

SL:CW

NOTICE  
YEAR DATE

## MINORITY MEMORANDUM

June 16, 1944

Remitter: Paine, Ruth Darby

Title: "Spring Comes Slowly", published in the May 21, 1944 issue of  
"The Philadelphia Inquirer".Question: Is a dispersed notice acceptable in a contribution consist-  
ing of several pages?

This work is a fifteen-page novel published in "The Philadelphia Inquirer", Sunday, May 21, 1944. The year date of publication is on the title-page, but the rest of the notice appears at the end of the work on Page Fifteen.

The Minority is of the opinion that the Office is justified to accept this notice and make registration, resolving the doubt in the claimant's favor. After registration, the usual warning letter should be sent.

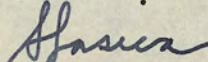
The Copyright Act makes no express provision as to where the notice in contributions shall be affixed. In this case, there is no question as to the name of the claimant or the word "Copyright". The only doubt arises from the position of the year date of publication. The claimant should be given the benefit of this doubt, at least administratively. If the year date were given anywhere on Page Fourteen or Fifteen, the notice would be acceptable under the present Office practice. Also, if the entire notice appeared anywhere in the contribution, it would be acceptable.

In the event of infringement, it would hardly be equitable to permit an infringer to escape liability solely because the year date of publication in this particular case happens to appear at the beginning of the article while the rest of the notice is given at the end of it.

DECISION: I recommend pointing out the irregularity to the claimant, and putting it up to her as to whether she deems it worth while to register.

H.A.H., 6/19/44

Respectfully,

  
S. Lasica, Chairman,  
Revisory Board