

**Ministry for Cultural Heritage and Activities
and for Tourism
General Direction for Library Heritage
and Cultural Institutes**

**Service II
Bibliographic Heritage and Copyright**

GENERAL PUBLIC REGISTER
OF WORKS PROTECTED BY
(Law 633/1941, art. 103)

**Guide for deposit applications
Questions and answers
(Non-official translation)**

What is the General Public Register (R.P.G.) of works protected under Law 633/1941?

The Register, in which the works and instruments protected by the copyright law (Law No. 633 of April 22, 1941) are registered, consists of four parts:

- a) Part I, concerning the works provided for in Title I of the law;
- b) Part II, concerning the works pointed out in Title II of the law;
- c) Part III, suspended with legislative decree of the Provisional Head of State no. 82 of August 23, 1946, converted into Law no. 561 of April 17, 1956;
- d) Part IV, concerning registrations of i) instruments executed inter vivos, transferring in whole or in part rights afforded by this Law or constituting rights of possession or security therein, and instruments of partition or of association with respect to such rights, ii) expropriation of copyrights and iii) withdrawal of works from the market (articles 104, 133, 142 of Law 633/1941).

What is the good of registration?

Registration is accepted as proof of the existence of the work and of its publication, therefore the authors and producers entered in the Register are deemed, in the absence of proof to the contrary, to be the authors and producers of the works attributed to them (art. 103, par. 5, Law 633/1941). Copyright is not acquired on deposit and registration since it is acquired on the creation of a work that constitutes the particular expression of an intellectual effort (art. 6, Law 633/1941). Failure to deposit, even if it is punished with an administrative sanction, does not prevent the acquisition or exercise of copyright (art. 106 Law 633/1941) since the formalities of deposit and registration have the administrative function of public notice.

How can you deposit a work?

Those who are interested in the registration of a work in the General Public Register can do the deposit as follows:

- personally at:

Ministry for Cultural Heritage and Activities and for Tourism
General Direction for Library Heritage and Cultural Institutes
Service II Bibliographic Heritage and Copyright
Biblioteca Nazionale Centrale di Roma
Viale Castro Pretorio, 105 - Second floor, room no. 212

Hours of Service: 9.00 a.m. to 1.00 p.m. and 2.00 p.m. to 3.00 p.m., Monday through Friday, except national holidays.

- [posting a copy of the work](#):

together with both the application forms to:

MINISTERO PER I BENI E LE ATTIVITÀ CULTURALI E PER IL TURISMO

Direzione Generale Biblioteche e Istituti culturali

Servizio II - Patrimonio bibliografico e diritto d'autore

c/o l'Ufficio Postale della Biblioteca Nazionale Centrale di Roma

V.le Castro Pretorio, 105 - 00185 Roma

Deposit consists of:

- 1) A copy of the work (printed works, magazines and newspapers, work suitable for public showing or musical works, ...) or a photograph of the work (in the case of works of sculpture, painting, drawing, engraving and similar figurative arts, and industrial designs and models);
- 2) Two application forms available at the Office or at the website address www.librari.beniculturali.it (*Diritto d'Autore – R.P.G. Registro Pubblico Generale delle Opere Protette, Modulistica*)).

Both the application forms, which can be reproduced but not modified, must be completed and signed. Each form must be legalized with a € 16,00 stamp or, in case of variation, with a stamp of the value prescribed by law.

What classes of works can be deposited?

The following classes of works are subject to the requirement of deposit:

- 1) printed works;
- 2) magazines and newspapers;
- 3) works suitable for public showing or musical works (unless they have already been published in printed form);

- 4) works of sculpture, painting, drawing, engraving and similar figurative arts, and architectural plans and works;
- 5) industrial designs and models;
- 6) engineering projects and similar works;
- 7) instruments executed inter vivos, transferring in whole or in part rights afforded by this Law or constituting rights of possession or security therein, and instruments of partition or of association with respect to such rights.

What information is needed for the registration of printed works?

Printed works shall not be deposited if they do not bear the following information:

- title of the work;
- author's name;
- printing works;
- year of publication.

Translated works must bear (on their cover or frontispiece) the translator's name and surname and the original title and language.

In case of anonymous or pseudonymous work it must bear the publisher's name and the publisher itself is in charge of the deposit.

The application forms "**Dichiarazione per il deposito opera a stampa**" (**forms for printed works**) must bear the following information:

- title of the work;
- author's name and nationality or pseudonymous;
- publisher's and typography's name, nationality and domicile;

- date and place of publication of the work;
- name and domicile of the declarant and of the person depositing the work.

The application forms must be completed using the same information that is impressed on the copy of the work.

... and of magazines and newspapers?

Magazines and newspapers shall not be deposited if they do not bear the following information:

- Title of the magazine or newspaper;
- Editor in chief's name;
- Typography' name;
- Date of publication.

