



Lawyers since 1897

Ryan, Swanson & Cleveland, PLLC
1201 Third Avenue, Suite 3400
Seattle, WA 98101-3034

www.ryanswansonlaw.com

2011 SCHEDULE OF FEES- U.S. COPYRIGHTS

SHOULD THEY BE REGISTERED?

Copyrights are valuable! Most people realize that copyrights protect books, music and films, but copyrights also protect items like computer programs, proposals, newsletters, training films, audio and video recordings, manuals, technical publications, compilations of data, directories, architectural drawings, designs, promotional and advertising materials, art, catalogs, periodicals, newspapers, annuals, journals, and periodicals, in the U.S. and abroad. Copyright ownership may be sold or used as collateral for loans.

There are many advantages provided to those who register their copyrights. These include creating a public record, constructive notice to the world, statutory damages, attorneys' fees and presumptive rights in court.

Registration also remains a prerequisite for U.S. authors prior to filing a federal infringement action. Registration is not required when a non-U.S. author brings an action. For all authors, copyright registration must be obtained within three months of first publication or prior to commencement of an infringement action to recover statutory damages and attorneys' fees. Therefore, there remains a big incentive, even for non-U.S. authors, to obtain early registration.

One caveat is that you should not register a trade secret as a copyright (such as a recipe) since copyrights are public filings and thus the trade secret would no longer be secret. We are experienced in filing for software copyrights without revealing trade secret source code.

We can also help to make sure you remain the owner of your copyrighted item and that it not be lost to employees or independent contractors.

Because of the advantages of registration, our firm continues to recommend registration of copyrights (either before publication or soon thereafter) and the use of copyright notices.©

NOTE: Government fees are subject to change. For additional information on copyrights and filing fees, see <http://www.copyright.gov>. For an article on Copyrights – Should They Be Registered?, visit www.ryanswansonlaw.com/about.

WHAT INFORMATION IS NEEDED TO FILE A U.S. COPYRIGHT?

To register a copyright, one must include the proper application form, the non-refundable filing fee, and the appropriate copies of the work. Some of the information needed to complete the application for a copyright in the U.S. includes:

1. Application.
 - Title of the work.
 - Author(s) and address.
 - Was it prepared by your employee or was it a specially ordered work by your non-employee (called a "work for hire")?
 - Date of birth (and date of death if deceased) of the author.
 - Author's nationality or domicile.
 - When created (month, day, year).
 - When published or disclosed (month, day, year).
 - Was it previously registered in the U.S.?
 - Is the work a collection of pre-existing materials, i.e., translation, fictionalization, condensation, or adaptation?
2. Filing Fee.
3. Copies of the Work.

WHAT ARE THE FEES AND COSTS?

We are happy to work on either an hourly or fixed fee basis. Most clients prepay to us the fixed fees or estimated fees as a retainer.

Standard Filing.

The fixed cost of a standard copyright registration is \$450, consisting of filing fees of \$50 per filing and legal fees of \$400.

Expedited Filing.

There is also an expedited registration process when needed quickly for litigation or certain other needs. The fixed cost of an expedited copyright registration is \$1,275, consisting of filing fees of \$880 and legal fees of \$395.

Hourly Billing Rates.

- Senior Attorney \$395 per hour
- Associate \$165-320 per hour
- Paralegal..... \$90-145 per hour

If you have any questions, please call Kevin J. Collette at 206-654-2252.