

**List of Subjects***37 CFR Part 201*

Copyright, General provisions.

*37 CFR Part 202*

Copyright, Registration of claims to registration.

**Final Regulations**

In consideration of the foregoing, the Copyright Office amends parts 201 and 202 of 37 CFR, as follows:

**PART 201—GENERAL PROVISIONS**

- 1. The authority citation for part 201 continues to read as follows:

**Authority:** 17 U.S.C. 702.

**§ 201.3 [Amended]**

- 2. Amend § 201.3(c) as follows:
- a. By removing the line beginning “Form-D barcode application properly completed online) \* \* \*” and the phrase “; and Form CO without barcodes or incomplete information, or information added after printing (paper filing)” from item (1) of the fee chart titled “Registration, Recordation and Related Services.”
- b. By adding “of automated databases that predominantly consist of photographs and updates thereto or group registration of published photographs” after “electronic filing” in item (2) of the fee chart titled “Registration, Recordation and Related Services.”

**PART 202—PREREGISTRATION AND REGISTRATION OF CLAIMS TO COPYRIGHT**

- 3. The authority citation for part 202 reads as follows:

**Authority:** 17 U.S.C. 409 and 702.

**§ 202.2 [Amended]**

- 4. Amend § 202.2(b)(1) by removing “©” after “in the case of a sound recording, the symbol” and adding “□” in its place.
- 5. Amend § 202.3 by:
- a. Revising paragraphs (b)(2) and (b)(3).
- b. In paragraphs (b)(10)(iv)(D) and (b)(10)(v) by adding “(Form GR/PPh/CON)” after the phrase “special continuation sheet” wherever it appears.
- c. In paragraph (c)(2) introductory text by removing “, electronically or in printed form, on the appropriate form prescribed by the Register of Copyrights under” and by adding “by using one of the methods set forth in” in its place.
- d. By redesignating footnotes 3 through 6 as footnotes 2 through 5.

**§ 202.3 Registration of copyright.**

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(b) \* \* \*  
(2) *Submission of application for registration.* For purposes of registration, an applicant may submit an application for registration of individual works and certain groups of works electronically through the Copyright Office’s Web site, or by using the printed forms prescribed by the Register of Copyrights.

(i) An applicant may submit an application electronically through the Copyright Office Web site [[www.copyright.gov](http://www.copyright.gov)]. An online submission requires a payment of the application fee through an electronic fund transfer, credit or debit card, or through a Copyright Office deposit account. Deposit materials in support of the online application may be submitted electronically in a digital format along with the application and payment, or deposit materials in physically tangible formats may be separately mailed to the Copyright Office, using a mailing label generated during the online registration process, or

(ii) (A) Alternatively, an applicant may submit an application on one of the printed forms prescribed by the Register of Copyrights. Each printed form corresponds to a class set forth in paragraph (b)(1) of this section and is so designated (“Form TX”; “Short Form TX”; “Form PA”; “Short Form PA”; “Form VA”; “Short Form VA”; “Form SR”; “Form SE”; “Short Form SE”, and “Form SE/Group”).

(B) Short form applications may only be used if certain conditions are met. Short Form TX, Short Form PA, and Short Form VA may be used only to register a single work in a case when a living author who is the only author of his or her work is the sole owner of the copyright in the work, the work is not a compilation or derivative work containing a substantial amount of previously published or registered material, and the work is not a work made for hire. Short Form SE may be used only if the claim is in a collective work, the work is essentially an all-new collective work or issue, the author is a citizen or domiciliary of the United States, the work is a work for hire, the author(s) and claimant(s) are the same person(s) or organization(s), and the work was first published in the United States.

(C) Printed form applications should be submitted in the class most appropriate to the nature of the authorship in which copyright is claimed. In the case of contributions to collective works, applications should be submitted in the class representing the

copyrightable authorship in the contribution. In the case of derivative works, applications should be submitted in the class most appropriately representing the copyrightable authorship involved in recasting, transforming, adapting, or otherwise modifying the preexisting work. In cases where a work contains elements of authorship in which copyright is claimed which fall into two or more classes, the application should be submitted in the class most appropriate to the type of authorship that predominates in the work as a whole. However, in any case where registration is sought for a work consisting of or including a sound recording in which copyright is claimed, the application shall be submitted on Form SR.

