

## MINORITY MEMORANDUM

February 8, 1944

Remitter: Junior Books (No Fee)

Title: "Junior Books - Vol. 1, No. 1, Jan.-Feb., 1944."

Question: Is the notice of copyright acceptable where part of it is on the title page and part on the page immediately following?

In this case the year date is on the title page, the word "Copyright" and the name of the claimant on the verso thereof.

The minority member of the Board (Mr. Lasica) voted in the negative on the question because of prior ruling against combining the elements of the copyright notice from different pages.

In his memorandum of August 20, 1942, the Acting Assistant Register of Copyrights, in overruling the contention of this same minority member for acceptance of this type of notice, said in part:

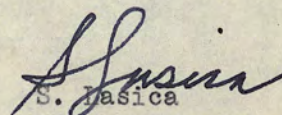
"If the name of the copyright owner can be taken from one page and put into a notice on another page in order to complete it, the same process could be used with the other elements of the notice, to wit, the year date or the word 'Copyright'. Unless we are to abandon all together the intention and effort to determine in every case whether the notice substantially complies with the copyright law, I think we should not accept a notice like the present one."

The minority sympathizes with the opinion of the majority that this notice should be accepted by the Office and the claim passed for registration with a warning letter, but in view of the ruling cited he feels, for the sake of uniformity in Office practice, that the notice should be rejected.

Respectfully,

DECISION: I think the notice is invalid. See Record Guide Co. v. Bromley, 175 Fed. 156. We have no application and no statement whether publication really took place in 1944. (It might even be contended that the notice is not on the title-page, or page following.) Reject.

R. C. D., 2/11/44

  
S. Lasica  
Member of Revisory Board