

MP-202
Notice.

MEMORANDUM

December 7, 1938

Remitter: William McKinley Stensaas (70791)--Class B

Title: "Ski Heil, vol. 1, No. 1, December, 1938"

Question: Division of opinion as to adequacy of copyright notice

On the title page the following statement appears:

"Copyright 1938. All rights reserved. Contents of this periodical may not be reproduced in whole or part without the consent of publisher."

Several lines above this in large type appears the statement "Published by William McKinley Stensaas, ~~1111 J Street, Modesto, California.~~ *Editor-Owner-Publisher*"

It is the opinion of Mr. Smith and Mr. Wise that this copyright notice is adequate and that registration should be made, but that the applicant should be advised that in the future a better form of the copyright notice is to have the name of the copyright proprietor immediately follow the word "Copyright" and the year date of publication. Mrs. Brady, on the other hand, feels that the copyright notice is inadequate in that the name of the copyright owner has been omitted, and, therefore, votes for rejection.

Respectfully submitted,

W. Harvey Wise Jr.

Chairman, Revisory Board

Enter by order of Mr. Howell--"No doubt who owns the copyright ("Editor-Owner-Publisher") but write and suggest leaving off "all rights reserved" and substituting William M. Stensaas.

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MEMORANDUM

December 7, 1938

Remitter: C. B. Hereford (62063)--Class A.

Title: Auto Master Method. Three Dimensional Used Car Guide

Question: Division of opinion as to adequacy of copyright notice.

On October 20 the Copyright Office received an application in behalf of C. B. and H. W. Hereford D.B.A. Auto Master Method Co., accompanied by two copies. The lower part of the title-page reads as follows:

Copyright 1938

The right to use this book as a basis of publishing automobile valuations for sale, subscription, individual or association use, is restricted to those having written permission from the owner of the copyright. Possession of this book does not confer the right to so use it without such written authority.

Published by
AUTO MASTER METHOD CO.
Hutchinson, Kansas

The examiner rejected this as an inadequate copyright notice on the ground that the name of the copyright owner was not included in the copyright notice. The applicant has now submitted copies, on the title-page of which a new copyright line has been inserted reading as follows: "Copyright 1938 by Auto Master Method Co., Hutchinson, Ks."

It is the opinion of Mr. Smith and Mr. Wise that the original rejection by the examiner was a mistake. From the original title-page it seems clear that the copyright is owned by the Auto Master Method Co. Under these circumstances, it is their opinion that registration should be made and that the copies now deposited may be accepted. The Copyright was not lost by publication on October 18 because a copyright notice did appear on the title page.

Mrs. Brady, on the other hand, feels that the notice of copyright appearing on the original title-page is inadequate in that the name of the copyright owner has been omitted.. The copyright, therefore, was lost by publication on October 18, 1938 with copies in this form. She, therefore, votes for rejection.

Respectfully submitted,

W. Harvey Wise Jr.

Chairman, Revisory Board

"Accept copies received November 7 (see letter) but request new application as suggested by examiner." Order of Mr. Howell 12/10/38."