



Annual Report of the

Register of Copyrights

FOR THE FISCAL YEAR ENDING JUNE 30, 1958



SIXTY-FIRST
ANNUAL REPORT OF THE
REGISTER OF COPYRIGHTS
FOR THE FISCAL YEAR ENDING JUNE 30, 1958



COPYRIGHT OFFICE

The Library of Congress

WASHINGTON : 1958

L. C. Card No. 10-35017

This report is a preprint from the
Annual Report of the Librarian of Congress
for the fiscal year ending June 30, 1958

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CHAPTER VI

The Copyright Office

Report to the Librarian of Congress by the Register of Copyrights

Copyright and the "Progress of Science and useful Arts"

As I reflect on the year's activities and developments it seems to me that copyright, in a sure but inconspicuous way, has contributed significantly to the progress of the arts and sciences. The farsighted framers of the Constitution of the United States made provision "to promote the Progress of Science and useful Arts" but one wonders if they dreamed how "useful" and how far-reaching would be the consequences of these simple words. Through the copyright law, designed to carry out part of their mandate, has evolved a concept of "writings" hardly comparable with the tortuous scratchings of a quill pen, and these "writings" reach minds far beyond our national borders.

The keynote of the times is, of course, science. The World's Fair at Brussels, a city of Old-World culture, brought together exciting evidences of modern achievements from all over the world. Reports indicate that as much stress was placed on technology as on the arts; more astrophysical aspirations were demonstrated than communication here on earth.

Notwithstanding, there were striking examples of goodwill promoted internationally through the arts. Marian Anderson's superb artistry and gentle manner sparked understanding in Asia; Bob Hope, Louis Armstrong, and Van Cliburn, in their respective spheres of entertainment, were enthusiastically received in Moscow;

and the Russian Moiseyev dancers were acclaimed wherever they appeared in the United States. These performing artists, employing the universal languages of laughter, music, and the dance, eloquently spanned geographic and political boundaries. That such envoys have unusual talent and captivating personalities is undeniable, but many of them are dependent upon authors who may not be so well known—and authors are, in turn, dependent on reward for their endeavors. That is where copyright, with its economic incentives to create, plays an important part in the world picture. The demand for good material knows no boundaries.

In last year's report emphasis was laid on the ingenious ways in which the many gaps in an old copyright law have been bridged while efforts were being made to plan a modern law that could cope with the global problems of communication. This year it can be reported that progress has been made and that we have a greater sense of direction and purpose.

The Year's Business

It appears that there was more writing and more copyrighting during fiscal 1958 than during the previous year, which continues the upward trend noted last year. The number of registrations since the present registry system began in 1897 is fast approaching the 10-million mark. The

238,935 registrations made during fiscal 1958 brought the total to 9,427,249. The increase over last year is almost 6 percent.

The Copyright Office received as earned fees \$945,231, representing an increase of \$52,619 over fiscal 1957. It is difficult to appraise the monetary value of the material received as copyright deposits. The Copyright Office received 374,608 articles during the fiscal year, 201,349 of which were turned over to the Library for its collections or for exchange. It is believed that the year's appropriation of \$1,390,000 for administering the Copyright Office was amply offset by earned fees and savings in acquisition costs for the Library.

There were gains in nearly all of the 15 categories of material submitted for copyright registration. Registrations for "books" (as defined in the statute) printed in the United States increased to 53,275 from last year's total of 48,811; for music, registrations increased to 66,515, greater by 6,901 registrations than in fiscal 1957; registrations for works of art increased from 4,557 to 5,019. The only noticeable decreases were for lectures and maps; ad interim registrations decreased, due to international copyright developments to be discussed later.

