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Copyright Office

[Docket No. 2019–3]

Public Draft of the Compendium of U.S. Copyright Office Practices

AGENCY: U.S. Copyright Office, Library of Congress.

ACTION: U.S. Copyright Office releases public draft of an update to the Compendium of U.S. Copyright Office Practices, Third Edition.

SUMMARY: The U.S. Copyright Office is announcing the release of a public draft of an update to its administrative manual, the *Compendium of U.S. Copyright Office Practices, Third Edition*. The update has been released in draft form to give the public an opportunity to review and provide comments on the revisions.

DATES: Comments must be made in writing and must be received in the U.S. Copyright Office no later than May 14, 2019. The Copyright Office will hold a webinar to review the proposed revisions on April 10, 2019, at 2:00 p.m. EST, which may be accessed from the web page referenced in the Addresses section below.

ADDRESSES: The public draft of the update to the *Compendium of U.S. Copyright Office Practices, Third Edition* is available on the Office's website at <https://www.copyright.gov/comp3/draft.html>. The webinar on the proposed revisions may be accessed from the same web page. For reasons of government efficiency, the Copyright Office is using the *regulations.gov* system for the submission and posting of public comments related to this draft. All comments are therefore to be submitted electronically through *regulations.gov*. Specific instructions for submitting comments are available on the Copyright Office website at <https://www.copyright.gov/comp3/draft/comment-submission>. If electronic submission of comments is not feasible due to lack of access to a computer and/or the internet, please contact the Office using the contact information below for special instructions.

FOR FURTHER INFORMATION CONTACT:

Robert J. Kasunic, Associate Register and Director of Registration Policy and Practice or Regan A. Smith, General Counsel and Associate Register of Copyrights, by telephone at 202–707–8040 or by email at rkas@copyright.gov and regans@copyright.gov.

SUPPLEMENTARY INFORMATION: The *Compendium of U.S. Copyright Office Practices, Third Edition*

(“*Compendium*”) is the administrative manual of the U.S. Copyright Office (the “Office”). It “explains many of the practices and procedures concerning the Office’s mandate and statutory duties of the Copyright Office under title 17 of the United States Code.” 37 CFR 201.2(b)(7). “It is both a technical manual for the Copyright Office’s staff, as well as a guidebook for authors, copyright licensees, practitioners, scholars, the courts, and members of the general public.” *Id.*

To ensure that this manual remains up to date, the Office is now releasing a draft revision of the *Compendium*. This is the first update since the *Compendium* was revised on September 29, 2017. 82 FR 45625 (Sept. 29, 2017). This update is the result of a careful review of changes to the Office’s practices and procedures, as well as recent changes in the law.

In particular, the *Compendium* has been updated to reflect the Supreme Court’s decision in *Star Athletica v. Varsity Brands*, 137 S. Ct. 1002 (2017). The draft provides new guidance for claims involving useful articles, as well as claims involving works of artistic craftsmanship, models, technical drawings, and other works of the visual arts.

Additionally, the *Compendium* has been updated to reflect rulemakings that the Office has completed over the past seventeen months. It provides information concerning the new group registration options for unpublished works and unpublished photographs, and the recent changes to the rules governing the group registration options for published photographs and serials, newspaper, and newsletter issues.¹ It reflects the new deposit requirements for literary monographs, printed music, and photographic databases, and the recent changes to the regulation on the Single Application.² It also incorporates changes made by the recent technical amendments to the regulation governing copyright notice.³

The Office recently issued other proposals to amend its registration regulations, including regarding architectural works, and a new group registration option for short online

literary works.⁴ The final version of the *Compendium* will include information about these amendments if the Office issues a final rule in these proceedings before this update goes into effect. The final version will also include updates to reflect the Supreme Court’s recent decision in *Fourth Estate Public Benefit Corp. v. Wall-Street.com, LLC*, 586 U.S. ___ (Mar. 4, 2019).

The *Compendium* has been updated to reflect certain technical upgrades that have been made to the electronic registration system. The Office has introduced a new and improved version of the Single Application, and finalized a regulatory update related to this upgrade.⁵ It modified the authorship statements in the application for registering a single issue of a serial publication. It expanded the unique identifiers that may be provided in an application for copyright registration, such as ISMN, ISWC, and ISTC numbers. And it added a new feature that will allow certain file types to be uploaded to the electronic system, while blocking unacceptable file types.⁶

Finally, the *Compendium* has been updated to reflect a number of practice changes that have been implemented by the Office of Registration Policy & Practice. These changes are intended to increase the efficiency of the examination process, reduce pendency times, and enhance the quality of the registration record. Among other improvements, the revisions clarify how and when the Office will communicate with applicants, when it will attempt to correct deficiencies in the application, when it will register a claim with an annotation, and when it will refuse registration.⁷

The public draft for this update to the *Compendium* may be viewed on the Office’s website at <https://www.copyright.gov/comp3/draft.html>. The Office has provided redlines that compare the public draft with the version of the *Compendium* that was released on September 29, 2017. In addition, the Office’s website provides a complete list of the sections that will be

⁴ See 83 FR 65612 (Dec. 21, 2018) (proposed rule on short online literary works); 83 FR 66182 (Dec. 26, 2018) (proposed rule on architectural works).

⁵ See 83 FR at 66627.

⁶ Additional information concerning these technical upgrades is available on the Office’s website at <https://www.copyright.gov/eco/updates/index.html>.

