

(C) All of the photographs have the same copyright claimant;

(D) All of the photographs were created on or after March 1, 1989;

(E) All of the photographs were created, and if published, were both created and published during the same year; and

(F) All photographs known to be published were published within a three month span, e.g., from January 1–March 31, from February 1–April 30.

(ii) Identifying material must consist of:

(A) The name of the author;

(B) The name and address of the claimant;

(C) The title given to the group as a whole;

(D) The approximate number of photographs included in the group;

(E) If the group includes published photographs, an approximate number of the works that have been published;

(F) The range of dates (month, year) during which the photographs were created (taken)—i.e., the earliest and the latest;

(G) The range of dates of first publication (month, day, year) for those photographs that have been published;

(H) A general description of the subject matter captured by the photographs; where more than one subject is included, a general description of each, with particular emphasis on newsworthy subjects, for example, "Bombing of Federal Building in Oklahoma City, April, 1995;" "Ghost Towns of Arizona;" "Million Man March in Washington, D.C., October, 1995;" and

(I) The identifying material may also contain any additional identifiers, for example, the identification coding that is used to administer rights in the photographs.

(iii) The application for group registration must include:

(A) At line 1 of the VA form, a title that identifies the group as a whole;

(B) Following the title at line 1, the approximate number of photographs included in the group;

(C) Where all the published works included in the group were published on the same day, the exact date of first publication; alternatively, the span of time during which all the published works were first published, e.g., June 1, 1995 through August 31, 1995; and

(D) If the claimant listed in space 4 is not the agent or licensing entity for all or some of the photographs in the group, the name, addresses, telephone and fax numbers of such person or entity. Space 4 should state "Licensing Information," followed by the name, etc.

(iv) If the Library of Congress wishes to review a collection for possible

inclusion of photographs in its collection, the claimant of record must supply the appropriate material.

(A) The Library may request a maximum of fifty sample images for the first five thousand photographs covered by one group registration, and ten more sample images for each additional one thousand photographs covered, with a maximum of one hundred images for a group registration covering more than ten thousand or more photographs.

(B) The Library may then select between five and ten specified photographs to be supplied in prints from each group registration. For registrations of fewer than five thousand photographs, no more than five photographs may be selected, and for registrations of ten thousand or more, no more than ten photographs may be selected.

(C) When photographs from a requested sample have been selected, the photographer or photography business must provide archival quality copies of the selected photographs, meeting Library guidelines in accordance with the deposit requirements of § 202.20(c)(2)(xx).

(D) If any photographer or photography business registering photographs under this regulation does not provide the required samples and archival quality copies as requested by the Library, the Copyright Office may rescind that party's privilege of making further group registrations under this section.

(v) The fee is \$40.

4. Footnote 6 to § 202.3(c)(2) is revised to read as follows:

<sup>6</sup>In the case of applications for group registration of newspapers, contributions to periodicals, newsletters, and photographs, under paragraphs (b)(6), (b)(7), (b)(8) and (b)(9) of this section, the deposits and fees shall comply with those specified in the respective paragraphs.

5. Section 202.20 is amended by adding a new paragraph (c)(2)(xx) to read as follows:

#### § 202.20 Deposit of copies and phonorecords for copyright registration.

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(xx) *Group registration of photographs.* For group photographs registered under § 202.3(b)(9), works selected for acquisition by the Library of Congress must consist of prints that:

(A) Measure at least 8"×10" and do not exceed 20"×24";

(B) Are made on fiber-based paper and archivally processed;

(C) Are not mounted in any way; and

(D) Are marked as follows:

Titles or caption information may be written lightly on the back of photographs with a #1 soft lead pencil or (preferably) supplied on a separate sheet of paper and keyed to the prints. Archival ink, supplied by the Library, may be used on the back of the print, if desired, for copyright stamps and photographer identification. Adhesive labels, pressure-sensitive tapes, and ballpoint ink should never be applied to the backs of the photographs.

Photographs should be mailed flat between two sturdy pieces of cardboard.

#### § 202.21 [Amended]

6. In § 202.21(a), remove "and (g)" and add ", (g) and (i)."

7. In § 202.21, add a new paragraph (i) to read as follows:

#### § 202.21 Deposit of identifying material instead of copies.

\* \* \* \* \*

(i) For purposes of group registration of photographs under § 202.3(b)(9), identifying material may consist of titles, descriptions, or lists identifying the photographs included in the registration.

Dated: November 22, 1995.

Marybeth Peters,

*Register of Copyrights.*

Approved by:

James H. Billington,

*The Librarian of Congress.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 95-171; RM-8724]

#### Radio Broadcasting Services; Jackson, WY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Roy E. Henderson d/b/a Mountain Broadcasting Co., proposing the allotment of Channel 227C at Jackson, Wyoming, as the community's third local commercial FM transmission service. Channel 227C can be allotted to Jackson in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction at center city coordinates. The coordinates for Channel 227C at Jackson are North