

A stamped and addressed envelope to be enclosed with all applications requiring an answer.

## COPYRIGHT REGISTRY.

## DRAMATIC PIECES AND MUSICAL COMPOSITIONS.

*Instructions for Registration of the right to represent and perform Dramatic Pieces and Musical Compositions, see 3 & 4 Will. IV. c. 15; and 5 & 6 Vict. c. 45.*

*The Right* to represent or perform a dramatic piece or musical composition is a right distinct from the copyright in a book containing or consisting of such dramatic piece or musical composition, and no assignment of the copyright of any such book conveys any right of representation or performance, unless so specified; and by the 22nd section of 5 & 6 Vict. c. 45, an entry of every such assignment should be made in the Registry Book.

*The Author or Assignee* of the Author of any tragedy, comedy, play, opera, farce, or other scenic, musical, or dramatic entertainment, or musical composition, has, as his own property, the sole liberty of representing or performing, or causing or permitting to be represented or performed in public, any such dramatic piece or musical composition for forty-two years from the first public representation or the life of the author, and seven years from his death, whichever shall be the longer.

*Mode of Registration.*—The proprietor of the right of representation or performance of any dramatic piece or musical composition desiring to register his right at Stationers' Hall, must lodge there, for entry in the "Register," a statement of the particulars, signed by him and witnessed, in the form on the back hereof (a), with a fee of 5s. Entry 5s.

Special care must be taken to give the precise particulars required, including the day, month, and year of the first representation or performance, as any error may invalidate the entry, and no alteration can be made in the "Register," or any error corrected, except by an Order of the High Court of Justice, or one of the Judges thereof.

*Registration cannot be effected until after the date of the first public representation or performance.*

*Assignments* may be made by the registered proprietor of his interest, or any portion thereof, by filling up and lodging at Stationers' Hall, for entry in the "Register," a statement signed by him in the form prescribed by the Statute, together with a fee of 5s.

*Certified Copies* of entries can be obtained on payment of a fee of 5s., and such Certificate 5s. copies are *prima facie* proof of the matters alleged therein.

*Music.*—Proprietors of copyright in printed musical compositions entitled to, and desirous of retaining, the right of public representation or performance, must print on the title-page of every copy a notice to the effect that the right of public representation or performance is reserved.

*Searches.*—The "Register" can be inspected on payment of a fee of 1s. for each entry searched for. Search 1s.

Forms of entry and assignment can be obtained at Stationers' Hall, price 1d. each.

Postage stamps cannot be received in payment of fees.

Post Office and Postal Orders to be made payable, and all communications to be addressed, to *The Registrar, Stationers' Hall, London, E.C.*

*Office hours 10 a.m. to 4 p.m. Saturdays 10 a.m. to 2 p.m.*

STATIONERS' HALL, March 1903.

(a) See previous page.

THE LAW OF COPYRIGHT.

(Form of Concurrence of the Party Assigning any Piece or Composition previously Registered.)

To the Registering Officer appointed by the Stationers' Company,  
 I, \_\_\_\_\_ of \_\_\_\_\_, being the Assigner of the *Liberty of Representation or Performance of a Dramatic Piece or Musical Composition*, hereunder described, do hereby require you to make Entry of the Assignment of such *Liberty of Representation or Performance*.

Title of Dramatic Piece or Musical Composition.	Assigner of the Sole Liberty of Representation or Performance.	Assignee of the Sole Liberty of Representation or Performance.
* * The date of the previous Registration or Assignment must be given here . . .		

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
 Witness \_\_\_\_\_ (Signed)

A stamped and addressed envelope to be enclosed with all communications to which an answer is required.

COPYRIGHT REGISTRY.

*Instructions for Assignment of the Liberty of Representation or Performance of Dramatic Pieces and Musical Compositions under the Provisions of the Copyright Acts.*

**Entry 5s.** The registered proprietor of the liberty of representation or performance of a dramatic piece or musical composition may transfer such liberty of representation or performance, *without payment of any stamp duty*, by lodging, at Stationers' Hall, a demand signed by him in the form prescribed by the Statute, and printed on the back hereof, together with a fee of 5s.

*N.B.*—The title of the dramatic piece or musical composition must correspond precisely with that in the original entry on the "Register," and the address of assigner and assignee respectively must be inserted in the proper column after his name. All names to be written in full.

Special care should be taken that the correct particulars are entered, as any error or omission may invalidate the entry, and no alteration can be made in the "Register," or any error corrected, except by an Order of the High Court of Justice, or one of the Judges thereof.

**Certificate 5s.** *Certified Copies* of entries are supplied on payment of a fee of 5s. each, and such copies are *prima facie* proof of the matters alleged therein.

**Search 1s.** A printed Lexicographical Index of all Literary Works registered between 1842 and 1897 is now provided for the use of persons desirous of searching the Book Register. The statutory fee for each entry searched for is 1s.

Forms can be obtained at Stationers' Hall, price 1d. each.

Postage stamps cannot be received in payment of fees.

Post Office and Postal Orders to be made payable, and all communications to be addressed, to *The Registrar, Stationers' Hall, London, E.C.*

*Office hours 10 a.m. to 4 p.m. Saturdays 10 a.m. to 2 p.m.*

STATIONERS' HALL, January 1902.



*Memorandum for Registration under Copyright (Works of Art) Act.*

To the Registering Officer appointed by the Stationers' Company.

I, \_\_\_\_\_ of \_\_\_\_\_, do hereby certify, That I am entitled to the Copyright in the undermentioned Work ; and I hereby require a Memorandum of such Copyright [*or*, the Assignment of such Copyright] to be entered in the Register of Proprietors of Copyright in Paintings, Drawings, and Photographs, kept at Stationers' Hall, according to the particulars underwritten.

*(Every particular given must be clearly written.)*

Description of Work.	Date of Agreement or Assignment.	Names of Parties to Agreement or Assignment.	Name and Place of Abode of Proprietor of Copyright.	Name and Place of Abode of Author of Work.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
(Signed)

N.B.—In filling up the first column the description should commence thus : "Painting," "Drawing," or "Photograph," as the case may be. All names in the third, fourth, and fifth columns should be written in full.

In all cases where a Painting, Drawing, or Negative of a Photograph is transferred for the first time by the owner to any other person, the Copyright will cease to exist, unless *at or before the time of such transfer* an agreement in writing be signed by the transferee reserving the Copyright to the owner, or by the owner transferring the Copyright to the transferee, as may be the intention of the parties ; and the date of such agreement and names of parties must be inserted above, or registration will be no protection.

The second and third columns are only to be used when there is a written agreement or assignment.

A stamped and addressed envelope to be enclosed with all communications requiring an answer.

COPYRIGHT REGISTRY.

FINE ARTS.

*Instructions for Registration of Paintings, Drawings, and Photographs, under 25 & 26 Vict. c. 68 ; and 49 & 50 Vict. c. 33.*

*Copyright* —Under the provisions of 25 & 26 Vict. c. 68 (The Fine Arts Copyright Act, 1862), the author, being a British subject, or resident within Her Majesty's dominions, of every original painting, drawing, or photograph (not sold before 29th July, 1862), has the exclusive right of copying, engraving, reproducing, and multiplying such painting or drawing, and the design thereof, or such photograph, and the negative thereof, by any means or size, whether made in the Queen's dominions or not, for his life and seven years after ; but any other person may represent the scene or object represented by such painting, drawing, or photograph. The copyright of any painting, drawing, or negative of a photograph made for or on behalf of any person other than the author for a good or a valuable consideration

belongs to such person. Upon transferring for the first time the ownership of any painting, drawing, or photograph, the copyright must be transferred or reserved by agreement in writing, or it will cease to exist.

*Necessity for Registration.*—No proprietor of copyright is entitled to the benefit of the Act until registration, and no action can be maintained nor any penalty recovered in respect of anything done before registration.

Entry, 1s.

*Registration.*—Every copyright must be registered by the proprietor delivering or sending by post prepaid to the Registrar, Stationers' Hall, a signed memorandum of such copyright, with a fee of 1s. Special care should be taken to describe the work as a "Painting," "Drawing," or "Photograph," as the case may be, adding a short description of the nature and subject of the work, and annexing, whenever practicable, a sketch, outline, or unmounted photograph. The name of the actual Artist should be inserted as Author of work.

*Assignments* of copyright under the Act must be made by some note or memorandum in writing signed by the proprietor of the copyright, or by his agent appointed for that purpose in writing, and must be registered at Stationers' Hall. This is effected by lodging there for entry in the "Register" a memorandum signed by the assignee, with a fee of 1s.

The memorandum for registration of a copyright or assignment must be in the form printed on the back hereof (a).

Certificate 5s.

*Certified Copies* of entries can be obtained on payment of a fee of 5s., and such copies are *prima facie* proof of the matters alleged therein.

*Colonial Fine Arts.*—By the International Copyright Act, 1886 (49 & 50 Vict. c. 33), the Fine Arts Copyright Act, 1862, is made applicable to paintings, drawings, and photographs first produced in a British possession, registration of the copyright in London not being required if the law of such possession provides for the registration of such copyright.

Search 1s.

*Searches.*—The "Register" can be inspected on payment of a fee of 1s. for each entry searched for.

Applicants not conversant with the mode of registration are recommended in all cases to forward with the demand for registration a copy of the Painting, Drawing, or photograph to be registered, that they may be compared before entry, as no alteration can be made in the "Register," or any error corrected, except by an Order of the High Court of Justice, or one of the Judges thereof.

Postage stamps cannot be received in payment of fees.

Post Office and Postal Orders to be made payable, and all communications to be addressed, to *The Registrar, Stationers' Hall, London, E.C.*

*Office hours 10 a.m. to 4 p.m. Saturdays 10 a.m. to 2 p.m.*

STATIONERS' HALL, *March 1904.*

(a) See preceding page

APPENDIX (F).  
DESIGNS RULES, FORMS, &c.

DESIGNS RULES, 1890.

By virtue of the provisions of the Patents, Designs, and Trade Marks Acts, 1883 to 1888, the Board of Trade do hereby make the following Rules:

*Preliminary.*

1. These Rules may be cited as the Designs Rules, 1890, and shall come into operation from and immediately after the 31st day of March, 1890.

*Interpretation.*

2. In the construction of these Rules any words herein used defined by the said Acts shall have the meanings thereby assigned to them respectively. Interpretation.

*Fees.*

3. The fees to be paid under the said Act, so far as it relates to applications for and registration of designs, shall be the fees specified in the First Schedule hereto. Fees.

*Forms.*

4. An application for the registration of a design shall be made in the Form E. or Form O. in the Second Schedule hereto. The remaining forms in such Schedule may be used in all cases to which they are applicable (a). Forms.

*Classification of Goods.*

5. For the purposes of the registration of designs and of these Rules goods are classified in the manner appearing in the Third Schedule hereto. Classification of goods.

*Application for Registration.*

6. All communications between an applicant for the registration of a design and the Comptroller or the Board of Trade, as the case may

(a) See now Rules of 1893.



be, may be made by or through an agent duly authorised to the satisfaction of the Comptroller (a).

Address of  
Comptroller.

7. An application for the registration of a design shall, with the prescribed fee, be left at the Patent Office, Designs Branch, or be sent prepaid by post, addressed to the Comptroller at the Patent Office (Designs Branch), 25, Southampton Buildings, Chancery Lane, London.

Size of  
papers.