(D) Copies of the printed forms are available on the Copyright Office’s Web site [[www.copyright.gov](http://www.copyright.gov)] and upon request to the Copyright Public Information Office, Library of Congress. Printed form applications may be completed and submitted by completing a printed version or using a PDF version of the applicable Copyright Office application form and mailing it together with the other required elements, *i.e.*, physically tangible deposit copies and/or materials, and the required filing fee, all elements being placed in the same package and sent by mail or hand-delivered to the Copyright Office.

(3) *Continuation sheets.* A continuation sheet (Form CON) is appropriate only in the case when a printed form application is used and where additional space is needed by the applicant to provide all relevant information concerning a claim to copyright. An application may include more than one continuation sheet, subject to the limitations in paragraph (b)(10)(v) of this section.

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Dated: March 12, 2012.

**Maria A. Pallante,**  
*Register of Copyrights.*

Dated: March 19, 2012.

**James H. Billington,**  
*The Librarian of Congress.*

[FR Doc. 2012-7429 Filed 3-27-12; 8:45 am]

**BILLING CODE 1410-30-P**

**POSTAL SERVICE****39 CFR Part 111****USPS Package Intercept—New Product Offerings**

**AGENCY:** Postal Service™.

**ACTION:** Final rule with comments.

**SUMMARY:** The Postal Service proposes to revise *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) 507.5 and 508.7 to implement second phase of USPS Package Intercept™ service introducing an electronic process for Commercial customers requesting USPS Package Intercept and other related features.

**DATES:** *Effective Date:* June 24, 2012. We must receive your comments on or before June 15, 2012.

**ADDRESSES:** Mail or deliver written comments to the manager, Product Classification, U.S. Postal Service, 475 L'Enfant Plaza SW., Room 4446, Washington DC 20260-5015. You may inspect and photocopy all written comments at USPS® Headquarters Library, 475 L'Enfant Plaza SW., 11th Floor N, Washington DC by appointment only between the hours of 9 a.m. and 4 p.m., Monday through Friday by calling 1-202-268-2906 in advance. Email comments, containing the name and address of the commenter, may be sent to:

*ProductClassification@usps.gov*, with a subject line of "Package Intercept—New Product Offerings". Faxed comments are not accepted.

**FOR FURTHER INFORMATION CONTACT:** Karen Key at 202-268-7492 or Suzanne Newman at 202-268-5581.

**SUPPLEMENTARY INFORMATION:** On January 22, 2012, USPS Package Intercept service was introduced as a new domestic service that replaced the former recall of mail process. Plans were announced to implement new features for USPS Package Intercept service using a phased-in approach. The Postal Service proposes to implement the second phase of the program on June 24, 2012, by offering an electronic application method for commercial customers to register and request USPS Package Intercept service through the Business Customer Gateway at <https://gateway.usps.com/bcg/login.htm>. Additional related features include allowing these customers to redirect mailpieces to a new address or to a Post Office™ as Hold For Pickup service.

Additionally, customers using the electronic process will have the option of adding selected extra services to the new Priority Mail® piece. Payment of all associated fees and postage will be made through the mailer's Centralized Account Payment System (ACH-Debit) link.

Except for pieces being redirected back to the sender that were originally sent Express Mail®, Priority Mail or First-Class Mail®, redirected mailpieces would be subject to payment of Priority Mail postage from the location where

intercepted to the new destination based on the dimensions, weight and zone of the piece. An Intelligent Mail® package barcode will be included on the redirected new Priority Mail pieces.

The USPS Package Intercept fee implemented on January 22, 2012, (see Notice 123-Price List) will not change. The USPS does not guarantee the interception of a mailpiece.

