

TITLE 17—COPYRIGHTS

This title was enacted by act July 30, 1947, ch. 391, 61 Stat. 652, and was revised in its entirety by Pub. L. 94-553, title I, §101, Oct. 19, 1976, 90 Stat. 2541

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TABLE I

This Table lists the sections of former Title 17, Copyrights, and indicates the sections of Title 17, as enacted in 1947, which covered similar and related subject matter.

| <i>Title 17 Former Sections</i> | <i>Title 17 1947 Revision Sections</i> |
|-------------------------------------|--|
| 1 | 1 |
| 2 | 2 |
| 3 | 3 |
| 4 | 4 |
| 5 | 5 |
| 6 | 7 |
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| 16 | 17 |
| 17 | 18 |
| 18 | 19 |
| 19 | 20 |
| 20 | 21 |
| 21 | 22 |
| 22 | 23 |
| 23 | 24 |
| 24 | Rep. |
| 25 | 101 |
| 26 | 102 |
| 27 | 103 |
| 28 | 104 |
| 29 | 105 |
| 30 | 106 |
| 31 | 107 |
| 32 | 108 |
| 33 | 109 |
| 34 | 110 |
| 35 | 111 |
| 36 | 112 |
| 37 | 113 |
| 38 | 114 |
| 39 | 115 |
| 40 | 116 |
| 41 | 27 |
| 42 | 28 |
| 43 | 29 |
| 44 | 30 |
| 45 | 31 |
| 46 | 32 |
| 47 | 201 |
| 48 | 202 |
| 49 | 203 |
| 50 | 204 |
| 51 | 205 |
| 52 | 206 |
| 53 | 207 |
| 54 | 208 |
| 55 | 209 |
| 56 | 210 |
| 57 | 211 |
| 58 | 212 |
| 59 | 213 |
| 60 | 214 |
| 61 | 215 |
| 62 | 26 |
| 63 | 6 |
| 64 | 6 |
| 65 | 25 |

AMENDMENTS

2018—Pub. L. 115-264, title II, §202(b), Oct. 11, 2018, 132 Stat. 3737, added item relating to chapter 14.

2010—Pub. L. 111-295, §4(b)(1)(B), Dec. 9, 2010, 124 Stat. 3180, substituted “Importation and Exportation” for “Manufacturing Requirements, Importation, and Exportation” in item relating to chapter 6.

2008—Pub. L. 110-403, title I, §105(c)(3), Oct. 13, 2008, 122 Stat. 4260, substituted “Manufacturing Requirements, Importation, and Exportation” for “Manufacturing Requirements and Importation” in item relating to chapter 6.

2004—Pub. L. 108-419, §3(b), Nov. 30, 2004, 118 Stat. 2361, substituted “Proceedings by Copyright Royalty Judges” for “Copyright Arbitration Royalty Panels” in item relating to chapter 8.

1998—Pub. L. 105-304, title I, §103(b), title V, §503(a), Oct. 28, 1998, 112 Stat. 2876, 2916, added items relating to chapters 12 and 13.

1997—Pub. L. 105-80, §12(a)(1), Nov. 13, 1997, 111 Stat. 1534, substituted “Requirements” for “Requirement” in item relating to chapter 6, “Arbitration Royalty Panels” for “Royalty Tribunal” in item relating to chapter 8, and “Semiconductor Chip Products” for “semiconductor chip products” in item relating to chapter 9, and added item relating to chapter 10.

1994—Pub. L. 103-465, title V, §512(b), Dec. 8, 1994, 108 Stat. 4974, added item relating to chapter 11.

1984—Pub. L. 98-620, title III, §303, Nov. 8, 1984, 98 Stat. 3356, added item relating to chapter 9.

¹So in original. Probably should be “Unauthorized Use of Pre-1972 Sound Recordings”.

TABLE II

This Table lists the sections of former Title 17, Copyrights, and indicates the sections of Title 17, as revised in 1976, which cover similar and related subject matter.

| <i>Title 17 1947 Revision Sections</i> | <i>Title 17 New Sections</i> |
|--|----------------------------------|
| 1 | 106, 116 |
| 2 | 301 |
| 3 | 102, 103 |
| 4 | 102 |
| 5 | 102 |
| 6 | 102 |
| 7 | 103 |
| 8 | 104, 105, 303 |
| 9 | 104 |
| 10 | 401 |
| 11 | 410 |
| 12 | 408 |
| 13 | 407, 411 |
| 14 | 407 |
| 15 | 407 |
| 16 | 601 |
| 17 | 407 |
| 18 | 407, 506 |
| 19 | 401 |
| 20 | 401, 402 |
| 21 | 405 |
| 22 | 601 |
| 23 | 601 |
| 24 | 203, 301 et seq. |
| 25 | 301 et seq. |
| 26 | 101 |
| 27 | 109, 202 |
| 28 | 201, 204 |
| 29 | 204 |
| 30 | 205 |
| 31 | 205 |
| 32 | 201 |
| 101 | 412, 501-504 |
| 102 | Rep. See T. 28 §1338 |
| 103 | Rep. See F.R. Civ. Proc. |
| 104 | 110, 506 |
| 105 | 506 |
| 106 | 602 |
| 107 | 602 |
| 108 | 603 |
| 109 | 603 |
| 110 | Rep. See T. 28 §1338 |
| 111 | Rep. See T. 28 §1400 |
| 112 | 502 |
| 113 | 502 |
| 114 | 502 |
| 115 | 507 |
| 116 | 505 |
| 201 | 701(a) |
| 202 | 701(a) |
| 203 | 708(c) |
| 204 | Rep. |
| 205 | 701(c) |
| 206 | 701(b) |
| 207 | 702 |
| 208 | 705 |
| 209 | 407, 410 |
| 210 | 707 |
| 211 | 707 |
| 212 | 705 |
| 213 | 704 |
| 214 | 704 |
| 215 | 708(a), (b) |
| 216 | 703 |

