

Devotion Runs Deep in the Copyright Office

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In early November, we in the Copyright Office saw 44 of our colleagues retire, many with decades of devoted public service. One former Licensing Division staffer had 47 years of service in the Office, and two from the Information and Records Division each had 46 years, nearly all in the Copyright Office.

There must be something about the Office that brings out stick-to-it dedication and loyalty. This phenomenon, however, is not new.

Take Herbert Howell (1869–1963), a lawyer who came to the Office in 1909 from New York at age 40, just as a new copyright act was taking effect. Born in Toronto, Howell graduated from Toronto University with a bachelor of arts degree and from Cornell University Law School with his law degree in 1894.

During Howell's tenure as a civil servant, Congress passed the first civil service retirement law, precipitating the exodus of thousands of employees, some more than 90 years old. Enacted in May 1920, the new law established a mandatory retirement age of 70 for most employees. To keep Howell on staff, President Franklin Roosevelt issued executive order 8539 in 1940 exempting Herbert Howell, then age 71, from compulsory retirement.

The following year, Howell retired as assistant register, a position he had held since 1937. The

annual report stated that he was "especially valuable in dealing with complex legal problems." Among his retirement activities was writing *The Copyright Law: An Analysis of the Law of the United States Governing Registration and Protection of Copyright Works, Including Prints and Labels*, later called *Howell's Copyright Law*. The work was updated in 1978 by Alan Latman, professor of law at the New York University School of Law, and again revised in 1986 by William Patry, former Copyright Office policy planning advisor and currently senior copyright counsel for Google.

Howell, however, was not finished with copyright. Experienced lawyers were in short supply because so many were serving in the war effort. Howell was recalled to service in the Office in 1942 at age 73 to take the position of an associate attorney who had entered the Navy. In 1944, Howell again filled the position of assistant register, which had been vacated by Richard De Wolf, who had himself been recalled to service in the Office in 1942 and who was serving as acting Register upon the 1944 retirement of Clement Bouvé.

Assistant register Howell represented the Office at the Inter-American Academy of International and Comparative Law and the Inter-American Federation of Societies of Authors and Composers conferences held in

Havana in January 1945. He left the Office for the last time when Sam Bass Warner became Register later in 1945. ©



Herbert Howell, center, confers with Clement Bouvé (left) and Richard De Wolf (right).

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