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## POSITION PAPER

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### **U.S. Copyright Office Modernization: Office Structure and Operations**

Within the copyright ecosystem, the US Copyright Office plays a pivotal role in the registration of creators' works and the recordation of documents pertaining to those works. The ability of our Nation's independent creators and the businesses that support their work to promptly register and record copyright interests with the Office, and of the public to obtain copyright information that enables them to license copyrighted works, creates new industries and spurs the economy, which, in turn, advances our global competitiveness and technological leadership.

In view of the ongoing and rapid changes in the information, entertainment, and technology sectors, the US Copyright Office has never been more important than it is today in ensuring that copyright owners have access to critical services that support their endeavors, including the creation and dissemination of works to the public, and the development of innovative new business models by which to distribute such works. Furthermore, given the global and dynamic characteristics of the copyright ecosystem, the Copyright Office must be able to rapidly adapt to ensure it is able to offer the tools and resources that all users of the Office's service demand.

But the Copyright Office does not currently have the ability to rapidly adapt. Many of the challenges it faces can be traced back to the fact that the Copyright Office is under the "direction and supervision" of the Library of Congress. As a department of the Library, the Office is obligated to use the Library's Information Technology (IT) systems. The Copyright Office does not have its own IT infrastructure; it uses the network, servers, telecommunications, security and all other IT operations controlled and managed by the Library of Congress. It also lacks authority over its own budget and staffing because of its current structure.

### **The Copyright Office needs autonomy to carry out its mission going forward**

The following changes are necessary to position the Copyright Office in order to meet the challenges of a 21st century copyright system:



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- The Register of Copyrights should be a Presidential Appointee, confirmed by the Senate.
- The Copyright Office should have autonomy over its own budget, staff, and information technology (IT).
- If the Copyright Office remains a part of the Library of Congress, the historical deference the Library has given the Copyright Office on policy matters should continue.
- There should be no interference with the direct line of communication that Congress has historically enjoyed with the Copyright Office for expert, impartial advice on copyright law and policy.