

**THE LIBRARY OF CONGRESS
COPYRIGHT OFFICE**

**FORTY-NINTH ANNUAL REPORT
OF THE
REGISTER OF COPYRIGHTS**

**FOR THE FISCAL YEAR
ENDING JUNE 30
1946**



WASHINGTON : 1947

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THE COPYRIGHT OFFICE

REPORT TO THE LIBRARIAN OF CONGRESS BY THE REGISTER OF COPYRIGHTS

WASHINGTON, D. C., August 28, 1946.

SIR: The copyright business and the work of the Copyright Office for the fiscal year July 1, 1945 to June 30, 1946, inclusive, are summarized as follows:

The outstanding events of the past fiscal year were three. The first was the continued increase in the number of registrations of copyright claims, which rose from 178,848 in fiscal 1945 to 202,144 in fiscal 1946, the greatest number in the history of the Copyright Office, and a number so far beyond the capacities of the existing staff that Congress, responding to the need, generously provided for additional personnel. The second was the establishment of the first of four divisions into which the eleven sections of the Copyright Office are to be combined, and the third was the adoption of new application forms and certificates for copyright registration.

All classes of registrations increased during the year, with the exception of lectures, sermons, and addresses, which declined from 1,177 to 1,129, and English books registered for ad interim copyright, which declined slightly from 679 to 610, undoubtedly because of a Presidential Proclamation extending temporarily the time within which British authors may make copyright registrations.

The most conspicuous increase occurred in the field in which registrations were delayed because of the war — books printed abroad in a foreign language. Registrations of such books increased from 111 in fiscal 1945 to 3,513 in fiscal 1946. The next largest increases in terms of percentages were 104 percent in prints, 70 percent in works of art, and 39 percent in

photographs. Considered from the point of view of numbers rather than percentages, the largest increases are 5,532 in musical compositions, 2,618 in pamphlets, and 2,526 in periodicals. Musical compositions continued the increase that has caused them more than to double during the last decade and is presumably influenced by the increase in the inducements for the composition of music brought about by the development of the radio. The number of periodicals copyrighted is also at an all-time high, but pamphlets are still below their prewar peak. The number of copyrighted books printed in the United States increased 10 percent, from 6,962 in fiscal 1945 to 7,679 in fiscal 1946, but it is still considerably below prewar production, due undoubtedly to the continuing effect of the war and to continuing paper shortages.

During fiscal 1946 plans for the reorganization of the Copyright Office took definite form. The survey of the organizational structure of the Office which was begun in the course of the preceding year revealed that eleven independent sections were too many for effective supervision and for the development of official lines of authority. The division of the Office into so many small groups tended also to create lines of promotion within each section and thus to limit opportunities for promotion except in terms of experience. In addition, it reduced the number who might have an opportunity to view the work of the Office as a whole, thus increasing the probability of one section duplicating the work of another and of the imperfect coordination of the work of the Office as a whole.

It was decided to combine the eleven sections into four divisions: an Examining Division to pass upon all applications for copyright registrations, a Cataloging Division to catalog all copyright registrations, a Reference Division to supply the public with information concerning copyrights and copyright registrations, and a Service Division to handle moneys received together with the receipt and dispatch of mail and to maintain the files. This grouping will provide for all members of the Copyright Office staff, except the legal staff and the personnel in the office of the Register, the Associate Register and the Assistant Register. A position of Associate Register was established, for the purpose of collaborating with the Register on problems relating to changes in the Copyright Act and on copyright relations with foreign countries. The position of Assistant Register has changed from one dealing primarily with problems of law to one concerned with personnel and the general administrative problems of the Office.

The work of reorganization began with the Cataloging Division. In the course of the year plans for this Division were worked out, approved by the Civil Service Commission, and put into effect. The work of reorganizing the other divisions is well under way and should be completed before the end of the next fiscal year.

In addition to the need for reorganizing the work, it was of course necessary also to reclassify the positions.

