

# Circular 23

## The Copyright Card Catalog and the Online Files of the Copyright Office

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### IN GENERAL

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The Copyright Card Catalog and post-1977 automated files provide an index to copyright registrations in the United States from 1870 to the present. The Copyright Card Catalog contains approximately 41 million cards covering the period 1870 through 1977. Registrations for works other than serials dating from January 1, 1978, are available in the online Copyright Office History Monographs file (COHM). Registrations for serials dating from January 1, 1978, are available in the online Copyright Office History Serials file (COHS).

A very large part of the literary, musical, artistic and scientific productions of the United States and of many foreign countries is recorded in these files. They are an important supplement to the Main Catalog of the Library of Congress as a bibliographic tool, in part because only a portion of the works deposited for copyright are selected for inclusion in the Library's collections, and the Library does not always fully catalog those works it selects. The Copyright Card Catalog and the automated files are of particular value in searching for pamphlets, unpublished music or dramas, lectures, and materials in the visual arts classifications.

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### LOCATION AND USE OF THE CARD CATALOG

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The Copyright Card Catalog is located on the fourth floor (LM-459) of the James Madison Memorial Building of the Library of Congress. The public may use the catalog, which is staffed by a copyright bibliographer, between 8:30 a.m. and 5 p.m. eastern time, Monday through Friday, except federal holidays. A researcher should initially request Circular 22, "How To Investigate the Copyright Status of a Work," from the bibliographer.

Alternatively, a researcher may ask the Reference and Bibliography Section (LM-450) to conduct a search of the copyright records. Upon payment of a fee of \$75\* per hour, that Section will conduct a search and provide a factual, noninterpretive report. These searches may be initiated by writing to the Section or by consulting the bibliographer on duty.

Library of Congress  
 Copyright Office  
 Reference and Bibliography Section, LM-451  
 101 Independence Avenue, S.E.  
 Washington, D.C. 20559-6000  
 Fax: (202) 252-3485  
 Phone: (202) 707-6850

Searches will be done in turn as received.

All remittances should be in the form of drafts (that is, checks, money orders, or bank drafts) payable to: **Register of Copyrights**. Do not send cash. Drafts must be redeemable without service or exchange fee through a U.S. institution, must be payable in U.S. dollars, and must be imprinted with American Banking Association routing numbers.

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### OTHER RECORDS THAT SUPPLEMENT THE CARD CATALOG

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#### Catalog of Copyright Entries

The Copyright Office published the *Catalog of Copyright Entries (CCE)* in printed format from 1891 through 1978. From 1979 through 1982 the CCE was issued in microfiche format. The catalog was divided into parts according to the classes of works registered. Each CCE segment covered all registrations made during a particular period of time. Renewal registrations made from 1979 through 1982 are found in Section 8 of the catalog. Renewals prior to that time were generally listed at the end of the volume containing the class of work to which they pertained.

A number of libraries throughout the United States maintain copies of the *Catalog*, and this may provide a good starting point if you wish to make a search yourself. There are some cases, however, in which a search of the *Catalog* alone will not be sufficient to provide the needed information. For example:

- Since the *Catalog* does not include entries for assignments or other recorded documents, it cannot be used for searches involving the ownership of rights.
- The *Catalog* entry contains the essential facts concerning a registration, but it is not a verbatim transcript of the registration record. It does not contain the address of the copyright claimant.

Effective with registrations made since 1982, the only method of searching outside the Library of Congress is by

\* **NOTE: Copyright Office fees are subject to change. For current fees, please check the Copyright Office website at [www.copyright.gov](http://www.copyright.gov), write the Copyright Office, or call (202) 707-3000.**

using the Internet to access the automated catalog. The automated catalog contains entries from 1978 forward. See page 5 for accessing the catalog via the Internet.

Another published series, the *Cumulative Catalogs of Motion Picture Entries* (CCMPE), provides detailed registration information for motion pictures and filmstrips for the years 1894 to 1969. For public use a copy of the CCMPE is located in the Card Catalog area.