8. An application for the registration of a design, and all drawings, sketches, photographs, or tracings of a design, and all other documents sent to or left at the Patent Office (Designs Branch), or otherwise furnished to the Comptroller or to the Board of Trade, shall be written, printed, copied, or drawn upon strong wide-ruled foolscap paper (on one side only), of the size of 13 inches by 8 inches, leaving a margin of not less than one inch and a half on the left-hand part thereof, and the signature of the applicant or agents thereto must be written in a large and legible hand.

The Comptroller may in any particular case vary the requirements of this rule as he may think fit.

Sketches and  
drawings.

9. An application for the registration of a design shall be accompanied by a sketch or drawing, or by three exactly similar drawings, photographs, or tracings of the design, or by three specimens of the design, and shall, in describing the nature of the design, state whether it is applicable for the pattern or for the shape or configuration of the design, and the means by which it is applicable.

Nature of  
design.

When sketches, drawings, or tracings are furnished they must be fixed.

When the articles to which designs are applied are not of a kind which can be pasted into books, drawings, photographs, or tracings of such designs shall be furnished.

Notice of  
registration.

10. If the Comptroller determines to register a design, he shall, as soon as may be, send to the applicant a certificate of such registration in the prescribed form, sealed with the seal of the Patent Office.

Applications  
may be sent  
by post.

11. Any application, notice, or other document authorized or required to be left, made, or given at the Patent Office or to the Comptroller or to any other person under these Rules may be sent by a prepaid letter through the post, and if so sent shall be deemed to have been left, made, or given respectively at the time when the letter containing the same would be delivered in the ordinary course of post.

In proving such service or sending, it shall be sufficient to prove that the letter was properly addressed and put into the post.

*Exercise of Discretionary Powers.*

Hearing by  
Comptroller.

12. Before exercising any discretionary power given to the Comptroller by the said Acts adversely to the applicant for registration of a design, the Comptroller shall (if so required by the applicant within one

(a) See substituted rule, Rule 2 of Rules of 1898.

month from the date of the Comptroller's objection) give the applicant an opportunity of being heard personally or by his agent by sending the applicant ten days' notice of a time when he may be so heard.

13. Within five days from the date when such notice would be delivered in the ordinary course of post, the applicant shall notify to the Comptroller whether or not he intends to be heard upon the matter. Hearing by  
Comptroller.

14. The decision or determination of the Comptroller in the exercise of any such discretionary power as aforesaid shall be notified to the applicant. Notification  
of Comptroller's de-  
cision.

*Appeal to the Board of Trade.*

15. Where the Comptroller refuses to register a design, and the applicant intends to appeal to the Board of Trade from such refusal, he shall, within one month from the date of the decision appealed against, leave at the Patent Office, Designs Branch, a notice of such his intention. Notice of  
appeal to  
Board of  
Trade.

16. Such notice shall be accompanied by a statement of the grounds of appeal, and of the applicant's case in support thereof. Statement on  
appeal.

17. The applicant shall forthwith on leaving such notice send a copy thereof to the Secretary of the Board of Trade, No. 7, Whitehall Gardens, London. Notice to  
Secretary of  
Board of  
Trade.

18. The Board of Trade may thereupon give such directions (if any) as they may think fit for the purpose of the hearing of the appeal for the Board of Trade. Directions by  
Board of  
Trade.

19. Seven days' notice, or such shorter notice as the Board of Trade may in any particular case direct, of the time and place appointed for the hearing of the appeal shall be given to the Comptroller and the applicant. Notice of  
time of  
hearing.

*Register of Designs.*

20. Upon the sealing of a certificate of registration the Comptroller shall cause to be entered in the register of designs, the name, address, and description of the registered proprietor, and the date upon which the application for registration was received by the Comptroller, which day shall be deemed to be the date of the registration. Registering  
design.

21. Where a person becomes entitled to the copyright in a registered design, or to any share or interest therein, by assignment, transmission, or other operation of law, or where a person acquires any right to apply the design either exclusively or otherwise, a request for the entry of his name in the register as such proprietor of the design, or as having acquired such right, as the case may be (hereinafter called the claimant), shall be addressed to the Comptroller, and left at the Patent Office, Designs Branch. Subsequent  
proprietors.

22. Every such request shall, in the case of an individual, be made and signed by the person requiring to be registered as proprietor; and Signature to  
request.



in the case of a firm or partnership, by some one or more members of such firm or partnership, or, in either case, by his or their agent respectively duly authorized to the satisfaction of the Comptroller; and in the case of a body corporate, by their agent authorized in like manner.

Particulars in request.

23. Every such request shall state the name, address, and description of the claimant, and the particulars of the assignment, transmission, or other operation of law by virtue of which the request is made, so as to show the manner in which and the person or persons to whom the design has been assigned or transmitted, or the person or persons who has or have acquired such right as aforesaid, as the case may be.

Statutory declaration with request.

24. Every such request shall be accompanied by a statutory declaration to be thereunder written verifying the several statements therein, and declaring that the particulars above described comprise every material fact and document affecting the proprietorship of the design or the right to apply the same, as the case may be, as claimed by such request.

Proof of title if required.

25. The claimant shall furnish to the Comptroller such other proof of title as he may require for his satisfaction.

Corporate name.

26. A body corporate may be registered as proprietor by its corporate name.

Notice to Comptroller of application to rectify Register.

27. Four days' clear notice of every application to the Court under section 90 of the Patents, Designs, and Trade Marks Acts, 1883 to 1888, for rectification of the Register of Designs, shall be given to the Comptroller.

Notice of order of Court.

28. Where an order has been made by the Court, under section 90 of the said Acts, the person in whose favour such order has been made shall forthwith leave at the Patent Office an office copy of such order. The register shall thereupon be rectified, or the purport of such order shall otherwise be duly entered in the register, as the case may be.

*Power to Dispense with Evidence.*

Comptroller's discretion as to evidence.

29. Where under these Rules any person is required to do any act or thing, or to sign any document, or make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the Comptroller or at the Patent Office, and it is shown to the satisfaction of the Comptroller that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Comptroller, with the sanction of the Board of Trade, and upon the production of such other evidence and subject to such terms as they may think fit, to dispense with any such act or thing, document, declaration, or evidence.



*Amendments.*

30. Any document, drawings, sketches, or tracings for the amending Amendments, of which no special provision is made by the said Act may be amended, and any irregularity in procedure which, in the opinion of the Comptroller, may be obviated without detriment to the interests of any person may be corrected, if the Comptroller think fit, and upon such terms as he may direct.

*Enlargement of Time.*

31. The time prescribed by these Rules for doing any act or taking Enlargement any proceeding thereunder may be enlarged by the Comptroller, if he of time. think fit, and upon such terms as he may direct.

*Marking Goods.*

32. Before the delivery on sale of any article to which a registered Registration design has been applied, the proprietor of such design shall, if such mark. article is included in any of the classes one to twelve in the Third Schedule hereto, cause each such article to be marked with the abbreviation "R" and the number appearing on the certificate of registration, and shall, if such article is included in the classes thirteen or fourteen in the Third Schedule hereto, cause each such article to be marked with the abbreviation "REG" (a).

*Inspection.*

33. On such days and during such hours as the Comptroller shall Office hours. from time to time determine and notify by a placard posted at the Patent Office any person paying the prescribed fee may, on production of the number of any design of which the copyright has ceased, inspect such design, and any person paying the prescribed fee may take a copy or copies of such design.

*Certificate by Comptroller.*

34. Where a certificate is required for the purpose of any legal pro- Certificate ceeding or other special purpose as to any entry, matter, or thing legal pro- which the Comptroller is authorized by the said Act or these Rules to ceeding. make or do, the Comptroller may, on a request in writing and on payment of the prescribed fee, give such certificate, which shall also specify on the face of it the purpose for which it has been requested as aforesaid.

*Searches on Production of Sketch of Design.*

35. The Comptroller may, on receipt of the prescribed fee, make Search. searches among the designs registered at the Patent Office, and inform

(a) See now Rule 5 of Rules of 1893.

any person requesting him so to do whether a particular design produced by such person, and to be applied to goods in any particular class, is or is not identical with or an obvious imitation of any registered design applied to such goods of which the copyright is still existing.

*Industrial and International Exhibitions.*

Notice of exhibition.

36. Any person desirous of exhibiting a design, or any article to which a design has been applied, at an industrial or international exhibition, or of publishing a description of a design during the period of the holding of the exhibition, shall, after having obtained from the Board of Trade a certificate that the exhibition is an industrial or international one, give to the Comptroller seven days' notice in writing of his intention to exhibit the design or article, or to publish a description of the design, as the case may be.

For the purpose of identifying the design in the event of an application to register the same being subsequently made, the applicant shall furnish to the Comptroller a brief description of the nature of the design, accompanied by a sketch or drawing thereof, and such other information as the Comptroller may in each case require.

*Repeal.*

Repeal of previous Rules.

37. All general rules as to the registration of designs heretofore made by the Board of Trade under the Patents, Designs, and Trade Marks Acts, 1883 to 1888, and in force on the 31st day of March, 1890, shall be, and they are hereby, repealed, as from that date, without prejudice, nevertheless, to any proceeding which may have been taken under such Rules.

M. E. HICKS-BEACH,  
President of the Board of Trade.

31st March, 1890.

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SCHEDULES.

FIRST SCHEDULE.

FEEES.

	£	s.	d.
1. On application to register one design to be applied to single articles in each class except classes 13 and 14 . . . . .	0	10	0 (a)
2. On application to register one design to be applied to single articles in classes 13 and 14 . . . . .	0	1	0 (a)
3. On application to register one design to be applied to a set of articles for each class of registration . . . . .	1	0	0 (a)
4. On notice of appeal to Board of Trade against refusal of Comptroller to register . . . . .	1	0	0

(a) See now Rules of 1893.



**DESIGNS RULES, FORMS, &C.**

	£	s.	d.
5. Copy of certificate of registration, each copy . . . . .	0	1	0
6. On request for Certificate of Comptroller for legal proceedings or other special purpose . . . . .	0	5	0
7. On request to enter name of subsequent proprietor . . . . .	}	same as	registra- tion fee.
8. On notice to Comptroller of intended exhibition of an unregis- tered design . . . . .			
9. Inspection of design in any case in which inspection is permitted by the Patents, Designs, and Trade Marks Acts, 1883 to 1888, and the Designs Rules thereunder, for each quarter of an hour . . . . .	0	1	0
10. Copy of one such design . . . . .	}	cost accord- ing to agree- ment.	
11. On request to correct clerical error . . . . .			0
12. On request for search under section 53 . . . . .	0	5	0
13. On request to enter new address . . . . .	0	5	0
14. For office copy, every 100 words . . . . .	0	0	4
		(but never less than 1s.)	
15. For certifying office copies, MSS. or printed . . . . .	0	1	0

NOTE.—The term “set” to include any number of articles ordinarily on sale together irrespective of the varieties of size and arrangement in which the particular design may be shown on each separate article.

M. E. HICKS-BEACH,

President of the Board of Trade.

Approved,

R. E. WELBY,

For the Lords Commissioners of Her Majesty's Treasury.

31st March, 1890.

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**SECOND SCHEDULE.**

**FORMS.**

- Form of Application to Register.
  - .. Appeal to Board of Trade.
  - .. Certificate of Registration.
  - .. Application for Copy of Certificate of Registration.
  - .. Request for Certificate for use in Legal Proceedings.
  - .. Certificate for use in Legal Proceedings.
  - .. Request to enter Name of Subsequent Proprietor.
  - .. Notice of intending Exhibition of Unregistered Design.
  - .. Request for Correction of Clerical Error or for entry of New Address.
  - .. Request for search under Section 53.
  - .. Application to Register for a set of Articles.
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**THE LAW OF COPYRIGHT.**

*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*

Designs.