The Cataloging Division is the only unit the reorganization of which was actually completed during the year. It takes the place of the former Catalog, Index, and Record and Certificate Sections and to a considerable extent the place of the Correspondence Section. It is administered by a Chief, an Assistant Chief, and an editor, and is divided into four sections:

the Book Section, the Music Section, the Cumulative Section, and the Miscellaneous Section. The Miscellaneous Section consists of three units, Unit A dealing with motion pictures, dramas, and lectures; Unit B, with advertisements and contributions to periodicals; Unit C, with art, maps, and prints.

The work of setting up the Division has necessarily proceeded slowly. The first half of the year was nearly over before the functions of each position were worked out and allocations fixed by the Civil Service Commission. The second half of the fiscal year was taken up with selecting the staff and improving procedures. The Cataloging Division represents not only a change in organization, but also in cataloging procedures. The Copyright Office has always been required by section 56 of the Copyright Act to catalog and to print catalogs of copyright entries.

It was decided that the Cataloging Division would catalog in accordance with the practices of the Processing Department, in order that entries made by it might be used without revision. This decision made necessary the training of the cataloging staff of the Copyright Office in the application of new cataloging rules and procedures. A start in this direction was taken by instituting a twelve-week in-service training course conducted by Virginia Cunningham, Esther Eytcheson and Henrietta Howell, all of the Library's Processing Department, and Dorothy Arbaugh, of the Office of the Quartermaster General, War Department. Since the completion of the course, in-service training in modified form has been continued by the heads of the various sections and units.

Plans for the Cataloging Division call not only for the elimination of duplication in cataloging throughout the Library, but for an improved *Catalog of Copyright Entries*. Also the Division hopes to serve persons interested in copyrights by issuing

its catalogs very much more promptly than in the past and by including in them bibliographical information of recognized usefulness. In addition, it is planned to restore the helpful indexes which the exigencies of war made it necessary to abandon. The desirability of making some parts of the *Catalog of Copyright Entries* useful to libraries, scholars, and other persons interested in the contents of deposited publications has been discussed a number of times. For example, many music lovers have urged the production of a catalog of published American music that will do for American music what the great Hofmeister catalogs have done for German music. This we expect to accomplish.

After consultation with the American Book Publishers' Council, the Music Publishers' Protective Association, and many publishers in New York and elsewhere, the Copyright Office has adopted new and radically simplified "application-certificate" forms. These have not yet been devised for all classes of applications, but Form A has been issued for books published in the United States (replacing A, A-1, A-2, and A-6), Form A-Foreign for books published outside of the United States (replacing A-3 and A-4), Form B for newspapers and other periodicals published in the United States (replacing B-1 and B-2), Form E for manuscript music and music wherever published (replacing E, E-1, E-2, E-3 and E-Foreign) and Form R for renewals (replacing the old form R).

The new application secures three important pieces of information not called for by the old: (1) the author's pseudonym, (2) the year of the author's birth, and (3) if he is not living, the year of his death. These data are requested for cataloging purposes.

The four sections of the Cataloging Division—the Book, Music, Cumulative, and Miscellaneous Sections—are headed

respectively by Dorothy Arbaugh, Virginia Cunningham, Margaret B. Martin, and Joseph W. Rogers.

Of the seven other administrative positions in the Cataloging Division five have been filled by promotions within the Copyright Office and two by additions to the staff. Raymond V. Robinson, for many years the head of the Catalog Section, has become editor. Howard M. Myers, formerly Acting Chief of the Index Section, has been made assistant head of the Miscellaneous Section, Josephine B. Rogers, formerly special assistant to the Chief of the Catalog Section, is now assistant head of the Music Section, and Marian B. Myers, formerly Assistant Chief of the Mails, Files, and Search Section, is assistant head of the Cumulative Section. Hugh B. Nesbitt, Jr., formerly Chief of the Record and Certificate Section, has taken charge of the Art Unit in the Miscellaneous Section. Katharine W. Clugston, who heads the Motion Picture and Drama Unit used to be head of the Accession Searching Section of the Acquisitions Department in the Library of Congress. The head of the Advertisements and Contributions Unit has not yet been appointed.

