

I, §104(f), May 27, 2010, 124 Stat. 1238; Pub. L. 115-264, title I, §103(g)(4), (i), Oct. 11, 2018, 132 Stat. 3725.)

### Editorial Notes

#### REFERENCES IN TEXT

The enactment of and the date of enactment of the Copyright Royalty and Distribution Reform Act of 2004, referred to in subssecs. (a) and (b)(1)(B), (3)(A), mean the date of enactment of Pub. L. 108-419, which was approved Nov. 30, 2004.

Section 115(c), referred to in subsec. (b)(4), was amended generally by Pub. L. 115-264, title I, §102(a)(3), Oct. 11, 2018, 132 Stat. 3679, and, as so amended, no longer contains a par. (3).

#### PRIOR PROVISIONS

A prior section 804 was renumbered section 803 of this title prior to the general amendment of this chapter by Pub. L. 108-419.

#### AMENDMENTS

2018—Subsec. (b)(3)(B). Pub. L. 115-264, §103(i), inserted “, except that—” and cls. (i) and (ii) after “fifth calendar year”.

Subsec. (b)(3)(C)(i). Pub. L. 115-264, §103(g)(4)(A), struck out “and 114(f)(2)(C)” after “section 114(f)(1)(C)”.

Subsec. (b)(3)(C)(iii)(II). Pub. L. 115-264, §103(g)(4)(B), substituted “114(f)(3)(B)(ii)” for “114(f)(4)(B)(ii)”.

Subsec. (b)(3)(C)(iv). Pub. L. 115-264, §103(g)(4)(C), struck out “or 114(f)(2)(C), as the case may be” after “section 114(f)(1)(C)”.

2010—Subsec. (b)(1)(A), (B). Pub. L. 111-175 substituted “2015” for “2005”.

2006—Subsec. (b)(1)(B). Pub. L. 109-303, §3(12), substituted “801(b)(2)(B) or (C)” for “801(b)(3)(B) or (C)” and “change in” for “change is”.

Subsec. (b)(3)(A). Pub. L. 109-303, §3(13)(A), substituted “date of enactment” for “effective date”.

Subsec. (b)(3)(C)(ii). Pub. L. 109-303, §3(13)(B)(i), substituted “is filed” for “that is filed”.

Subsec. (b)(3)(C)(iii). Pub. L. 109-303, §3(13)(B)(ii), substituted “subsections (b)” for “such subsections (b)”.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-175 effective Feb. 27, 2010, see section 307(a) of Pub. L. 111-175, set out as a note under section 111 of this title.

#### EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-303 effective as if included in the Copyright Royalty and Distribution Reform Act of 2004, Pub. L. 108-419, see section 6 of Pub. L. 109-303, set out as a note under section 111 of this title.

### § 805. General rule for voluntarily negotiated agreements

Any rates or terms under this title that—

(1) are agreed to by participants to a proceeding under section 803(b)(3),

(2) are adopted by the Copyright Royalty Judges as part of a determination under this chapter, and

(3) are in effect for a period shorter than would otherwise apply under a determination pursuant to this chapter,

shall remain in effect for such period of time as would otherwise apply under such determination, except that the Copyright Royalty Judges shall adjust the rates pursuant to the voluntary negotiations to reflect national monetary inflation during the additional period the rates remain in effect.

(Added Pub. L. 108-419, §3(a), Nov. 30, 2004, 118 Stat. 2360.)

### Editorial Notes

#### PRIOR PROVISIONS

Prior sections 805 to 810 were repealed by Pub. L. 103-198, §2(e), Dec. 17, 1993, 107 Stat. 2308.

Section 805, Pub. L. 94-553, title I, §101, Oct. 19, 1976, 90 Stat. 2598, related to staff of Copyright Royalty Tribunal.

Section 806, Pub. L. 94-553, title I, §101, Oct. 19, 1976, 90 Stat. 2598, related to administrative support of Tribunal.

Section 807, Pub. L. 94-553, title I, §101, Oct. 19, 1976, 90 Stat. 2598, related to deduction of costs of proceedings involving distribution of royalty fees.

Section 808, Pub. L. 94-553, title I, §101, Oct. 19, 1976, 90 Stat. 2598, related to reporting requirements of the Tribunal.

Section 809, Pub. L. 94-553, title I, §101, Oct. 19, 1976, 90 Stat. 2598, related to effective date of final determinations of Tribunal.

Section 810, Pub. L. 94-553, title I, §101, Oct. 19, 1976, 90 Stat. 2598, related to judicial review of final decisions of Tribunal.

## CHAPTER 9—PROTECTION OF SEMICONDUCTOR CHIP PRODUCTS

Sec.

901.

Definitions.

902.

Subject matter of protection.

903.

Ownership, transfer, licensing, and recordation.

904.

Duration of protection.

905.

Exclusive rights in mask works.

906.

Limitation on exclusive rights: reverse engineering; first sale.

907.

Limitation on exclusive rights: innocent infringement.

908.

Registration of claims of protection.

909.

Mask work notice.

910.

Enforcement of exclusive rights.

911.

Civil actions.

912.

Relation to other laws.

913.

Transitional provisions.

914.

International transitional provisions.

### Editorial Notes

#### AMENDMENTS

2002—Pub. L. 107-273, div. C, title III, §13210(11), Nov. 2, 2002, 116 Stat. 1910, substituted “licensing” for “licensure” in item 903.

1997—Pub. L. 105-80, §12(a)(21), Nov. 13, 1997, 111 Stat. 1535, substituted “Ownership, transfer, licensure, and recordation” for “Ownership and transfer” in item 903.

### § 901. Definitions

(a) As used in this chapter—

(1) a “semiconductor chip product” is the final or intermediate form of any product—

(A) having two or more layers of metallic, insulating, or semiconductor material, deposited or otherwise placed on, or etched away or otherwise removed from, a piece of semiconductor material in accordance with a predetermined pattern; and

(B) intended to perform electronic circuitry functions;

(2) a “mask work” is a series of related images, however fixed or encoded—

(A) having or representing the predetermined, three-dimensional pattern of metallic, insulating, or semiconductor material