

U.S. COPYRIGHT OFFICE LEADERSHIP



Miriam Lord

Associate Register of Copyrights and Director of Public Information and Education

Miriam Lord is the Associate Register of Copyrights and Director of Public Information and Education for the United States Copyright Office. She was appointed to the position effective May 8, 2022.

Lord oversees the Office of Public Information and Education (PIE), which provides authoritative information about copyright law to the public, implements the Office's communications plan, publishes comprehensive written and audiovisual materials, develops education and outreach programs, and responds to public inquiries about Office policies and practices. She is an expert copyright attorney and one of four legal advisors to the Register of Copyrights.

Before joining the Office, Lord was the director of the Global Intellectual Property Academy at the U.S. Patent and Trademark Office, providing domestic and international intellectual property capacity-building, technical assistance, and education policy and programs. She has also served as co-lead of the U.S. Department of Commerce Equity Council's Gender Committee. Previously, she was the director of the Philadelphia Volunteer Lawyers for the Arts and the founding administrator of the PA Patent pro bono program to provide under-resourced inventors, artists, startups, and creative nonprofits with legal assistance.

Lord earned a JD from Villanova University School of Law, where she was a member of the *Villanova Environmental Law Journal*. She has an undergraduate degree in the design field from Colorado State University.

ABOUT THE U.S. COPYRIGHT OFFICE

The United States Copyright Office administers the nation's copyright laws as set forth in the Copyright Act and provides impartial assistance to Congress, the courts, and executive branch agencies on questions of national and international copyright law and policy.



Updates from the U.S. Copyright Office

Miriam Lord

Associate Register of Copyrights and Director, Public
Information and Education
U.S. Copyright Office

June 26, 2024

New York IP Law Association: Hot topics in trademark and copyright law
New York, NY



- Registration guidance
- Listening sessions and webinars
- Registration and Review Board decisions
- Notice of Inquiry requesting comments yielded over 10,000 submissions
 - 88 Fed. Reg. 59,942 (Aug. 30, 2023)

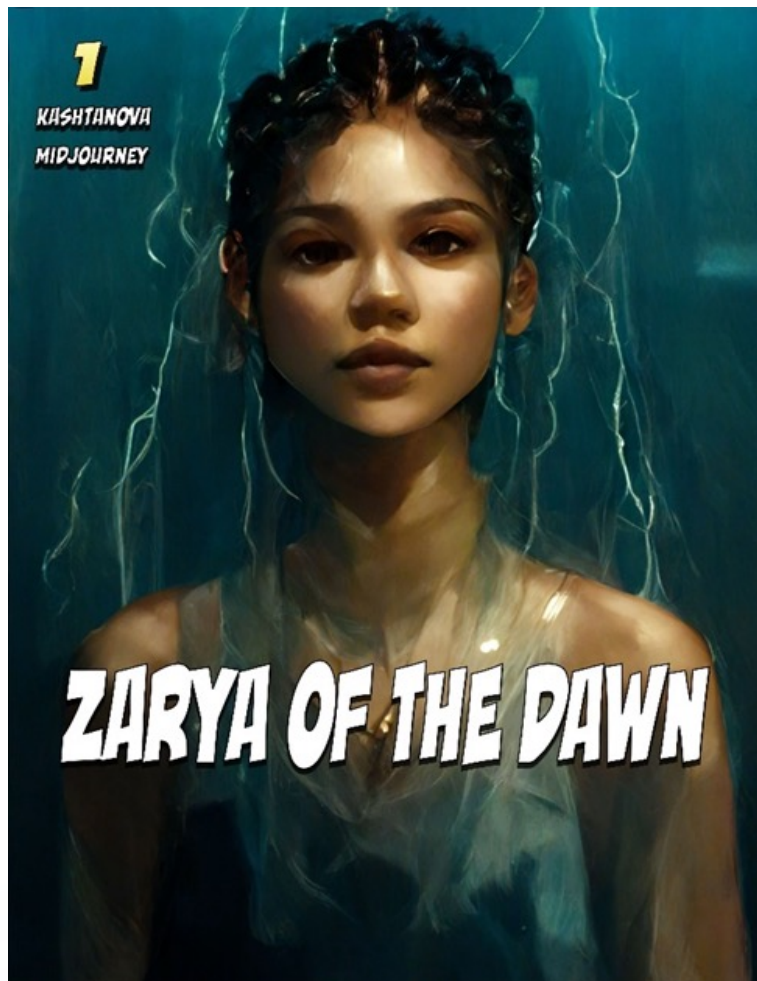
copyright.gov/ai

A RECENT ENTRANCE TO PARADISE



*Copyright claimant: Dr. Steven Thaler;
author of the work: the "Creativity Machine"*

