

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 201

[Docket No. RM 2009–5]

Fees for Special Handling of Registration Claims

AGENCY: Copyright Office, Library of Congress.

ACTION: Extension of temporary rule.

SUMMARY: The Copyright Office is extending for one year the interim rule relating to fees for special handling of registration claims that have been pending for at least six months. Currently, the interim rule is set to expire on July 1, 2011, and this extension will change the expiration date to July 1, 2012.

DATES: The effective period of 37 CFR 201.15, published August 10, 2009 (74 FR 39900) is extended through July 1, 2012.

FOR FURTHER INFORMATION CONTACT: David O. Carson, General Counsel, or Kent Dunlap, Assistant General Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, DC 20024. Telephone: (202) 707–8380. Telefax: (202) 707–8366.

SUPPLEMENTARY INFORMATION: On August 10, 2009, the Copyright Office published a notice of an interim rule relating to fees for special handling of registration claims that have been pending for at least six months. 74 FR 39900 (August 10, 2009). Under this interim rule, the Copyright Office waived the normal special handling charges for conversion of a pending copyright application that had been pending for more than six months without any action by the Copyright Office in instances where the applicant satisfied the Office that special handling of the registration was needed because the applicant was about to file a suit for copyright infringement. The interim rule § 201.15, was set to expire on July 1, 2011.

As was noted in the *Federal Register* notice announcing this interim rule, at that time the pendency rates for applications for registration had risen to unacceptably high levels due to issues relating to the transition to the Office's new electronic filing system, especially with respect to paper applications. Since that time, much progress has been made in reducing the pendency rates. The average time to complete claims that are submitted electronically is now 3 months, but for paper applications the average is now 13 months, with 30% of paper applications being processed

within 6 months. Therefore, the Office has concluded that there remains a need to permit special handling without an additional fee in cases where applications have been pending for more than 6 months, without any action by the Copyright Office, and prompt registration is needed to permit the filing of a copyright infringement suit.

The Office will reevaluate whether there is a continuing need for this interim rule to remain in place as the new expiration date approaches next year.

Persons wishing to take advantage of this accommodation must continue to comply with the requirements set forth in section 201.15 of the Copyright Office regulations, including the requirement to submit an affidavit or declaration under penalty of perjury providing the information and documents required by that section of the regulations.

Dated: June 22, 2011.

Maria A. Pallante,
Register of Copyrights.

Approved by:
James H. Billington,
The Librarian of Congress.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[ET Docket No. 06–94; FCC 10–195]

Digital Television Signals Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004

AGENCY: Federal Communications Commission.

ACTION: Final rules; announcement of effective date.

SUMMARY: In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection requirements contained in the regulations in the Satellite Home Viewer Extension Act of 2004. The information collection requirements were approved on June 14, 2011 by OMB.

DATES: The amendments to 47 CFR 73.686(e), published at 75 FR 81491, December 28, 2010, are effective on June 30, 2011.

FOR FURTHER INFORMATION CONTACT: For additional information contact Cathy Williams on (202) 418–2918 or via e-mail to: cathy.williams@fcc.gov <mailto:cathy.williams@fcc.gov>.

SUPPLEMENTARY INFORMATION: This document announces that on June 14, 2011, OMB approved, for a period of three years, the information collection requirements contained in 47 CFR 73.686(e). The Commission publishes this document to announce the effective date of this rule section. See, In the Matter of Measurement Standards for Digital Television Signals pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004, ET Docket No. 06–94; FCC 10–195, 75 FR 81491, December 28, 2010.

Synopsis

As required by the Paperwork Reduction Act of 1995, (44 U.S.C. 3507), the Commission is notifying the public that it received OMB approval on June 14, 2011, for the information collection requirement contained in 47 CFR 73.686(e). Under 5 CFR 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a valid OMB Control Number.

The OMB Control Number is 3060–0863 and the total annual reporting burdens for respondents for this information collection are as follows:

Title: Satellite Delivery of Network Signals to Unserved Households for Purposes of the Satellite Home Viewer Act.

Form Number: Not applicable.

Type of Review: Revision of a currently approved collection.

OMB Control Number: 3060–0863.

OMB Approval Date: 06/14/2011.

OMB Expiration Date: 06/30/2014.

Respondents: Business or other for-profit entities.

Number of Respondents: Responses 848 respondents; 250,000 responses.

Estimated Time per Response: 0.50 hours.

Frequency of Response:

Recordkeeping requirement; on occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is the Satellite Home Viewer Act, 17 U.S.C. 119.

Total Annual Burden: 125,000 hours.

Annual Cost Burden: None.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality with this information collection.

Needs and Uses: On November 23, 2010, the Commission's Office of Engineering and Technology, released a