§ 212.2 Fees.

The following fees or charges are established by the Register of Copyrights for services related to designs:

(a) For filing an application for registration of one design: $140;

(b) For filing an application for registration of more than one design: $140, plus $140 for each design beyond the first;

(c) For each page of deposit material identifying the design beyond the third page: $20;

(d)(1) For special handling of an application for registration of a design: $580;

(2) For special handling of each additional design in an application for registration of multiple designs: $50;

(e) For corrections or omissions in the certificate of registration: $100;

(f) For recordation of a distinctive identification of an owner: $80;

(g) For providing an additional certificate of registration: $30;

(h) For providing any other certification of Copyright Office records: $75 per hour;

(i) For preparing a search report: $65 per hour;

(j) For expediting a request for certification or search of Office records, the appropriate fees set out in § 201.3(d).

[64 FR 36578, July 7, 1999, as amended at 67 FR 38005, May 31, 2002]

§ 212.3 Registration of claims for protection of eligible designs.

(a) *Limitations.* Protection is not available for, and an application for registration will not be accepted for:

(1) An otherwise eligible design made public prior to October 28, 1998;

(2) An otherwise eligible design made public on a date more than two years prior to the filing of an application for registration under this section;

(3) A design ineligible for any of the reasons set forth in 17 U.S.C. 1302.

(b) *Required elements of application.* An application is considered filed with the Copyright Office on the date on which the following three items have been received by the Copyright Office:

(1) Completed Form D–VH;

(2) Deposit material identifying the design or designs for which registration is sought; and

(3) The appropriate fee.

(c) *Application by owner of design.* An application for registration under this section may be made only by the owner or owners of the design, or by the duly authorized agent or representative of the owner or owners of the design.

(d) *Application form.* Registration must be made on Form D–VH. Forms are available from the Copyright Office and may be reprinted from the Copyright Office's website (http://www.loc.gov/copyright/forms/formdvh.pdf).

(e) *Deposit material.*—(1) *In General.* Identification of the design to be registered may be made in the form of drawings or photographs. No more than two drawings or photographs of the design may appear on a single sheet. Applicants may submit up to three 8½″×11″ sheets containing drawings or photographs as part of the basic $75 application fee. The fee for each additional sheet beyond three is $20 per sheet. No combinations of drawings and photographs may be submitted on a single sheet. The drawings or photographs that accompany the application must reveal those aspects of the design for which protection is claimed. The registration extends only to those aspects of the design which are adequately shown in the drawings or photographs.

(2) *Views.* The drawings or photographs submitted should contain a sufficient number of views to make an adequate disclosure of the appearance of the design, i.e. front, rear, right and left sides, top and bottom. While not required, it is suggested that perspective views be submitted to show clearly the appearance and shape of the three dimensional designs.

(3) *Drawings.* (i) Drawings must be in black ink on white 8½″×11″ unruled paper. A drawing of a design should include appropriate surface shading which shows clearly the character and contour of all surfaces of any 3-dimensional aspects of the design. Surface shading is also necessary to distinguish between any open and solid areas of the design. Solid black surface shading is not permitted except when used to represent the black color as well as color contrast.

(ii) The use of broken lines in drawings depicting the design is understood