**E.  
APPLICATION FOR REGISTRATION OF DESIGN  
IN CLASSES**

You are hereby requested to register the accompanying design in Class \_\_\_\_\_, in the name of (a) \_\_\_\_\_ of \_\_\_\_\_ who claims to be the proprietor thereof, and to return the same to \_\_\_\_\_  
Statement of nature of design (b) \_\_\_\_\_  
(c) \_\_\_\_\_  
(Signed) \_\_\_\_\_  
Dated the \_\_\_\_\_ day of \_\_\_\_\_, 189 \_\_\_\_\_  
To the Comptroller,  
Patent Office, Designs Branch,  
25, Southampton Buildings,  
Chancery Lane, London, W.C.

(a) Here insert legibly the name, address, and description of the individual or firm.  
(b) Such as whether it is applicable for the pattern or for the shape.  
(c) To be signed by the applicant.

*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*

Designs.

**F.  
APPEAL TO BOARD OF TRADE ON REFUSAL OF  
COMPTROLLER TO REGISTER A DESIGN.**

*[To be accompanied by an unstamped copy.]*

SIR,  
I hereby appeal against your decision upon my application to register and beg to submit my case (a) for the decision of the Board of Trade.  
I am, Sir,  
Your obedient servant,  
The Comptroller,  
Patent Office, Designs Branch,  
25, Southampton Buildings,  
Chancery Lane, London, W.C.

(a) The statement of the case to be written upon foolscap paper (on one side only), with a margin of two inches on the left-hand side thereof.

*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*

Seal of  
Patent  
Office.

**G.  
CERTIFICATE OF REGISTRATION OF DESIGN.**  
(No. No. \_\_\_\_\_)

Patent Office, Designs Branch,  
25, Southampton Buildings,  
Chancery Lane, London, W.C.

This is to certify that the Design of which this is a copy was registered this day of \_\_\_\_\_ 188\_\_\_\_, in pursuance of the Patents, Designs, and Trades Marks Acts, 1883 to 1888, in respect of the application of such Design to articles in Class \_\_\_\_\_, for which a Copyright of five years is granted.



*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*



H.

APPLICATION FOR COPY OF CERTIFICATE OF  
REGISTRATION OF DESIGN.

SIR,

I hereby request you to furnish me with a Copy Certificate of Registration of  
Design No.                      in Class                      .

(Signed)

Dated the                      day of                      189 .

To the Comptroller,

Patent Office, Designs Branch,  
25, Southampton Buildings,  
Chancery Lane, London, W.C.

*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*



I.

REQUEST FOR CERTIFICATE FOR USE IN LEGAL  
PROCEEDINGS.

SIR,

I hereby request you to send me for the purpose of use in the suit of (a)  
a certificate that the design of which a copy is herein enclosed  
was (b)

(Signed)

day of                      189 .

To the Comptroller,

Patent Office, Designs Branch,  
25, Southampton Buildings,  
Chancery Lane, London, W.C.

(a) Here state  
the title of  
the legal pro-  
ceeding or  
the other  
purpose for  
which the  
Certificate is  
required.

(b) Here state  
the entry,  
matter, or  
thing which  
the writer  
wishes  
certified.

*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*

J.

CERTIFICATE FOR USE IN LEGAL PROCEEDINGS.

In the matter of

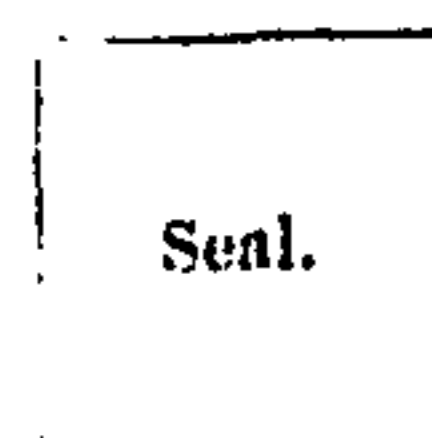
No.

I,                      Comptroller-General of Patents, Designs, and Trade Marks,

hereby certify that

Witness my hand and seal this                      day of                      189 .

Comptroller.



Patent Office, Designs Branch,  
25, Southampton Buildings,  
London.

*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*

(a) or We.  
Here insert  
name, full ad-  
dress, and de-  
scription.

Designs.
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K.  
**REQUEST TO ENTER NAME OF SUBSEQUENT PROPRIETOR OF  
DESIGN, WITH DECLARATION IN SUPPORT THEREOF.**

(b) My or our.  
(c) or Names.  
(d) I am, or  
We are.

I, (a) hereby request that you will enter (b) name (c)  
in the Register of Designs as Proprietor of the Design No. in

(e) Here state  
whether design  
transmitted by  
death, marriage,  
bankruptcy, or  
other operation  
of law, and if  
entitled by as-  
signment state  
the particulars  
thereof as, e.g.,  
"by deed dated  
the day of  
188 made  
between So-and-  
so of the one  
part."

Class .  
(d) entitled as to the said Design (e)

And I do solemnly and sincerely declare that the above several statements are true, and the particulars above set out comprise every material fact and document affecting the proprietorship of the said Design as above claimed.

(f) And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

(f) And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

(g) Declared at  
this day of 189 .

(f) This para-  
graph is not re-  
quired when the  
declaration is  
made out of the  
United King-  
dom.

Before me.  
(h)  
To the Comptroller,  
Patent Office, Designs Branch,  
25, Southampton Buildings,  
Chancery Lane, London, W.C.

(g) To be  
signed here by  
the person mak-  
ing the declara-  
tion.

*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*

(h) Signature  
and title of the  
authority before  
whom the de-  
claration is  
made.

Designs.
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L.  
**NOTICE OF INTENDED EXHIBITION OF AN UNREGISTERED  
DESIGN.**

(a) Here state  
name and  
address of  
applicant.

I, (a) hereby give notice of my intention to exhibit a  
of at the Exhibition, (b)  
of , 189 , under the provisions of the Patents, Designs, and Trade  
Marks Acts of 1883 to 1888 (c) herewith enclose a

(b) State  
"opened"  
or "is to  
open."

(Signed)  
Dated the day of , 189 .

(c) Insert  
brief descrip-  
tion of  
Design, with  
drawing.

To the Comptroller,  
Patent Office, Designs Branch,  
25, Southampton Buildings,  
Chancery Lane, London, W.C.

*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*

Designs.
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M.  
**REQUEST FOR CORRECTION OF CLERICAL ERROR OR FOR  
THE ENTRY OF NEW ADDRESS.**

SIR,  
I hereby request that .  
(Signed)  
Dated the day of 189 .  
To the Comptroller,  
Patent Office, Designs Branch,  
25, Southampton Buildings,  
Chancery Lane, London, W.C.



*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*

Designs.

N.

REQUEST FOR SEARCH UNDER SECTION 53.

SIR,

I hereby request that a search may be made in Class

(Signed)

Dated the            day of            189 .

To the Comptroller,

Patent Office, Designs Branch,

25, Southampton Buildings,

Chancery Lane, London, W.C.

*Patents, Designs, and Trade Marks Acts, 1883 to 1888.*

O.

Designs. APPLICATION FOR REGISTRATION OF DESIGN TO BE  
APPLIED TO A SET.

You are hereby requested to register the accompanying Design for (a)  
being a set of articles in Class            in the name of (b)            of  
who claims to be the proprietor thereof, and to return the same to

Statement of nature of design (c)

(Signed)

(d).

Dated the            day of            , 189 .

To the Comptroller,

Patent Office, Designs Branch,

25, Southampton Buildings,

Chancery Lane, London, W.C.

(a) Here set out the trade description of the articles in the set, as "A toilet set."

(b) Here insert legibly the name, address, and description of the individual or firm

(c) Such as whether it is applicable for the pattern or for the shape.

(d) To be signed by the applicant.

THIRD SCHEDULE.

CLASSIFICATION OF ARTICLES OF MANUFACTURE AND SUBSTANCES.

Classes.

1. Articles composed wholly or chiefly of metal, not included in Class 2.
2. Jewellery.
3. Articles composed wholly or chiefly of wood, bone, ivory, papier mâché, or other solid substances not included in other classes.
4.            "            "            glass, earthenware, or porcelain, bricks, tiles, or cement.
5.            "            "            paper (except hangings).
6.            "            "            leather, including bookbinding, of all materials.
7. Paper hangings.
8. Carpets and rugs in all materials, floorcloths and oilcloths.
9. Lace, hosiery.
10. Millinery and wearing apparel, including boots and shoes.
11. Ornamental needlework on muslin or other textile fabrics.
12. Goods not included in other classes.

THE LAW OF COPYRIGHT.

13. Printed or woven designs on textile piece goods.

14. " " handkerchifs and shawls.

M. E. HICKS-BEACH.

President of the Board of Trade.

31st March, 1890.

DESIGNS RULES, 1893.

By virtue of the provisions of the Patents, Designs, and Trade Marks Acts, 1883-1888, the Board of Trade do hereby make the following rules :

Title and commencement.

1. These rules may be cited as the Designs Rules, 1893, and shall come into operation from and immediately after the 30th day of November, 1893.

Fees.

2. For the fees numbered 1, 2, and 3 specified in the First Schedule to the Designs Rules, 1890, shall be substituted the fees specified in the First Schedule hereto.

Forms.

3. For Rule 4 of the Designs Rules, 1890, shall be substituted the following Rule :

4. An application for the registration of a design for articles not being lace shall be made in the form E or form O in the Second Schedule hereto. An application for one design to be applied to lace shall be made in the form E 1 in the Second Schedule hereto, and for one design to be applied to a set of lace articles shall be made in the form O 1 in the Second Schedule hereto. A request for registration of the name of any subsequent proprietor of a lace design or set of lace designs shall be made in the form K 1 in the Second Schedule hereto. The remaining forms in such Schedule may be used in all cases to which they are applicable.

4. To the forms specified in the Second Schedule to the Designs Rules, 1890, shall be added the forms specified in the Second Schedule hereto.

Registration marks.

5. For Rule 32 of the Designs Rules, 1890, shall be substituted the following rule :

32. Before delivery on sale of any article to which a registered design has been applied, the proprietor of such design shall if such article is included in Class 13 or Class 14 in the Third Schedule hereto cause each such article to be marked with the abbreviation Regd., and shall, if such article is included in any of the Classes 1 to 12 in the Third Schedule hereto, cause each such article to be marked with the abbreviation Rd., and also, in the case of articles other than lace, with the number appearing on the certificate of registration.

A. J. MUNDELLA,

President of the Board of Trade.

18th November, 1893.

## SCHEDULE I.

## FEES.

	£	s.	d.
1. On application to register one design to be applied to single articles in each class not being lace and except articles in classes 13 and 14	0	10	0
2. On application to register one design to be applied to lace, or to single articles in classes 13 and 14 . . . . .	0	1	0
3. On application to register one design to be applied to a set of articles, not being lace, for each class of registration . . . . .	1	0	0
3a. On application to register one design to be applied to a set of lace articles . . . . .	0	2	0

A. J. MUNDELLA,  
President of the Board of Trade.

Approved.

FRANK MOWATT,

For the Lords Commissioners of Her Majesty's Treasury.

18th November, 1893.

## SCHEDULE II.

## FORMS.

E 1.—Application for Registration of a Lace Design in Class 9.

O 1.—Application for Registration of a Lace Design to be applied to a Set.

K 1.—Request to enter name of Subsequent Proprietor of a Lace Design or Set of Lace Designs.

*Patents, Designs, and Trade Marks Acts, 1883-1880.*

E 1.

Designs.

