

# Copyright Registration for Serials

## Introduction

This circular provides background information about the registration of copyright claims in serials using *Form SE*, *Short Form SE*, and *Form SE/Group*. It supplements, but does not replace, the line-by-line instructions on the forms.

For information on group registration for daily newspapers and newsletters, request Circular 62A, *Group Registration of Newspapers and Newsletters on Form G/DN*, and Form G/DN.

## Serials

For copyright purposes, serials are defined as works issued or intended to be issued in successive parts bearing numerical or chronological designations and intended to be continued indefinitely. The classification “serial” includes periodicals, newspapers, magazines, bulletins, newsletters, annuals, journals, proceedings of societies, and other similar works.

## How to Select Your Application

**Form SE/Group:** Use Form SE/Group to register a group of serial issues. If a serial meets the requirements for group registration, this option is the most cost-efficient way to register. The Copyright Office encourages applicants to use this group option for qualified serials. The filing fee is \$15 per issue (\$45 minimum). See below for detailed requirements for group registration on Form SE/Group.

**Short Form SE:** Use Short Form SE to register one issue of a serial, provided certain requirements are met. Most serials meet these requirements. This one-page form is shorter and easier to complete than the standard two-page Form SE. The filing fee is \$30\* per issue. See below for detailed requirements for Short Form SE.

**Standard Form SE:** Use standard Form SE to register one issue of a serial if the requirements for Short Form SE are not met. Also, the standard Form SE is always acceptable for any serial issue, even in cases where the Short Form could be used. The filing fee is \$30\* per issue.

# Circular 62

## Definitions

### Work Made for Hire

A “work made for hire” is a work prepared by an employee within the scope of his or her employment, or a work specially ordered or commissioned for certain uses (including use as a contribution to a collective work), if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire. The employer is the author of a work made for hire.

### Collective Work

A “collective work” is a work, such as a periodical issue, anthology, or encyclopedia, in which a number of contributions, constituting separate and independent works in themselves, are assembled into a collective whole.

## Requirements for Use of Short Form SE

Short Form SE may be used only if all the following requirements are met:

- 1 The claim must be in a collective work;
- 2 The work must be an essentially all new collective work or serial issue;
- 3 The author must be a citizen or domiciliary of the United States;
- 4 The work must be a work made for hire;
- 5 The author(s) and claimant(s) must be the same person(s) or organization(s); and
- 6 The work must be first published in the United States.

## How to Obtain Forms

You can obtain these forms and other forms and circulars by sending a specific request, identifying the number of forms you need, to:

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

or by calling the Forms and Publications Hotline (202) 707-9100 and leaving a recorded message. Forms are also available from the Copyright Office Website at [www.copyright.gov](http://www.copyright.gov).

## How to Register a Single Issue

To register each issue, send the following three elements together in the same envelope or package to:

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

- 1 A properly completed and signed application standard Form SE or Short Form SE (use typewriter or black ink). On standard Form SE, be sure that the date on which the application is signed is the same as or later than the date the serial issue was published.
- 2 A nonrefundable filing fee of \$30\* (check, money order, or bank draft, not cash) payable to *Register of Copyrights*.
- 3 Two copies of the serial issue to be registered. (Send only one copy of the serial issue if the issue is unpublished or if the issue was first published outside of the United States.)

**NOTE:** A claim to copyright in a single issue does not give blanket protection for other issues published under the same serial title. Each serial issue is considered a separate work for copyright purposes and should be registered separately. For example, registration of “vol. 1, no. 1” of *Country Doctor* applies only to that issue and *not* to “vol. 1, no. 2.”

## How to Register a Group of Issues

Copyright Office regulations permit group registration of certain serial publications. Issues of serials first published on or after January 7, 1991, at intervals of a week or longer within a 3-month period during the same calendar year can be grouped and registered with a single application and reduced fee.

The nonrefundable filing fee for group registration is \$15\* for each issue listed on Form SE/Group. An appropriate fee must be sent with each application or charged to an active deposit account in the Copyright Office. There is a minimum fee of \$45\* for Form SE/Group, which may cover up to three issues. It is not possible to register only a single issue on this application.

**\*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.

## How to Determine Eligibility for Form SE/Group

All the following conditions must be met to take advantage of group registration. If any one condition does not apply, registration, if made, must be made for each issue separately using either Form SE or Short Form SE.

- 1 The claim to copyright must be in the collective work.
- 2 The works must be essentially all new collective works or issues.
- 3 Each issue must be a work made for hire.
- 4 The author(s) and claimant(s) must be the same person(s) or organization(s) for all the issues.
- 5 The serial must be published at intervals of 1 week or longer.
- 6 All issues in the group must be published within a 3-month period.
- 7 Each issue must have been created no more than 1 year prior to the date of publication of that issue.
- 8 All issues in the group must have been published within the same calendar year.
- 9 At least two issues must be included on each group application.

## Two Special Conditions for Group Registration

Prior to any submission for copyright group registration, the following conditions must be met:

- 1 Two complimentary subscriptions of the serial must first be entered for the Library of Congress, so that promptly after publication two copies of each issue are automatically sent to the Library. The mailing address for these subscription copies is:

*Library of Congress  
Group Periodicals Registration  
Washington, D.C. 20540-4161*

- 2 A separate letter must also be sent to this same address confirming that the two complimentary subscriptions have been entered. The letter must identify the publisher, the title(s), and the indicia (*i.e.*, volume, number, and issue date on copies) that begin the complimentary subscription(s).

To ensure proper processing, only the address given in number one is to be used for complimentary subscriptions and the letter of confirmation.

