



American Intellectual Property Law Association

May 1, 2026

Ms. Shira Perlmutter
Register of Copyrights and Director
U.S. Copyright Office
101 Independence Avenue, SE
Washington, DC 20559-6000

RE: Comments Submitted in Response to Notice of Proposed Rulemaking: Fee Schedule Adjustment, U.S. Copyright Office, Docket No. 2026-2

Dear Register Perlmutter,

The American Intellectual Property Law Association (AIPLA) is pleased to offer comments in response to the above-referenced Notice of Proposed Rulemaking issued by the U.S. Copyright Office regarding adjustments to its fee schedule.

Founded in 1897, AIPLA is a national bar association of approximately 6,500 members who are engaged in private or corporate practice, in government service, and in the academic community. AIPLA members represent a wide and diverse spectrum of individuals, companies, and institutions involved directly or indirectly in the practice of patent (utility and design), trademark, copyright, trade secret, and unfair competition law, as well as other fields of law affecting intellectual property. Our members represent both owners and users of intellectual property. Our mission includes helping to establish and maintain fair and effective laws and policies that stimulate and reward invention while also balancing the public's interest in healthy competition, reasonable costs, and basic fairness.

AIPLA Generally Supports the Proposed Fee Adjustments

The Copyright Act expressly authorizes the Register of Copyrights to adjust fees to recover reasonable costs, subject to the statutory requirement that fees be “fair and equitable and give due consideration to the objectives of the copyright system.” 17 U.S.C. § 708(b)(4). The USCO’s stated goal of restoring cost recovery closer to historical levels while maintaining meaningful access to its services is consistent with that statutory mandate.

AIPLA commends the USCO for the transparency of its cost study, its reliance on documented cost and inflation data, and its recognition that different services warrant different approaches to cost recovery.

Section 708 makes clear that fee-setting is not purely a cost-accounting exercise. Congress has required the Copyright Office to give “due consideration to the objectives of the copyright system,” including incentives for creation, dissemination of works, and maintenance of accurate and accessible public records.

AIPLA agrees that the proposed schedule largely advances these objectives, particularly where it:

- Allocates greater cost recovery to services predominantly used by corporate and institutional filers;
- Preserves moderately priced options for individual creators, including continued subsidies for certain group registrations; and
- Encourages electronic filing and more efficient processing, consistent with the Office's modernization initiatives.

These aspects of the proposal reflect a reasonable balancing of fiscal responsibility with long-standing public-interest goals embedded in the Copyright Act.

Specific Fee Increases Warranting Further Consideration

Although AIPLA is generally supportive of the proposed adjustments, it respectfully recommends further consideration of a limited number of increases that, in their magnitude or structure, appear out of line with comparable services or may have unintended consequences for participation or compliance.

Base Electronic Recordation Fees

The proposal would increase the base electronic recordation fee from \$95 to \$215—an increase exceeding 125 percent. Although AIPLA recognizes the Office's need to improve cost recovery for recordation services, recordation plays a critical role in maintaining a reliable public record of copyright ownership, and facilitating licensing, financing, and enforcement transactions.

AIPLA is concerned that a sharp increase in even electronic recordation fees may discourage timely recordation or incentivize informal alternatives, potentially undermining the public notice function that recordation is intended to serve. AIPLA respectfully suggests that the Office consider whether a moderated or phased increase could better align with the fairness and equity considerations reflected in Section 708(b)(4).

Fees for Additional Works and Alternate Identifiers

The proposed increases for recordation of additional works and alternate identifiers—particularly for paper submissions—represent some of the largest percentage increases in the schedule. While AIPLA appreciates that paper submissions carry higher processing costs, certain users, such as estates, archivists, and owners of legacy catalogs, may face practical barriers to electronic conversion.

AIPLA would therefore encourage the Office to assess whether these increases may disproportionately affect compliance-oriented filers, rather than strategic or high-volume users, in a manner inconsistent with the statutory objective of maintaining an accurate and accessible public record.

Special Handling and Expedited Services

AIPLA acknowledges that special handling and expedited services are premium offerings, often invoked in anticipation of litigation or to facilitate time-sensitive commercial transactions. The proposed increase of these fees to \$1,100, however, represents a substantial jump. In practice, expedited processing is frequently essential to preserve enforcement rights or comply with statutory deadlines—not merely an optional convenience.

AIPLA would encourage the Office to further consider how these increases remain consistent with the statutory requirement that fees be fair and equitable, particularly where demand for such services may be functionally inelastic.

Group Registration Fees for News Websites and Databases

Finally, AIPLA notes that the proposed fee increase for group registrations of updates to news websites and certain databases is among the largest in percentage terms in the schedule. While AIPLA understands the Office's rationale that these services are largely used by corporate filers with relatively inelastic demand, the magnitude of the increase warrants additional analysis to ensure consistency with Section 708's fairness requirement.

Elimination of the Single Application

AIPLA supports the proposed elimination of the Single Application registration option. The Office has persuasively demonstrated that the option has resulted in high error rates, increased refusals, and inefficiencies that ultimately increase costs for both applicants and the Office. Consolidation into the Standard Application or group registration options appears consistent with administrative efficiency and clearer applicant expectations.

AIPLA appreciates the opportunity to comment on this Notice of Proposed Rulemaking. We commend the Copyright Office for its thoughtful approach to fee-setting and its commitment to transparency.

Very truly yours,



Salvatore Anastasi
President
American Intellectual Property Law Association