APPLICATION FOR REGISTRATION OF A LACE DESIGN  
IN CLASS 9.

You are hereby requested to register, without search, the accompanying Design in Class 9 in the name of (a) \_\_\_\_\_ who claims to be the proprietor thereof, and to return the same to \_\_\_\_\_

The nature of the design is the pattern.

(Signed)

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 189 . . . . .

To the Comptroller,  
The Patent Office, Designs Branch,  
25, Southampton Buildings,  
London, W.C.

(a) Here insert legibly the name, address, and description of the individual or firm.

(b) To be signed by the applicant or his agent duly authorized. When signed by an agent there should be added to the signature "Agent duly authorized by authorization, dated the day of 189 ."

*Patents, Designs, and Trade Marks Acts, 1883-1888.*

O 1.

Designs.

APPLICATION FOR REGISTRATION OF A LACE DESIGN TO BE  
APPLIED TO A SET.

You are hereby required to register, without search, the accompanying Design



(a) Here insert legibly the name, address, and description of the individual or firm.

for a Set of Lace Articles in Class 9 in the name of (a) , who claims to be the proprietor thereof, and to return the same to

The nature of the design is the pattern.

(Signed) (b)

(b) To be signed by the applicant or his agent duly authorized. When signed by an agent there should be added to the signature "Agent duly authorized by authorization, dated the day of 189 ."

Dated the day of 189 .  
To the Comptroller,  
The Patent Office, Designs Branch,  
25, Southampton Buildings,  
London, W.C.

*Patents, Designs, and Trade Marks Acts, 1883-1888.*

R 1.

Designs.

REQUEST TO ENTER NAME ON SUBSEQUENT PROPRIETOR OF A LACE DESIGN OR SET OF LACE DESIGNS.

(a) Here insert legibly the name, address, and description of the individual or firm.

The Comptroller is requested to enter the name of (a) , in respect or the proprietorship of the Registered Lace Design or set of Lace Designs No. , in Class 9 in place of the name of , at present appearing in the Register.

(b) To be signed by the registered proprietor and by the assignee.

Dated the day of (Signed) (b) 189 .

To the Comptroller,  
The Patent Office, Designs Branch,  
25, Southampton Buildings,  
London, W.C.

A. J. MUNDELLA,  
President of the Board of Trade.

18th November, 1893.

DESIGNS RULES, 1898.

By virtue of the provisions of the Patents, Designs, and Trade Marks Acts, 1883-1888, the Board of Trade do hereby make the following Rules:

1. These Rules may be cited as the Designs Rules, 1898, and shall come into operation from and immediately after the date hereof.

2. For Rule 6 of the Designs Rules, 1890, shall be substituted the following Rule:

All communications between an applicant for the registration of a design and the Comptroller or the Board of Trade, as the case may be, may be made by or through an agent duly authorized to the satisfaction of the Comptroller, but the Comptroller shall not be bound to recognize as such agent, or to receive further communications from, any person whose name, by reason of his having been adjudged guilty of disgraceful professional conduct, has been erased from the Register of Patent Agents kept under the provisions of the Patents, Designs, and Trade Marks Act, 1888, relating to the registration of Patent Agents, and not since restored.

Dated this 15th day of September, 1898.

CHAS. T. RITCHIE,  
President of the Board of Trade.

## INSTRUCTIONS TO PERSONS WHO WISH TO REGISTER DESIGNS.

*Preliminary.*

1. The Patents, Designs, and Trade Marks Acts, 1883 to 1888, and the Rules thereunder in relation to the Registration of Designs, should be carefully studied.

Copies of the Acts and Designs Rules can be purchased at the Patent Office, Sale Branch, 25, Southampton Buildings, London, W.C. Money sent by post should be remitted by Postal or Post Office Order.

Price of the Act of 1883, 1s. 7½d.; by post, 1s. 9d. Act of 1888, 1½d.; by post, 2d. Price of the Design Rules, 1890, 6d.; by post, 6½d. Price of Lace Designs Rules, 1893, 1d.; by post, 1½d.

2. In order to obtain registration application must be made to the Comptroller in pursuance of Rules Nos. 6–11 of the Designs Rules, 1890.

Applications sent by post should be addressed—

The Comptroller,  
Patent Office,  
Designs Branch,  
25, Southampton Buildings,  
Chancery Lane,  
London, W.C.

3. A Design to be capable of registration must be *new or original*, and not previously published in the United Kingdom. See Section 47 (I.) of the Act, 1883.

4. For the definition of a Design see Section 60 of the Act of 1883.

*NOTE.*—As many inventors imagine that mechanical inventions can be protected by Registration as Designs, it may be stated that improvements in the construction, arrangement, or application of machinery can only be protected by a Patent.

*Applications.*

5. Stamped Forms of Application to register can be obtained at the following places:

(a) The Inland Revenue Office, Royal Courts of Justice, London (Room No. 6).

(b) The following Post Offices in London:

The General Post Office, E.C.

District Post Office, Lombard Street, E.C.

„ 195, Whitechapel Road, E.

„ 239, Borough High Street, S.E.

„ Charing Cross, W.C.

„ 28, Eversholt Street, Camden Town, N.W.

Post Office, 12, Parliament Street, S.W.



## (c) The chief Post Office of :

ENGLAND AND WALES.	Dorchester.	Oldbury.	Whitby.
	Driffield.	Oldham.	Widnes.
	Droitwich.	Patrinton.	Wigan.
Accrington.	Dudley.	Plymouth.	Wolverhampton.
Altrincham.	Durham.	Pontefract.	Wolverton.
Ashton-under-Lyne.	Exeter.	Portsmouth.	Woolwich.
Barnsley.	Gateshead.	Prescot.	York.
Barrow-in-Furness.	Goole.	Preston.	
Bath.	Greenwich.	Reading.	
Bedford.	Guildford.	Redditch.	SCOTLAND.
Beverley.	Halifax.	Richmond (Yorks.).	
Birkenhead.	Hartlepool.	Ripon.	Aberdeen.
Birmingham.	Huddersfield.	Rochdale.	Dumbarton.
Blackburn.	Hull.	Rotherham.	Dundee.
Bolton.	Ipswich.	Rugby.	Edinburgh.
Bradford.	Keighley.	Salford.	Glasgow.
Brighton.	Kendal.	St. Helen's.	Greenock.
Bristol.	Kidderminster.	Scarborough.	Inverness.
Bromsgrove.	Knaresbro'.	Sedgley.	Lanark.
Burnley.	Knutsford.	Sheffield.	Leith.
Burslem.	Lancaster.	Southampton.	Paisley.
Burton-on-Trent.	Leamington.	Stafford.	Perth.
Bury.	Leeds.	Stalybridge.	Renfrew.
Cambridge.	Leicester.	Stockport.	
Cardiff.	Lichfield.	Stoke-on-Trent.	
Carlisle.	Lincoln.	Stourbridge.	IRELAND.
Chatham.	Liverpool.	Stourport.	
Chester.	Macclesfield.	Sunderland.	Belfast.
Clitheroe.	Manchester.	Swansea.	Cork.
Congleton.	Middlesbrough.	Tamworth.	Dublin.
Coventry.	Nantwich.	Truro.	Dundalk.
Crewe.	Newcastle.	Tunstall.	Galway.
Croydon.	Newport (Mon.).	Wakefield.	Limerick.
Darlaston.	Northallerton.	Walsall.	Londonderry.
Derby.	Northampton.	Warrington.	Waterford.
Dewsbury.	Nottingham.	Wednesbury.	Wexford.
Doncaster.	Nuneaton.	West Bromwich.	

*NOTE.*—Forms are not supplied by the Patent Office, but can be purchased on personal application at the Inland Revenue Office, Royal Courts of Justice (Room No. 6), or at a few days notice at any Money Order Office in the United Kingdom upon prepayment of the value of the stamp.

If it should not be convenient to apply in person in either of the ways specified, the stamped forms can be ordered by applicants at home or abroad by post from the Controller of Stamps, Room 5, Inland Revenue Office, Somerset House, London, W.C. In that case a Banker's draft or a Money or Postal Order, payable to the Commissioners of Inland Revenue and crossed Bank of England, for the value of the stamp, and for the cost of postage and registration, to be forwarded with the application.

## 6. An application consists of the following :

- (1) The form of application, Form D. or Form O., properly filled up \* and signed by the applicant or his authorized agent, and three exactly similar drawings, photographs, or specimens of the design.

\* Applicants should be *specially careful* to give correctly their full name and address, with their trade, business, or occupation ; also to fill in, after the word "Statement of nature of Design," the words "for the Pattern," "for the Shape or Configuration," or "for the Ornament," or for any two or more such purposes, as the case may be, adding, when necessary, a short technical description of the article with the part or parts claimed as new or original specially defined.



In the case of a lace design the proper forms are Form E 1 (Single Design) and Form O 1 (Set).

- (a) If it be desired to secure a date of registration at once, one sketch of the design (sufficiently definite to identify the same) may be sent with the application form. In this case the design, if accepted, will eventually be registered as of the date on which such sketch was received; but no certificate of registration can be issued until three exact drawings, photographs, or specimens have been sent in substitution for the sketch.

*The Drawings or Photographs.*

7. The drawings, &c., accompanying an application must be sent in triplicate, each representation of each design or set to be upon ordinary foolscap paper, and not on cardboard (on one side only), of the size of 13 in. by 8 in.

8. When sketches, drawings, or tracings are furnished, they should be in ink, or if in pencil they must be fixed. Drawings on tracing paper cannot be received, unless mounted on ordinary foolscap paper.

9. Rough sketches cannot be accepted.

10. When the design is to be applied to a set, each of the drawings accompanying the application, or the sketch, if a sketch is sent, should show all the various arrangements in which it is proposed to apply the design to the articles included in the set.

11. When specimens of the design are furnished in lieu of drawings or photographs, they must be of such a nature as can be pasted into books; the dimensions of each specimen must not exceed 12 in. by 21 in., and each must, when necessary, be mounted upon ordinary foolscap paper of the size above mentioned. Each representation of a design in Classes 13 and 14 should show the complete pattern and a portion of the repeat, and ought not to be of less size than 7 in. by 3 in.

12. Only two views of the same design can be accepted, unless in the case of a design for a set. Each view should be designated in writing (*i.e.*, front view, side view). Both views should be on one and the same half sheet of foolscap paper.

13. A request for search under Rule 35 of Designs Rules, 1890, must be accompanied by two representations of the design to be searched for.

14. Before delivery on sale of any article to which a registered design has been applied, the proprietor of such design shall, if such article is included in Class 13 or Class 14, cause each such article to be marked with the abbreviation "Regd.," and shall, if such article is included in any of the Classes 1 to 12, cause each such article to be marked with the abbreviation "Rd.," and also, in the case of articles other than lace, with the number appearing on the certificate of registration.

15. The attention of applicants is called to the fact that by section 58 of the Act of 1883, the protection afforded to a registered design is restricted to the particular class or classes of goods in which the design is registered.

By section 47 (sub-section 4) of the Act of 1883, the same design may be registered in more than one class. In such case a separate application, together with three representations, is necessary for each class.

#### 16. *List of Classes.*

1. Articles composed wholly or chiefly of metal not included in Class 2.
2. Jewellery.
3. Articles composed wholly or chiefly of wood, bone, ivory, papier mâché, or other solid substances not included in other classes.
4. Articles composed wholly or chiefly of glass, earthenware or porcelain, bricks, tiles, or cement.
5. Articles composed wholly or chiefly of paper (except hangings).
6. Articles composed wholly or chiefly of leather, including book-binding, of all materials.
7. Paper hangings.
8. Carpets and rugs in all materials, floorcloths and oilcloths.
9. Lace, hosiery.
10. Millinery and wearing apparel, including boots and shoes.
11. Ornamental needlework on muslin or other textile fabrics.
12. Goods not included in other classes.
13. Printed or woven designs on textile piece goods.
14.            "               "               handkerchiefs and shawls.