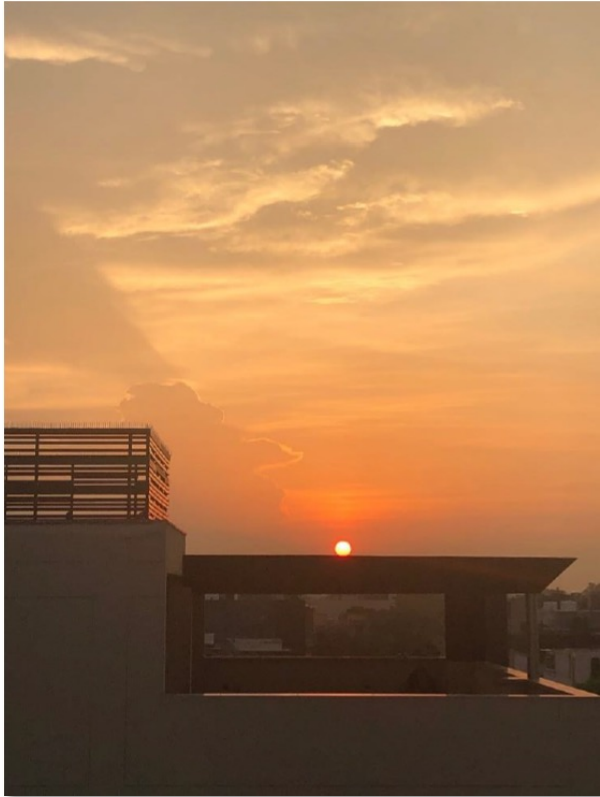
ZARYA OF THE DAWN



Images generated by Midjourney AI technology



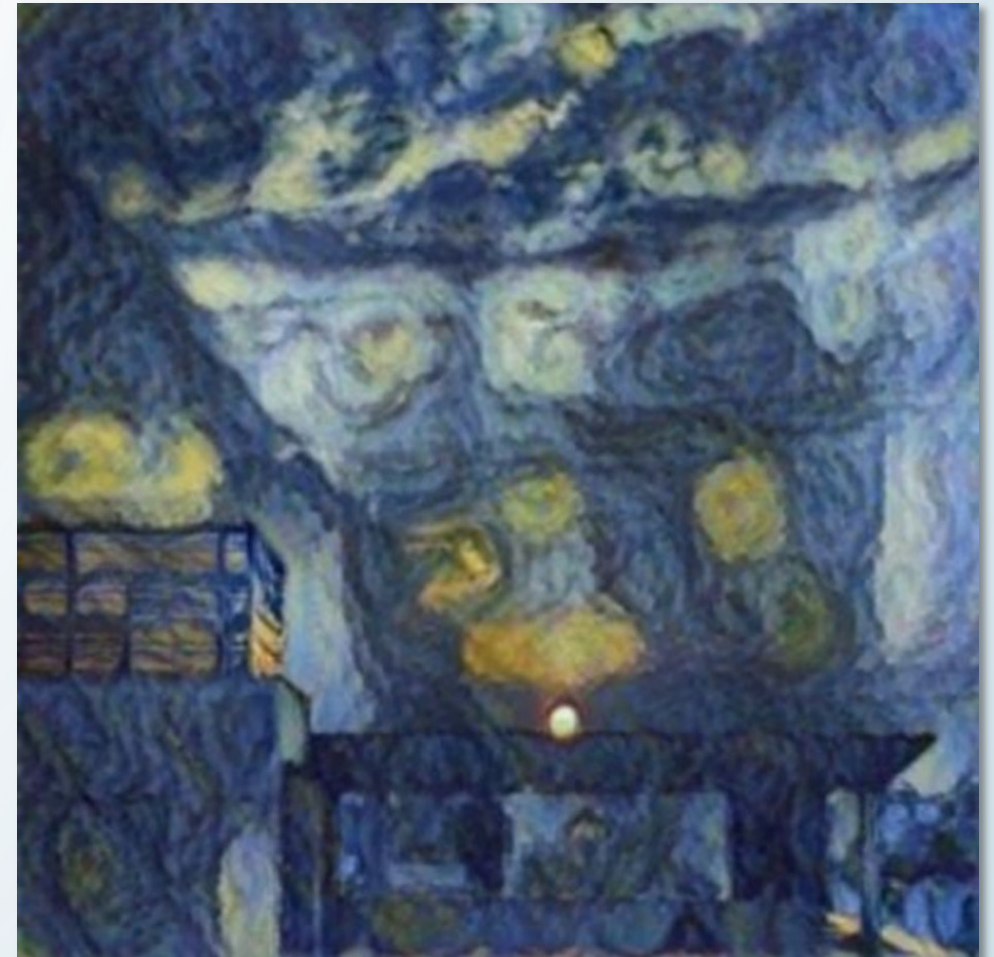
Ankit Sahni's Photograph



Van Gogh's *The Starry Night*



Image submitted for copyright registration



THÉÂTRE D'OPÉRA SPATIAL



Image generated by Midjourney AI technology



Image submitted for copyright registration

REGISTRATION PROCESSING TIMES FOR CASES CLOSED OCTOBER 1, 2023 TO MARCH 31, 2024



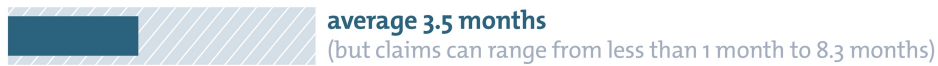
The average processing time for all claims is 2.1 months.

eService Claims: online application with uploaded digital deposit (approximately 84% of all applications)

Claims that DO NOT require correspondence (approximately 75% of all eService claims and 64% of all claims)



Claims WITH correspondence (approximately 25% of all eService claims and 21% of all claims)



Deposit Ticket Claims: online application with mail-in physical deposit (approximately 14% of all applications)

Claims that DO NOT require correspondence (approximately 73% of all Deposit Ticket claims and 10% of all claims)



Claims WITH correspondence (approximately 27% of all Deposit Ticket claims and 4% of all claims)



Mail Claims: application by paper form submission (approximately 1% of all applications)

Claims that DO NOT require correspondence (approximately 55% of all Mail claims and less than 1% of all claims)

