

MP-734

NOTICE

MEMORANDUM

April 16, 1941

Remitter: Ramsey Oppenheim (26569)--Class B. "Trade

Title: Western Advertising, Vol. 38, No. 4, March 15, 1941

Question: Adequacy of copyright notice.

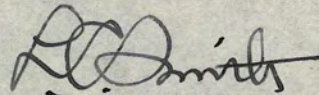
The copy bears upon the title-page the following copyright line:

Inaugurated 1932 Copyright by Ramsey Oppenheim Arthur Duncan, Editor and Manager

New Page Designs Copyright 1941 All Rights...

Mrs. Brady and Mr. MacCarteney are of the opinion that the notice does not contain the year date and hence is fatally defective and should be rejected. Mr. Smith, however, maintains that 1932 can act as the year date in the notice, the copyright owner however losing nine years of his original copyright term by having the earlier date as a part of the notice. The applicant should be advised as to the better procedure to follow in the future so that there will be less doubt as to the adequacy of the copyright notice upon his publications.

Respectfully,



Acting Chairman, Revisory Board

Accept copyright notice but write re future publications--H.A.Howell 4/19/41.
Note--This remitter began registering this publication in 1932 and has continued ever since.

NOTICE

MEMORANDUM

April 16, 1941

Remitter: Standard Stoker Company, Inc. (25562)--Class A.

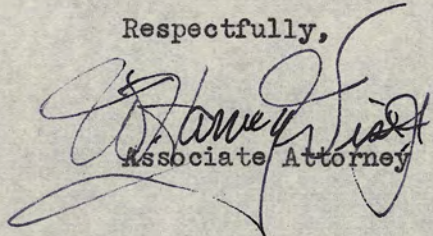
Title: "Plant Brochure"

Question: Form of copyright notice.

The notice of copyright takes the following form: At the bottom of the first page appears the statement "Copyright January 1941." Immediately above this is the picture of several buildings, on the roof of which appears the statement "The Standard Stoker Company, Inc." Immediately above this under some half a page of text matter is the name The Standard Stoker Company, Inc., in large bold type followed by the signature of the President.

In the opinion of Mr. Smith, Mrs. Brady, and Mr. MacCarteney the notice of copyright is inadequate in that the name of the copyright owner does not accompany the word "Copyright" and the year date of publication. On the other hand, Mr. Wise takes the position that the notice of copyright in this case is adequate. The name of the copyright owner, The Standard Stoker Company, Inc., is the only firm name appearing on the page. Furthermore, the name appears within one and one-half inches from the word "Copyright" and the year date. For these reasons he believes that the doubt should be resolved in favor of the applicant and registration made accordingly.

Respectfully,



Associate Attorney

Accept notice--H.A.Howell. "I think there is sufficient doubt to resolve in favor of applicant--4/22/41".