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## LOCATING COPYRIGHT REGISTRATIONS

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Under the 1909 copyright law, effective through 1977, a work could be registered in one of 15 different classes, depending on its nature (for example, book, drama, painting). The cards in the Card Catalog contain five key elements in establishing the history of any original registration.

These elements are:

- a) the title of the work;
- b) the author or authors;
- c) the claimant or claimants, i.e., the owner(s) of the copyright, who may be different from the author(s);
- d) the date of publication, the day on which copyright protection commenced, or the date of receipt for unpublished works; and
- e) the registration number, which is a letter (depending on the classification) followed by from one to seven digits.

Any work published or registered before January 1, 1964, must have been renewed by registration in the 28th year following the original date of publication or registration. Copyrights in works registered or published between January 1, 1964 and December 31, 1977, have an automatic renewal for a full 95-year term of protection. Renewal registration is optional, and there may not be a renewal registration in the public records. If the work in question is more than 27 years old and less than 95 years old, the researcher should also look for a renewal registration, which consists of the following:

- a) the title and author(s) of the original work;
- b) the renewal claimant or claimants;
- c) the date on which the second term of protection commenced; and
- d) the renewal registration number which is the letter R or the letters RE followed by from one to six digits.

Since January 1, 1978, when the Copyright Act of 1976 went into effect, copyright registrations have been cataloged by entering the appropriate information into the automated Copyright Office History Monographs (COHM) and History Serials (COHS) files. All the elements described in the previous paragraph are also entered into this online file. However, the number of classes has been reduced, with different letter codes preceding the digits. In addition, the record now distinguishes among the date of creation (the year in which the work was fixed in its form), the date of publication (public distribution) where applicable, and the effective date

of registration (when the copy or copies of the work, the fee and the application were received in the Copyright Office). Instructional material and computer terminals are available in the Card Catalog area to enable the researcher to retrieve information from the online data base.

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## SEARCH STRATEGIES: IDIOSYNCRASIES OF THE COPYRIGHT CARD CATALOG

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In each segment of the Card Catalog, all filing elements are divided into two alphabetized groups, personal names followed by corporate names and titles. Thus, for example, a researcher using the name or word *White* would find Alice White and Zachary White before White Lithographs, Ltd., and The White Monkey.

The copyright records are subject to a lack of standardization in the romanization of names, cross-references, and other filing elements. A researcher should take into account any possible variant forms of names and titles. For example, cross-references may not be provided for entries cataloged under Chaikovskii and Tschaikowsky. Non-English names such as de Mille and von Franz may appear under both the prefix and the surname. A corporate entity such as Walt Disney Productions may appear under that form or under Disney (Walt) Productions. The post-1977 automated records are especially sensitive to spacing and punctuation: Bank of America NT&SA; Bank of America N.T.&S.A.; and Bank of America, NT & SA are all different index entries within the COHM and COHS files.

When working with indexes pre-dating 1938, use of the published *Catalog of Copyright Entries* is especially recommended; during that period, titles of books, lyricists, and even composers were inadequately entered into the Card Catalog. The CCE is therefore invaluable for tracing elements not found on the catalog cards.

There is no subject index to the Card Catalog.

The copyright bibliographer on duty in the Card Catalog area is always ready to answer further questions.

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## COPYRIGHT OFFICE RECORDS BY CHRONOLOGICAL PERIODS

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Over the years, with changes in the techniques of recording copyright registrations, the Copyright Office has divided these records into several chronological periods.

### 1790–1870

During this period, claims to statutory copyright were registered in the Office of the Clerk of each of the United States District Courts. These records are on microfilm, located in the Card Catalog area. Entries in the records are arranged first by District Court, then alphabetically with chronological entries under each letter; indexing, which is sporadic, is in the front of some volumes. The original District Court Record Books are housed in the Rare Book and Special Collections Division of the Library of Congress. The earliest records have been published by the Library of Congress in

*Federal Copyright Records 1790–1800*, which is published by the Superintendent of Documents.

