

QUESTIONNAIRE

A. COPYRIGHT REGISTRATION AND RECORDATION

1. What is the name and legal status of the copyright registering/recording body in your country?

Copyright is not subject to registration in Bulgaria. What is registered is every transaction for producing matrices and optical carriers containing objects of copyright and related rights, reproducing objects of copyright and related rights onto blank media, acquiring right to reproduction and/or distribution of records of audio- or audiovisual works, import and export of matrices and other carriers containing records of audio- or audiovisual works. The Ministry of Culture also keeps register for artistic groups names and organizations for collective management of copyright and related rights.

2. Please provide full contact details of the copyright registering/recording body, including location of its offices, with indication of the hours they open to public.

The above mentioned registers (see question No 1) are kept by the Ministry of Culture at the Copyright and Related Rights Directorate in the city of Sofia at 17 'Al. Stamboliiski' blvd.

3. Does the copyright registering/recording body have a webpage and e-mail address? If so, please list them.

<http://mc.government.bg/page.php?p=52&s=53&sp=0&t=0&z=0>

4. Is the copyright registry interconnected to any other copyright data system?

The registers by item 1 are related to the National System on Exchange of Information in the Field of Intellectual and Industrial Property Rights.

5. Please list relevant national legislation, including regulations, regarding copyright recordation/registration.

Copyright and Related Rights Act (1993), Law for Administrative Regulation of Production and Trade with Matrices, Optical Disks and Other Carriers Containing Copyright and Related Rights Objects

6. What kind of copyright works can be registered/recorded? Is the registration/recording process different for each type of copyrighted work? Please describe the differences, if any.

7. Can the subject matter of related rights (e.g., performances, broadcasts, sound recordings) also be registered/recorded? If yes, is there a different registration/recording process than for works protected by copyright?

See answer to item 1.

8. Is there a possibility to record the transfer or licensing of copyright/related rights?

See answer to item 1.

9. Is there a possibility to record a security interest in the copyright or related right?
If so, what are the legal requirements and effects of such recordation?

No

10. What is the legal effect of registration?

The effect of registration is related to fighting piracy.

11. Is copyright registration/recordation mandatory or voluntary in the following circumstances?

- (a) Recognition of creation?
- (b) Transfer of rights?
- (c) Initiation of judicial proceedings?
- (d) Other changes in title/ownership (such as leasing)?

If your country has a mandatory registration/recordation system, please describe any legal consequences for non-compliance.

The registration of information under item 1 is mandatory, except for names of artistic groups. Any non-compliance with the rules is grounds to start administrative-penal proceedings.

12. Do courts in your country recognize copyright registrations affected by public authorities in other countries? If yes, is recognition automatic or is a local procedure required to validate or otherwise give effect to the foreign registration?
13. What are the requirements for registration?
- (a) What are the mandatory elements of the request for registration/recordation?
 - (b) Does the request need to be submitted in a specific form? Can the request be submitted by the post? Can the request be submitted electronically?
 - (c) Is there a deposit requirement, that is, must a copy of the work be submitted with the registration request? If so, can it be submitted in digital form?
 - (d) Is there a registration/recordation fee? If so, how much is the registration/recordation fee?
 - (e) What is the average time taken to complete the registration/recordation process?
14. Are foreigners allowed to register/record their creations? Are people without legal residence in your country allowed to register/record their creations? Is there a different registration/recordation process for domestic as opposed to foreign works or objects of related rights?
15. Are the files stored in digital form?
16. What criteria are followed for classification of the registrations/recordations (including chronology/name of right owner/name of work or related right/type of work or subject matter of related rights, etc)? Is it possible to correct or update relevant information?
17. Does the system have a search facility?

18. Is it accessible by the public? Is the search facility available online?
19. Is access granted to the work registered or its copies?
20. Does the general public have access to other documents submitted or to any information regarding the work registered/recorded?
21. Does your country have legislation dealing specifically with “orphan works”, i.e. works in respect of which the right owner can not be identified and/or located (e.g., a compulsory license or a limitation on liability)? Please briefly describe the main elements of that legislation.
22. Independently of whether your country has legislation on the subject, are there industry practices in your country aimed at identifying and/or locating the copyright owner of “orphan works”?
23. Does the registering/recording body play a relevant role in the legislation or practice dealing with “orphan works”?
24. Is there a system to identify and list recorded/registered works or objects of related rights in the public domain? Is that system automated? Is that information made available to the public?
25. If your country has a public registration/recording system, do private institutions or initiatives exist that provide additional mechanisms to access registered/recorded information from the public system?
26. Please provide statistics on following registrations/recordations:
 - (a) Number per statistical period (last five years)
 - (b) Number per nationality (last five years)
 - (c) Number of inquiries/requests for information filed per statistical period (last five years).
 - (d) Number of recordation/registrations whose subject matter has entered the public domain. Global figure/Figure per statistical period (last five years)

B. LEGAL DEPOSIT

27. Does your country have a legal deposit system/s in place?
28. Please list relevant national legislation regulating the legal deposit.
29. Is the legal deposit mandatory or voluntary in your Country? If mandatory, what are the legal consequences in case of non compliance?
30. What are the functions performed by your National legal deposit system (e.g. preservation of cultural heritage; collection of statistical information, etc)?
31. Is there any connection or interaction among legal deposit and copyright protection?

32. Does your national legislation have any provision in regard to making copies or adapting formats of deposited works for preservation purposes? If so, please clarify under which terms and conditions.
33. What is the object of legal deposit? Please list all types or categories of material subject to legal deposit (e.g. Print Material, such as books, serials, government publication; Non-Print Material, such as music and audiovisual works, broadcast material).
34. Does legal deposit apply upon production/printing of content or after its distribution? Does legal deposit apply to material printed in your country but distributed abroad?
35. Is there any type or category of material exempted from legal deposit for policy reasons?
36. Is there any specific regulation in regard to material published in electronic format? If so, does the regulation distinguish between on-line and off-line material? Please clarify relevant differences.
37. How many copies does the depositor have to deposit? Are there special conditions for limited or *de luxe* editions?
38. Who is/are the subject/subjects responsible for delivering the legal deposit?
39. What are the time requirements for legal deposit?
40. Is there a payment or compensation involved in legal deposit? If so, Please indicate its amount.
41. What is/are the entity/entities responsible for acting as legal depository?
42. Does the general public have access to legally deposited materials? If so, please explain under which terms and conditions.
43. Do/does the depository/depositories provide publicly available search facilities? If so, are they accessible on-line?
44. Is legal deposit linked to any number or code? Is there any relation with the International Standard Books Number (ISBN) with the International Standard Serial Number (ISSN) and other such codes?
45. Please provide statistics on the number of deposits per year for the following items (last five years); a) print material; b) musical works; (c) audiovisual works.