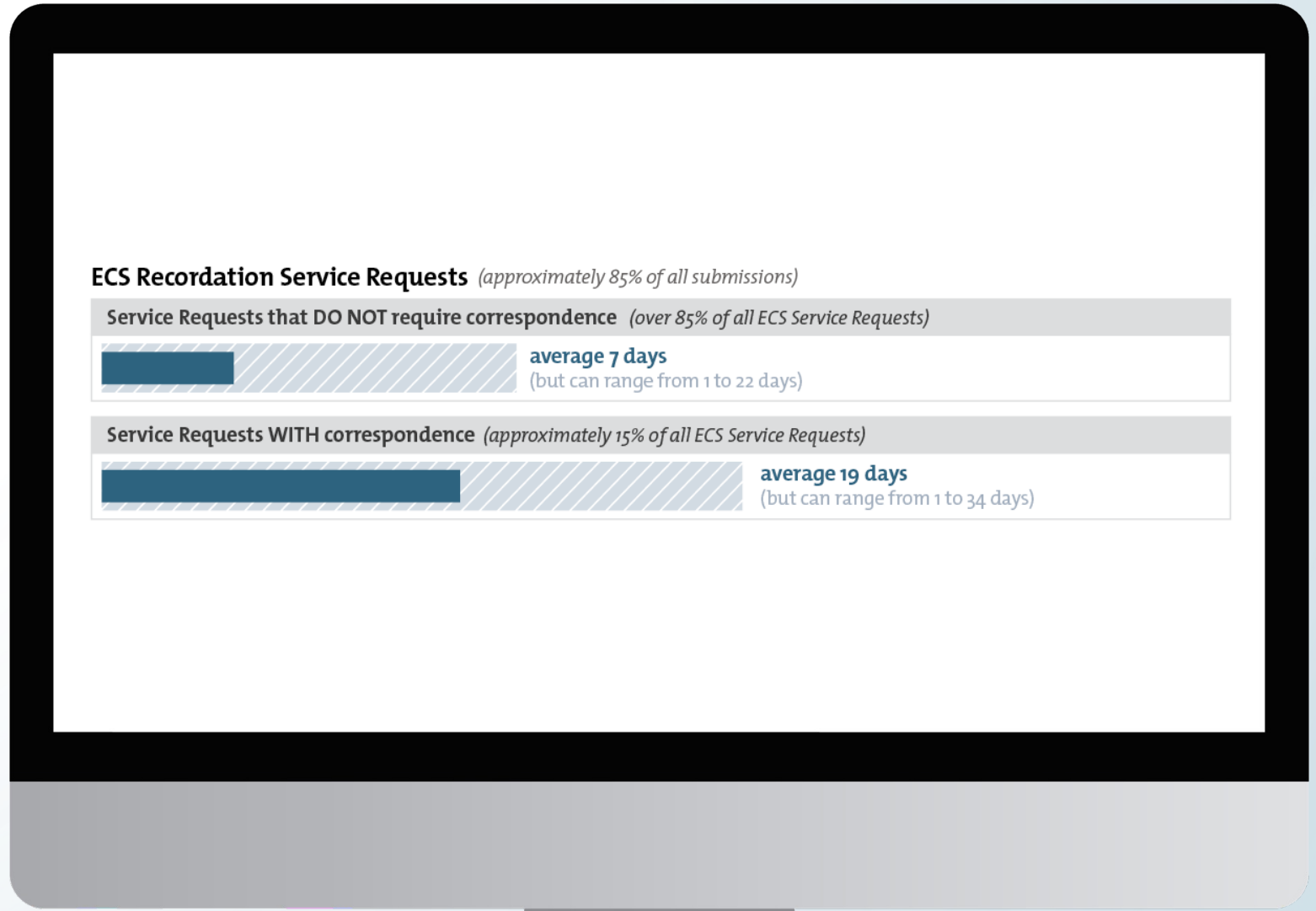


Claims WITH correspondence (approximately 45% of all Mail claims and less than 1% of all claims)





- ECS Recordation launched August 2022
- Majority of previously paper-based processes now online
- **22,396** documents and **1,412,242** titles of works recorded through the online system since the initial launch





- The new Enterprise Copyright System (ECS) is designed to be more flexible and easier to use
- The Library of Congress is reauthorizing the Copyright Public Modernization Committee (CPMC) and applications for membership were due June 18, 2024.

LITIGATION – GOVERNMENT AS A PARTY



USCA Case #23-5233 Document #2043780 Filed: 03/06/2024 Page 1 of 80

[ORAL ARGUMENT NOT SCHEDULED]
No. 23-5233

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

STEPHEN THALER, an individual,
Plaintiff-Appellant,
v.
SHIRA PERLMUTTER, in her official capacity as Register of Copyrights
and Director of the United States Copyright Office, and U.S. COPYRIGHT
OFFICE,
Defendants-Appellees.

On Appeal from the United States District Court
for the District of Columbia

BRIEF FOR APPELLEES

Of Counsel:

SUZANNE V. WILSON General Counsel and Associate Register of Copyrights	BRIAN M. BOYNTON Principal Deputy Assistant Attorney General
EMILY L. CHAPUIS Deputy General Counsel	DANIEL TENNY NICHOLAS S. CROWN Attorneys, Appellate Staff Civil Division, Room 7325 U.S. Department of Justice 950 Pennsylvania Avenue NW Washington, DC 20530 (202) 616-5365
ANDREW FOGLIA Deputy Director of Policy and International Affairs	
MARK T. GRAY JOHN R. RILEY Assistant General Counsel U.S. Copyright Office	

Thaler v. USCO

USCA Case #23-5159 Document #2038763 Filed: 02/02/2024 Page 1 of 50

[ORAL ARGUMENT NOT SCHEDULED]
No. 23-5159

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

MATTHEW D. GREEN, et al.,
Plaintiffs-Appellants,
v.
U.S. DEPARTMENT OF JUSTICE, et al.,
Defendants-Appellees.

