

NOTICE OF COPYRIGHT

MINORITY MEMORANDUM

March 30, 1942

Remitter: Western Business Papers, Inc. (Deposit Account)

Title: GAS - Issues for January, February, April, May, June
July, August, September, October, November, December
1941 and February 1942.Question: Does the notice of copyright found in these publications
meet the requirements of the copyright statute?

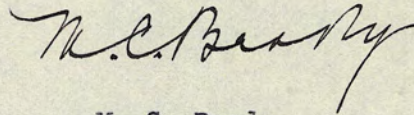
The undersigned is in agreement with the Examiner, who recommends rejection of these periodicals because they have been published with fatally defective notice. The provision of Section 18 of the Copyright Act, which requires that the word "Copyright," or the abbreviation "Copr.," be accompanied by the name of copyright proprietor has not been met in publications under consideration. The fatally defective notice which is the subject of this memorandum is found in the so-called masthead, a legend invariably printed in fine type, usually on the contents page of a periodical, and containing the title, names of the management, subscriptions and advertising rates, and frequently the notice of copyright. The masthead in the publications under discussion follows the usual pattern as to fine type and contents, and reads as follows:

"January, 1941. Volume XVII, Number 1. GAS is published monthly by Western Business Papers, Inc., at 1709 West Eighth Street, Los Angeles, California. JAY JENKINS, President and General Manager; CRAIG ESPY, Vice President; JAMES E JENKINS, Secretary, Treasurer; ARTHUR ROHMAN, Managing Editor; ELLIOTT TAYLOR, Eastern Editor; GUY CORFIELD, Technical Editor; W. G. RUSSELL, Field Representative. Subscription price: United States, Mexico and Central American countries (in advance), 25 cents the copy; three years for \$2.00, \$1.00 per year; all other countries, \$3.00 per year. Entered as second class matter August 20, 1936, at the post office at Los Angeles, Calif., under the Act of March 3, 1879."

Then in the same fine type at the end appears the lonesome legend "Copyright, 1940."

Not only is there no name found in immediate conjunction with this legend, but the name of the copyright owner as given in the application: Western Business Papers, Inc., is separated from the copyright legend by five lines of text in which seven individual names are found. The "Copyright 1940" is itself in close proximity to the legal entity "Associated Business Papers, Inc., which might well be considered the copyright owner, but there is in the opinion of the undersigned no copyright vested in the Western Business Papers, Inc., and therefore no registration should be made in that name. These applications should be rejected, and the question

might be asked: Is Association known as the Western Business Papers, Inc., a subsidiary of The Associated Business Papers, Inc., in whose name the copyright registrations might be recorded.

A handwritten signature in cursive script, appearing to read "M. C. Brady".

M. C. Brady

Register but write warning letter. W. H. Wise, April 1, 1942.