



The Register of Copyrights of the United States of America
United States Copyright Office · 101 Independence Avenue SE · Washington, DC 20559-6000

July 9, 2021

The Honorable Thom Tillis
Ranking Member
Subcommittee on Intellectual Property
United States Senate Committee on the Judiciary
113 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Tillis:

I am writing to formally confirm receipt of all the outstanding requests to undertake various studies and other projects that the Copyright Office has received from you and your colleagues on the Senate Judiciary Committee, and to provide a summary of the steps we have taken so far. We appreciate the opportunity to assist Congress's consideration of these important issues. Let me assure you that Office staff has been and will continue to be in touch with your staff to discuss the timing and scope of these projects.

April 28, 2020 Letter

On April 28, 2020, you and Chairman Leahy requested that the Copyright Office study the extent to which copyright owners are experiencing infringement by state entities without adequate remedies under state law. As noted in Acting Register Maria Strong's letter to you of June 1, 2020, the Office began a study of this topic following receipt of your letter. We issued a Notice of Inquiry seeking public comments on June 3, 2020, and held a public roundtable on December 11, 2020. The Office is currently in the process of finalizing a report to be delivered by the agreed-upon deadline of August 31, 2021.

May 3, 2021 Letter

On May 3, 2021, you, along with Chairman Leahy and Senators Cornyn, Hirono, Klobuchar, and Coons, asked the Copyright Office to study potential protections for

press publishers under copyright law. The Office is in the process of preparing a Notice of Inquiry seeking public comments, which will be issued later this summer.

May 24, 2021 Letter

On May 24, 2021, you requested that the Copyright Office undertake studies on deferred examination as well as digital deposits and best edition, as well as provide a report on the results of our June 2020 Notice of Inquiry related to the definition of publication. The Office is currently discussing with your staff the scope and timing of the first two requests, as well as talking to our colleagues at the Library of Congress regarding the best edition request. At this time, we anticipate using our normal public Notice of Inquiry process to initiate these two studies.

May 26, 2021 Letter

On May 26, 2021, you asked the Copyright Office to evaluate potential Copyright Act preemption of certain state legislation regarding the licensing terms for electronic literary products. The Office is currently working on this request, and will provide a response in writing once our evaluation is complete.

June 24, 2021 Letter

On June 24, 2021, you and Chairman Leahy requested that the Copyright Office undertake additional work related to the identification and adoption of standard technical measures under section 512 of the Copyright Act. The Office is in contact with both your staff and Chairman Leahy's staff regarding the scope of this work.

We look forward to continuing to provide assistance to the work of the Subcommittee. If my staff and I may be of service with respect to any other matters, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Shira Perlmutter". The signature is written in a cursive, flowing style.

Shira Perlmutter
Register of Copyrights and Director,
United States Copyright Office