

MEMORANDUM

March 21, 1939

Remitter: Franklin Survey Co. (17426)--Class F








Title: "Mercer County, New Jersey"

Question: Division of opinion as to adequacy of notice.

The map deposited contains in the lower lefthand corner a black lined rectangle with the following text matter:

Franklin Survey Company's  
 Original street, road and acreage  
 P L A T M A P  
 of  
 M E R C E R C O U N T Y  
 New Jersey  
 Compiled, Printed and Published by  
 Franklin Survey Company  
 210 N. 13th Street, Philadelphia, Pa.

Explanation

- -----U.S. and State Highway Route Numbers
- -----Main Automobile Roads
- -----Railroads and Stations
- -----Trolley Lines
- -----Schools
- -----Fire Houses
- -----Police Stations

This is a Copyrighted Map and prohibits reproduction in whole or in part without written permission.

It is the opinion of Mr. Wise and Mr. Pierce that this notice of copyright is adequate. Within the rectangle there is a statement that copyright is claimed in the map. The title of the map is given and the name of the compiler, printer and publisher, Franklin Survey Co., is stated. There seems no doubt as to the name of the copyright owner. It is their feeling that registration should be made as applied for, but the applicant advised that the name of the copyright owner should immediately follow the word "Copyright." Mrs. Brady, and Mr. Pierce, on the other hand, take the position that the notice of copyright is inadequate in that the name of the copyright owner is not in juxtaposition to the word "Copyright."

Decision:

Register as applied for. Notice adequate. Write as to better form of notice in the future.--order of Mr. Howell 3/22/39

Respectfully submitted,

*W. Harvey Wise Jr.*

Chairman, Advisory Board



## Notice

## MEMORANDUM

March 21, 1939

Remitter: Bess V. Streaker (17195)--Class A.

Title: "August 31, 1918-August 31, 1938 Twenty Years After"

Question: Adequacy of copyright notice.

The notice of copyright appearing upon the back of the title-page is in the following form:

Copyright, 1939

Prepared by:  
Bess V. Streaker,  
2136 Jones Avenue  
Nashville, Tennessee.

The application gives the name of the copyright owner as Bess V. Streaker.

It is the opinion of Mr. Wise, Mr. Smith and Mr. Pierce that the notice of copyright is adequate. Bess V. Streaker's name is the only one appearing upon the copy. She is the compiler and author. Her name appears on the same page as that of the legend "Copyright 1939" merely being separated from that statement by the words "Prepared by." It is their belief, therefore, that registration should be made as applied for, but that the applicant should be advised as to the better form of the notice in the future. Mrs. Brady, on the other hand, feels that the notice of copyright<sup>is</sup> inadequate in that the name of the copyright owner has been omitted. She also feels that there is some doubt whether the work has actually been published in this form.

Respectfully submitted,

*W. Harvey Eise Jr.*

Chairman, Revisory Board

"I would write the lady there is a serious doubt as to the adequacy of her notice, since "Prepared by" does not necessarily mean "Copyright by": but resolve the doubt in her favor."  
Order of Mr. Howell 3/25/39



## Notice

## MEMORANDUM

March 21, 1939

Remitter: Guy C. Williams (16977)--Class A

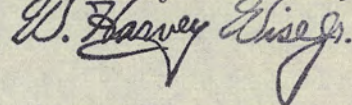
Title: "Streets of Death"

Question: Division of opinion as to adequacy of copyright notice.

The notice of copyright in the full authorized form appears upon the second sheet from the one bearing the title "Streets of Death." The sheet immediately following the title-page contains several lines on either side on the subject of dedication and acknowledgment. The second sheet bears the copyright notice in the full authorized form with several additional statements with respect to reservation of rights.

It is the opinion of Mr. Wise and Mr. Pierce that registration should be made as applied for, and that a warning letter should be written to the copyright owner. The notice of copyright, it is true, is not on the title-page or page immediately following. It does, however, appear in a very conspicuous position, and is one that could hardly escape the attention of the interested public. The sheet or pages intervening between the copyright notice and the title contains in all eight lines of text, three on one side and five on the other. It is believed that the separation of the copyright notice from the page bearing the title by the fly leaf is not sufficient in the circumstances to require the Office to reject the application. Registration should be made for what it is worth and the applicant advised accordingly. Mrs. Brady and Mr. Smith, on the other hand, take the position that the application should be rejected since the notice of copyright is not on the title-page or the page immediately following.

Respectfully submitted,



Chairman, Revisory Board

Enter--HAH 3/25/39. "There is reasonable doubt; but it certainly strikes the eye as soon as the book is opened. Hence give him the benefit, but write."