On Appeal from the United States District Court
for the District of Columbia

BRIEF FOR APPELLEES

BRIAN M. BOYNTON
Principal Deputy Assistant
Attorney General

DANIEL TENNY
BRIAN J. SPRINGER
Attorneys, Appellate Staff
Civil Division, Room 7537
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530
(202) 616-5446

Green v. DOJ

Case 1:22-cv-02909-TJK Document 30-1 Filed 06/07/23 Page 1 of 36

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BRUCE MUNRO,
Plaintiff,
v.
U.S. COPYRIGHT OFFICE and
REGISTER OF COPYRIGHTS,
Defendants.

Civil Action No. 22-2909 (TJK)

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT AND
IN OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

MATTHEW M. GRAVES D.C. Bar No. 481052 United States Attorney	BRIAN M. BOYNTON Principal Deputy Assistant Attorney General
BRIAN P. HUDAK Chief, Civil Division	GARY L. HAUSKEN Director
DOUGLAS C. DREIER D.C. Bar No. 1020234 Assistant United States Attorney Civil Division	GRANT D. JOHNSON D.C. Bar No. 1024489 Trial Attorney Commercial Litigation Branch Civil Division Department of Justice Washington, DC 20530 (202) 305-2513 (phone) (202) 307-0345 (fax) Grant.D.Johnson@usdoj.gov Counsel for the United States of America
U.S. Attorney's Office for the District of Columbia 601 D Street, N.W. Washington, D.C. 20530 (202) 252-2551 douglas.dreier@usdoj.gov	

Munro v. USCO



No. 23-1226

IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

ATTICUS LLC,

Plaintiff-Appellee,

v.

THE DRAMATIC PUBLISHING COMPANY,

Defendant-Appellant.

On Appeal from the United States District Court
for the Southern District of New York

BRIEF FOR THE UNITED STATES OF AMERICA
AS AMICUS CURIAE IN SUPPORT OF APPELLEE

Of Counsel:

SUZANNE V. WILSON
*General Counsel and Associate
Register of Copyrights*

EMILY L. CHAPUIS
*Deputy General Counsel
United States Copyright Office
Washington, DC 20540*

BRIAN M. BOYNTON
*Principal Deputy Assistant Attorney
General*

DANIEL TENNY
JOSHUA DOS SANTOS
*Attorneys, Appellate Staff
Civil Division, Room 7224
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530
(202) 353-0213*

No. 22-1078

In the Supreme Court of the United States

WARNER CHAPPELL MUSIC, INC., ET AL., PETITIONERS

v.

SHERMAN NEALY, ET AL.

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

BRIEF FOR THE UNITED STATES
AS AMICUS CURIAE SUPPORTING RESPONDENTS

SUZANNE V. WILSON
*General Counsel and
Associate Register of
Copyrights*

EMILY L. CHAPUIS
Deputy General Counsel

JASON E. SLOAN
Assistant General Counsel

BRITTANY R. LAMB
MELINDA KEEN
*Attorney-Advisors
United States Copyright
Office
Washington, D.C. 20540*

ELIZABETH B. PRELOGAR
*Solicitor General
Counsel of Record*

BRIAN M. BOYNTON
*Principal Deputy Assistant
Attorney General*

MALCOLM L. STEWART
Deputy Solicitor General

YAIRA DUBIN
*Assistant to the Solicitor
General*

DANIEL TENNY
MAXWELL A. BALDI
*Attorneys
Department of Justice
Washington, D.C. 20530-0001
SupremeCBriefs@usdoj.gov
(202) 514-2217*

No. 22-121

In the Supreme Court of the United States

ML GENIUS HOLDINGS LLC, PETITIONER

v.

GOOGLE LLC, ET AL.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

BRIEF FOR THE UNITED STATES AS AMICUS CURIAE

SUZANNE V. WILSON
*General Counsel and
Associate Register of
Copyrights*

EMILY CHAPUIS
Deputy General Counsel

MARK T. GRAY
Assistant General Counsel

BRITTANY LAMB
*Attorney-Advisor
United States Copyright
Office
Washington, D.C. 20540*

ELIZABETH B. PRELOGAR
*Solicitor General
Counsel of Record*

BRIAN M. BOYNTON
*Principal Deputy Assistant
Attorney General*

MALCOLM L. STEWART
Deputy Solicitor General

NICOLE FRAZER REAVES
*Assistant to the Solicitor
General*

DANIEL TENNY
ASHLEY C. HONOLD
*Attorneys
Department of Justice
Washington, D.C. 20530-0001
SupremeCBriefs@usdoj.gov
(202) 514-2217*

No. 21-869

In the Supreme Court of the United States

ANDY WARHOL FOUNDATION
FOR THE VISUAL ARTS, INC., PETITIONER

v.

LYNN GOLDSMITH, ET AL.

