

# Copyright Lore

■ Frank Evina



Despite the fact that American film pioneers were creating and experimenting with motion pictures as early as the 1890s, the U.S. copyright law did not provide for the protection and registration of films, as such, until the passage of the Townsend Amendment.

Prior to the enactment of this landmark legislation on Aug. 24, 1912, and the subsequent establishment of registration Class L (for motion picture photo plays) and Class M (for motion pictures not photo plays), film producers had to resort to a very innovative way of getting protection for their cinematic creations by following the procedures originally developed for still photographs.

During the formative years of the film industry between 1893 and 1912, individual filmmakers seeking protection for their work would make a paper contact print, frame by frame, directly from the film negative and submit the contact print to the Copyright Office for registration as a collection of still photographs.



ABOVE: Paper contact print of "The Sneeze," showing each frame in the film.

In the 1950s and 1960s, these paper prints of completed films were restored to projectable film stock through the efforts of film historian Kemp Niver and a team of technicians. Luckily, in most cases the paper prints deposited for registration were the exact length of the film itself. Since very few original films from this era have survived over the years, it is through this fluke in the law that we have preserved examples of approximately 3 thousand comedies, dramas, travelogs, and news films from the late 19th and early 20th centuries in the unparalleled film collections of the Library of Congress. These films would otherwise have been lost.

The earliest surviving copyright deposit copy for a motion picture registered in any form is a still 8-by-10 inch black and white photograph consisting of 45 separate frames showing a man with a mustachio sneezing. Commonly known in film circles as "Fred Ott's Sneeze," this historic registration for "Edison Kinetoscopic Record of a Sneeze, January 7, 1894," marks the humble beginning of the film industry in America. The application was submitted for registration on Jan. 9, 1894, by William Kennedy Laurie Dickson of Orange, N.J., one of Thomas Edison's assistants. ©



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