PRIOR PROVISIONS

Title 17, as enacted by act July 30, 1947, ch. 391, 61 Stat. 652, consisting of sections 1 to 32, 101 to 116, and 201 to 216, as amended through 1976, and section 203, as amended by Pub. L. 95-94, title IV, §406(a), Aug. 5, 1977, 91 Stat. 682, terminated Jan. 1, 1978.

EFFECTIVE DATE

Pub. L. 94-553, title I, §102, Oct. 19, 1976, 90 Stat. 2598, provided that: "This Act [enacting this title and section 170 of Title 2, The Congress, amending section 131 of Title 2, section 290e of Title 15, Commerce and Trade, section 2318 of Title 18, Crimes and Criminal Procedure, section 543 of Title 26, Internal Revenue Code, section 1498 of Title 28, Judiciary and Judicial Procedure, sections 3203 and 3206 of Title 39, Postal Service, and sections 505 and 2117 of Title 44, Public Printing and Documents, and enacting provisions set out as notes below and under sections 104, 115, 304, 401, 407, 410, and 501 of this title] becomes effective on January 1, 1978, except as otherwise expressly provided by this Act, including

provisions of the first section of this Act. The provisions of sections 118, 304(b), and chapter 8 of title 17, as amended by the first section of this Act, take effect upon enactment of this Act [Oct. 19, 1976]."

SEPARABILITY

Pub. L. 94-553, title I, §115, Oct. 19, 1976, 90 Stat. 2602, provided that: "If any provision of title 17 [this title], as amended by the first section of this Act, is declared unconstitutional, the validity of the remainder of this title is not affected."

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 94-553, title I, §114, Oct. 19, 1976, 90 Stat. 2602, provided that: "There are hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act [this title]."

LOST AND EXPIRED COPYRIGHTS; RECORDING RIGHTS

Pub. L. 94-553, title I, §103, Oct. 19, 1976, 90 Stat. 2599, provided that: "This Act [enacting this title] does not provide copyright protection for any work that goes into the public domain before January 1, 1978. The exclusive rights, as provided by section 106 of title 17 as amended by the first section of this Act, to reproduce a work in phonorecords and to distribute phonorecords of the work, do not extend to any nondramatic musical work copyrighted before July 1, 1909."

CHAPTER 1—SUBJECT MATTER AND SCOPE OF COPYRIGHT

| | |
|---------|--|
| Sec. | |
| 101. | Definitions. |
| 102. | Subject matter of copyright: In general. |
| 103. | Subject matter of copyright: Compilations and derivative works. |
| 104. | Subject matter of copyright: National origin. |
| 104A. | Copyright in restored works. |
| 105. | Subject matter of copyright: United States Government works. |
| 106. | Exclusive rights in copyrighted works. |
| 106A. | Rights of certain authors to attribution and integrity. |
| 107. | Limitations on exclusive rights: Fair use. |
| 108. | Limitations on exclusive rights: Reproduction by libraries and archives. |
| 109. | Limitations on exclusive rights: Effect of transfer of particular copy or phonorecord. |
| 110. | Limitations on exclusive rights: Exemption of certain performances and displays. |
| 111. | Limitations on exclusive rights: Secondary transmissions of broadcast programming by cable. |
| 112. | Limitations on exclusive rights: Ephemeral recordings. |
| 113. | Scope of exclusive rights in pictorial, graphic, and sculptural works. |
| 114. | Scope of exclusive rights in sound recordings. |
| 115. | Scope of exclusive rights in nondramatic musical works: Compulsory license for making and distributing phonorecords. |
| 116. | Negotiated licenses for public performances by means of coin-operated phonorecord players. |
| [116A.] | Renumbered.] |
| 117. | Limitations on exclusive rights: Computer programs. |
| 118. | Scope of exclusive rights: Use of certain works in connection with noncommercial broadcasting. |
| 119. | Limitations on exclusive rights: Secondary transmissions of distant television programming by satellite. |
| 120. | Scope of exclusive rights in architectural works. |
| 121. | Limitations on exclusive rights: Reproduction for blind or other people with disabilities. |