

Notice of Use/Notice of Intention to Use

Description

Notice of use and notice of intention to use files are a part of the copyright card catalog, but they create a different kind of record. Under the 1909 copyright law, the copyright owner of a musical composition had the exclusive right to make the first mechanical recording of the work. After the owner had initially recorded the work, he or she was required to submit to the Copyright Office a **notice of use**. The work could then be recorded by anyone for a fixed royalty fee or by negotiating a separate contract. Notices of use from 1909 through 1952 are located in separate title and claimant files; from 1953 through 1977 they are interfiled in the card catalog under title and claimant only. Under the current law effective in 1978, a copyright owner need only register a claim to copyright to be entitled to receive royalties, so the notice of use file is no longer active.

Notices of intention to use, filed by those wishing to record copyrighted music, are filed by title only in a separate index covering the period 1909 to 1977. Under the current law, interested parties can file a notice of intention to obtain a compulsory license in the Licensing Division of the Copyright Office. Researchers should consult the Licensing Division concerning public inspection of this file. Call (202) 707-8150 or email licensing@copyright.gov.

Definitions

1. **Claimant:** the copyright claimant is either the author of the work, or a person or organization that has obtained ownership of all of the exclusive rights initially belonging to the author.
2. **Notice Received:** The date the U.S. Copyright Office received the request to record a “Notice of Use” or a “Notice of Intention to Use.”
3. **Notice Recorded:** The date the U.S. Copyright Office received the request in a completed application or form, the appropriate fees, and any other material required to file a request.
4. **Title(s):** A single title of work, or multiple titles may be recorded with the notice.
5. **Publication date:** The date the original work was first published.
6. **Registration class:** The U.S. Copyright Office “class” assigned to the work.
7. **Registration number:** The official date the work was “registered” within the U.S. Copyright Office.
8. **From:** The person or organization notifying the Copyright Claimant of their “intention to use” their work.
9. **To:** The Copyright Claimant

Below are example of cards.

Notice of Use 1909-1952, Claimant Index

(Hover over the items at the right to see the different fields that make up this card.)

U Notice of Use Fee **MAY 16 1910**

Name and address of copyright owner
*Branen (Jeff T.) Music Pub. Co., Inc.,
New York N.Y.*

Recorded: Vol. *1*
Page *51*
Cash No. *19602* *May 16, 1910*

Leave all above these lines blank

**MUSICAL COMPOSITION—NOTICE OF USE ON MECHANICAL INSTRUMENTS, AS
REQUIRED BY SEC. 1(e) OF THE ACT OF MARCH 4, 1909.**

REGISTER OF COPYRIGHTS, WASHINGTON, D. C. *May 16, 1910.* Date,

We the copyright owners of the musical compositions named below, hereby give notice that we have used or have licensed the use of * said compositions for the manufacture of parts of instruments serving to reproduce mechanically such musical works.

Signature and address of copyright owner of the music named below. *Jeff T. Branen Music Pub. Co., Inc
#102-104 W. 38th St.,
N.Y.C., N.Y.* (OVER)

* Strike out unnecessary words.

TITLE OF MUSIC	DATE OF PUBLICATION	CLASS E. Xxc. No.
"I Love My Wife But Oh Her Family"	Dec. 28/09.	#222553 ✓
"Anywhere"	Feb. 3/10.	226090 ✓
"Parisian Rag"	Mar. 15/10.	227239 ✓
Permission given to the Melville Clark Piano Co., DeKalb, Ill.		

NOTE—Recording fee, 25 cents for first fifty words; 25 cents additional for each additional hundred words. (OVER)

Where the card is found: Index: Notice of Use 1909-1952, Claimant,
Drawer: BRA-CHAPPELL CO INC, Card: 0012a/0012b

Notice of Use 1928-1952, Titles

(Hover over the items at the right to see the different fields that make up this card.)

NOTICE OF USE ON MECHANICAL INSTRUMENTS	
I WANT TO BE LOVED (BUT ONLY BY YOU) (Title)	
(Author)	
Notice rec'd Apr. 27, 1947	Recorded Vol 14
Notice no	Page 364
See U appl. file	
Melrose Music Corp. 1619 Broadway, New York 19, N. Y. (Claimant)	
(July, 1941—5,000) U. S. GOVERNMENT PRINTING OFFICE	

Where the card is found: Index: Notice of Use 1928-1952, Titles,
Drawer: I-LA-I LL, Card: 0786

Notice of Use 1909-1927, Titles

(Hover over the items at the right to see the different fields that make up this card.)

Hot (A) time in the old town tonight. 20106 378 E	
Composer or title MUSICAL COMPOSITION	
Music used or licensed to be used for the man- ufacture of parts of in- struments serving to reproduce mechanical- ly the musical work. Sec. 1 (e).	
PUBLISHED	
Entry, Cl. E, XXc, No.	
Copyright claimed by	© Edward B. Marks music co., New York.
Notice rec'd	Sept. 16, 1927 ; recorded, v. 7 , p. 145.
GOVERNMENT PRINTING OFFICE	

Where the card is found: Index: Notice of Use 1909-1927, Titles,
Drawer: HOO-ILZ, Card: 0068

Notice of Intention to Use 1909-1977

(Hover over the items at the right to see the different fields that make up this card.)

NOTICE OF INTENTION TO USE	
Title:	CHIM CHIM CHEREE.
By	R. M. Sherman & R. B. Sherman
From:	Cameo-Parkway Records, Inc.
To:	Wonderland Music Co.
Notice received:	2Dec64
Vol.:	XXX No. 2614

Where the card is found: Index: Notice of Intention to Use 1909-1977,
Drawer: CHIM-CN, Card: 0006