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17. The following is a list of the stamped forms to be had at the places mentioned in paragraph 5:—

DESIGNS.

Letter.	Title of Form.	Fee.
		£ s. d.
E	Application for Registration of Single Design in any one of the Classes 1 to 12, not being a Lace Design .	0 10 0
E	Application for Registration of Single Design in Class 13 or 14 .	0 1 0
E 1	Application for Registration of Single <i>Lace</i> Design in Class 9 .	0 1 0
F	Appeal to Board of Trade on Refusal of Comptroller to Register a Design .	1 0 0
H	Application for Copy of Certificate of Registration of Design .	0 1 0
I	Request for Certificate for use in Legal Proceedings .	0 5 0
K	Request to enter Name of subsequent Proprietor of Design, with Declaration in support thereof .	} Same as Registration Fee.
K 1	Request to enter Name of subsequent Proprietor of a <i>Lace</i> Design or set of <i>Lace</i> Designs .	
L	Notice of intended Exhibition of an Unregistered Design .	0 5 0
M	Request for Correction of Clerical Error or for Entry of New Address .	0 5 0
N	Request for Search under Section 53 of Act of 1883, or Rule 35 of Designs Rules, 1890 .	0 5 0
O	Application for Registration of Design for "Set" of articles, not being <i>Lace</i> .	1 0 0
O 1	Application for Registration of Design to be applied to a "Set" of <i>Lace</i> articles .	0 2 0

NOTE.—The term "set" to include any number of articles ordinarily on sale together, irrespective of the varieties of size and arrangement in which the particular design may be shown on each separate article.

N.B.—Forms E and O are kept on sale at the places named in paragraph 5. The other forms must be bespoke of the Postmasters at those places.

Forms E 1 and O 1 are specially kept on sale at the Chief Post Office at Nottingham.

The Patent Office, Designs Branch, is open from 10 A.M. to 4 P.M.

C. N. DALTON,

Comptroller-General.

The Patent Office, Designs Branch,  
London.



## APPENDIX (G.)

### SHORT FORMS OF AGREEMENTS BETWEEN AUTHORS AND PUBLISHERS AND ASSIGNMENTS OF COPYRIGHT.

#### *No. 1.—Agreement for Sale of Copyright in a Work.*

MEMORANDUM OF AGREEMENT made the                      day of                      19 .  
Between A. B. of                      , of the one part, and C. D., of                      ,  
and E. F., of                      (hereinafter called D. and F.), publishers of the  
other part.

1. The said A. B. agrees to write and edit a work to be entitled                      ,  
to prepare the same for the press, together with a full and comprehensive Index and  
Table of Cases and Contents to the same, by the                      day of                      , to correct  
the proof-sheets, and to sell and assign all his copyright and interest in the said  
work to the said D. & F., their executors, administrators, and assigns, for the  
sum of money hereinafter mentioned.

2. The said D. & F., for themselves, their executors, administrators, and assigns,  
agree to print and publish and bear all the charges of printing and publishing the  
said work, and to pay to the said A. B., for his copyright and interest in the said  
work, the sum of                      pounds, on the day of the publication of the said work.

3. The said A. B. to have                      copies of the said work free of charge. *In  
witness* whereof the said parties have hereunto set their hands the day and year  
first above written.

---

#### *No. 2.—Half-profit Agreement between Author and Publisher.*

MEMORANDUM OF AGREEMENT made the                      day of                      19 .  
Between A. B., of                      , of the one part, and C. D., of                      ,  
publisher, of the other part.

1. It is agreed that the said C. D. shall, at his own expense and risk, print and  
publish, a work which has been written by the said A. B. entitled  
and, after deducting from the produce of the sale thereof the charges for printing  
paper, advertisements, embellishments (if any), and other incidental expenses,  
including the allowance of                      per cent. on the gross amount of the sale for com-  
mission and risk of bad debts, the profits remaining of every edition that shall be  
printed of the work shall be divided into two equal parts, one moiety to be paid to  
the said A. B., and the other moiety to be retained by the said C. D.

2. The copyright in the said work, when the same shall have been published,  
shall be and remain vested in the said A. B., subject nevertheless to the rights of  
the said C. D. under and by virtue of this agreement.

3. The books sold shall be accounted for at the trade sale price, reckoning twenty-  
five copies as twenty-four, unless it be thought advisable to dispose of any copies,  
or of the remainder, at a lower price, which shall be left to the judgment and  
discretion of the said C. D.

4. It is understood between the aforesaid parties, that \_\_\_\_\_ copies of the said book are to be presented to the said A. B. free of charge (a). *In witness, &c.*

---

*No. 3.—Another Form of Agreement.*

MEMORANDUM OF AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 19 .  
Between A. B., of \_\_\_\_\_, of the one part, and C. D., of \_\_\_\_\_,  
and E. F., of \_\_\_\_\_ (hereinafter called D. & F.), publishers, of the  
other part.

1. The said A. B. shall write and fully prepare for the press the whole of a book to be entitled \_\_\_\_\_, on or before the \_\_\_\_\_ day of \_\_\_\_\_, and shall correct the proof-sheets, and superintend the printing thereof.

2. The said D. & F. shall direct the mode of printing the said book, and shall bear and pay all the charges thereof, and of publishing the same (except as hereinafter mentioned), and shall take all the risk of the publication on themselves.

3. The said book shall be sold in the United Kingdom, at the price of \_\_\_\_\_ per copy.

4. The said D. & F. shall, out of the produce of the sale of the said book, in the first instance, be refunded all the cost and expenses which they shall have incurred respecting the said book, after which the profits shall be equally divided between the said A. B. and D. & F.

5. The accounts shall be made up at the end of every year, and the profits, if any, be then divided. The said A. B. shall have the right either by himself or by any accountant nominated by him to inspect all books and documents relating to the publication and sale of the said works in the possession of the said D. & F.

6. The said D. & F. shall account for all the copies which they shall sell of the said book at the wholesale bookseller's price, deducting therefrom a commission of \_\_\_\_\_, they taking the risk of the credit which they shall give on the same.

7. The alterations and corrections in the proof-sheets, and revises, which shall exceed the charge of \_\_\_\_\_ per sheet, shall be borne and paid by the said A. B., and shall be deducted out of his share of the profits.

8. In case all the copies of the said book shall have been sold off, and a second or any subsequent edition of the said book be required by the public, the said A. B. shall make all necessary alterations and additions thereto, and the said D. & F. shall print and publish the said second and every subsequent edition of the said book on the above conditions.

9. In case all the copies of any edition of the said work shall not be sold off within \_\_\_\_\_ years after the time of publication, the said D. & F. shall be at full liberty to dispose of the remaining copies, so unsold, either by public auction or private contract, or in such manner as they may deem most advisable, so that the account may be finally settled and closed (b).

10. The copyright in the said work when published shall, subject to the rights of the said D. & F. under this agreement, be and remain vested in the said A. B. *In witness, &c.*

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*No. 4.—Assignment of Copyright in a Literary Work (c).*

THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 19 . Between  
A. B. [assignor], of \_\_\_\_\_, of the one part, and C. D. [assignee], of \_\_\_\_\_,  
of the other part.

Whereas the said A. B. has written and published a certain work entitled \_\_\_\_\_, of which the copyright is vested in him, and has agreed with the said C. D. for the sale to him of the said copyright for the sum of \_\_\_\_\_ pounds.

(a) See a somewhat similar agreement: *Reade v. Bentley* (3 K. & J. 271).

(b) See *Stevens v. Benning* (6 D. M. & G. 223).

(c) It is more usual to make such an assignment by entry in the Register at Stationers' Hall.



## THE LAW OF COPYRIGHT.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the sum of        pounds now paid by the said C. D. to the said A. B., the receipt whereof the said A. B. doth hereby acknowledge, the said A. B. as beneficial owner doth hereby assign unto the said C. D. all his right and interest in the said work and the copyright thereof, whether in Great Britain or elsewhere, including all rights of translation and dramatisation and the performing rights in the said work for all the residue now unexpired of the term or terms during which the said work is entitled to copyright. *In witness, &c.*

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*No. 5.—Assignment of Rights in Unpublished Work.*

THIS AGREEMENT made the        day of        19    . Between  
A. B. [*assignor*], of        , of the one part, and C. D. [*assignee*], of  
      , of the other part.

Whereas the said A. B. has written and composed a work on [*describe work*], and has agreed to sell his rights in the manuscript thereof to the said C. D. for the sum of        pounds. NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the sum of        pounds now paid to the said A. B. by the said C. D., the receipt whereof the said A. B. doth hereby acknowledge, the said A. B. as beneficial owner both hereby assign unto the said C. D. all his right, title, and interest of and in the said work and the manuscript thereof, including the copyright therein, and all rights of publication, translation, dramatisation, and performance whatsoever. *In witness, &c.*

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*No. 6.—Licence to print one Edition of a Work.*

MEMORANDUM OF AGREEMENT made the        day of        19    .  
Between A. B., of        , of the one part, and C. D., of        , of  
the other part.

Whereas the said A. B. has in preparation a work to be called        .  
NOW THIS AGREEMENT WITNESSETH that the said A. B. for the consideration hereinafter expressed, doth hereby authorize the said C. D. to print, publish, and sell an edition of        copies of the said work, the said A. B. hereby reserving to himself the general copyright in the said work. And the said A. B., in consideration of the payments hereinafter agreed to be made by the said C. D., doth hereby agree with the said C. D. that he will furnish to the printer, to be employed by the said C. D., a fair copy of the said work, and will superintend the printing, and correct the proofs thereof in the usual manner, and that he will register his title under the "Copyrights Acts," and will not authorize any person to print, publish, or sell, and will not himself print, publish, or sell, any other copies until the whole of the said        copies have been disposed of by the said C. D., provided the said        copies are sold within        years from the date hereof. *And* the said C. D., in consideration of the aforesaid authority and agreement, doth hereby agree with the said A. B. that he will pay him, the said A. B., the sum of        for each and every copy of the said        copies, payable half-yearly, as fast as the said copies shall be sold, or otherwise disposed of, he rendering to the said A. B. an account of sales of the said work, at the expiration of every six months from the day of the first publication, until the whole shall be sold, and that he will also give to the said A. B.        copies of the said work, bound, and free of charge, immediately upon publication thereof. *And* the said C. D., in consideration also of the aforesaid authority and agreement, doth further agree with the said A. B. that he will not        publish, or sell, any more than the said        copies, until authorized by the said        A. B., or his legal representatives, it being clearly understood that the licence herein contained extends only to one edition of the number above specified. *In witness, &c.*



*No. 7.—Limited Assignment by an Author of a new Edition of his Work.*

A. B., of \_\_\_\_\_, having prepared a new edition of \_\_\_\_\_, and C. D., of \_\_\_\_\_, being desirous of purchasing the same and the copyright in the said edition, it is agreed that \_\_\_\_\_ copies of the work and no more shall be printed in type and page corresponding with \_\_\_\_\_, at the sole cost of the said C. D., and the said C. D. shall pay to the said A. B. for the said \_\_\_\_\_ edition and the copyright therein the sum of \_\_\_\_\_. The work to be divided into volumes, and to be sold to the public for \_\_\_\_\_ in boards; but should the said work exceed \_\_\_\_\_ sheets, or \_\_\_\_\_ pages, a proportionate increase is to be made in the charge to the public, and a proportionate addition made to the consideration to be paid by C. D. to A. B. \_\_\_\_\_ copies in boards to be delivered to the said A. B. free from all charge or expense, and the copyright in the said edition to be re-assigned to the said A. B. when the said edition shall have been exhausted (a).

