

MP. 247

Notice
(Foreign)

MEMORANDUM

April 11, 1939

Subject: Foreign Published Works--Copyright Notice.

Where an application for a foreign published work is accompanied by a copy bearing no copyright notice or an inadequate notice, the practice of the Office is to reject the application and write advising that such action does not preclude an examination of an application upon the merits if and when the work is published with the copyright notice, meeting the requirements of the United States Copyright Act.

Generally speaking, under these circumstances, the year date of publication given in the copyright notice should be accepted, ~~without question~~. An application accompanying the copy, giving a date of publication subsequent to the year date appearing in the notice can be accepted, the effect of such action being merely to lessen the term of copyright protection secured; on the other hand, if the date of publication given in the application is prior to the year date given in the copyright notice the Office must question the application since the effect of this action is to claim a longer term of copyright than that to which the claimant is entitled.

W. Harvey Wise Jr.

Chairman, Revisory Board

Approved by:

Herbert A. Howell

Assistant Register of Copyrights