

DOCKET NO
RM 2009 4
COMMENT NO 2

UNITED STATES COPYRIGHT OFFICE

Notice of Proposed Rulemaking on Minimum Balance Requirement and Automatic Replenishment Option for Deposit Account Holders

Docket No. RM 2009-4



COMMENTS of MOTION PICTURE ASSOCIATION OF AMERICA

Motion Picture Association of America, Inc. (MPAA)¹ submits these comments in response to the Notice of Proposed Rulemaking ("Notice") published in the Federal Register on October 8, 2010, at page 62345.

The Copyright Office seeks comment on proposed regulations for governing deposit accounts maintained by the Copyright Office. Such regulations would establish the minimum level of activity required to hold a deposit account at 12 transactions per year; require deposit account holders to maintain a minimum balance in that account; mandate the closure of a deposit account the second time it is overdrawn; and offer deposit account holders the option of automatic replenishment of their account via their bank account or credit card.

¹ MPAA members include Paramount Pictures Corporation, Sony Pictures Entertainment, Inc., Twentieth Century Fox Film Corporation, Universal City Studios LLLP, The Walt Disney Studios Motion Pictures, and Warner Bros. Entertainment, Inc.

MPAA participated in the earlier stages of this proceeding and appreciates the fact that its comments were taken into account in fashioning the proposed regulations. MPAA fully supports the regulations proposed in the instant Notice.

In addition to noting its support for the proposed regulations, the only comment MPAA wishes to make in response to the Notice is to question whether it might be appropriate to specify some time period during which two overdrafts would result in the closure of a deposit account. Although MPAA member companies are, and will continue to be, diligent in maintaining minimum balances in their deposit accounts and do not anticipate any problems with the proposed rule, it does seem appropriate to specify some period during which two infractions would result in the sanction of having a deposit account closed. If, however, making this change to the proposed rules would impose an administrative burden or is otherwise undesirable from the point of view of the Copyright Office, MPAA has no objection to the rules as proposed.

MPAA is grateful for the consideration given by the Copyright Office to its earlier comments in this proceeding and commends the Copyright Office for proposing practical amendments to its rules that serve the interests of both those who use the deposit account system and those who administer it.

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November 22, 2010