

MINORITY MEMORANDUM

February 14, 1945

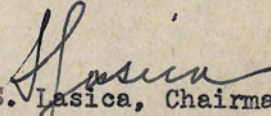
Remitter: Nebraska Continental Telephone Company (MP-2518)

Title: "Telephone Directory 1945 Kearney, Nebraska, Nebraska Continental Telephone Co."

Question: "Is the copyright notice acceptable with warning letter where the claimant's name appears on the title-page and the rest of the notice on the verso page, with reference to the claimant directly above?"

The Minority is of the opinion that this notice may be accepted with warning letter under the Office practice. The work is a telephone directory and the claimant is a telephone company. The notice appears on the page of general instructions and the claimant is referred to directly above it as "the Company" and "the Business Office". The full name appears on the verso page, which is the title-page. The public could not be misled as to the claimant's identity. If the claimant's initials accompany the notice on one page and the full name is on the opposite or title-page there is no objection under the practice to accepting the notice. This is on the theory that the name is incorporated in the notice by reference. In this case, too, the claimant's name may be treated as incorporated in the notice by reference.

Respectfully,


S. Lasica, Chairman,
Revisory Board

DECISION: We accept a notice of copyright "by the author" where his name appears on the title-page on the ground that there can be no doubt as to who claims the copyright. I think the same rule should apply here, because there is no conflicting name and no doubt as to who claims the copyright; and recommend that we first write applicants explaining the situation and put it up to them whether under the circumstances they wish registration to be made.

H.A.H., Assistant Register of Copyrights