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SUPREME COURT RULING REGARDING COPYRIGHT REGISTRATIONS

A Copyright Registration Must Precede an Infringement Suit.

Until recently, having a copyright registration was not essential for enforcement of copyrights. However, in March 2019 the United States Supreme Court ruled in *Fourth Estate Public Benefit Corporation v. Wall-Street.com*, that a copyright registration must be obtained before you file an infringement suit.

What About the Infringement That Occurred Before the Registration?

The Supreme Court in *Fourth Estate Public Benefit Corporation* also ruled that “upon registration of the copyright, [...] a copyright owner can recover for infringement that occurred both before and after registration.”

How Long Does It Take to Register A Copyright?

The average registration process usually takes 2-12 months for regular processing and the filing cost (not including legal fees) is \$35-\$85. If you need a registration quickly (e.g. to file a lawsuit), the cost for special handling is an additional \$800, and the registration can be obtained in a few weeks. Thus, to save money on filings, they should be done early.

Attorneys' Fees Available with an Early Copyright Registration.

An award of attorneys' fees is sometimes available if a copyright registration is in place before the infringement. This is another benefit of obtaining a copyright registration early.

What Should You Do?

We encourage you to register your copyrights promptly. Peacock Law P.C. routinely files these applications with the U.S. Copyright Office, or we can teach you how to do your own filings. Information on U.S. copyright registration is available at <https://www.copyright.gov/>.