*No. 8.—Agreement to enlarge a second Edition of a Book, and correct Proof of same.*

THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_. Between A. B., of \_\_\_\_\_, of the one part, and C. D., of \_\_\_\_\_, of the other part.

Witnesseth, that the said A. B., in consideration of the sum of \_\_\_\_\_, agrees to examine, correct, and enlarge the work known as \_\_\_\_\_, to furnish additional manuscript matter for the second edition of the work, and to enlarge the index, and make it full and complete. IT IS FURTHER AGREED that the new edition of the work shall be of the same sized page as the present work, and contain an equal amount of matter on each page, and that the additional matter furnished shall enlarge the work not less than \_\_\_\_\_ pages, and shall be furnished to the said C. D. at not less than \_\_\_\_\_ pages per day, commencing on the \_\_\_\_\_ instant. And the said A. B. is to examine and to correct the proof-sheets so soon as they shall be furnished, and to complete the index within a reasonable time after the whole signatures of the text shall be ready for him for that purpose. And the said C. D. on his part agrees to print the said work as the matter shall be supplied, to provide the said A. B. with a copy of the work, by signatures, as each signature shall be worked off, for the purpose of arranging the index; to furnish the said A. B. bound copies of the work, as soon as they can be conveniently furnished, and to pay the said A. B. the sum of \_\_\_\_\_ for his copyright and interest in the said edition on the day the last proof-sheet is corrected for the press. *In witness, &c.*

*No. 9.—Agreement between an Author and Publisher for the sale of a Work where a Sum is paid for the Copyright; with variation where the Profits are divided (b).*

THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_. Between A. B. [author], of \_\_\_\_\_, of the one part, and C. D. [publisher], of \_\_\_\_\_, of the other part.

Whereas the said A. B. has written and composed a certain work entitled \_\_\_\_\_, and the same is now ready for the press, and the said C. D. has contracted for the purchase of the copyright of the said work at or for the price or sum of £ \_\_\_\_\_, to be paid in the manner hereinafter mentioned, NOW THESE PRESENTS WITNESS that the said A. B. agrees to sell, and the said C. D. agrees to purchase, *all that*

(a) Cf. *Sweet v. Cater* (11 Sim. 572).

(b) Where the profits are to be divided between the author and publishers, leave out the portions of the precedent within brackets and add: "And it is hereby agreed that after paying and defraying all such expenses as aforesaid, the net proceeds and profits as well of the first as of every other succeeding edition shall be equally divided between the said A. B. and C. D."

the said work and premises and the copyright thereof. AND IT IS HEREBY AGREED that the said work shall consist of        sheets [size]. And that the said A. B. shall correct the said sheets of the said work through the press, and compose a good and sufficient index thereto, and in every respect prepare the same for publication, and complete the same within        calendar months from the date hereof, And shall and will, within        days after the publication thereof, or at any time or times thereafter, if so required by the said C. D. assign and make over the said work and all his right, title, and interest in the copyright thereof unto the said C. D., his executors, administrators, or assigns in such manner and form as may be by him or them reasonably required. [And that the said C. D. shall pay the said sum of £        in the manner hereinafter mentioned (that is to say) the sum of £        on the day of the publication of the said work, and the sum of £        (the residue thereof) within three months after the publication thereof.] And the said C. D. shall and will cause the said work to be printed on good paper and pay and defray all the costs, expenses of printing and advertising the said work, and all other expenses attending its publication. And shall and will allow        copies of the said work to the said A. B. And shall and will exert himself to the utmost in procuring, and advancing the sale of the said work. [AND IT IS HEREBY AGREED that in case a second, third, or any other succeeding edition of the said work shall at any time be called for, the said A. B. shall be entitled to edit the said second, third, and subsequent edition, making all necessary additions, alterations, and corrections to such edition, so as to make the same as complete as possible. And shall from time to time within        days after the publication thereof, or at any time or times thereafter, if so required by the said C. D. assign and make over the said second, third, or other succeeding edition of the said work, and all his right, title, and interest in the copyright thereof unto the said C. D., his executors, administrators, or assigns in such manner and as may be by him or them reasonably required. And the said C. D. shall pay the sum of £        to the said A. B. on the day of the publication of such second, third, and every subsequent edition, and shall and will pay and sustain all the costs and charges of such second, third, and every subsequent edition in the same manner as is hereinbefore agreed upon respecting the first edition. PROVIDED ALWAYS AND IT IS HEREBY AGREED that in case the said A. B. shall refuse to edit such second, third, or subsequent edition, or neglect so to edit the same after six months notice to him for that purpose given by the said C. D. it shall be lawful for the said C. D. to engage with any other person or persons to edit the same without making or being liable to make any further payment to the said A. B.] *In witness, &c.*

No. 10.—*Agreement between an Author and Publisher for the sale of a Work by Commission.*

THIS AGREEMENT made the        day of        19    . Between  
A. B. [*author*], of        , of the one part, and C. D. [*publisher*], of  
      , of the other part.

Whereas the said A. B. is the author and proprietor of a certain work entitled        ; And whereas there is now a demand for a new edition of such work being the        edition. NOW THESE PRESENTS WITNESS that the said A. B. doth hereby agree with the said C. D. that he the said C. D. shall be the sole publisher of the said edition of the said work at a commission of        pounds per cent. on the net profits of the sale of such work. And that he the said A. B. will within        days next hereafter deliver to such printer as the said C. D. shall name a portion of the copy of the said work and continue to supply him with copy thereof until the whole is completed: And that the said C. D. shall indemnify the said A. B. from all losses to be incurred as well in the printing and publishing of the said work as after its publication or by reason of the said work not selling. AND IT IS HEREBY



AGREED that it shall be lawful for the said C. D. out of the profits and proceeds of the said work in the first place to deduct and repay himself the expenses of the paper, printing, advertisements, warehouse-room, insurance money, and commission after the rate aforesaid, and subject to such payments the said C. D. shall pay the residue of the profits and proceeds to the said A. B. *And* that he the said C. D. shall render a full and faithful account to the said A. B. on the                    day of                    and on the                    day of                    in every year of the sale and proceeds of the said edition. *In witness, &c.*

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No. 11.—*Agreement to write an Article for an Encyclopædia.*

AN AGREEMENT made the                    day of                    19   . Between A. B. [*author*], of                    , of the one part, and C. D. [*proprietor*], of                    , of the other part.

Whereas the said C. D. is the proprietor of an encyclopædia which he proposes to publish under the title                    , and the said A. B. has agreed to contribute an article to the said encyclopædia on the terms hereinafter appearing. NOW THESE PRESENTS WITNESS and it is hereby agreed and declared as follows :

1. The said A. B. will write and the said C. D. will accept and publish in the said encyclopædia an article on the subject of                    , such article not to be of less than                    words and not to exceed                    words.

2. The said A. B. will deliver the manuscript of the said article to the said C. D. not later than the                    day of                    , and will examine and correct the proof-sheets of the same.

3. The said C. D. will pay to the said A. B. for the said article at the rate of £                    per                    words.

4. The copyright in the said article shall be and become the absolute property of the said C. D.

*Or*

The copyright in the said article shall belong to the said A. B., and this agreement shall operate as a licence only for the said C. D. to publish the same in the encyclopædia aforesaid, and it shall be lawful for the said A. B. to publish the said article after the lapse of                    years from the date of its publication in the said encyclopædia either in separate form or in a collection of the writings of the said A. B., but not in any other encyclopædia or collection of writings whatsoever without the leave and licence in writing of the said C. D. *In witness, &c.*

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No. 12.—*Agreement for the editing of a Work between the Publisher and Editor, with variations where for translating a Work (a).*

THIS AGREEMENT made the                    day of                    19   . Between A. B. [*publisher*], of &c., of the one part, and C. D. [*editor*], of &c., of the other part.

Whereas the said A. B. some time since published a certain work written and composed by C. D., and entitled                    . *And whereas* there is a demand for a new edition of the said work. *And whereas* the said A. B. has agreed with the said C. D. to edit and make ready for publication as hereinafter is mentioned, a new edition (being the                    ) of the said work [to be contained in                    volumes]

(a) Where the agreement is for translating a work, leave out the recitals in the precedent above and insert: "Whereas a certain work has lately been published in Germany in the German language entitled                    . *And whereas* the said A. B. is desirous that a translation of the said work should be made and perfected by the said C. D. NOW THESE PRESENTS WITNESS that in consideration of the payment of the sum hereinafter mentioned to him the said C. D., he the said C. D. agrees that he will well and faithfully translate the said work into English, and will complete the same on or before the                    day of                    ," &c.



for the sum of            pounds. NOW THEREFORE THESE PRESENTS WITNESS that the said C. D., in consideration of the sum of £            , to be paid to him by the said A. B. in manner hereinafter mentioned, agrees with the said A. B. that he the said C. D. will revise, edit, and prepare for publication the            edition of the said work. *And* will also examine and correct the proof-sheets of the said work in its progress through the press. *And* that he will complete and render fit for publication the [first volume of the] said work by the            day of            next [the second volume by the            day of            , &c. (*according to the number of volumes*)]. *And* further that the said C. D. will render the said            edition of the said work as complete as possible, and will make all-necessary and proper additions, corrections, and alterations and add such observations and information to the said work as shall occur to him, and exert himself to the utmost to render the said work valuable and popular, and will sell and assign all his copyright and interest in the said edition of the said work to the said A. B., his executors, administrators, and assigns. *And* the said A. B. agrees to pay unto the said C. D. for editing the said            volumes and for his copyright and interest in the said edition of the said work the said sum of £            in the proportions and at the times hereinafter mentioned (that is to say) the sum of £            being one            part thereof on the first of the said volumes being ready for publication, and the like sum of £            on each of them the said second and third of the said three volumes (*or according to the number of volumes*) being ready for publication. *In witness, &c.*

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*No. 13.—Agreement to write an Opera.*

MEMORANDUM OF AN AGREEMENT made the            day of            19   .  
Between A. B., of            , of the one part, and C. D., of            , of  
the other part.

The said C. D. engages to write a full opera for musical performance at one of the large theatres, on the following terms :

1. That the copyright of the said opera shall remain the property of the said C. D. except as hereinafter mentioned.

2. That the price for the performance of the said opera to be charged by the said C. D. to managers of country theatres (that is, of all theatres in the United Kingdom, except those in, or within five miles of the Royal Exchange in the city of London) shall not exceed the sum of twenty shillings nightly (*a*).

3. That the sum to be paid to the said C. D. by the said A. B. for writing the said opera shall be            pounds, to be paid in the following manner, viz.,            pounds on the signature of the present agreement, a second sum of            pounds within a month of this date,            pounds on the delivery of the complete manuscript of the said opera, and the remaining sum of            pounds on the day following the first night of the performance of the said opera.

4. That the said A. B. shall have all the profits and benefits arising from the right of representation of the said opera in London, or within five miles of the Royal Exchange aforesaid, and shall be at liberty to make arrangements with any manager for its performance within the limits aforesaid.

5. That the said A. B. shall have the entire and exclusive right of publishing, with the music, all the poetry or words of the vocal portions of the said opera, for the sole benefit of the said A. B., but not the right of publishing such poetry or words independently of the music.