### **1870–1897**

The oldest part of the Card Catalog, known as the General Index, covers registrations from 1870 through 1897, and is used primarily for historical purposes since any work published or registered prior to 1923 would no longer be under copyright protection in the United States. Author, title, and claimant entries for all types of works are interfiled in one alphabet. The first word of a title, or a key-word within the title, and the names of the author and claimant are the basic filing elements. The year date and number found next to the entry lead to the record books where the full copyright facts are recorded. These books may be reviewed in the Copyright Records Maintenance Unit (LM-B14).

### **1898–1937**

Beginning with 1898, there is a separate file for each class of copyrighted works or groups of closely related classes. From July 1, 1909, through November 6, 1937, copyright applications were submitted on cards, which were used as the main entry cards in the individual indexes, filed under the name of the claimant.

**Books** are accessible by separate author and claimant indexes, but not by title except in the case of composite or anonymous works and certain serials.

**Periodicals** are filed from 1898 to 1909 in a claimant and title index, and from 1909 to 1937 by claimant only.

**Music** can be located through claimant and title indexes. Access by composer is limited; there are no entries under lyricists' names. This file also includes registrations for some musical dramas.

**Dramas** from 1870 through 1916 are cataloged in the published two-volume work, *Dramatic Compositions Copyrighted in the United States, 1870–1916*, available in the Card Catalog. Dramas and lectures from 1909 through 1937 are indexed in the Card Catalog by claimant and, after 1917, by title and author as well.

**Graphic Arts** (including photographs, motion pictures, engravings, maps, etc.) are indexed primarily by claimant, with a small working file containing some entries by author and title. Maps are arranged by geographical area under the name of each claimant or by the place-name.

**Renewals** from 1909 through 1937 are indexed by claimant, by title, and, depending on the class of work being renewed, by author.

**Commercial prints and labels** were initially registered by the Patent Office. Congress gave this responsibility to the Copyright Office in 1940. Two book files contain photocopied lists of registrations for prints and labels: *Commercial Prints and Labels Registered in the United States Patent Office, 1876–1921 and 1922–1940*. The lists for the period 1922–1940 are duplicated by a single alphabetical file in the Card Catalog, arranged by claimant. Commercial prints and labels are interfiled in the Card Catalog after 1940, the year they became a separate registration class in the Copyright Office.

### **1938–1977**

The Card Catalog from 1938 through 1977 is organized by blocks of time, as outlined below. Therefore, the searcher must know the approximate date of publication or registration. Within each segment of this part of the Card Catalog, all original and renewal registrations are interfiled alphabetically under author's name, claimant's name, and title.

### **1938–1945**

This part of the Card Catalog, which actually began in November 1937, is also known as the General Index. Like the General Index of 1870–1897 all classes of registrations are interfiled in one alphabetical sequence. The claimant is the main entry on the original registration card, and added-entry cards exist for the author, title, source-author and source-title in the case of a derivative work, and the name of any other person who had some responsibility in the creation of the work. Similar added-entry cards for related names and titles are interfiled throughout the rest of the Card Catalog. Also beginning in 1938, the principal access to maps is by claimant, with added entries for place-name and author.

### **1946–1954**

The same consolidated index covering all classes of registrations is in use for works cataloged from 1946 through 1954, but extensive cross-references replace the information formerly given on each added-entry card.

### **1955–1970**

For this period, cards are interfiled alphabetically as described above, but added-entry cards once again provide full information for each registration.

### **1971–1977**

This section of the Card Catalog, also interfiled alphabetically, covers the period from 1971 through December 31, 1977, the last day on which works were registered under the 1909 copyright law.

