

Memo from Jerry on conversation with Wayne Crist, a Visual Arts examiner for the © office. 2-8-00

Most important finding: Under the old © law of 1909 (till new law of 1978) any printed material must have the first publication date of © displayed.. He felt that was also required of reprinted material. The date of renewal is not required to be displayed but is suggested. To get a copy of the old notice of © requirements, contact legal counsel for NGS.

My idea-

It is a fact that NGS mags were produced by a non-profit organization. They were transferred to a newly created for-profit arm and distributor (Mindscape et al). Never before were these magazines sold for profit. All products so transferred are therefore de facto new products.

This non-profit status had no tax consequences for their sales. When they transferred this material FREE to for-profit entities, they took something subsidized by public taxpayers and are making profits from it. This just doesn't sit well with me.

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STATEMENT OF FACTS

The Parties

P. 1 third line from bottom- *to increase the revenue stream available* This is a non-attributed statement that sounds like a supposition, and is negated by the statement on following page, "the Society said that it did not expect *"to do more than break even"*

p. 3 end of STATEMENT OF FACTS...the product is "not representative" of any single edition. Therefore...?

The CD-ROM Product at Issue

second PP- A decision was made not to include...through the years. Perhaps a footnote here "These maps are now sold as a separate new product, National Geographic Maps CD-ROM, #83658 \$49.95 in their catalog. Copy of map product follows. If the map CD is a new product, than their removal from the 108 years makes that new too.

The Society Sought Protection for the New Product

first PP last line- at the bottom of each sheet of hard copy. JG feels some number should be assigned to how many time this printout might appear- ten, twenty thousand?

Four lines from bottom: Where the form asked in Section 3 (3a) add 3b asks for date of first publication and they listed January 1, 1997.

Other Components in the Complete Geographic Product

JG asks please check all those names are on the box.

Jerry Greenberg Owns Copyright in Photos Contained in the Complete Geographic

The Complete Geographic contains more than a dozen... MORE than 60 in fact

Last sentence- JG- should you add in the letter to Ross McDowall putting them on notice not to use his material?

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