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

BRIEF FOR THE UNITED STATES
AS AMICUS CURIAE SUPPORTING RESPONDENTS

SUZANNE V. WILSON
*General Counsel and
Associate Register of
Copyrights*

MARK T. GRAY
JORDANA S. RUBEL
Attorneys General Counsel

NICHOLAS R. BARTELT
SHIREEN NASIR
KEYANA FUSEY
*Attorneys
United States Copyright
Office
Washington, D.C. 20540*

ELIZABETH B. PRELOGAR
*Solicitor General
Counsel of Record*

BRIAN M. BOYNTON
*Principal Deputy Assistant
Attorney General*

MALCOLM L. STEWART
Deputy Solicitor General

YAIRA DUBIN
*Assistant to the Solicitor
General*

DANIEL TENNY
STEVEN H. HAZEL
*Attorneys
Department of Justice
Washington, D.C. 20530-0001
SupremeCBriefs@usdoj.gov
(202) 514-2217*

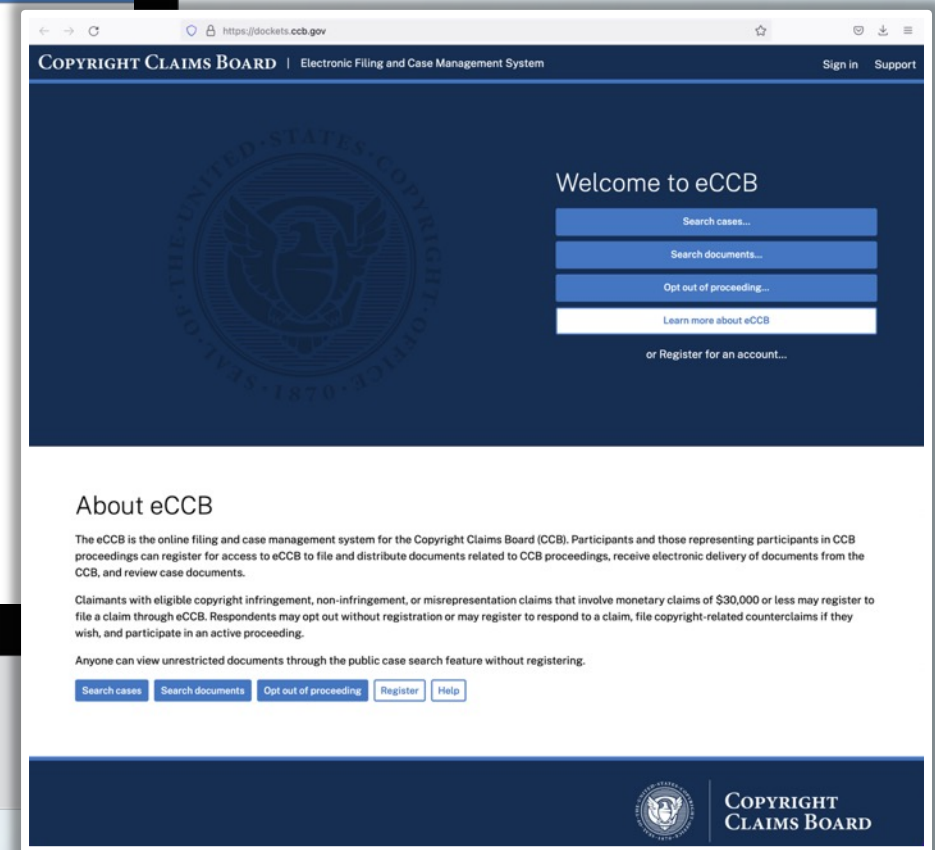
*Atticus v. The Dramatic
Publishing Company*

