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**Council for Trade-Related Aspects  
of Intellectual Property Rights**

Original: English/  
anglais/  
inglés

**MAIN DEDICATED INTELLECTUAL PROPERTY LAWS AND REGULATIONS  
NOTIFIED UNDER ARTICLE 63.2 OF THE AGREEMENT**

UNITED STATES

The present document reproduces the text<sup>1</sup> of the Copyright Cleanup, Clarification, and Corrections Act of 2010, which entered into force on 9 December 2010, as notified by the United States on 20 June 2012 under Article 63.2 of the Agreement (see document IP/N/1/USA/5).

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**Conseil des aspects des droits de propriété  
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES À  
LA PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES AU TITRE  
DE L'ARTICLE 63:2 DE L'ACCORD**

ÉTATS-UNIS

Le présent document contient le texte<sup>1</sup> de la Loi de 2010 portant amélioration, clarification et correction de dispositions relatives au droit d'auteur, qui est entrée en vigueur le 9 décembre 2010, et a été notifiée par les États-Unis le 20 juin 2012 au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/USA/5).

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**Consejo de los Aspectos de los Derechos de Propiedad  
Intelectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA  
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD  
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

ESTADOS UNIDOS

En el presente documento se reproduce el texto<sup>1</sup> de la Ley de 2010 por la que se introducen mejoras, aclaraciones y correcciones con respecto al derecho de autor, que entró en vigor el 9 de diciembre de 2010, notificado por los Estados Unidos el 20 de junio de 2012 en virtud de lo dispuesto en el párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/USA/5).

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<sup>1</sup> In English only./En anglais seulement./En inglés solamente.



PUBLIC LAW 111–295—DEC. 9, 2010

**COPYRIGHT CLEANUP, CLARIFICATION, AND  
CORRECTIONS ACT OF 2010**



**Public Law 111–295**  
**111th Congress**

An Act

Dec. 9, 2010  
[S. 3689]

To clarify, improve, and correct the laws relating to copyrights, and for other purposes.

Copyright  
Cleanup,  
Clarification,  
and  
Corrections  
Act of 2010.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

17 USC 101  
note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Copyright Cleanup, Clarification, and Corrections Act of 2010".

**SEC. 2. REFERENCE.**

Except as otherwise specifically provided, whenever in this Act a section or other provision is amended or repealed, such amendment or repeal shall be considered to be made to that section or other provision of title 17, United States Code.

**SEC. 3. COPYRIGHT OFFICE PROCEDURES.**

17 USC 512.

(a) DIRECTORY OF AGENTS OF SERVICE PROVIDERS.—Section 512(c)(2) is amended, in the matter following subparagraph (B), by striking ", in both electronic and hard copy formats".

Regulations.

(b) RECORDATION OF DOCUMENTS.—Section 205(a) is amended by adding at the end the following: "A sworn or official certification may be submitted to the Copyright Office electronically, pursuant to regulations established by the Register of Copyrights."

**SEC. 4. REPEAL OF EXPIRED PROVISIONS.**

(a) REPEAL.—Section 601, and the item relating to such section in the table of sections for chapter 6, are repealed.

(b) CONFORMING AMENDMENTS.—

(1) CLERICAL AMENDMENT.—(A) The heading for chapter 6 is amended to read as follows:

**"CHAPTER 6—IMPORTATION AND EXPORTATION".**

(B) The item relating to chapter 6 in the table of chapters is amended to read as follows:

**"6. Importation and Exportation ..... 601"**

(2) APPLICATION FOR COPYRIGHT REGISTRATION.—  
Section 409 is amended—

- (A) in paragraph (9), by adding "and" after the semi-colon;
- (B) by striking paragraph (10); and
- (C) by redesignating paragraph (11) as paragraph (10).

(c) INFRINGING IMPORTATION OR EXPORTATION.—The second sentence of section 602(b) is amended by striking "unless the provisions of section 601 are applicable".

17 USC 602.

## SEC. 5. CLARIFICATIONS.

(a) CERTAIN DISTRIBUTIONS OF PHONORECORDS.—  
Section 303(b) is amended by striking "the musical work" and inserting "any musical work, dramatic work, or literary work".

(b) PROCEEDINGS OF COPYRIGHT ROYALTY JUDGES.—  
Section 803(b)(6)(A) is amended by striking the second sentence and inserting the following: "All regulations issued by the Copyright Royalty Judges are subject to the approval of the Librarian of Congress and are subject to judicial review pursuant to chapter 7 of title 5, except as set forth in subsection (d).".

(c) LICENSES FOR CERTAIN NONEXEMPT TRANSMISSIONS.—  
Section 114(f)(2)(C) is amended by striking "preexisting subscription digital audio transmission services or preexisting satellite digital radio audio services" and inserting "eligible nonsubscription services and new subscription services".

## SEC. 6. TECHNICAL CORRECTIONS.

(a) DEFINITIONS.—Section 101 is amended—

(1) by moving the definition of "Copyright Royalty Judges" to follow the definition of "Copyright owner";

(2) by moving the definition of "motion picture exhibition facility" to follow the definition of "Literary works"; and

(3) by moving the definition of "food service or drinking establishment" to follow the definition of "fixed";

(b) LICENSES FOR WEBCASTING.—Section 114(f)(2)(B) is amended in the fourth sentence, in the matter preceding clause (i), by striking "Judges shall base its decision" and inserting "Judges shall base their decision".

(c) SATELLITE CARRIERS.—Section 119(g)(4)(B)(vi) is amended by striking "the examinations" and inserting "an examination".

(d) REMEDIES FOR INFRINGEMENT.—Section 503(a)(1)(B) is amended by striking "copies of phonorecords" and inserting "copies or phonorecords".

(e) RETENTION OF COPIES IN COPYRIGHT OFFICE.—  
Section 704(e) is amended, in the second sentence, by striking "section 708(a)(10)" and inserting "section 708(a)".

(f) CORRECTION OF INTERNAL REFERENCES.—  
(1) Section 114(b) is amended by striking "118(g)" and inserting "118(f)".

(2) Section 504(c)(2) is amended by striking "subsection (g) of section 118" and inserting "section 118(f)".

(3) Sections 1203(c)(5)(B)(i) and 1204(b) are each amended by striking "118(g)" and inserting "118(f)".

(g) PRO-IP ACT.—Section 209(a)(3)(A) of Public Law 110–403 is amended by striking "by striking ‘and 509’ " and inserting "by striking ‘and section 509’ ". 17 USC 115.

(h) TRADEMARK TECHNICAL AMENDMENTS ACT.—Section 4(a)(1) of Public Law 111–146 is amended by striking "by corporations attempting" and inserting "the purpose of which is". *Ante*, p. 70

(i) TRAFFICKING.—Section 2318(e)(6) of title 18, United States Code, is amended by striking "under section" and inserting "under this subsection".

Approved December 9, 2010.

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LEGISLATIVE HISTORY—S. 3689:

CONGRESSIONAL RECORD, Vol. 156 (2010):

Aug. 2, considered and passed Senate.

Nov. 15, considered and passed House, amended.

Nov. 19, Senate concurred in House amendments.

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