In the House of Representatives, U.S.,

November 15, 2010.

Resolved, That the bill from the Senate (S. 3689) entitled "An Act to clarify, improve, and correct the laws relating to copyrights.", do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. REFERENCE.

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6 this Act a section or other provision is amended or repealed,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

10 SEC. 3. COPYRIGHT OFFICE PROCEDURES.

(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".

(b) RECORDATION OF DOCUMENTS.—Section 205(a) is
amended by adding at the end the following: "A sworn or

1 official certification may be submitted to the Copyright Of-2 fice electronically, pursuant to regulations established by the Register of Copyrights.". 3 4 SEC. 4. REPEAL OF EXPIRED PROVISIONS. 5 (a) REPEAL.—Section 601, and the item relating to such section in the table of sections for chapter 6, are re-6 7 pealed. 8 (b) Conforming Amendments.— 9 (1) CLERICAL AMENDMENT.—(A) The heading for chapter 6 is amended to read as follows: 10 "CHAPTER 6—IMPORTATION AND 11 EXPORTATION". 12 13 (B) The item relating to chapter 6 in the table 14 of chapters is amended to read as follows: "6. Importation and Exportation *601*". 15 (2) Application for copyright registra-16 TION.—Section 409 is amended— 17 (A) in paragraph (9), by adding "and" 18 after the semicolon; 19 (B) by striking paragraph (10); and 20 (C) by redesignating paragraph (11) as 21 paragraph (10). 22 (c) INFRINGING IMPORTATION OR EXPORTATION.—The 23 second sentence of section 602(b) is amended by striking "unless the provisions of section 601 are applicable". 24

1 SEC. 5. CLARIFICATIONS.

2 (a) CERTAIN DISTRIBUTIONS OF PHONORECORDS.—
3 Section 303(b) is amended by striking "the musical work"
4 and inserting "any musical work, dramatic work, or lit5 erary work".

6 (b)**PROCEEDINGS** Copyright ROYALTY OF7 JUDGES.—Section 803(b)(6)(A) is amended by striking the second sentence and inserting the following: "All regulations 8 9 issued by the Copyright Royalty Judges are subject to the approval of the Librarian of Congress and are subject to 10 11 judicial review pursuant to chapter 7 of title 5, except as set forth in subsection (d).". 12

(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".

19 SEC. 6. TECHNICAL CORRECTIONS.

- 20 (a) DEFINITIONS.—Section 101 is amended—
- 21 (1) by moving the definition of "Copyright Roy22 alty Judges" to follow the definition of "Copyright
 23 owner";
- 24 (2) by moving the definition of "motion picture
 25 exhibition facility" to follow the definition of "Lit26 erary works"; and

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

4 (b)Licenses Webcasting.—Section FOR114(f)(2)(B) is amended in the fourth sentence, in the mat-5 ter preceding clause (i), by striking "Judges shall base its 6 7 decision" and inserting "Judges shall base their decision". 8 (c) SATELLITE CARRIERS.—Section 119(g)(4)(B)(vi)is amended by striking "the examinations" and inserting 9 "an examination". 10

(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)".

17 (f) CORRECTION OF INTERNAL REFERENCES.—(1)
18 Section 114(b) is amended by striking "118(g)" and insert19 ing "118(f)".

20 (2) Section 504(c)(2) is amended by striking "sub21 section (g) of section 118" and inserting "section 118(f)".
22 (3) Sections 1203(c)(5)(B)(i) and 1204(b) are each
23 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".

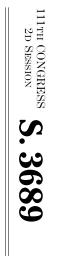
4 (h) TRADEMARK TECHNICAL AMENDMENTS ACT.—
5 Section 4(a)(1) of Public Law 111–146 is amended by strik6 ing 'by corporations attempting' and inserting 'the pur7 pose of which is''.

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

Amend the title so as to read: "An Act to clarify, improve, and correct the laws relating to copyrights, and for other purposes.".

Attest:

Clerk.



AMENDMENTS