And the said A. B. doth hereby agree for the purchase of the said opera, at the price and under the conditions aforesaid, the said C. D. also agreeing to deliver the complete manuscript of the said opera within six months of the present date. *In witness, &c.*

(*a*) The object of this stipulation being that the amount of the charge should not prevent the performance of the opera.

## APPENDIX (H).

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### FORMS OF AGREEMENT RELATING TO ARTISTIC COPYRIGHT.

*No. 1.—Form for entire reservation of Copyright in a Picture by the Author where his Work has been Commissioned.*

MEMORANDUM OF AGREEMENT made the                      day of                      19   .  
Between A. B., of                      , of the one part, and C. D., of                      , of  
the other part.

Whereas the said A. B. has at the request of the said C. D. made for him at the price of £                      a drawing [*or painting or photograph*] being [*shortly describe the subject*]. NOW THIS AGREEMENT WITNESSETH that at or before the time of the sale or disposition of such drawing [*or painting or photograph*], it was agreed between the said parties hereto that all the copyright in such work (including the making repetitions thereof) should be the property of the said A. B., and that he should be entitled to sell or otherwise dispose of all sketches and studies made, designed, or executed in connection with the said work. *In witness, &c.*

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*No. 2.—Form for entire reservation of Copyright by Author, where he first sells his Non-commissioned Work.*

MEMORANDUM OF AGREEMENT made the                      day of                      19   .  
Between A. B., of                      , of the one part, and C. D., of                      , of  
the other part.

Whereas the said C. D. hath agreed to purchase from the said A. B. at the price of £                      a drawing [*or painting or photograph*] being [*shortly describe the subject*]. NOW THIS AGREEMENT WITNESSETH that at or before the time of the sale of such drawing [*or painting or photograph*] it was agreed between the said parties hereto that all the copyright in such work (including the making of repetitions thereof), should be the property of the said A. B., and that he should be entitled to sell or otherwise dispose of all sketches and studies made, designed, or executed in connection with the said work. *In witness, &c.*

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*No. 3.—Form for conveying Copyright to the Purchaser upon sale of a Picture.*

MEMORANDUM OF AGREEMENT made the                      day of                      19   .  
Between A. B. [*artist*], of                      , of the one part, and C. D. [*purchaser*],  
of                      , of the other part.

Whereas the said C. D. has agreed to purchase from the said A. B. at the price of £                      a painting [*or drawing*] executed by the said A. B. being [*shortly describe subject*], together with the copyright therein. NOW THIS AGREEMENT WITNESSETH and it is hereby agreed and declared that the copyright in the said



## THE LAW OF COPYRIGHT.

painting [*or drawing*] shall become and be the property of the said C. D. PROVIDED nevertheless that nothing herein contained shall be deemed or taken to prejudice the right of the said A. B. to sell or otherwise dispose of all sketches and studies made, designed, or executed in connection with the said work or any copies of such sketches or studies. *In witness, &c.*

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4.—*Assignment of Copyright in Painting, Drawing, or Photograph.*

THIS INDENTURE made the                    day of                    19 . Between A. B. [*proprietor of copyright*], of                    , of the one part, and C. D. [*assignee*], of                    , of the other part.

Whereas the said A. B. is the proprietor of the copyright in a picture painted by J. W. [*or a drawing drawn by J. W., or a photograph executed by J. W.*], the subject and title whereof is                    . And whereas the said A. B. has agreed to sell the said copyright (*a*) [*together with the negative of the said photograph*] to the said C. D. for the sum of £                    . NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and in consideration of the sum of £                    now paid by the said C. D. to the said A. B., the receipt whereof he the said A. B. doth hereby acknowledge, he the said A. B. as beneficial owner doth hereby assign unto the said C. D. all the copyright in the said picture [*or drawing or photograph*], whether in the British Dominions or elsewhere, for the residue of the term or terms thereof. *In witness, &c.*

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No. 5.—*Form for partial reservation of Copyright by the Author where his Work has been Commissioned.*

MEMORANDUM OF AGREEMENT made the                    day of                    19 . Between A. B., of                    , of the one part, and C. D.,                    , of the other part.

Whereas the said A. B. has at the request of the said C. D. made for him at the price of £                    a painting [*or drawing or photograph*] being [*shortly describe the subject*]. NOW THIS AGREEMENT WITNESSETH that at or before the time of the sale of the said painting [*or drawing or photograph*] it was agreed between the said parties hereto that all copyright thereof for the purposes of making all engravings and photographs therefrom should be the property of the said A. B. And that the said A. B. should be entitled to sell or otherwise dispose of all sketches and studies made, designed, or executed in connection with the said work. *In witness, &c.*

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No. 6.—*Form for partial reservation of Copyright by the Author where he first sells his Non-commissioned Work.*

MEMORANDUM OF AGREEMENT made the                    day of                    19 . Between A. B., of                    , of the one part, and C. D., of                    , of the other part.

Whereas the said C. D. has agreed to purchase from the said A. B. at the price of £                    a painting [*or drawing or photograph*] being [*shortly describe the subject*], NOW THIS AGREEMENT WITNESSETH that at or before the time of the sale of the said painting [*or drawing or photograph*] it was agreed between the said parties thereto that all copyright thereof for the purpose of making all engravings or

(*a*) If the right to be sold is only the right to reproduce in a certain way, say, "the sole and exclusive right to reproduce the said picture by line engraving," or as the case may be, and alter *testatum* accordingly.



photographs therefrom should be the property of the said A. B., and that the said A. B. should be entitled to sell or otherwise dispose of all sketches and studies made designed, or executed in connection with the said work. *In witness, &c.*

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*No. 7.—Licence by Proprietor of Copyright.*

A. B., of \_\_\_\_\_, being the proprietor of the copyright in a painting [*or drawing or photograph*] in consideration of the sum of £ \_\_\_\_\_ paid to me by C. D., of \_\_\_\_\_, do hereby grant to the said C. D. the sole and exclusive liberty and licence to copy, use, and apply the design of such work for all purposes of engraving and photographing the same. [*Any additional terms may be here mentioned.*]

A. B.

To Mr. C. D.

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*No. 8.—Agreement between a Publisher and Engraver for the engraving of a Painting.*

THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ Between A. B. [*publisher*], of &c., of the one part, and C. D. [*engraver*], of &c., of the other part.

Whereas the said A. B. is desirous of publishing a line [*or mezzotinto*] engraving of a certain painting called \_\_\_\_\_, and painted by Mr. \_\_\_\_\_. NOW THEREFORE THESE PRESENTS WITNESS that in consideration of the sum of £ \_\_\_\_\_ to be paid in the manner hereinafter mentioned, he the said C. D. agrees that he will at his own cost and charges engrave and execute a perfect and correct line [*or mezzotinto*] engraving on copper [*or steel*] plate of the said painting called \_\_\_\_\_, *And* the said engraving shall be \_\_\_\_\_ inches long and \_\_\_\_\_ inches broad, and that the copper [*or steel*] on which the same shall be engraved shall be \_\_\_\_\_ inches long and \_\_\_\_\_ inches broad. *And* that the said C. D. will complete the same on or before the \_\_\_\_\_ day of \_\_\_\_\_. *And* shall at his own expense take off and print \_\_\_\_\_ complete impressions from the said plate, on good and proper paper and deliver them to the said A. B., and shall sign \_\_\_\_\_ artist's proofs from the plate. *And* the said A. B. agrees to pay the said sum of £ \_\_\_\_\_ in manner hereinafter mentioned (that is to say) the sum of £ \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, and the sum of £ \_\_\_\_\_ (the residue thereof) on the \_\_\_\_\_ day of \_\_\_\_\_, if the said work shall be completed at such last-mentioned time and otherwise upon the date of completion. *And* it is hereby agreed that the said C. D. shall be allowed to retain \_\_\_\_\_ complete impressions of the said engraving for the use of himself and friends, but it shall not be lawful for the said C. D. to sell or dispose of the same, and the copyright in the said engraving shall belong solely to the said A. B. *In witness, &c.*

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*No. 9.—Agreement between an Artist and a Purchaser respecting a Painting, and the Copyright therein, under the 25 & 26 Vict. c. 68. The purchase money being payable by Instalments.*

ARTICLES OF AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ Between A. B. [*artist*], of &c., of the one part, and C. D. [*purchaser*], of &c., of the other part.

Whereas the said A. B. is the artist of and is now engaged in finishing an original drawing or painting called or intended to be called or known as \_\_\_\_\_. AND WHEREAS the said C. D. hath contracted and agreed with the said A. B. for the absolute purchase of the said drawing or painting, and the copyright thereof, and the sole and exclusive right of copying, engraving, reproducing and multiplying

such drawing or painting and the design thereof by any means and of any size whatsoever at the price or sum of £            to be paid by the several instalments and in manner hereinafter appearing. NOW THESE PRESENTS WITNESS, and it is hereby agreed and declared by and between the parties hereto as follows :

1. The said A. B. shall forthwith proceed to complete and finish the said drawing or painting called or intended to be called or known as            to the satisfaction in all respects of the said C. D. and deliver the same to him, his executors, administrators, or assigns, or his or their order, completely finished and perfected on or before the            day of            next.

2. The copyright in the said drawing or painting and the sole and exclusive right of copying, engraving, reproducing, and multiplying such drawing or painting, and the design thereof by any means, and of any size whatsoever, shall upon the execution of these presents become and be vested in the said C. D., his executors, administrators, and assigns, and should the said C. D., his executors, administrators, or assigns at any time hereafter during the existence of the said copyright require a more formal assignment, the said A. B. shall duly assign unto the said C. D., his executors, administrators, and assigns the said copyright, and do or cause to be done all such acts and assurances as may be by him or them deemed necessary or advisable for vesting the said copyright in the said C. D., his executors, administrators, and assigns.

3. The said C. D. shall and will on the execution hereof pay or cause to be paid unto the said A. B. the sum of £            , part of the said purchase money, or sum of £            , and shall and will pay or cause to be paid unto the said A. B., his executors, administrators, or assigns the sum of £            by equal payments or instalments of £            to be paid by equal yearly payments on the            day of            in each year until the whole of the said purchase moneys shall be satisfied, and this without any deduction or abatement on any account whatsoever, the first of such annual instalments to be made on the            day of            . *And* shall and will also pay or cause to be paid unto the said A. B., his executors, administrators, or assigns, interest on the said sum of £            or the balance of the said purchase money for the time being remaining unpaid at the rate of £            per centum per annum to be computed from the            day of            next.

4. Any formal assignment which may be required by the said C. D. under the provisions hereinbefore contained shall contain covenants on the part of the said A. B., his heir, executors, and administrators, that he the said A. B. hath good right to assign and assure the said copyright and premises unto the said C. D., his executors, administrators, and assigns free from any charge or incumbrance whatsoever, that the same shall and may during the term specified in the first section of the 25 & 26 Vict. c. 68, be exercised and enjoyed accordingly by the said C. D., his executors, administrators, and assigns without any lawful interruption, or disturbance, and also a covenant for further assurance in the ordinary and usual form.

5. The said A. B. will sign            artists' proofs provided the same appear to him to be satisfactory.

6. *The ordinary arbitration clause. In witness, &c.*



## APPENDIX (I).



### FORMS OF INJUNCTIONS.

#### LITERARY COPYRIGHT

##### *No. 1.—Restraining publication of Poems.*

That an injunction be awarded to restrain the defendant, &c., from printing, reprinting, publishing, or exposing to sale any copy or edition of a certain book or poem, entitled "Paradise Lost," composed by John Milton, or of the life of the said John Milton, or of the notes of various authors upon the said poem, compiled by Dr. Thomas Newton, until the hearing of this cause (a); and it is further ordered that the plaintiffs do speed their cause.—Eldon, L. C., in *Tonson v. Walker*, 3 Swan. 681.