The Postal Service adopts the following changes to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), incorporated by reference in the Code of Federal Regulations. See 39 CFR 111.1.

#### List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR Part 111 is amended as follows:

#### PART 111—[AMENDED]

■ 1. The authority citation for 39 CFR Part 111 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 13 U.S.C 301-307; 18 U.S.C. 1692-1737; 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001-3011, 3201-3219, 3403-3406, 3621, 3622, 3626, 3632, 3633, and 5001.

■ 2. Revise the following sections of *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), as follows:

*Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM)

\* \* \* \* \*

#### 500 Additional Mailing Services

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#### 507 Mailer Services

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#### 5.0 Package Intercept

##### 5.1 Description of Service

*[Revise 5.1 as follows:]*

Package Intercept service provides a method for customers to authorize redirection of any mailable domestic mailpieces with a tracking barcode as provided in 5.1.1. If the mail item is found and redirected, additional postage is charged as provided under 5.2. Package Intercept requests are active for 10 business days from the date of the request. Interception of eligible mailpieces is not guaranteed. Requests can be made as follows:

a. Retail customers may request the redirection of any mailable domestic mailpiece back to the sender by submitting PS Form 1509, *Sender's Request for USPS Package Intercept Service* at any Retail Post Office location.

b. Commercial customers may request the redirection of any mailable domestic mailpiece back to the sender, a new delivery address or a Post Office as Hold For Pickup service (508.7.0) by registering and submitting requests through the Business Customer Gateway at <https://gateway.usps.com/bcg/login.htm>. Package information on the mailpieces to be intercepted will be provided by the customer to the USPS through an electronic file exchange.

*[Revise 5.1.1 as follows:]*

##### 5.1.1 Eligibility

Package Intercept service is available for any Express Mail, Priority Mail, First-Class Mail, First-Class Package Service, Parcel Select, and Package Services mailpieces with a tracking barcode, addressed to, from or between domestic destinations (608.2) that do not bear a customs declarations label, and measuring not more than 108 inches in length and girth combined except as noted in 5.1.2.

*[Revise 5.1.2 as follows:]*

##### 5.1.2 Ineligible

Package Intercept is not available to:

1. Mailpieces sent to International destinations.
2. Mailpieces sent to APO/FPO/DPO destinations.
3. Domestic mailpieces requiring a customs declarations label (see 608.2.4.).
4. Mailpieces that indicate surface-only transportation such as Label 127, "Surface Mail Only" or bears other hazardous materials markings such as "Limited Quantity," "Consumer Commodity" or "ORM-D".
5. Mailpieces that do not contain a tracking barcode.

#### 5.2 Postage and Fees

*[Revise 5.2 as follows:]*

Customers must pay a nonrefundable per-piece fee to initiate the process of attempting to intercept the mailpiece. The USPS does not guarantee the interception of a mailpiece. All intercepted mailpieces that are redirected back to the sender through the retail method using PS Form 1509 are subject to payment of the applicable postage based on how the piece was originally mailed. All intercepted mailpieces that are redirected back to the sender, a new delivery address or a Post Office as Hold For Pickup service through the electronic commercial method are relabeled and handled as a new Priority Mail piece. Except for pieces being redirected back to the sender that were originally sent by Express Mail, Priority Mail or First-Class Mail, the new Priority Mail piece

is charged the applicable Priority Mail postage from the location where intercepted to the new destination based on the dimensions, weight and zone of the piece. The payment of fees are made as follows:

a. For retail customers, payment of fees may be made by cash, check, credit card, or debit card at any retail Post Office location. Payment of any applicable return postage will be collected from the sender as postage due upon delivery.

b. For commercial customers, payment of fees and any applicable postage must be processed through the mailer's Centralized Account Payment System (ACH-Debit) account link.