*Warner Chappell Music, Inc.
v. Nealy*

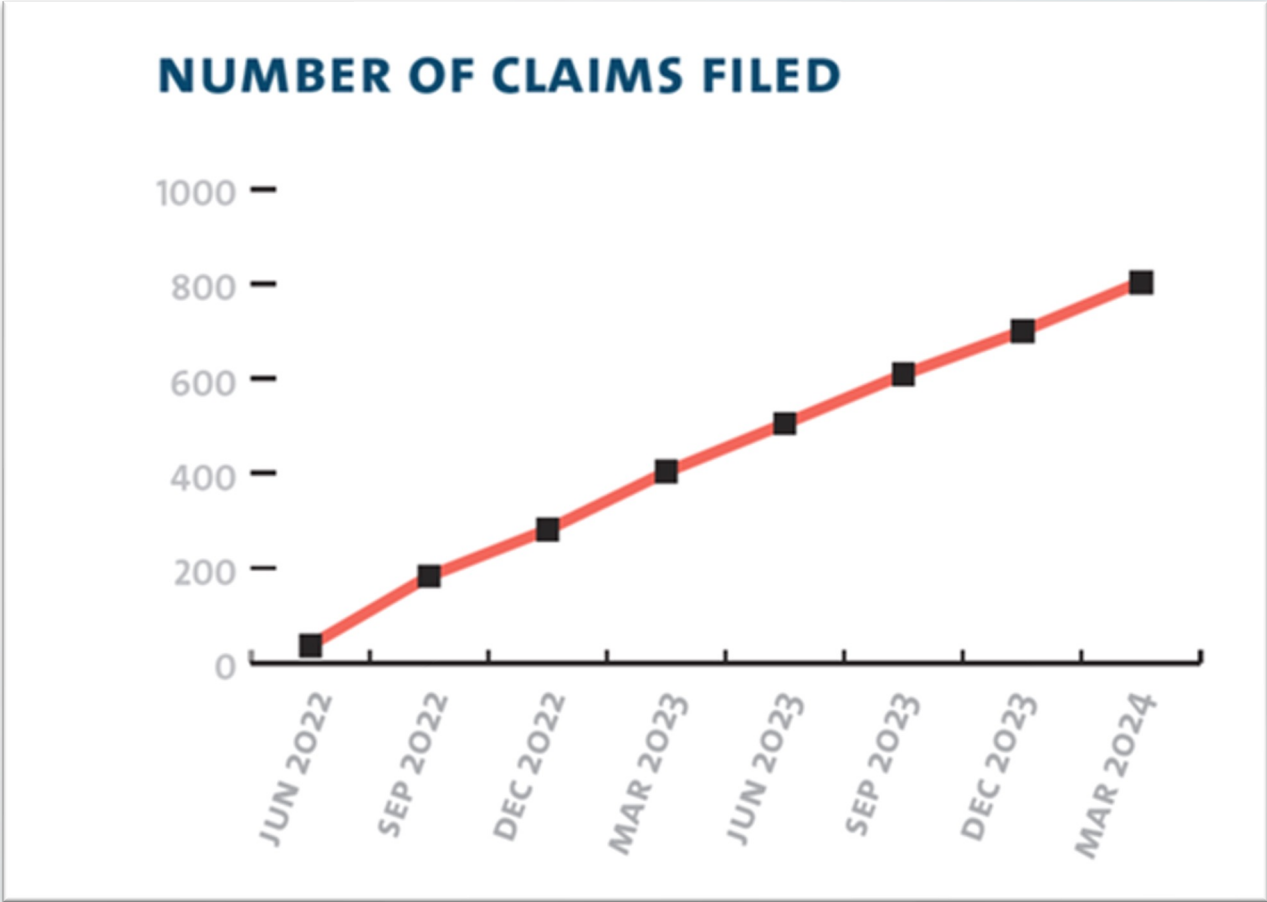
ML Genius v. Google

*Andy Warhol Foundation
v. Goldsmith*

COPYRIGHT CLAIMS BOARD



CCB: NUMBER OF CLAIMS FILED





CLAIM DISPOSITIONS

The respondent(s) opted out **70**

Final determinations – contested proceedings **4**

Final determinations – default proceedings **12**

Settlements **57**

Requests to withdraw (settlement status unknown) **53**

Claim dismissed during compliance review **314**

Claimant did not serve **117**



Diego Grandi / Shutterstock.com

Standing Committee on Copyright and Related Rights (SCCR)

- April 2024 meeting (SCCR-45)

Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)

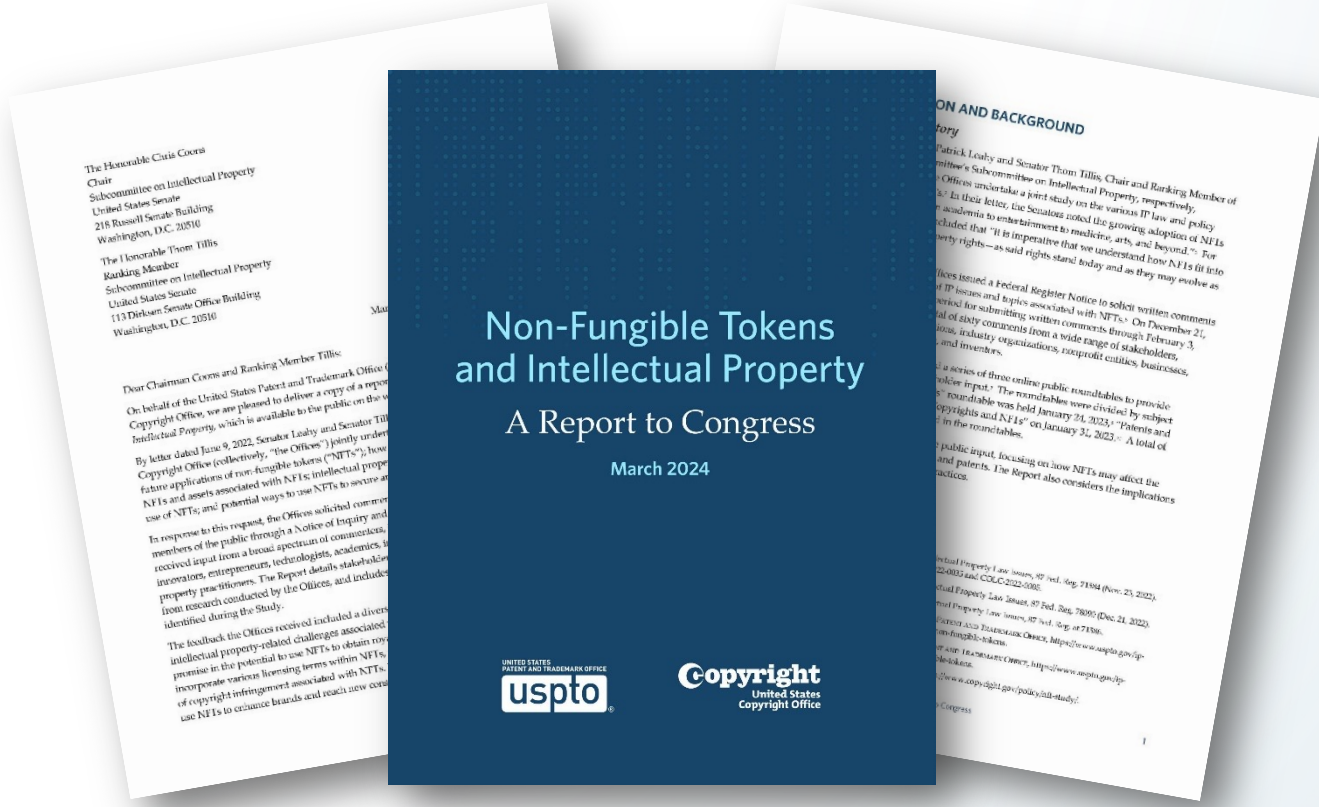
Committee on WIPO Standards (CWS)

Advisory Committee on Enforcement (ACE)