The application forms **"Dichiarazione per il deposito di riviste e giornali"** (forms for **magazines and newspapers**) must bear the following information:

- title of the magazine/newspaper;
- character and periodicity of the publication;
- Editor in chief's, publisher's and printer's name, nationality and domicile;
- date and of publication;
- name and domicile of the declarant and of the person depositing the magazine/newspaper.

Regulations provide for the deposit of at least one number a year.

The application forms must be completed using the same information that is impressed on the copy of the work.

**... and of works suitable for public showing
or musical works?**

Deposit consists of a copy of the work (if it has not been published in printed form).

It must bear the following information:

- title of the work;
- author's name;
- date (dd/mm/yy) and place of first public performance or recitation.

The application forms "**Dichiarazione per il deposito di opere musicali o di pubblico spettacolo**" (**forms for public showing or musical works**) must bear the following information:

- title of the work;
- author's name and nationality;
- publisher's name, nationality and domicile;
- date (dd/mm/yy) and place of first public performance or recitation;
- name and domicile of the declarant and of the person depositing the work.

The application forms must be completed using the same information that is impressed on the copy of the work.

**... and of sculpture, painting, drawing, engraving and similar figurative arts,
and architectural plans and works?**

Deposit consists of a photograph reproducing the work.

The copy must bear the following information:

- title of the work;

- author's name;
- date (dd/mm/yy) of production or commercial distribution.

The application forms "**Dichiarazione per il deposito di opere di scultura, pittura, delle arti del disegno, della incisione e delle arti figurative similari, disegni e opere dell'architettura**" (**forms for works of sculpture, painting, drawing, engraving and similar figurative arts, and architectural plans**) must bear the following information:

- title of the work, author's name and nationality or pseudonymous;
- date of publication of the work;
- name and domicile of the declarant and of the person depositing the work.

The application forms must be completed using the same information that is impressed on the copy of the work.

... and of industrial designs and models?

Deposit consists of a photograph reproducing the industrial design or model. The copy must bear the following information:

- title of the work;
- author's name;
- date (dd/mm/yy) of production or commercial distribution.

The application forms "**Dichiarazione per il deposito di disegni e modelli industriali**" (**forms for industrial designs and models**) must bear the following information:

- title of the work;
- author's name and nationality or pseudonymous;
- date (dd/mm/yy) of production or commercial distribution;
- name and domicile of the declarant and of the person depositing the work.

The application forms must be completed using the same information that is

impressed on the copy of the work.

Who shall deposit works?

The person who has first published or performed in public or placed in circulation the work is in charge of the deposit. Therefore, the author or his successor in title is in charge of the deposit, if no publishing contract is made before copies of the work are commercially distributed; in case a publishing contract is made, the publisher is in charge of the deposit.

What information is needed for the registration of engineering projects and similar works?

For engineering projects and similar works - in order to exercise the author's right to equitable remuneration from any person who, with gainful intent and without the consent of the author, carries out the technical project concerned - the plan or drawing must be deposited together with a description of the work proving that it constitutes original solutions of technical problems (art. 99 Law 633/1941).

Deposit consists of:

- 1) A copy of the project, identified by a title, as well as:
 - a) Plans and drawings on which is inserted the declaration "Diritto al compenso per la realizzazione riservato" (exclusive right to remuneration for construction)
 - b) A short technical and explanatory report proving that the engineering project constitutes original solutions of technical problems
- 2) Two application forms "**Modulo di Dichiarazione progetti di lavori di ingegneria o di altri lavori analoghi**" (**forms for engineering projects**). Each form must be legalized with a € 16,00 stamp.
- 3) Receipt for payment of prescribed government license fee of € 34,00 to Agenzia delle Entrate - Centro operativo di Pescara c/c n. n. 8003.

What information is needed for the registration of instruments executed inter vivos, transferring in whole or in part rights afforded by this Law or constituting rights of possession or security therein?

For the registration of instruments executed inter vivos are needed:

- 1) certified copy of the deed, or the original private deed, with certified signatures, together with a copy of the deed;
- 2) two application forms **“Dichiarazione per registrazione atti ex art. 104 L. n. 633/1941” (forms for the registration of instruments executed inter vivos)**. Each form must be legalized with a € 16,00 stamp.
- 3) Receipt for having paid the prescribed government license fee of € 81,00 to Agenzia delle entrate - Centro operativo di Pescara c/c n. n. 8003.

The application forms **“Dichiarazione per registrazione atti ex art. 104 L. n. 633/1941” (forms for the registration of instruments executed inter vivos)** must bear the following information:

- Applicant's name and domicile
- Type and date of the title for which the registration application is made
- name of the public officer who received the deed or certified the signatures as well as the registration number of the work object of the deed previously entered in the General Public Register of works protected by law 633/1941.



Ministry for Cultural Heritage and Activities and for Tourism

Service II—Bibliographic Heritage and Copyright

National Central Library of Rome

Viale Castro Pretorio, 105

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info: dirittoautore@beniculturali.it

deposito.dirittoautore@beniculturali.it

Hours of Service: 9 a.m. to 1 p.m. and 2 p.m. to 3 p.m.

Monday through Friday, except national holidays