### 5.3 Adding Extra Services

*[Revise 5.3 as follows:]*

Extra services may be added to Package Intercept mailpieces under limited circumstances. Customers who register and file their request through the Business Customer Gateway at <https://gateway.usps.com/bcg/login.htm> may add, and pay additional postage for, extra services on the new Priority Mail piece at the time of their intercept request. Except for Registered Mail, which retains its original extra services identification number, the relabeled new Priority Mail item will be assigned a new extra service identification number and barcode applicable to the extra service purchased. An Intelligent Mail package barcode will be included on all redirected new Priority Mail pieces and all available USPS acceptance, processing and delivery scans will be available to the customer at no charge. The following extra services may be added to the new Priority Mail item at the time of the intercept request:

- a. Adult Signature Required
- b. Adult Signature Restricted Delivery
- c. Insurance
- d. Signature Confirmation
- e. Registered Mail must be added if the original shipment included Registered Mail service, but otherwise may not be added.

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### 5.5 Request for Intercept

*[Revise 5.5 as follows:]*

Retail customers may request to have their package intercepted and redirected to sender by submitting PS Form 1509, *Sender's Request for USPS Package Intercept Service*, at any Post Office when presenting valid Government-issued photo identification. Commercial customers may request to have their package redirected to sender, to a new postal delivery address, or to a Post Office as Hold For Pickup service

through the Business Customer Gateway at <http://pe.usps.com/>. Packages designated for redirection to a new address provided by the mailer that are undeliverable as addressed will be returned to sender as provided in 507.1. Only the sender or authorized representative can request Package Intercept.

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### 508 Recipient Services

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### 7.0 Hold For Pickup

#### 7.1 Fees and Postage

##### 7.1.1 Postage Payment Methods

Hold For Pickup service is available to mailers using the "Hold For Pickup" label when postage is paid by:

*[Add new item 7.1.1e. as follows:]*

\* \* \* \* \*

e. A mailer's Centralized Account Processing System (CAPS) account when used in conjunction with a Package Intercept request.

\* \* \* \* \*

We will publish an appropriate amendment to 39 CFR Part 111 to reflect these changes.

**Stanley F. Mires,**

*Attorney, Legal Policy & Legislative Advice.*

[FR Doc. 2012-7356 Filed 3-27-12; 8:45 am]

**BILLING CODE 7710-12-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 60

[EPA-HQ-OAR-2010-0873; FRL-9653-3]

RIN 2060-AH23

#### Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** The EPA published a direct final rule titled "Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources" in the **Federal Register** on February 14, 2012. Because we received adverse comments to the parallel proposed rule issued under the same name on February 14, 2012, we are withdrawing the direct final rule.

**DATES:** As of March 28, 2012, the EPA withdraws the direct final rule published on February 14, 2012 (77 FR 8160).

**ADDRESSES:** The EPA has established a docket for this action under Docket ID

No. EPA-HQ-OAR-2010-0873. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Procedure 3—Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Docket Facility and Public Reading Room are open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Air Docket is (202) 566-1742, and the telephone number for the Public Reading Room is (202) 566-1744.

**FOR FURTHER INFORMATION CONTACT:** Ms. Lula H. Melton, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Assessment Division, Measurement Technology Group (Mail Code: E143-02), Research Triangle Park, NC 27711; telephone number: (919) 541-2910; fax number: (919) 541-0516; email address: [melton.lula@epa.gov](mailto:melton.lula@epa.gov).

**SUPPLEMENTARY INFORMATION:** The EPA issued "Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources" as a direct final rule in the **Federal Register** on February 14, 2012 (77 FR 8160). The EPA issued a parallel proposed rule under the same name on February 14, 2012 (77 FR 8209). We stated in the direct final rule that if we received adverse comments to the parallel proposed rule, we would publish a timely notice of withdrawal of the direct final rule in the **Federal Register**. We received adverse comments on the proposed rule and are consequently withdrawing the "Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources" published as a direct final rule in the **Federal Register** on February 14, 2012.

Dated: March 21, 2012.

**Gina McCarthy,**

*Assistant Administrator.*

[FR Doc. 2012-7487 Filed 3-27-12; 8:45 am]

**BILLING CODE 6560-50-P**