

NOTICE

MINORITY MEMORANDUM

March 2, 1942

Remitter: Towne, Arthur E. (12546)

Title: Old Prairie Days

Question: Shall registration be made for this book published on February 18, 1942 without a notice of copyright which meets the requirements of the Statute "that the notice of copyright required by Sec. 9 of this Act shall consist in the word 'Copyright,' or the abbreviation 'Copr.,' accompanied by the name of the copyright proprietor ... also the year in which copyright was secured by publication"?

The deposit under consideration is a paper bound publication entitled as above. The cover is the title, ^{page} containing the title as above, followed by the statement of authorship, "By Arthur E. Towne." On the back of the title page appears the legend:

"Dedicated
to
My Wife
Ruby VanDiver Towne
Whose Council and Careful
Editing have Greatly Aided Me
in the Writing of this Book

Copyrighted 1941"

Mr. MacCarteney and Mr. Pforzheimer are of the opinion that the statutory requirement as to notice are met, inasmuch as the dedication contains the name of the wife of the author and the statement that she is the wife of the author and that it is followed by the legend "Copyrighted 1941." It is presumable from this reasoning that a dedication to any member of the family, together with an explanation of such relationship, would meet the requirement of the statute "accompanied by the name of the copyright proprietor."

Mr. MacCarteney holds also that if this conjugal notice, which meets the provisions of Sec. 19 as to position, i.e., upon the "title page or the page immediately following," does not suffice, that there is another one on page 9, at the end of the Preface, where the signature of the author is found in proximity to the words "Copyrighted 1940." Here again we are confounded by the statutory requirement with respect to the position of the notice, i.e., in the case of a book shall be applied "upon the title page or the page immediately following."

The undersigned regrets that she cannot find in this deposit a notice