Music deposited for copyright registration may be depended on to reflect the headlines. It is always interesting to note the topical titles. Heretofore the theme of conquering space and reaching the moon (other than in romantic connections) had been to a large extent a specialty of comic strips, but this past year songwriters were inspired by scientific progress to write under such titles as "Take Me to the Moon Mr. Calhoun," "Space Ship Lullabye," "Sputnik Love," "Rockin', Rollin' Sputnik," "Rocking on the Satellite Moon," "Sputnik Tick Tock," "Bee Beep Bee Beep (Round and Round the Sputnik Go)," "Laika's Boogie," "Satellite Doggie," "Let Me Be Your Satellite," and "Santa and the Satellite." Other timely titles included "Denise in her New Chemise," "Asiatic Flu Blues," and "We Welcome You Alaska."

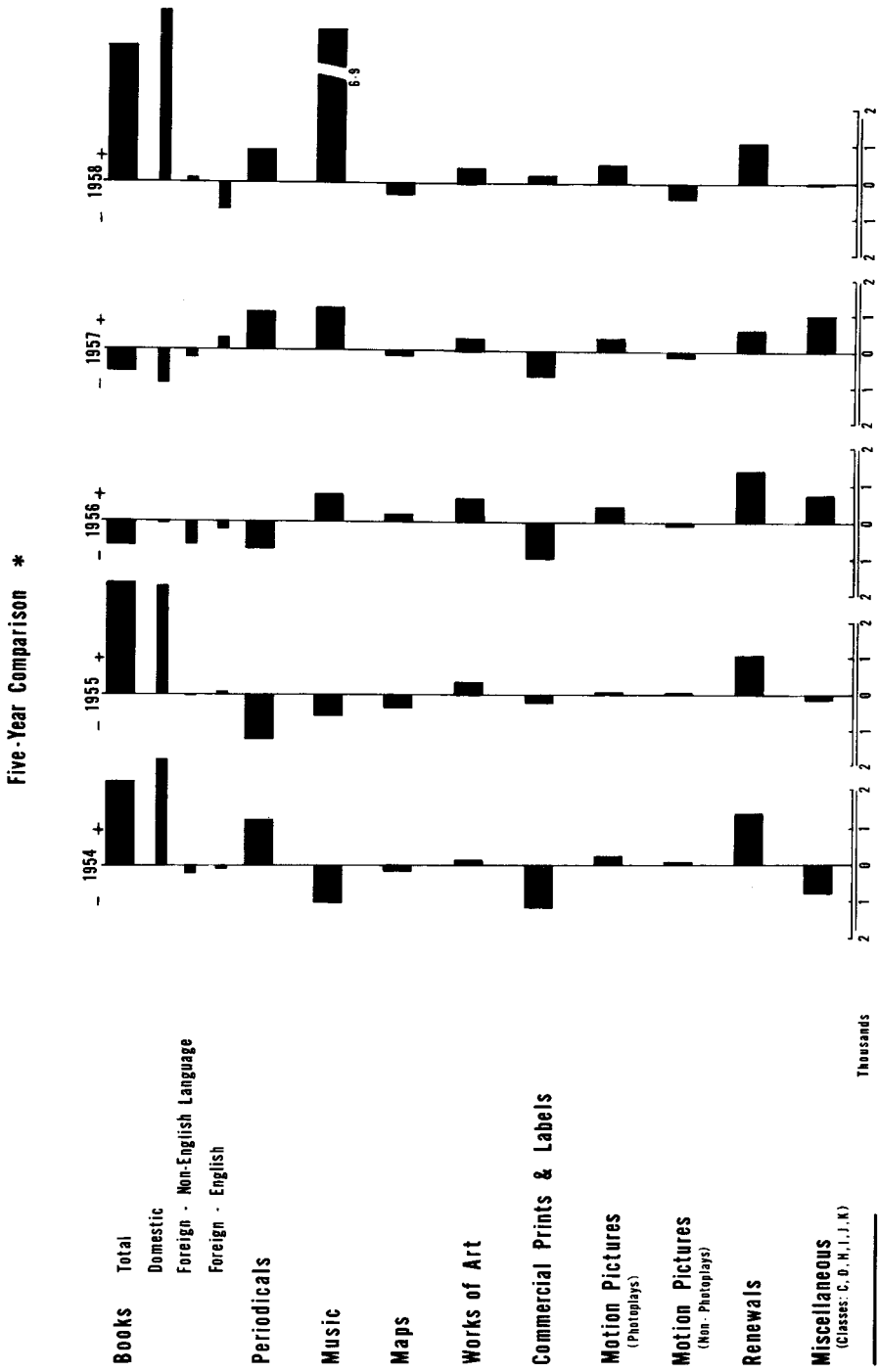
It hardly seems possible that 28 years have passed since *The Good Earth* by Pearl Buck was first published. Copyright in this and many other famous works was renewed this past year, including Robert Frost's *Collected Poems*, John Dos Passos' *The 42nd Parallel*, and William Faulkner's *Sanctuary*. Renewal registration was also made for "Anna Christie," the film in which Greta Garbo made her talking-picture debut.