Ongoing Engagement on

- World IP Day
- Outreach / Women in IP
- Economic Work

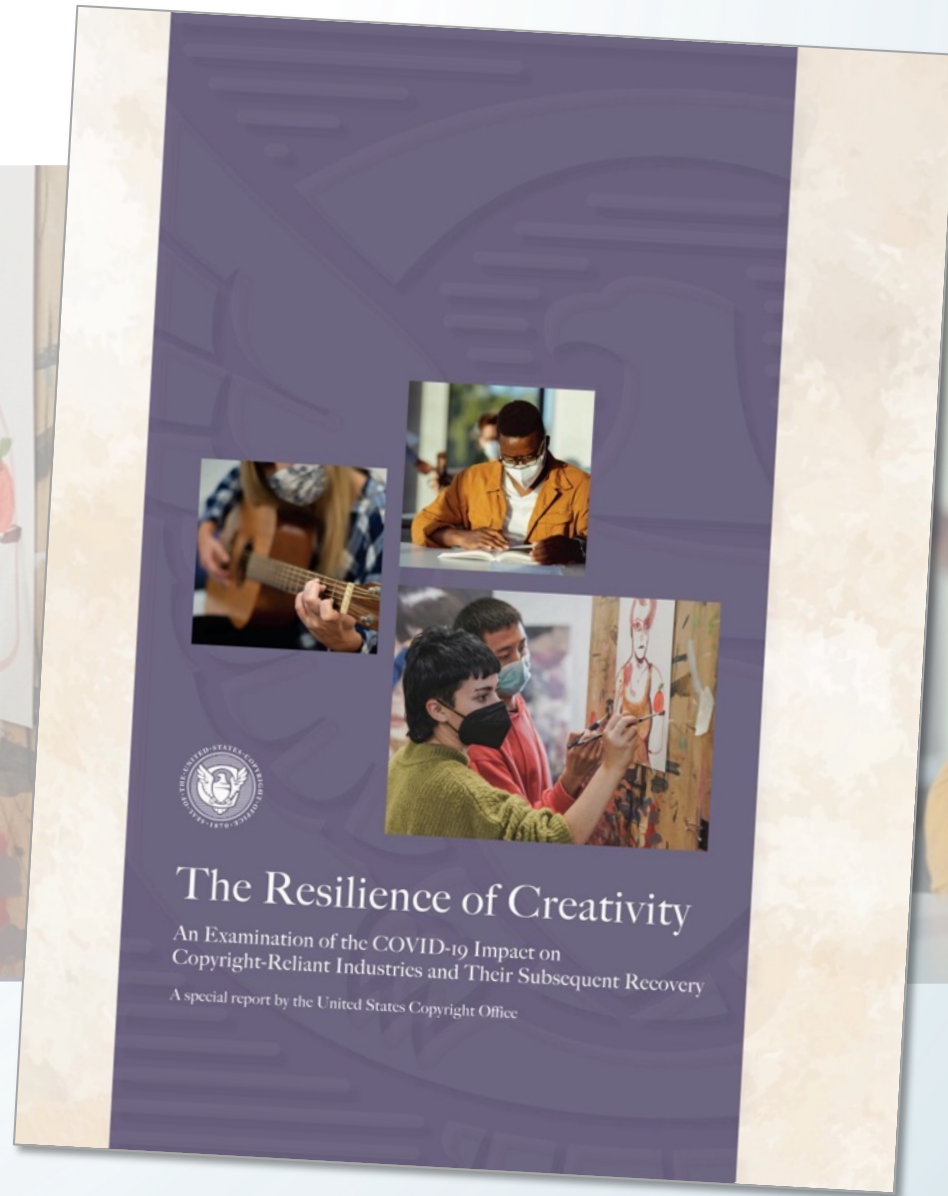
JOINT USCO-USPTO NON-FUNGIBLE TOKEN STUDY



- 2023 public roundtables on trademarks, patents and copyrights
- Study submitted to Congress March 14, 2024
- Concluded that current applications of NFT technology do not require changes to intellectual property laws.

copyright.gov/policy/nft-study

ECONOMIC REPORT: THE RESILIENCE OF CREATIVITY





Forthcoming Publications from the Office of the Chief Economist:

- Economics of Copyright and Artificial Intelligence
- Geographic Patterns in Individual and Organizational Copyright Registrations
- Demographic Characteristics of Independent Creators

OUTREACH HIGHLIGHT: USCO PANEL AT SOUTH X SOUTHWEST



SXSW 2024

- USCO session: What we wish was taught in art school
- Representation at the SXSW Expo
- Partnership with USPTO for additional sessions and outreach at SXSW



Copyright.gov

CONNECT WITH US



Subscribe to our NewsNet, blog, events, and other updates at copyright.gov/subscribe



UNITED STATES COPYRIGHT OFFICE

CLE RESOURCES

NYIPLA “Hot Topics in Copyright and Trademark”:

New York, New York

June 26, 2024 – 2:05pm-2:35pm ET

Update from the Copyright Office

Miriam Lord, Associate Register of Copyrights and Director of Public Information and Education, United States Copyright Office (USCO)

2:00-2:15

Office Strategic priorities

- [U.S. Copyright Office 2022-2026 Strategic Plan | Fostering Creativity and Enriching Culture](#)
- [U.S. Copyright Office Fiscal Year 2023 Annual Report](#)

Policy and International Affairs Update - Artificial Intelligence (AI) and other topics