## How to File for Group Registration

After the two special requirements (above) have been satisfied, complete Form SE/Group, following the instructions here and on the back of the application, and submit the following material in one package:

- 1 The completed application Form SE/Group
- 2 *One* copy of each issue listed on the application
- 3 A nonreturnable filing fee of \$15\* *per issue* (minimum \$45).

Mail this package to:

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

**NOTE:** This address is different from the address used for the complimentary subscriptions and the confirming letter. For group registrations to be properly processed, send the application, fee, and copies only to this address above.

## For More Information

For answers to questions about the procedure in general or about completing the application form, call the Copyright Office Public Information Office: (202) 707-3000 (TTY: (202) 707-6737) 8:30 a.m. to 5 p.m., eastern time, Monday through Friday, except federal holidays. For questions about the letter confirming the subscriptions or the complimentary subscriptions, call the Copyright Acquisitions Division at (202) 707-7125.

**Group Registration of Daily Newsletters and Newspapers:** A serial published twice a week or more often may qualify for group registration as a daily newsletter. A group of daily newsletter issues published on or after July 1, 1999, must be registered on Form G/DN. This same form is used to register a group of daily newspaper issues. For further information about group registration on Form G/DN, request Circular 62A, *Group Registration of Newspapers and Newsletters on Form G/DN*.

## The Claimant and the Extent of the Claim

The copyright claimant is the person, organization, or legal entity authorized to claim copyright in the serial issue. The claimant is the author or the person or organization to whom all rights have been transferred.

The claimant registering a serial may claim copyright not only in the collective-work authorship for which the claimant is responsible but also in any independently authored contributions in which all rights have been transferred to the claimant by the contributors.

If the serial issue includes any independently authored contributions in which all rights have *not* been transferred by the contributor to the claimant for the serial issue as a whole, those contributions are not included in the claim being registered, because the claimant in these contributions is different from the claimant in the entire serial issue.

A separately authored contribution *can*, however, be registered for copyright independently. To register such a contribution, the contributor should file a separate claim using Form TX or other appropriate application form.

## How to Complete the Authorship and Claimant Portions of Standard Form SE

### Name of Author—Space 2

The applicant must determine who is the author of the serial issue covered by the claim and whether the material produced by that author is a “work made for hire.” Where the author is a corporation or other organization, the “work made for hire” question must be answered “yes.” Therefore, in the case of the typical serial issue that is made for hire, the applicant should give at Space 2 the full legal name of the employer and check “yes” to show that the work was made for hire.

### Nature of Authorship—Space 2

To facilitate describing the material created by the author, Form SE provides a choice of checking a box marked “Collective Work” or completing a blank labelled “Other.” Checking the box marked “Collective Work” indicates authorship of the collective work as a whole (that is, the editing and compiling of the issue as a whole) plus any individual made-for-hire contributions.

It is not necessary to describe the authorship in more specific terms if the “Collective Work” box is checked. However, examples of authorship descriptions that could be given instead of checking the “Collective Work” box and that could apply to both organization and individual authors include “text,” “text and illustrations,” “editorial revision, compilation and additional new material.”

### Copyright Claimant and Transfer—Space 4

Give the full legal name and address of the claimant for the serial issue as a whole.

When the same name or names appear as author and claimant at Spaces 2 and 4, there is no need to complete the “transfer” space. Conversely, whenever the name of the serial claimant at Space 4 is different from the name of the author at Space 2, a transfer statement is required at Space 4.

When a serial issue includes independently authored contributions in which all rights have been transferred in writing to the claimant of the entire serial issue, it is not necessary to include the names of the contributors at Space 2. Whether those contributors are listed or not, the copyright claim in the serial issue as a whole would extend to those contributions.

**NOTE:** If Space 2 of the application includes the names of those contributors who transferred their rights to the serial claimant, Space 4 *must* include a brief transfer statement explaining how the rights were transferred: for example, “by written agreement” or “by assignment.”

### Notice of Copyright

Before March 1, 1989, the use of the 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 more information about copyright notice, see Circular 3, *Copyright Notice*.

### Mandatory Deposit

Under the mandatory deposit provisions of the copyright law, two complete copies of the best edition of each issue of a serial published in the United States must be sent to the Copyright Office for the use of the Library of Congress. If registration is made on Form SE, Short Form SE, or Form SE/Group, this requirement is automatically satisfied. If registration is not made, the two copies must be sent directly to the Copyright Acquisitions Division. (Registration is not mandatory.) It is the responsibility of the owner of copyright or the owner of the exclusive right of publication to fulfill this mandatory deposit requirement within 3 months after the date of publication in the United States. Failure to make the deposit can result in fines and other penalties.

Deposits of works that are not being registered should be sent to:

*Library of Congress  
Register of Copyrights  
Attn: 407 Deposits  
101 Independence Avenue, S.E.  
Washington, D.C. 20559-6000*

The mandatory deposit requirement also applies to works first published abroad that have subsequently been published in the United States. Copyright Office regulations, however, permit the deposit of one copy of a “foreign work,” that is, a work first published abroad that is later distributed in the United States without a change in copyrightable content, if (a) registration for the work is made before the work is distributed in the United States, or (b) registration for the work is made after the work is distributed in the United States but *before a demand for deposit is made by this Office*. If registration is not made, or if it is made after a demand, then two copies must be deposited. Failure to make the deposit can lead to fines and other penalties.

### **How to Obtain an ISSN Number**

Obtaining an International Standard Serial Number (ISSN) is separate from copyright registration. The Copyright Office does not administer ISSN assignment. For information about obtaining an ISSN, write to *Library of Congress, National Serials Data Program, Serial Record Division, 101 Independence Ave SE, Washington, D.C. 20540-4160*. Or obtain information from the Library of Congress Website at [www.loc.gov/issn](http://www.loc.gov/issn).

### **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](http://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*

