



The Register of Copyrights of the United States of America

United States Copyright Office · 101 Independence Avenue SE · Washington, DC 20559-6000

December 16, 2024

The Honorable Chris Coons
Chair
Subcommittee on Intellectual Property
United States Senate
218 Russell Senate Office Bldg.
Washington, DC 20510

The Honorable Thom Tillis
Ranking Member
Subcommittee on Intellectual Property
United States Senate
113 Dirksen Senate Office Bldg.
Washington, DC 20510

The Honorable Darrell Issa
Chair
Subcommittee on Courts, Intellectual
Property, and the Internet
United States House of Representatives
2108 Rayburn House Office Bldg.
Washington, DC 20515

The Honorable Henry C. “Hank” Johnson
Ranking Member
Subcommittee on Courts, Intellectual
Property, and the Internet
United States House of Representatives
2240 Rayburn House Office Bldg.
Washington, DC 20515

Dear Senator Coons, Senator Tillis, Representative Issa, and Representative Johnson:

I am writing to provide an update on the timing of the remaining portions of the Copyright Office’s report on the copyright issues raised by artificial intelligence (AI). As I have previously advised the Committees¹, the Office had set an ambitious timeline for this report. We originally planned to publish all portions by the end of fiscal 2024, but subsequently shifted that date to the end of the calendar year.

¹ U.S. Copyright Office, Letter to Senators Coons and Tillis and Representatives Issa and Johnson (Feb. 23, 2024), <https://copyright.gov/laws/hearings/USCO-Letter-on-AI-and-Copyright-Initiative-Update.pdf>. See also Testimony of Shira Perlmuter, Register of Copyrights and Director, U.S. Copyright Office, *Oversight Hearing Before the Subcommittee on Intellectual Property, Committee on the Judiciary of the U.S. Senate* (Nov. 13, 2024) at <https://www.copyright.gov/laws/hearings/Testimony-Register-Shira-Perlmutter-Nov-13-Hearing-Senate-IP-Subcommittee-of-US-Copyright-Office.pdf>; Testimony of Shira Perlmuter, Register of Copyrights and Director, U.S. Copyright Office, *Hearing on the U.S. Copyright Office: Customers, Communities, and Modernization Efforts, Before the Committee on House Administration, U.S. House of Representatives* (June 26, 2024) at <https://www.copyright.gov/laws/hearings/Testimony-Register-Perlmutter-June-26-Hearing-before-Committee-on-House-Administration.pdf>.

We published Part 1 of the report, on the topic of Digital Replicas, on July 31, 2024. In that part, we recommended that Congress establish a federal right that protects all individuals during their lifetimes from the knowing distribution of unauthorized digital replicas, and outlined the proposed parameters of such a right.²

Since then, we have made considerable progress on the rest of the report, and now expect to publish Part 2, on the copyrightability of generative AI outputs, after the New Year holiday. We anticipate that Part 3, analyzing the legal issues related to the ingestion of copyrighted works to train AI models, including licensing considerations and the allocation of potential liability, will follow in the first quarter of 2025.

The Copyright Office is aware of the high level of public interest in these issues, and remains committed to timely, careful, and transparent work in this report as well as in further endeavors. Please do not hesitate to contact me for any additional information or assistance.

Respectfully,

A handwritten signature in black ink, reading "Shira Perlmutter". The signature is fluid and cursive, with the first name "Shira" and last name "Perlmutter" clearly distinguishable.

Shira Perlmutter
Register of Copyrights and Director
U.S. Copyright Office

² U.S. Copyright Office, *Copyright and Artificial Intelligence, Part 1: Digital Replicas* (July 31, 2024) at <https://www.copyright.gov/ai/Copyright-and-Artificial-Intelligence-Part-1-Digital-Replicas-Report.pdf>.