### **1978–present**

Original nonserial and renewal registrations from 1978 to the present have been entered into the automated data base of the Copyright Office History Monographs file (COHM), which is available on computer terminals in the Card Catalog. Serials registrations (1978–present) are available in the Copyright Office History Serials file (COHS) on the same terminals. In addition, limited access to serials registrations is accessible on the Copyright Office Serials History (COSH) subsystem of the Copyright Office Publication and Interactive Cataloging System (COPICS).

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## **ASSIGNMENT AND RELATED DOCUMENTS INDEX AND AUTOMATED DOCUMENTS CATALOG**

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After establishing the facts of copyright registration, the researcher may wish to determine whether the ownership of the copyright has been transferred or otherwise altered.

The Assignment and Related Documents Index is the source for tracing documents clarifying the ownership of copyrights that have been officially recorded in the Copyright Office from 1870 through 1977. Legal documents, including wills and contracts transferring copyright from one person or firm to another, are among the kinds of documents indexed here. Assignor/transferor and assignee/ transferee files are separate until August 15, 1941, and are thereafter interfiled through 1977. A single title file covers the period 1928 through 1977. There is no title file prior to 1928.

Since January 1, 1978, access to assignment documents recorded after 1977 is available online in the Copyright Office History Documents file (COHD). In this file, the documents are cataloged and filed by the names of the parties involved and by title. Instructional material is available at the computer terminals to help the researcher retrieve the data in this file.

After locating the information needed in the files, the researcher may view microfilm copies of the documents themselves on reader-printer machines in the Card Catalog. All recorded assignments and documents from 1870 to the present are on microfilm; early documents, in photostat form, are also bound in books from Volume 1 through Volume 950.

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#### **“NOTICE OF USE” AND “NOTICE OF INTENTION TO USE” FILES**

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Notice of Use and Notice of Intention to Use files are a part of the Copyright Card Catalog, but they create a different kind of record.

Under the 1909 copyright law, the copyright owner of a musical composition had the exclusive right to make the first mechanical recording of the work. After the owner had initially recorded the work, he or she was required to submit to the Copyright Office a Notice of Use. The work could then be recorded by anyone for a fixed royalty fee or by negotiating a separate contract. Notices of Use from 1909 through 1952 are located in separate title and claimant files; from 1953 through 1977 they are interfiled in the Card Catalog under title and claimant only. Under the current law effective 1978, a copyright owner need only register a claim to copyright to be entitled to receive royalties, so the Notice of Use file is no longer active.

Notices of Intention to Use, filed by a person wishing to record copyrighted music, are filed by title only in a separate index covering the period 1909 to 1977. Under the current law, persons may file a Notice of Intention to Obtain a Compulsory License in the Licensing Division of the Copyright Office. Researchers should consult the Licensing Division (LM-458) concerning public inspection of this file.

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#### **FURTHER SERVICES FOR THE RESEARCHER**

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After having established the facts of copyright registration, the researcher may wish to obtain certified copies of the original applications or copies of the works themselves. These services, subject to certain restrictions, are provided by the Certifications and Documents Section (LM-402) for a fee, subject to availability of the material. Details are available in the Copyright Office's Circular 6, "Obtaining Copies of Copyright Office Records and Deposits." This Section will also initiate inprocess searches as well as searches in the Correspondence and Unfinished Business files of the Copyright Office for material that may contain original letters from authors and publishers, deposit copies (possibly unique examples) on which no cataloging action has been undertaken, and similar information.

The researcher may also inspect any of the original record books and applications, which are stored in the Copyright Records Maintenance Unit (LM-B14).

Answers to general questions concerning copyright can be obtained by visiting the Public Information Office (LM-401), by telephoning (202) 707-3000, or by writing to:

Library of Congress  
Copyright Office  
Publications Section, LM-455  
101 Independence Avenue, S.E.  
Washington, D.C. 20559-6000

Copyright Office records in machine-readable form cataloged from January 1, 1978, to the present, including registration and renewal information and recorded documents, are now available for searching on the Internet. Go to the Copyright Office website at [www.copyright.gov](http://www.copyright.gov) and select "Search Copyright Records."