

The Copyright Offices goes digital – finally



Todd A. Benni | Monday, December 19, 2016

The Digital Millennium Copyright Act (DMCA) provides a safe harbor from copyright infringement liability for online service providers, i.e., anyone that provides online services. This includes anyone that operates a website. If you operate a website and third parties add any content to your website, such as through product reviews, customer comments, images from customers and the like, taking advantage of the DMCA can provide a shield against that material infringing a third party's copyright.

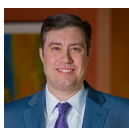
However, in order to take advantage of the DMCA, an online service provider must assign an agent that can receive the DMCA notice and will take the appropriate action with respect to the notice. The agent may be an individual, department, or a third party entity. The agent contact information must register with the U.S. Copyright Office.

Recently, the U.S. Copyright Office has implemented a new electronic registration system in order to replace its old, paper system. However, in order to continue to enjoy the benefits of the DMCA, online service providers must re-register under the new electronic system **by December 31, 2017**. *If you registered under the old paper system, you must sign up under this new electronic system. If you have not previously registered you should register under the new system.* The cost has been reduced to \$6.

The new system also requires online service providers to re-register every three years. Previously, once registered an agent did not need to take any further action.

Failure to register under the electronic system could result in a loss of the safe harbor protections afforded by the DMCA. Failure to re-register after three years could also result in a loss of the safe harbor protections. This could result in liability for copyright infringement for material that third parties post to your website.

Please contact us for help with this process.



Todd A. Benni

[Team member bio](#)

