

M.P. 1514

Notice

MINORITY MEMORANDUM

December 15, 1942

Remitter: Arrow Match Corp. (70753)

Title: "Distinction Book Matches for Advertising."

Question: Whether the initials of the copyright claimant appearing in the notice of copyright on the back of the title page constitutes sufficient compliance with the provisions of Section 18, where the claimant's full name appears upon the title page.

The Majority supports the Examiner in rejecting the notice. The Minority contends that the notice is acceptable and offers this argument that the decision reached by the Assistant Register of Copyrights in the case submitted to him in the memorandum dated March 6, 1942 by the Majority of the Board, it was held that the initials of the claimant appearing in the notice were sufficient in view of the fact that the full name of the claimant appeared on the face of the title page and was repeated on the back cover in two very prominent positions.

It is also to be noted that the present Board acted today and also yesterday on two different cases in which the notice contained the words "Copyright 1942" and identified the claimant with the word "author," the author's name, however, appearing on the other side, that is, the face of the title page. The Board was unanimous in accepting the notice, holding that the word "author" identified the claimant. Plain logic supports the argument that if the word "author" identifies the claimant, why not the initials. The Minority recommends entry as applied for with a letter of caution as to future use of notice.

* Information received from Miss Carpenter Says:

"CLB says he thinks the case with initials in notice and name of claimant on cover should be given benefit of doubt and passed; particularly in view of conflicting decisions of former Ass't. Registers, this doubt is strenthened."

L. C. Smith
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* This information was received subsequent to the preparation of this minority memorandum.