Resources on AI and copyright

- [Copyright and Artificial Intelligence Initiative | U.S. Copyright Office](#)
- [Looking Forward: The U.S. Copyright Office’s AI Initiative in 2024 | Copyright \(loc.gov\)](#)
- [USCO Letter to Congress Providing Updates on its Artificial Intelligence Initiative](#)
- [Policy statement | Registration of Works Containing Material Generated by Artificial Intelligence](#)
- [Review Board decision on A Recent Entrance to Paradise \(Feb. 14, 2022\)](#)
- [Docket | *Thaler v. Perlmutter*](#)
- [Registration decision on Zarya of the Dawn \(Feb. 21, 2023\)](#)
- [Copyright and AI | Schedule of events and video recordings - Spring and Summer 2023](#)
- [Notice of Inquiry dated August 30, 2023: Artificial Intelligence and Copyright](#)
- [Artificial Intelligence Study | U.S. Copyright Office: NOI and Comments](#)
- [Review Board decision on Theatre D'opera Spatial \(Sept. 5, 2023\)](#)
- [Review Board decision on SURYAST \(Dec. 11, 2023\)](#)

Resources on Copyright Office Policy Studies

Completed in FY 2023:

- [Technical Measures Consultations | U.S. Copyright Office](#)
- [Standard Technical Measures and Section 512\(i\) | U.S. Copyright Office](#)
- [Electronic Deposits and Best Edition Policy Study | U.S. Copyright Office](#)

Completed and underway in FY 2024:

- [Non-Fungible Token Study | U.S. Copyright Office and U.S. Patent and Trademark Office](#)
- [Artificial Intelligence Study | U.S. Copyright Office](#)

Legislation

118th Congress – Legislation introduced

- [H.R. 576 | Copyright Clause Restoration Act of 2023](#)
- [S. 253 | American Music Fairness Act](#)
- [H.R. 791 | American Music Fairness Act of 2023](#)
- [S. 835 Pro Codes Act](#)
- [H.R. 1631 Pro Codes Act](#)
- [S. 2857 Go Pack Go Act of 2023](#)
- [H.R. 6966 Go Pack Go Act of 2024](#)
- [H.R. 7228 BIRDIE Act](#)

2:15-2:30

Copyright Claims Board (CCB) updates; Rulemakings and Litigation Updates

- [Copyright Small Claims and the Copyright Claims Board | U.S. Copyright Office](#)
- [Copyright Claims Board platform \(ccb.gov\)](#)
- [CCB Final Determinations](#)
- [Frequently Asked Questions | Copyright Claims Board \(ccb.gov\)](#)
- [Copyright Alternative in Small-Claims Enforcement \(CASE\) Act of 2020 | Provisions](#)
- [Copyright Alternative in Small-Claims Enforcement \(CASE\) Act of 2020 | Rulemakings](#)
- [CCB Handbook](#)
- [Pro Bono Assistance | U.S. Copyright Office \(ccb.gov\)](#)
- [The Copyright Claims Board \(CCB\) \(youtube.com\)](#)
- [Copyright Claims Board Statistics and FAQs](#)

Resources on [Rulemakings](#)

Selected open rulemakings:

- [Group Registration for Two-Dimensional Artwork](#)
- [Periodic Review of the Designations of the Mechanical Licensing Collective and the Digital Licensing Coordinator](#)
- [Group Registration of Updates to a News Website](#)

- [Section 1201 Exemptions to Prohibition Against Circumvention of Technological Measures Protecting Copyrighted Works](#)
- [Access to Electronic Works](#)
- [Termination Rights and the Music Modernization Act's Blanked License](#)

Resources on the Music Modernization Act (MMA)

- [Orrin G. Hatch–Bob Goodlatte Music Modernization Act \(MMA\) provisions](#)
- [The Music Modernization Act | U.S. Copyright Office](#)
- [MMA Educational Materials | U.S. Copyright Office](#)
- [The Music Licensing Collective \(MLC\) website](#)

Resources on Fair Use

- [Authors Guild v. Google — Google Books case \(summary\)](#)
- [Warhol v. Goldsmith](#)

Copyright Policy and Practice Updates

Resources on Registration and Records

- [Registration processing times | U.S. Copyright Office](#)
- [Changes to Deposit Requirements at the U.S. Copyright Office](#)
- [Frequently asked questions | U.S. Copyright Office](#)
- [Search Copyright Records: Copyright Public Records Portal | U.S. Copyright Office](#)

Resources on IT Modernization and Continuous Development

- [Copyright IT Modernization | U.S. Copyright Office](#)
- [Copyright Public Modernization Committee | March 2, 2023 meeting](#)
- [Copyright Public Modernization Committee Meeting | August 16, 2023 meeting](#)
- [Copyright Public Modernization Committee Public Meeting | February 15, 2024 meeting](#)
- [Copyright Public Record System \(CPRS\) pilot](#)
- [Electronic Recordation System - pilot](#)
- [Digital Historical Public Record Books collection](#)

2:30-2:35

Q&A; Public Information and Education Updates

Resources on Expanding Access to the Copyright System

- [Copyright for All: A top priority of the U.S. Copyright Office Strategic Plan 2022-2026](#)
- [Women in the Copyright System – An Analysis of Women Authors in Copyright Registrations from 1978 to 2020](#)
- [Copyright Office's first chief economist](#)
- [Learning Engine Video Series](#)
- [Engage Your Creativity | U.S. Copyright Office](#)

- [Circulars | U.S. Copyright Office](#)
- [Involucre su creatividad | Engaging Your Creativity copyright resources available in Spanish](#)
- [Partnerships and collaborations | Council for Inclusive Innovation \(CI2\)](#)
- [Contact the Office | U.S. Copyright Office](#)
- [Speaker Request Form | U.S. Copyright Office](#)
- [Get news updates from the Office | U.S. Copyright Office](#)
- [Follow the Office blog | Copyright: Creativity at Work \(loc.gov\)](#)
- [Follow the Office on X: @CopyrightOffice](#)
- [Follow the Office on LinkedIn: United States Copyright Office](#)