Increased interest in protecting literary property has occasioned renewed consideration of the desirability of the United States negotiating copyright treaties with foreign countries. The Copyright Office has assisted the Department of State in the consideration of a number of proposals, and it is hoped that within a few years we may have treaties with other nations which will increase the protection which the works of American authors receive abroad.

Early this year the Pan American Union invited the twenty-one American Republics to send delegates to an Inter-American Conference of Experts on Copyright to be held in the Pan American Union in June. All the republics accepted and sent dele-

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gates. The delegate of the United States was Luther H. Evans, Librarian of Congress. A number of advisers and special assistants were appointed to assist him, of whom two, Richard C. DeWolf and Sam B. Warner, were from the Copyright Office.

The conference produced a new copy-

right convention designed to replace the Buenos Aires Copyright Convention of 1910 to which the United States is a signatory. If ratified by the United States Senate, it will change the Buenos Aires Convention and the United States Copyright Act in a number of important respects.

REGISTRATION BY SUBJECT MATTER CLASSES FOR THE FISCAL YEARS 1942 TO 1946, INCLUSIVE

Class	Subject matter of copyright	1946	1945	1944	1943	1942
A	Books:					
	(a) Printed in the United States:					
	Books proper.....	7,679	6,962	7,585	8,658	10,377
	Pamphlets, leaflets, etc.....	30,554	27,936	27,683	27,558	33,620
	Contributions to newspapers and periodicals.....	5,504	4,856	4,730	3,568	5,119
	Total.....	43,737	39,754	39,998	39,784	49,116
(b) Printed abroad in a foreign language.	3,513	111	82	156	651	
(c) English books registered for ad interim copyright.....	610	679	602	517	509	
	Total.....	47,860	40,544	40,682	40,457	50,276
B	Periodicals (numbers).....	48,289	45,763	44,364	42,995	45,145
C	Lectures, sermons, addresses.....	1,129	1,177	1,126	629	963
D	Dramatic or dramatico-musical compositions.....	5,356	4,714	4,875	3,687	4,803
E	Musical compositions.....	63,567	57,835	52,087	48,348	50,023
F	Maps.....	1,304	857	494	737	1,217
G	Works of art, models, or designs.....	3,094	1,821	1,743	1,649	2,110
H	Reproductions of works of art.....	317	186	173	221	321
I	Drawings or plastic works of a scientific or technical character.....	1,777	1,554	1,957	1,911	2,086
J	Photographs.....	1,752	1,258	1,270	1,042	1,502
KK	Commercial prints and labels.....	7,975	7,403	5,953	5,385	7,162
K	Prints and pictorial illustrations.....	5,384	2,634	2,426	2,317	2,917
L	Motion picture photoplays.....	774	615	604	693	871
M	Motion pictures not photoplays.....	1,250	1,120	1,268	1,074	1,348
RR	Renewals of commercial prints and labels.....	33	30	44	20	27
R	Renewals of all other classes.....	12,483	11,337	10,203	9,630	11,461
	Total.....	202,144	178,848	169,269	160,789	182,232

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COPYRIGHT DEPOSITS

The total number of separate articles deposited in compliance with the copyright law, which were registered during the fiscal year, is 305,049. The number of articles in each class for the last five fiscal years is shown in the table which follows:

NUMBER OF ARTICLES DEPOSITED DURING THE FISCAL YEARS 1942 TO 1946, INCLUSIVE

Class	Subject matter of copyright	1946	1945	1944	1943	1942
A	Books:					
	(a) Printed in the United States:					
	Books proper.....	15,358	13,924	15,170	17,316	20,754
	Pamphlets, leaflets, etc.....	61,108	55,872	55,366	55,116	67,240
	Contributions to newspapers and periodicals.....	5,504	4,878	4,746	3,568	5,119
	Total.....	81,970	74,674	75,282	76,000	93,113
	(b) Printed abroad in a foreign language..	3,660	113	82	156	651
(c) English books registered for ad interim copyright.....	610	655	602	517	509	
Total.....	86,240	75,442	75,966	76,673	94,273	
B	Periodicals.....	96,578	91,526	88,736	85,990	90,290
C	Lectures, sermons, etc.....	1,129	1,177	1,126	629	963
D	Dramatic or dramatico-musical compositions..	5,877	5,182	5,278	4,190	5,468
E	Musical compositions.....	72,824	67,173	61,060	57,343	60,098
F	Maps.....	2,558	1,709	977	1,462	2,402
G	Works of art, models, or designs.....	3,938	2,392	2,419	2,277	2,583
H	Reproductions of works of art.....	596	341	319	393	580
I	Drawings or plastic works of a scientific or technical character.....	2,375	2,017	2,514	2,698	2,891
J	Photographs.....	2,605	1,953	1,893	1,655	2,543
KK & K	Prints, labels, and pictorial illustrations.....	26,344	19,780	16,508	15,329	20,026
L	Motion picture photoplays.....	1,545	1,228	1,208	1,386	1,743
M	Motion pictures not photoplays.....	2,440	2,172	2,334	2,098	2,576
Total.....		305,049	272,092	260,338	252,123	286,436

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GROSS RECEIPTS, ETC., SINCE JULY 1, 1897

Since July 1, 1897, the date of organization of the Copyright Office, the total registrations have been 6,787,547 and the total receipts for fees \$8,940,111.60. The figures, year by year, appear in the following table:

STATEMENT OF GROSS CASH RECEIPTS, YEARLY FEES, NUMBER OF REGISTRATIONS, ETC., FOR 49 FISCAL YEARS

Year	Gross receipts	Yearly fees applied	Number of registrations	Increase in registrations	Decrease in registrations
1897-98	\$61,099.56	\$55,926.50	75,545		
1898-99	64,185.65	58,267.00	80,968	5,423	
1899-1900	71,072.33	65,206.00	94,798	13,830	
1900-1901	69,525.25	63,687.50	92,351		2,441
1901-2	68,405.08	64,687.00	92,978	627	
1902-3	71,533.91	68,874.50	97,979	5,001	
1903-4	75,302.83	72,629.00	103,130	5,151	
1904-5	80,440.56	78,058.00	113,374	10,244	
1905-6	82,610.92	80,198.00	117,704	4,330	
1906-7	87,384.31	84,685.00	123,829	6,125	
1907-8	85,042.03	82,387.50	119,742		4,087
1908-9	87,085.53	83,816.75	120,131	389	
1909-10	113,662.83	104,644.95	109,074		11,057
1910-11	113,661.52	109,913.95	115,198	6,124	
1911-12	120,149.51	116,685.05	120,931	5,733	
1912-13	118,968.26	114,980.60	119,495		1,436
1913-14	122,636.92	120,219.25	123,154	3,659	
1914-15	115,594.55	111,922.75	115,193		7,961
1915-16	115,663.42	112,986.85	115,967	774	
1916-17	113,808.51	110,077.40	111,438		4,529
1917-18	109,105.87	106,352.40	106,728		4,710
1918-19	117,518.96	113,118.00	113,003	6,275	
1919-20	132,371.37	126,492.25	126,562	13,559	
1920-21	141,199.33	134,516.15	135,280	8,718	
1921-22	145,398.26	138,516.15	138,633	3,353	
1922-23	153,923.62	149,297.00	148,946	10,313	
1923-24	167,705.98	162,544.90	162,694	13,748	
1924-25	173,971.95	166,909.55	165,848	3,154	
1925-26	185,038.29	178,307.20	177,635	11,787	
1926-27	191,375.16	184,727.60	184,000	6,365	
1927-28	201,054.49	195,167.65	193,914	9,914	
1928-29	322,135.82	308,993.80	161,959		31,955
1929-30	336,980.75	327,629.90	172,792	10,833	
1930-31	312,865.41	309,414.30	164,642		8,150
1931-32	284,719.20	280,964.90	151,735		12,907
1932-33	254,754.69	250,995.30	137,424		14,311
1933-34	258,829.53	251,591.50	139,047	1,623	
1934-35	269,348.81	259,881.70	142,031	2,984	
1935-36	293,149.82	285,206.90	156,962	14,931	
1936-37	295,313.24	280,541.40	154,424		2,538
1937-38	326,326.67	298,799.60	166,248	11,824	
1938-39	330,466.37	306,764.40	173,135	6,887	
1939-40	341,061.35	320,082.90	176,997	3,862	
1940-41	347,125.35	347,430.60	180,647	3,650	
1941-42	376,906.63	351,158.10	182,232	1,585	
1942-43	324,300.99	306,836.70	160,789		21,443
1943-44	333,270.24	319,466.30	169,269	8,480	
1944-45	367,402.04	338,812.90	178,848	9,579	
1945-46	405,740.58	379,738.00	202,144	23,296	
Total	\$9,337,194.25	\$8,940,111.60	6,787,547		

