

United States Code — Title 17, Chapter 5, § 501 Infringement of copyright

the United States Government



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§ 501—Infringement of copyright

(a) Anyone who violates any of the exclusive rights of the copyright owner as provided by sections [106](#) through [122](#) or of the author as provided in [section 106A\(a\)](#), or who imports copies or phonorecords into the United States in violation of [section 602](#), is an infringer of the copyright or right of the author, as the case may be. For purposes of this chapter (other than [section 506](#)), any reference to copyright shall be deemed to include the rights conferred by [section 106A\(a\)](#). As used in this subsection, the term "anyone" includes any State, any instrumentality of a State, and any officer or employee of a State or instrumentality of a State acting in his or her official capacity. Any State, and any such instrumentality, officer, or employee, shall be subject to the provisions of this title in the same manner and to the same extent as any nongovernmental entity.

(b) The legal or beneficial owner of an exclusive right under a copyright is entitled, subject to the requirements of [section 411](#), to institute an action for any infringement of that particular right committed while he or she is the owner of it. The court may require such owner to serve written notice of the action with a copy of the complaint upon any person shown, by the records of the Copyright Office or otherwise, to have or claim an interest in the copyright, and shall require that such notice be served upon any person whose interest is likely to be affected by a decision in the case. The court may require the joinder, and shall permit the

intervention, of any person having or claiming an interest in the copyright.

(c) For any secondary transmission by a cable system that embodies a performance or a display of a work which is actionable as an act of infringement under subsection (c) of [section 111](#), a television broadcast station holding a copyright or other license to transmit or perform the same version of that work shall, for purposes of subsection (b) of this section, be treated as a legal or beneficial owner if such secondary transmission occurs within the local service area of that television station.

(d) For any secondary transmission by a cable system that is actionable as an act of infringement pursuant to [section 111\(c\)\(3\)](#), the following shall also have standing to sue:

- (i) the primary transmitter whose transmission has been altered by the cable system; and
- (ii) any broadcast station within whose local service area the secondary transmission occurs.

(e) With respect to any secondary transmission that is made by a satellite carrier of a performance or display of a work embodied in a primary transmission and is actionable as an act of infringement under [section 119\(a\)\(5\)](#), a network station holding a copyright or other license to transmit or perform the same version of that work shall, for purposes of

subsection (b) of this section, be treated as a legal or beneficial owner if such secondary transmission occurs within the local service area of that station.

(f)(1) With respect to any secondary transmission that is made by a satellite carrier of a performance or display of a work embodied in a primary transmission and is actionable as an act of infringement under [section 122](#), a television broadcast station holding a copyright or other license to transmit or perform the same version of that work shall, for purposes of subsection (b) of this section, be treated as a legal or beneficial owner if such secondary transmission occurs within the local market of that station.

(2) A television broadcast station may file a civil action against any satellite carrier that has refused to carry television broadcast signals, as required under [section 122\(a\)\(2\)](#), to enforce that television broadcast station's rights under section 338(a) of the [Communications Act of 1934](#).

Amendment history

Section 501 was added by § 101 of title I of the [Copyright Act of 1976](#) ([Pub. L. 94-553](#), Oct. 19, 1976, 90 Stat. 2541), with effect from January 1, 1978.

[Berne Convention Implementation Act of 1988](#)

[Pub. L. 100-568](#), Oct. 31, 1988, 102 Stat. 2853

- Amended subsection (b) by substituting "section 411" for "sections 205(d) and 411", with effect from March 1, 1989.

Satellite Home Viewer Act of 1988

Pub., Nov. 16, 1988, 102 Stat. 3935.

- Added subsection (e).

[Copyright Remedy Clarification Act](#)

[Pub. L. 101-553](#), Nov. 15, 1990, 104 Stat. 2749.

- Amended subsection (a) by adding the last two sentences.

[Visual Artists Rights Act of 1990](#)

[Pub. L. 101-650](#), Dec. 1, 1990, 104 Stat. 5089.

- Amended subsection (a) by adding "or of the author as provided in section 106A(a)" after "118" and by substituting "copyright or right of the author, as the case may be. For purposes of this chapter (other than section 506), any reference to copyright shall be

deemed to include the rights conferred by section 106A(a)." for "copyright."

Public Law 106-44

Aug. 5, 1999, 113 Stat. 221.

- Amended subsection (a) by substituting "121" for "118" in the first sentence.

Satellite Home Viewer Improvement Act of 1999

Pub. L. 106-113, Nov. 29, 1999, 113 Stat. 1501, app. I.

- Amended subsection (e) by substituting "performance or display of a work embodied in a primary transmission" for "primary transmission embodying the performance or display of a work".
- Added subsection (f), with effect from July 1, 1999.

Intellectual Property and High Technology Technical Amendments Act of 2002

Pub. L. 107-273, Nov. 2, 2002, 116 Stat. 1758.

- Amended subsection (a) by substituting "106 through 122" for "106 through 121".

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