The catalogers, operating under the reorganization plan inaugurated in the previous fiscal year and applying the revised copyright cataloging rules put into effect on January 1, 1957, and January 1, 1958, handled a record workload of 255,000 items. In addition to preparing catalog cards for all registrations, they prepared for printing 16 semiannual issues of the *Catalog of Copyright Entries* and supplied more than 239,000 cards to subscribers to the Cooperative Card Service, plus cards supplied to the Map and Music Divisions of the Library. The first issue of the music catalog in its new form (January-June, 1957), published on March 18, 1958, combined published and unpublished music and renewals, formerly issued in 3 separate parts.

All of this cataloging is basic to the services rendered to the public. In response to 8,881 inquiries from attorneys, authors' agents, publishers, other divisions of the Library, various Government agencies, Members of Congress, and the general public, 8,445 copyright searches were made, involving 51,032 titles. Total fees received for such searches amounted to \$13,530, a 15 percent increase over the figure for fiscal 1957. As in the previous years, there were many bibliographic-type searches for all the registered works of certain authors or composers, for example, William Saroyan, Noel Coward, and Percy MacKaye.

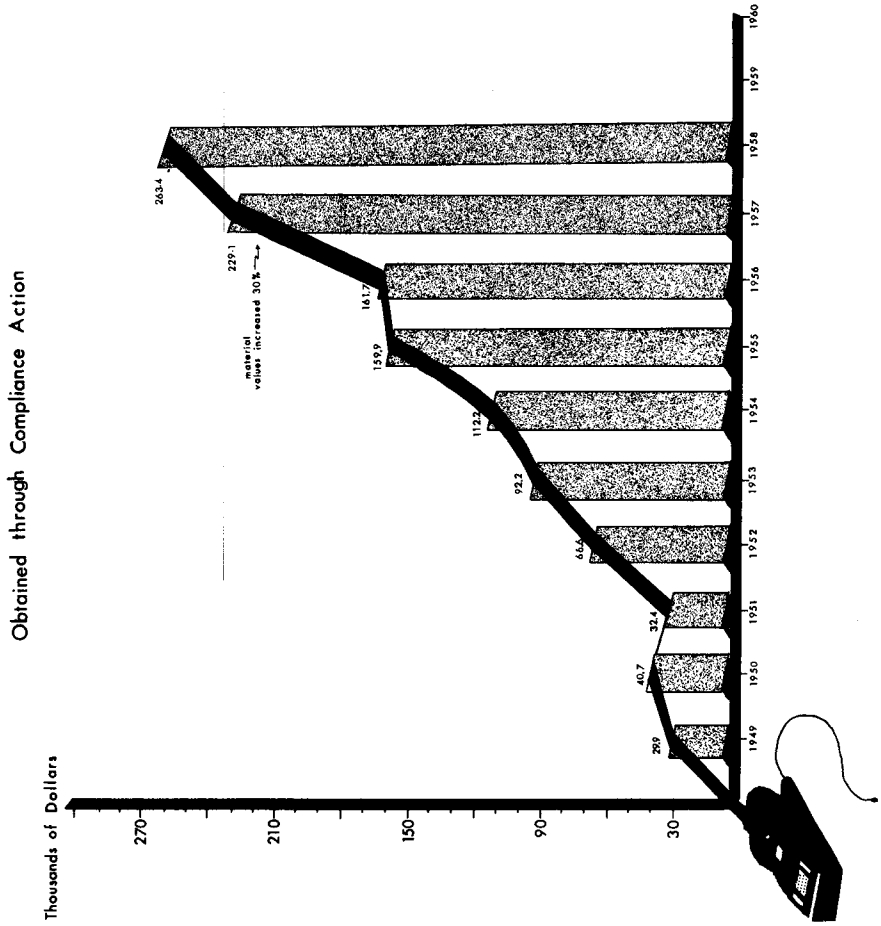
General questions on copyright procedure are channeled through the Public Office in the Reference Division. Their telephone lines were kept busy with 13,859 calls, 12,363 letters were answered, and

