

MEMORANDUM

January 13, 1941

Remitter: Edward G. Billings (60114)--Class A.

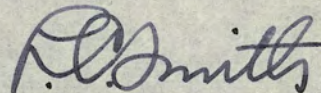
Title: "Personality Study Outline for Clinical Use" and one other.

Question: Publication.

The applicant states that he has been checking up on the number of copies ~~and use~~ that were distributed in September, 1938, and he has arrived at the conclusion that these manuscripts were distributed to a few medical students but were not placed on sale, sold or otherwise publicly distributed. It is to be noted that the manuscript is mimeographed and did not bear a copyright notice at the time of the original distribution.

Mrs. Brady and Mr. MacCarteney are of the opinion that no actual publication took place and hence the work has not as yet been published and the application for registration of the statutory copyright claim should be rejected. Mr. Smith is of the opinion that if the copies were given to the medical students as outright gifts then it appears that the work is certainly published, for the law does not state that there must be more than a "few copies" released from the control of the copyright owner before actual publication takes place. Therefore, to be consistent with the case of Dr. Helen Walden which came before the Revisory Board on the same date as this case Mr. Smith holds that the work was published without a copyright notice, and, therefore, it has been dedicated to the public.

Respectfully submitted,



Acting Chairman, Revisory Board

Write and explain publication and year date which should appear in the copyright notice. "Publication to a few medical students" is doubtful publication.--H.A.Howell.

BOOK

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