

Deposit Requirements for Registration of Claims to Copyright in Visual Arts Material

In General

To register a claim to copyright in a work of the visual arts, submit a properly completed application Form VA, a nonrefundable filing fee of \$30*, and an appropriate deposit, generally one complete copy of the work if unpublished, two complete copies of the best edition if the work was first published in the United States, or, for certain types of works, identifying material instead of actual copies.

This circular presents a simplified version of the deposit requirements for registration of claims to copyright in visual arts material. It should be viewed only as a basic guide. The items given on pages 2, 3, and 4 are only examples and are not meant to be restrictive. For more detailed information, see CFR 202.19, 202.20, and 202.21 (www.copyright.gov/title37/202/37cfr202-19.html), which contains the deposit regulations of the Copyright Office.

Basic Definitions

Complete Copy

A “complete copy” of an *unpublished* work is a copy that represents the complete copyrightable content of the work being registered. A complete copy of a *published* work is one that contains all elements of the unit of publication, including those which, if considered separately, would not be copyrightable subject matter. The copies deposited for registration should be physically undamaged.

Best Edition

The “best edition” is the edition published in the United States at any time before the date of deposit in the Copyright Office that the Library of Congress determines to be most suitable for its purposes. Generally, when more than one edition is available, the best edition is: larger rather than smaller; color rather than black and white; and printed on archival-quality rather than less-perma-

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

ment paper. Request Circular 7B, “Best Edition” of *Published Copyrighted Works for the Collections of the Library of Congress*, for additional information.

Identifying Material (I.D. Material)

“Identifying material” or “I.D. material” generally consists of two-dimensional reproduction(s) or rendering(s) of a work in the form of photographic prints, transparencies, photocopies, or drawings that show the complete copyrightable content of the work being registered.

Specifications for Visual Arts Identifying Material

Copyright Office regulations require the deposit of identifying material instead of copies for three-dimensional works and for works that have been applied to three-dimensional objects. Examples of such works include sculpture, toys, jewelry, artwork on plates, and fabric or textile attached to or part of a three-dimensional object such as furniture. Identifying material must also be submitted for any pictorial, graphic, or sculptural work that exceeds 96 inches in any dimension.

In certain cases, identifying material is permitted; in other cases, it is required. (See chart.) Identifying material should meet the following specifications:

- **Type of identifying material:** The material should consist of photographic prints, transparencies, photocopies, drawings, or similar two-dimensional reproductions or renderings of the work, in a form visually perceivable without the aid of a machine or device.
- **Color or black and white:** If the work is a pictorial or graphic work, the material should reproduce the actual colors employed in the work. In all other cases, the material may be in black and white or may consist of a reproduction of the actual colors.

- **Completeness:** As many pieces of identifying material should be submitted as are necessary to show clearly the entire copyrightable content of the work for which registration is being sought.
- **Number of sets:** Only one set of complete identifying material is required. **NOTE:** With respect to three-dimensional holograms, please write the Copyright Office for additional information.
- **Size:** Photographic transparencies must be at least 35mm in size and, if 3-inch by 3-inch or less, must be fixed in cardboard, plastic, or similar mounts; transparencies larger than 3-inch by 3-inch should be mounted. All types of identifying material other than photographic transparencies must be not less than 3-inch by 3-inch and not more than 9-inch by 12-inch, but preferably 8-inch by 10-inch. The image of the work should show clearly the entire copyrightable content of the work.
- **Title and dimension:** At least one piece of identifying material must give the title of the work on its front, back, or mount and should include an exact measurement of one or more dimensions of the work.

Copyright Notice

Before March 1, 1989, the use of copyright notice was mandatory on all published works, and any work first published before that date should have carried a notice. For works first published on and after March 1, 1989, use of the copyright notice is optional.

For a work published with notice of copyright, the notice and its position on the work must be clearly shown on at least one piece of identifying material. If necessary because of the size or position of the notice, a separate drawing or similar reproduction may be submitted. Such reproduction should be no smaller than 3-inch by 3-inch and no larger than 9-inch by 12-inch and should show the exact appearance and content of the notice and its specific position on the work. For more information about copyright notice, request Circular 3, *Copyright Notice*.