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SUMMARY OF COPYRIGHT BUSINESS, FISCAL YEAR 1946

Balance on hand July 1, 1945.....		\$88, 138. 36
Gross receipts July 1, 1945 to June 30, 1946.....		405, 740. 58
		<hr/>
Total to be accounted for.....		493, 878. 94
Refunded.....	\$18, 944. 93	
Checks returned unpaid.....	207. 00	
Deposited as earned fees.....	380, 001. 30	
Balance carried over to July 1, 1946:		
Fees earned in June 1946 but not deposited until July 1946..	\$29, 313. 20	
Unfinished business balance.....	16, 058. 48	
Deposit accounts balance.....	49, 354. 03	
	<hr/>	94, 725. 71
		<hr/>
		493, 878. 94

Fees Received

Registrations for prints and labels.....	7, 975 at \$6	47, 850. 00
Registrations for published works.....	119, 660 at 2	239, 320. 00
Registrations for published photographs without certificates.....	457 at 1	457. 00
Registrations for unpublished works.....	61, 536 at 1	61, 536. 00
Registrations for renewals of prints and labels.....	33 at 6	198. 00
Registrations for renewals, all other classes.....	12, 483 at 1	12, 483. 00
	<hr/>	
Total number of registrations.....	202, 144	
Fees for registrations.....		361, 844. 00
Fees for recording 4,182 assignments.....	\$12, 057. 00	
Fees for indexing 15,490 transfers of proprietorship.....	1, 549. 00	
Fees for certified documents.....	1, 593. 00	
Fees for notices of user recorded.....	382. 00	
Fees for searches made at \$1 per hour of time consumed.....	2, 313. 00	
	<hr/>	17, 894. 00
		<hr/>
		379, 738. 00

Respectfully submitted.

SAM BASS WARNER,
Register of Copyrights.

Publications of the Copyright Office

NOTE.—Orders for the following publications (except those listed as free, which may be obtained from the Copyright Office) should be addressed to the Superintendent of Documents, Washington, D. C., accompanied by remittance (postage stamps not accepted—coin at sender's risk).

BULLETIN NO. 3. Cloth, 35c.

Copyright Enactments of the United States, 1783-1906. 2d ed. rev., 174 pp. 8°. 1906.

BULLETIN NO. 8. Cloth, 65c.

Copyright in Congress, 1789-1904. A bibliography and chronological record of all proceedings in Congress in relation to copyright. 468 pp. 8°. 1905.

BULLETIN NO. 14. Paper, 15c.

Copyright Law of the United States of America, being the act of March 4, 1909 (in force July 1, 1909), as amended by the acts of August 24, 1912, March 2, 1913, March 28, 1914, December 18, 1919, July 3, 1926, May 23, 1928, January 27, 1938, July 31, 1939, March 15, 1940, April 11, 1940, and September 25, 1941, together with Rules for Practice and Procedure under section 25, by the Supreme Court of the United States. vi, 76 pp. 8°. 1942. (Reprinted with insert 1945.)

BULLETIN NO. 17. Cloth, 65c.

Decisions of the United States courts involving copyright. 1909-1914. Second enlarged edition. vi, 279 pp. 8°. 1928.

