

FOR \$6, YOU CAN BE AN AGENT!

I'm going to be honest. Procedural requirements are important, but man, they are boring to read about. So when you can be an agent registered with the government, it's exciting – so long as you don't focus on it only being a registered copyright agent.

The US Copyright Office requires that every website that hosts user content has to register someone to be a copyright agent. It has begun a new digital registration system for registering agents. If the website doesn't have a registered copyright agent, it can lose its "safe harbor" right under §230 of the Digital Millennium Copyright Act ("DMCA").



Secret Agent. Not a Copyright Agent.

Photo courtesy of Dutch National Archives, The Hague, Fotocollectie Algemeen Nederlands Persbureau (ANeFo), 1945-1989

Safe Harbor. That DMCA safe harbor is rightly called "[the most important law protecting free speech](#)." Sites like Yelp, Facebook, and YouTube would not exist today without that protection. A website is not liable if a user adds something illegal or defamatory to your website. For example, Google [escaped liability for suggesting a plaintiff's tradename as a biddable search term](#) because of §230. However, if there is no current registration of a copyright agent, then that safe harbor can be lost, and the website's owner can be held liable for whatever a user posts. That can ruin a website – and its owner.

How to Become an Agent – A Copyright Agent. First, log on to the [DMCA Registered Agent Directory](#). You will have to create a Login ID and a 12-character password, and have a credit card available for the required \$6 fee. You'll have to input the name of the organization, and contact information. It only takes a few minutes.

Each registration is good for three years. If you registered before December 1, 2016, you will have to register on the new digital system by the end of November, 2017. Then, impress your friends by boasting that you just registered as an agent with the US Government.