Required Deposit

Nature of Work

Two-Dimensional Works

	Published	Unpublished
Advertisements (pictorial)	1 copy as published or pre-publication camera-ready copy	1 photocopy, proof, drawing, copy, or layout
Artwork for bed, bath, and table linens or for wearing apparel (For example: heat transfers or decals already applied to T-shirts)	I.D. material preferred in all cases; I.D. material required if copy cannot be folded to 4" thickness or less; 1 copy permitted if it can be folded to 4" thickness or less	same as published
Blueprints, architectural drawings, mechanical drawings, diagrams	1 complete copy	1 copy
Book jackets or record jackets	1 complete copy	1 copy
Commercial print published in newspaper or other periodical	1 copy of entire page or pages	
Commercial print or label (For example: flyers, labels, brochures, or catalogs used in connection with the sale of goods or services)	1 complete copy	1 copy
Contributions to collective works (photographs, drawings, cartoons, etc., published as part of a periodical or anthology)	1 complete copy of the best edition of entire collective work, complete section containing contribution if published in newspaper, entire page containing contribution, contribution cut from the newspaper, or photocopy of contribution as it was published	
Fabric, textile, wallpaper, carpeting, floor tile, wrapping paper, yard goods (If applied to a three-dimensional work, see below)	1 complete copy (or swatch) showing the design repeat and copyright notice, if any	1 complete copy (or I.D. material if the work has not been fixed in repeat)
Fabric emblems or patches, decals or heat transfers (not applied to clothing), bumper stickers, campaign buttons	1 complete copy	1 copy or I.D. material
Greeting cards, picture postcards, stationery, business cards, calendars	1 complete copy	1 copy or I.D. material
Holograms	1 actual copy if image is visible without the aid of a machine or device; otherwise 2 sets of display instructions and 2 sets of I.D. material showing the displayed image	1 copy or display instructions and I.D. material of image
Maps or cartographic material	1 copy of CD-ROM if work published in that format; otherwise, 2 complete copies	1 copy of CD-ROM if work fixed in that format; otherwise, 1 complete copy or I.D. material
Patterns, cross-stitch graphs, stitchery brochures, needlework and craft kits	1 complete copy	1 copy or I.D. material
Pictorial or graphic works (For example: artwork, drawings, illustrations, paintings)	2 complete copies	I.D. material
Pictorial or graphic works fixed only in machine-readable form	I.D. material	1 copy or proof, photocopy, contact sheet
Posters, photographs, prints, brochures, exhibition catalogs	2 complete copies	

Three-Dimensional Works

"Limited edition" posters, prints, or etchings (published in quantities of fewer than 5 copies, or 300 or fewer numbered copies if individual author is owner of copyright)	1 copy or I.D. material	
Oversize material (exceeding 96" in any dimension)	I.D. material	I.D. material
Artwork or illustrations on 3-D objects (For example: artwork on plates, mugs)	I.D. material	I.D. material
Fabric or textile attached to or part of a 3-D object (such as furniture)	I.D. material	I.D. material
Games	1 complete copy if container is no larger than 12" x 24" x 6"; otherwise, I.D. material	1 copy if container is no larger than 12" x 24" x 6" or I.D. material*
Globes, relief models, or relief maps	1 complete copy including the stand (I.D. material not acceptable)	1 complete copy or I.D. material*
Jewelry	I.D. material or 1 copy if fixed only in the form of jewelry cast in base metal not exceeding 4" in any dimension	same as published
Pictorial matter and/or text on a box or container that can be flattened (contents of container are not claimed)	1 copy of box or container if it can be flattened or 1 paper label	1 copy or I.D. material*
Prints or labels inseparable from a three-dimensional object (For example: silk screen label on a bottle)	I.D. material	I.D. material
Sculptures, toys, dolls, molds, relief plaques, statues	I.D. material	I.D. material
Sculpture (For example: doll) in a box with copyrightable pictorial and/or textual material; claim in sculpture and artwork/text	I.D. material for sculpture plus 1 copy of box and any other printed material	I.D. material for sculpture plus copy of box or I.D. material*
Oversize material (exceeding 96" in any dimension)	I.D. material	I.D. material

Unconstructed Building

Architectural Works

To be eligible for copyright protection, an architectural work must have been created on or after December 1, 1990, or have been unconstructed and embodied only in unpublished drawings as of that date. (Request Circular 41, <i>Copyright Claims in Architectural Works</i> , for more information.)	1 complete copy of an architectural drawing or blueprint showing the overall form of the building and any interior arrangement of spaces and/or design elements in which copyright is claimed	1 complete copy as described at left plus I.D. material in the form of photographs clearly identifying the architectural work being registered
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* Because storage space is limited, the Copyright Office prefers I.D. material rather than a copy in these cases.

For Further Information

Information via the Internet

Frequently requested circulars, announcements, regulations, other related materials, and all copyright application forms are available via the Internet. You may access these from the Copyright Office website at *www.copyright.gov*.

Information by fax

Circulars and other information (but not application forms) are available by using a touchtone phone to access Fax-on-Demand at (202) 707-2600.

Information by telephone

For general information about copyright, call the Copyright Public Information Office at (202) 707-3000. The

TTY number is (202) 707-6737. Information specialists are on duty from 8:30 a.m. to 5:00 p.m., eastern time, Monday through Friday, except federal holidays. Recorded information is available 24 hours a day. Or, if you know which application forms and circulars you want, request them 24 hours a day from the Forms and Publications Hotline at (202) 707-9100. Leave a recorded message.

Information by regular mail

Write to:

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