⁷ See, e.g., *Compendium* public draft Chapter 600, sections 603.2(C), 605.3(D), 605.4, 605.6(B), 605.6(C), 605.6(D), 606, 610.6(B), 610.6(D)(4), 618.8(A)(8), 618.8(C)(3), 618.8(D)(2), 618.8(F), 618.8(H), 618.8(I), 619.13(Q), 619.19(T), 620.10(D)(1)(c), 621.9(E)(3), 621.9(F)(2), and 621.9(G).

¹ See 83 FR 2542 (Jan. 18, 2018) (final rule on group photographs); 83 FR 4144 (Jan. 30, 2018), 84 FR 3698 (Feb. 13, 2019) (final rules on group newspapers); 83 FR 61546 (Nov. 30, 2018) (final rule on group serials and group newsletters); 84 FR 3693 (Feb. 13, 2019) (final rule on unpublished works).

² See 83 FR 2371 (Jan. 17, 2018) (final rule on literary monographs and printed music); 83 FR 2542 (Jan. 18, 2018) (final rule on group photographs); 83 FR 66627 (Dec. 27, 2018) (final rule on the Single Application).

³ See 82 FR 42735 (Sept. 12, 2017).

added, amended, or removed in this update.

The Office welcomes comments on the public draft. In the meantime, the update will remain in draft form pending the Office's review of any comments that are received.⁸

Dated: March 11, 2019.

Regan A. Smith,

General Counsel and Associate Register of Copyrights.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-443; NRC-2010-0206]

NextEra Energy Seabrook, LLC; Seabrook Station, Unit No. 1

AGENCY: Nuclear Regulatory Commission.

ACTION: License renewal and record of decision; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has issued Renewed Facility Operating License No. NPF-86 to NextEra Energy Seabrook, LLC (NextEra), Hudson Light & Power Department, Massachusetts Municipal Wholesale Electric Company, and Taunton Municipal Lighting Plant. Renewed Facility Operating License No. NPF-86 authorizes NextEra to operate Seabrook Station, Unit No. 1 (Seabrook) at reactor core power levels not in excess of 3,648 megawatts thermal, and in accordance with the provisions of the Seabrook renewed operating license and technical specifications. In addition, the NRC has prepared a record of decision (ROD) that supports the agency's decision to issue Renewed Facility Operating License No. NPF-86 authorizing operations at Seabrook for an additional 20 years.

DATES: The NRC issued Renewed Facility Operating License No. NPF-86 on March 12, 2019.

ADDRESSES: Please refer to Docket ID NRC-2010-0206 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available

information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2010-0206. Address questions about NRC dockets in *Regulations.gov* to Krupskaya Castellon; telephone: 301-287-9221; email: Krupskaya.Castellon@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Document collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: William "Butch" Burton, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6332; email: William.Burton@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC hereby gives notice that it has issued Renewed Facility Operating License No. NPF-86 to NextEra Energy Seabrook, LLC (NextEra), Hudson Light & Power Department, Massachusetts Municipal Wholesale Electric Company, and Taunton Municipal Lighting Plant. Renewed Facility Operating License No. NPF-86 authorizes NextEra to operate Seabrook Station, Unit No. 1 (Seabrook) at reactor core power levels not in excess of 3,648 megawatts thermal, and in accordance with the provisions of the Seabrook renewed operating license and technical specifications.

The NRC ROD that supports the NRC's decision to issue Renewed Facility Operating License No. NPF-86 is available in ADAMS under Accession No. ML19002A160. The NRC documented its environmental review for the license renewal in the ROD and the final supplemental environmental

impact statement (FSEIS) for the Seabrook license renewal, NUREG-1437, Supplement 46, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants Regarding Seabrook Station, Final Report," dated July 2015 (ADAMS Accession Nos. ML15209A575 and ML15209A870). As part of its environmental review, the NRC considered a range of reasonable alternatives to license renewal that included a natural gas-fired combined-cycle (NGCC) alternative, a new nuclear alternative, a combination alternative of NGCC and wind, and the no-action alternative. As discussed in Chapter 9, "Conclusion," of the FSEIS, the NRC has determined that the adverse environmental impacts of license renewal for Seabrook are not so great that preserving the option of license renewal for energy-planning decision makers would be unreasonable. This recommendation is based on: (1) The analysis and findings in the generic environmental impact statement (NUREG-1437), (2) information provided in the environmental report and other documents submitted by NextEra, (3) consultation with Federal, State, local, and Tribal agencies, (4) the NRC staff's independent environmental review, and (5) consideration of public comments received during the scoping process and on the draft supplemental environmental impact statement.

Seabrook is a pressurized-water reactor located approximately 15 miles (24 km) south of Portsmouth, NH. The Seabrook license renewal application, dated May 25, 2010 (ADAMS Package Accession No. ML101590094), as supplemented by letters dated through August 29, 2018, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the NRC's regulations in Chapter I of Title 10 of the *Code of Federal Regulations* (10 CFR). As required by the Act and the NRC's regulations, the NRC has made appropriate findings, which it has set forth in the renewed license. On July 21, 2010, the NRC published in the **Federal Register** a public notice of the proposed issuance of the renewed license for Seabrook. This public notice also included an opportunity to request a hearing (75 FR 42462). No adjudicatory matters are pending before the Commission or the Atomic Safety and Licensing Board regarding the Seabrook license renewal application.

For further details with respect to the issuance of the Seabrook renewed operating license, see: (1) NextEra's license renewal application for Seabrook dated May 25, 2010 (ADAMS

⁸ Documents and copyright claims recorded or registered on or after the date that the final version goes into effect will be governed by that version of the *Compendium*. Registrations and recordings issued by the Office before that date generally will be governed by the December 29, 2014 or September 29, 2017 versions of the *Compendium* (as the case may be), except where those versions have been superseded by an amendment to the regulations, intervening case law, or previously announced changes in practices.