

MEMORANDUM

April 19, 1938

Remitter: Isabelle Goldstone (22656)

Title: "Madame Marcia Interprets Your Dreams in Numbers"

Question: Adequacy of copyright notice.

The notice of copyright printed on the title-page reads as follows: "Copyright 1938 by the Author." At the top of the page the following statement appears: "Madame Marcia interprets your dreams in numbers." Madame Marcia is the name of the author given in the application and also the name of the copyright owner given in the application.

It is the opinion of Mr. Smith and Mr. Wise that the notice is adequate. The name of the author appears on the same page as the notice. Mrs. Brady, on the other hand, feels that the notice is defective for two reasons: (1) the name of the copyright owner is not in the notice, and (2) it is not clear that Madame Marcia is the author.

Respectfully submitted,

W. E. Wise

Chairman, Revisory Board

Note--Enter by order of Mr. Howell. Name of author appears on same page and leaves no room for doubt who owns the copyright.

M E M O R A N D U M

April 18, 1938

Remitter: Alan N. Mamm (12304)

Title: "St. Joseph and Child, A-126; Madonna and Child, A-124; Christ on Mt. Calvary, A-120; Resurrection, A-119; Sacred Heart, A-118; and Christ With Dove of Peace, A-117."

Subject: Position of the copyright notice in the case of works coming within the classifications (f) through (k).

It has been urged by clients of the Office and some members of the staff of the Copyright Office that the full form of the copyright notice applied to the back of a print, photograph, map or published drawing is sufficient compliance with the Copyright Act. This argument is predicated upon the fact that section 19, which prescribes the position of the copyright notice in certain classes, is silent with respect to the classifications (f) through (k).

The Register of Copyrights is of the opinion that the notice of copyright must be applied to the face of the print, and a notice on the back in either abbreviated or full form is not a compliance with the Copyright Act. His position is based upon section 18. This section provides that an abbreviated form of the notice may be used upon the face of a work coming within these classifications provided that on some accessible portion of such copies or on the margin, back, permanent base, or pedestal, the full name of the copyright proprietor shall appear. By inference it follows that were it not for this exception it would be obligatory to place the full statutory notice upon the face of the print--~~otherwise there would be little need of an abbreviated notice upon the face.~~ Likewise, it negatives the argument that the full notice upon the back of a print is sufficient without the copyright symbol, i.e., the letter "C" in a circle accompanied by the initials of the copyright proprietor, appearing upon the face.

Respectfully submitted,

W. H. Wise

Chairman, Revisory Board