



The Effects of Not Replying Within 120 Days to Copyright Office Correspondence

IN THE EVENT YOU DO NOT REPLY WITHIN 120 DAYS

- The case file will be closed without further notification.
- Any published deposit you submitted may be made available to the Library of Congress for use or disposition under the provisions of the copyright law, 17 U.S.C. sections 407 and 704.
- Any unpublished deposit or document you submitted will be returned.
- Your filing fee will not be returned.

THE CONSEQUENCES OF A CLOSED FILE

- If we close a file and you later re-apply for registration or recordation, **you will be required to submit a new application, deposit, and fee or original document and fee.**
- The effective date of registration will be based on the new, later submission.
- The benefits of a first-term renewal registration may be lost.

THE SIGNIFICANCE OF THE EFFECTIVE DATE OF REGISTRATION

Though registration is not a condition for securing copyright, delaying the effective date of registration can have serious consequences. In an infringement suit, the court may not award statutory damages or attorney's fees if the infringement started before the effective date of registration—unless, for published works, registration was made within a grace period of 3 months following publication and the infringement started after first publication.

RECORDATION OF TRANSFERS OR DOCUMENTS

Also, while the recordation of a transfer or document pertaining to a copyright is not mandatory, it does constitute constructive notice of ownership of rights, if the statutory time limits and conditions are satisfied.



The Effects of
Not Registering Within
120 Days
to Copyright Office
Correspondence

IN THE EVENT YOU DO NOT REPLY WITHIN 120 DAYS

- The work will be placed without further notice in the public domain.
- Any published document you submitted may be made available to the Library of Congress for use or disposition under the provisions of the copyright law, 17 U.S.C. sections 107 and 108.
- Any unpublished report or document you submitted will be returned.
- Your filing fee will not be refunded.

THE CONSEQUENCES OF A CROSBY FILE

- If you do not reply and your work is not registered or renewed, you will be required to submit a new application, deposit, and fee of original document and fee.
- The effective date of registration will be based on the new date of submission.
- The period of a gap from renewal registration may be lost.

THE SIGNIFICANCE OF THE EFFECTIVE DATE OF REGISTRATION

Though registration is not a condition for securing copyright, designating the effective date of registration can have serious consequences in an infringement suit. The date may not always clearly indicate or assume's date if the infringement started before the effective date of registration. For published works, registration was made within a period of 3 months following publication and the work must be published after that period.

REGISTRATION OF TRANSFERS OR DOCUMENTS

While the recording of a transfer of document is a copyright law requirement, it does constitute a notice of ownership of right. If the statutory conditions are met, the recording is required.



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