BULLETIN NO. 18. Cloth, \$1.

Decisions of the United States courts involving copyright. 1914-1917. ix, 605 pp. 8°. Reprinted 1938.

BULLETIN NO. 19. Cloth, \$1.

Decisions of the United States courts involving copyright. 1918-1924. xi, 477 pp. 8°. 1926.

BULLETIN NO. 20. Cloth, \$1.50.

Decisions of the United States courts involving copyright. 1924-1935. xiii, 947 pp. 8°. 1936.

BULLETIN NO. 21. Cloth, 75c.

Decisions of the United States courts involving copyright. 1935-1937. vii, 355 pp. 8°. 1938.

BULLETIN NO. 22. Cloth, 75c.

Decisions of the United States courts involving copyright. 1938-June 1939. vii, 327 pp. 8°. 1939.

BULLETIN NO. 23. Cloth, \$1.

Decisions of the United States courts involving copyright. 1939-1940. vii, 391 pp. 8°. 1943.

BULLETIN NO. 24. Cloth, \$2.

Decisions of the United States courts involving copyright. 1941-1943. ix, 683 pp. 8°. 1944.

CATALOG OF COPYRIGHT ENTRIES OF BOOKS AND OTHER ARTICLES REGISTERED UNDER THE COPYRIGHT LAW. Subscriptions \$10 per year. Also obtainable in sections as follows:

Part 1, Group 1. Books proper, \$3.

Part 1, Group 2. Pamphlets, contributions to newspapers or periodicals, and maps, \$3.

Part 1, Group 3. Dramatic compositions, motion pictures and lectures, \$3.

Part 2. Periodicals, \$3.

Part 3, Musical compositions, complete, \$6.

Separately: Group 1. Unpublished music, \$3.

Group 2. Published music, \$3.

Group 3. Renewals, \$1.

Title index to groups 1 and 2, \$2.

Part 4. Works of art, photographs, prints, and pictorial illustrations, including prints and labels used for articles of merchandise, \$3.

CODE OF FEDERAL REGULATIONS OF THE COPYRIGHT OFFICE. Free.

Title 37, Chapter II of the Code of Federal Regulations as amended to October 1, 1941. 16 pp. 1942.

COPYRIGHT CONVENTION BETWEEN THE UNITED STATES AND OTHER AMERICAN REPUBLICS, SIGNED AT BUENOS AIRES, August 11, 1910. 7 pp. 1942. Free.

DRAMATIC COMPOSITIONS COPYRIGHTED IN THE UNITED STATES, 1870-1916. Cloth, \$4.

Over 60,000 titles alphabetically arranged, with complete index to authors, proprietors, translators etc. 2 vols. v, 3,547 pp. 4°. 1918.

INFORMATION CIRCULAR 4. Free.

Text of the Convention creating an International Union for the Protection of Literary and Artistic Works, signed at Berne, 1886, ratified 1887. Amendments agreed to at Paris, 1896. 13 pp. 4°.

INFORMATION CIRCULAR 4A. Free.

Text of the Convention creating an International Union for the Protection of Literary and Artistic Works, signed at Berlin, 1908. (English and French texts.) 10 pp. 4°.

INFORMATION CIRCULAR 4B. Free.

Additional protocol to the International Copyright Convention of Berlin, 1908, signed at Berne, 1914. (English and French texts.) 2 pp. 4°.

INFORMATION CIRCULAR 4C. Free.

Convention creating an International Union for the Protection of Literary and Artistic Works, signed at Berlin, 1908; revised, and signed at Rome, June 2, 1928. (English translation with official French text, and Appendix.) 14 pp. 4°.

PROCLAMATION OF THE PRESIDENT EXTENDING THE TIME FOR OBTAINING COPYRIGHT FOR WORKS BY BRITISH NATIONALS and BRITISH ORDER IN COUNCIL EXTENDING FOR AMERICAN AUTHORS TIME FOR COMPLIANCE WITH BRITISH COPYRIGHT ACT. 4 pp. 1944. Free.