

Circular 5

How to Open and Maintain a Deposit Account in the Copyright Office

THE PURPOSE OF DEPOSIT ACCOUNTS

The Copyright Office maintains a system of Deposit Accounts for the convenience of those who frequently use its services. An individual or firm may establish a Deposit Account in the Copyright Office and may make advance deposits into that account. Deposit Account holders can charge copyright fees against the balance in their accounts instead of sending separate remittances with applications and other requests for services.

A DEPOSIT ACCOUNT IS NOT A CHARGE ACCOUNT

Deposit Accounts do not operate in the same way as commercial charge accounts and cannot be overdrawn or used as a form of advance credit. Funds must be available in a Deposit Account for the payment of copyright fees **before** an application for registration can be accepted or other services performed.

MINIMUM REQUIREMENTS FOR DEPOSIT ACCOUNTS

- When the account is opened, the initial deposit should amount to at least \$250. Make checks payable to *Register of Copyrights*.
- All subsequent deposits into the account should also be \$250 or more. They may be paid by check, money order, or electronic funds transfer. See the back of this sheet for details.
- Subsequent deposits may be made by credit card. Send the credit card information by phone, fax, or email.
- There should be at least 12 transactions a year.
- If fees are to be charged against a Deposit Account, the exact name and number of the account must be given on all applications for registration or requests for services.

- The Deposit Account holder must maintain a sufficient balance to cover all charges against the account. The Copyright Office will send holders a monthly statement for any month during which the account was active, showing deposits, charges, and balances. However, for the reasons explained below, it is important for holders to keep their own records and to make sure that the Office is not forced to delay action because of insufficient funds in a Deposit Account.

WHY MAINTAINING A SUFFICIENT BALANCE IS IMPORTANT

Do not allow your Deposit Account to become depleted.

It is important to maintain a sufficient balance in a Deposit Account, because a copyright registration is effective on the date the Copyright Office receives all the required elements in acceptable form, including the fee. If a Deposit Account has become depleted, the effective date of registration cannot be determined until funds replenishing the account are received. Further, if the deficiency is not corrected within 60 days, the deposit copies may be transferred to other departments of the Library of Congress. The Deposit Account holder may have to resubmit a claim to copyright by sending another application and additional deposit copies of the work to be registered.

SERVICE CHARGE FOR OVERDRAFT/INSUFFICIENT FUNDS/BOUNCED REPLENISHMENT CHECK

Deposit Account holders who submit requests for claims and other services for which no funds are available will be charged a \$100 "overdraft" fee to cover the cost of extra processing.

This fee is applied for each occurrence, not for each claim filed without funds available. For example, if the Deposit Account holder submitted five registration claims, but

USE THIS FORM OR A PHOTOCOPY OF THIS FORM TO ESTABLISH A DEPOSIT ACCOUNT.

Enclosed is my remittance of \$ _____ to establish a Deposit Account

Under the Name _____

Address _____
Street

City _____ State _____ ZIP _____

Telephone (w/ area code) _____ Fax (w/ area code) _____ Email _____

Please give the name of the person to whom you wish monthly statements and "no funds" notifications to be sent.

Attention of _____

Signature _____

Mail to: Library of Congress, Department 100, Attention: Deposit Accounts, 101 Independence Ave., S.E., Washington, D.C. 20540

the account was exhausted with the first claim, the service charge would be applied once, not five times. Additionally, the Copyright Office will charge a \$35 service charge for handling dishonored replenishment checks.

HOW TO OPEN A DEPOSIT ACCOUNT

To open a Deposit Account in the Copyright Office, complete the form on the preceding page and return it with an initial deposit of \$250 or more to:

Library of Congress
Department 100
Attention: Deposit Accounts
101 Independence Avenue, S.E.
Washington, D.C. 20540

Please use this address **only** to open or replenish a Deposit Account. Do not use it to send materials for copyright registrations or to make inquiries. The email address is *depositaccts@loc.gov*.

You will receive a reply acknowledging that the account has been established in the name given on your form and telling you the number assigned to the account.

ELECTRONIC FUNDS TRANSFER

Use the following guidelines when replenishing accounts with electronic funds transfer using the Automated Clearing House (ACH) network.

- Do not send a prenotification to the Copyright Office.
- Use the Cash Concentration or Disbursement (CCD) format.
- Provide your financial institution with this specific information regarding your ACH electronic transfer of funds:

Receiving Financial Institution: Federal Reserve Bank of Richmond

Location: 701 E. Byrd Street
Richmond, VA 23219

Receiving American Banking Association (ABA) number: 051036706

Account number: 303049

Account name: Register of Copyrights

Transfer Related Instructions

The Addenda Sequence field must include the following information in the following order:

- Deposit Account number
- Name of Deposit Account holder
- Personal representative of the Deposit Account holder

Example:

Addenda Sequence Number: 0001

DA003333/ACME Publishers, Inc. (John B. Gray)

COPYRIGHT REGISTRATION PROCEDURES

To register a claim to copyright, send an application and deposit copies to:

Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

This address is different from the address for opening and maintaining a Deposit Account. Use the Deposit Account address **only** for opening or replenishing the Deposit Account.

FOR FURTHER INFORMATION

For information about your established Deposit Account, fax your questions to (202) 707-1899 or call (202) 707-6896 and leave a message. You may email your questions to *depositaccts@loc.gov*.