##### *No. 2.—Topographical Dictionary.*

Let the defendant, his agents, servants, and workmen be restrained from further printing, publishing, selling, or otherwise disposing of any copy or copies of a book called "A New and Comprehensive Gazetteer," containing any article or articles, passages or passage, copied, taken, or colourably altered from a book called "The Topographical Dictionary of England," published by the plaintiffs.—*Lewis v. Fullarton*, 2 Beav. 6, 14.

##### *No. 3.—Order restraining publication of Books, awarding Damages, and directing an Account.*

That the defendants be restrained from printing, publishing, and selling any copies or copy of a third or any subsequent edition of the plaintiff's book called "The Practice of Photography." It was ordered that the defendants deliver to the plaintiff all copies of the third edition of the plaintiff's book in the pleadings mentioned. The defendants offering to pay £25 to the plaintiff in full of all claims for profit upon the sale of the said edition, if the plaintiff accept such offer,—it was ordered that the defendants pay the same accordingly; but if the plaintiff does not accept such offer, then it was ordered that the usual accounts be taken of the gains and profits received by the defendants from the third edition of the plaintiff's book.—Wood, V.-C., in *Delfe v. Delamotte*, 3 K. & J. 581.

##### *No. 4.—Use of Name—Injury to Employer's Property.*

That the defendant be restrained from publishing, issuing, or circulating any such advertisements, circulars, or letters as in the pleadings mentioned, containing any statement or representation that the defendant is interested or concerned in

(a) This was the old form: the modern form is "until the judgment in this action or further order." The injunction is, as a matter of course, extended to the defendant's workmen, servants, and agents. Unless the plaintiff's right is perfectly clear, or damage unlikely to accrue, an undertaking in damages from the plaintiff is always required.



any annual, book, or publication, other than "Beeton's Christmas Annual" so published from year to year by the plaintiffs, or that the defendant's connection with the plaintiffs' firm is terminated, or that the use of the defendant's name by the plaintiffs for the purposes of their said "Beeton's Christmas Annual" is improper or unauthorized.—Malins, V.-C., in *Ward v. Beeton*, L. R. 19 Eq. 211.

*No. 5.—Publication of a Magazine as a continuation of Plaintiff's Magazine.*

That the defendants, &c., be restrained from publishing or exposing to sale any copy or copies of the defendant's said work, and from printing, publishing, or exposing to sale any other work or publication as or being a continuation of the plaintiff's work, or of the defendant's work which had been so published as such continuation as aforesaid, and from printing all or any part or parts of the plaintiff's said work; and that the injunction shall be continued as to any letters, &c., admitted by the answer to have been received from correspondents by the defendant, while publishing for the plaintiff.—Lord Eldon, C., in *Hogg v. Kirby*, 8 ves. 215.

*No. 6.—Publication of Magazine in Breach of Contract.*

That the defendant, his servants, agents, and workmen be restrained from carrying on, or conducting "The Temple Bar Magazine," in the plaintiff's bill mentioned but the order to be without prejudice to the publication of the said magazine until the hearing of the cause, so as that the name of the defendant Bentley do not appear on the title-page or any other part of the said publication or in any advertisements of the said publication, and this order to be without prejudice to the right (if any) of the plaintiff to damages or profits in respect of any publication of the said work.—Wood, V.-C., in *Ainsworth v. Bentley*, 14 W. R. 632.

*No. 7.—Name and Title-page of Song.*

That the defendants, &c., be restrained from printing, publishing, selling, exposing for sale, or otherwise disposing of the said song "Minnie Dale," or any copy or copies thereof, or any other publication containing a colourable imitation of the name, title, or title-page of the plaintiff's said song.—Wood, V.-C., in *Chappell v. Sheard*, 2 K. and J. 122.

*No. 8.—Injunction against Infringement in a Play of Copyright in a Book.*

Let the defendant, &c., be perpetually restrained from printing or otherwise multiplying copies of his play containing any passages copied, taken, or colourably altered from the plaintiff's novel, or tale entitled "Little Lord Fauntleroy," so as to infringe the plaintiff's copyright.—*Warne & Co. v. Seebohm*, 39 Ch. D. 82.

TITLES.

*No. 9.—Name of Newspaper.*

That the defendants, their servants, workmen, and agents be restrained from printing, publishing, or continuing to print or publish any newspaper or other periodical paper with or under the name or style of the "Penny Bell's Life and Sporting News"; or with or under any name or style of which the name, style, or words of "Bell's Life" shall form a part, or in any way occur; and from using the said name, style, or title of "Bell's Life" by way of name, style, or title to any newspaper or periodical without the licence or consent of the plaintiff.—Stuart, V.-C. in *Clement v. Maddick*, 1 Giff. 101.

*No. 10.—Name of Newspaper—Soliciting Customers.*

That the defendant, &c., be restrained from printing or publishing, or exposing for sale, or procuring to be printed or sold, the newspaper publication called the

True Britannia," or any other newspaper or publication by way of a continuation or imitation of "The Britannia," and from soliciting custom in the name of the plaintiff's trade and business for "The Britannia" newspaper, and from pledging the plaintiff's credit, and from excluding the plaintiff from the accounts and particulars of the plaintiff's trade and business, and from concealing from the plaintiff the names of the subscribers to, and advertisers in, the plaintiff's newspaper "The Britannia," or any of them, or the amounts of their respective debts, or any particulars relating thereto.—Stuart, V.-C., in *Prowitt v. Mortimer*, 2 Jur. (N.S.) 414.

*No. 11.—Name of Newspaper.—Injury to Periodical.*

That the defendant, &c., be restrained from printing, publishing, or selling any newspaper or other periodical under the name of "The Daily London Journal," or under any other name or style of which the words "London Journal" shall form part, and from doing or committing any act or default that may tend to lessen or diminish the sale or circulation of the plaintiff's periodical called, "The London Journal."—Wood, V.-C., in *Ingram v. Stiff*, 5 Jur. (N.S.) 917.

DRAMATIC AND MUSICAL COPYRIGHT.

*No. 12.—As to an Operatic Magazine.*

Let an injunction be awarded against the defendant to restrain him, his servants, agents, and workmen until, &c., from selling or otherwise disposing of the portion of No. 111 in the "Pianista and Italian Opera Promenade Concert Magazine of Pianoforte and Vocal Music," containing three pianoforte solos from Mendelssohn's original composition of music to Shakespeare's "Midsummer Night's Dream," called respectively the "Scherzo," the "Notturmo," and the "Wedding March," and also from reprinting or multiplying any further copies of the said No. 111 of the "Pianista" which shall contain the said pieces, or any of them, and also from printing, publishing, or selling any portion of the said work or composition of music to Shakespeare's "Midsummer Night's Dream," composed and arranged by Felix Mendelssohn-Bartholdy, except the overture thereof.—*Burton v. James*, 5 De G. & Sm. 80.

ENGRAVINGS AND ETCHINGS.

*No. 13.—Collection of Etchings.*

That the defendant, W. S., his servants, agents, and workmen, be restrained from exhibiting the gallery or collection of etchings in the bill mentioned, or any of such etchings, and from making or permitting to be made any engravings or copies of the same or any of them; and from publishing the same or any of them, or parting with or disposing of the same or any of them; and from selling or in any manner publishing, and from printing the descriptive catalogue in the plaintiff's bill mentioned.—Knight Bruce, V.-C., in *Prince Albert v. Strange*, 2 De G. & Sm. 656.

*No. 14.—Etchings improperly obtained and published; Catalogues improperly published—Decree—Delivery up.*

By the decree it was declared that the plaintiff was entitled to have delivered to him the impressions (by the answer of defendant Judge admitted to be in his possession) of such of the several etchings in the pleadings mentioned, as in the catalogue, and in the pleadings were stated to have been etched by the plaintiff, that is to say [they were described by reference to the numbers in the catalogue]; and it was ordered that Judge should, within four days after the service of the decree, deliver up the impressions above specified on oath, and leave them with the Clerk of Records and Writs, at the Record Office. And it was ordered that the defendant Strange should, within four days after service of the decree, deliver to



the Clerk of Records and Writs, at the said office, the twenty-three copies of the catalogue, being the same as were mentioned in the decree in the other suit of even date. And the decree contained similar directions as to six copies of the catalogue admitted by Judge to be in his possession, and the Clerk of Records and Writs was ordered to destroy these copies of the catalogue, giving notice to the solicitors of the several parties of the time and place at which he intended to do so. And it was ordered that the defendants, their servants, &c., should be restrained from making, or permitting to be made, any engraving or copy of such etchings, or any of them; and from publishing the same; and from parting with, or disposing of them, or any of them, except in obedience to the decree; and from selling or in any manner publishing the catalogue or any work being or purporting to be a catalogue of the etchings made by the plaintiff. Provision made for costs. Liberty to apply reserved.—Knight Bruce, V.-C., in *Prince Albert v. Strange*, 2 De G. & Sm. 717.

*No. 15.—Illustrated Book.*

That the defendants, their agents, and servants be restrained from printing or publishing or selling or exposing for sale or hire, or otherwise disposing of, or causing, procuring, or permitting to be printed, published, sold, exposed for sale or hire, or otherwise disposed of, any further or other copies or copy of a book called "The Comical History and Tragical End of Reynard the Fox," or any other book, work, publication, or thing, containing any passage, article, print, wood-cut, engraving, illustration, matter, or thing taken or copied, or colourably altered from any passage, article, print, wood-cut, engraving, matter, or thing contained in a book of the plaintiff's, entitled "The Comical Creatures from Würtemberg, including the story of Reynard the Fox, with twenty illustrations drawn from the stuffed animals contributed by Hermann Plouquet, of Stuttgart, to the Great Exhibition," wherein copyright subsisted or belonged to the plaintiff.—Parker, V.-C., in *Bogue v. Houlston*, 16 Jur. 372.

DESIGNS.

*No. 16.—As to Catalogue of Designs.*

Let a perpetual injunction be awarded to restrain the defendant, his servants, agents, and printers, from publishing, printing, selling, delivering, or otherwise disposing of the sheet of monumental designs in the bill mentioned, or any other sheet in the compilation of which the plaintiff's book of monumental designs has been used, and from copying or pirating any part of the said book.—*Grace v. Newman*, L. R. 19 Eq. 623.

*No. 17.—As to Woven Fabrics, and delivery up of Articles.*

That the injunction awarded on the            day of            , against the defendants restraining them and each of them, their workmen, servants, and agents, from selling or disposing of any of the articles of manufacture to which the plaintiffs' design, in the bill mentioned, or a fraudulent imitation thereof, had been applied, as in the said bill mentioned, and from applying the plaintiffs' said design or any fraudulent imitation thereof, to any woven fabrics or articles of manufacture, be continued until after the            day of            , and that the defendants should forthwith deliver up to the plaintiffs, for the purpose of being destroyed, the drawing or drawings, point paper, and the several cards used in applying the design in the plaintiffs' bill mentioned; and also the articles manufactured by the defendants to which the said plaintiffs' design had been applied, the same to be verified by affidavit, costs to be taxed, and that such costs, when taxed, be paid by the defendants: and on payment thereof, that all further proceedings in this suit should be stayed, unless the defendants committed any breach of the injunction already awarded; and any of the parties were to be at liberty to apply to the court, as there should be occasion.—Knight Bruce, V.-C., in *MacRae v. Holdsworth* 2 De G. & Sm. 499.



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