20/2026]