CHART 1
Increases and Decreases in Registrations by Class



* Compared in each case with registrations for preceding year

CHART 2
 Comparative Graph of the Total Value of Fees & Material
 Obtained through Compliance Action



5,257 visitors were received. These figures denote a great increase in the volume of business handled in the Public Office. Telephone calls were up nearly 23 percent and correspondence increased more than 21 percent over the preceding year.

Acquisitions for the Library

A tremendous mass of material flows into the Copyright Office every day, obviously more than can be permanently housed here. As already mentioned, 374,608 articles were deposited during the year, and the Copyright Office turned over to the Library for its collections, for use in exchange, or for other appropriate disposition 201,349 copyright deposits, consisting principally of books and periodicals but including significant contributions in the map and music categories. Parts of the valuable *Sky Survey Atlas*, prepared jointly by the National Geographic Society and the Palomar Observatory, continued to be deposited, and among the more than 3,000 motion pictures received was "Around the World in 80 Days," weighing 1,400 pounds. Such notable works in the field of music as the 27th volume of the Purcell Society's edition of Henry Purcell's selected works and the third part of Bedřich Smetana's *Klavírní Dilo* were added to the collections through copyright deposit.

The Compliance Section of the Copyright Office, which effects compliance with the deposit provisions of the copyright law, was instrumental in obtaining 15,007 registrations for books, periodicals, television films, and other material, valued at \$198,455, and the remittance for the United States Treasury of \$64,912 in registration fees.

Administrative Developments

One experimental records-management innovation begun in fiscal 1958 in the constant endeavor to "conquer space" in its more mundane sense was the microfilming of current applications for registration. The practice since 1945 has been to bind

the original applications (which are still being preserved during the testing period) in volumes of 500 and 1,000. This forms a bulky record, and since it is not only the original record but a public one, there exists the hazard of alteration, damage, or destruction. Knotty problems created by the change of procedure are gradually being resolved and some of the anticipated advantages are being realized. However, the Copyright Office will be in a better position to evaluate the experiment at the end of the one-year trial.

Since the Copyright Office mails out about 300,000 pieces of mail a year, it is interested in conserving time and expense wherever possible in the interest of more prompt and effective communications. Several new informational circulars and circular letters were developed last year, to displace dictated letters wherever feasible, including new or revised printed circulars on such subjects as television programs, synopses, formats and outlines, "public domain," song poems, the Universal Copyright Convention, renewal of copyright, games, the copyright notice, and general information on copyright.

Among the publications of the Copyright Office in fiscal 1958 was *Bulletin* 30, comprising the decisions of the United States Courts involving copyright for the period 1955-56.

In order to make copyright information more readily accessible in local areas that have a concentration of copyright interests, the Copyright Office has established depositories of Copyright Office material to which are sent the back and current issues of the *Catalog of Copyright Entries* and copies of other publications on a current basis. To the three previously established depositories were added, during fiscal 1958, the University of California at Los Angeles and the University of Southern California. The others are the New York Public Library, the Chicago Bar Association Library, and the Los Angeles County Law Library.

Legal Developments

GENERAL REVISION OF THE LAW

One of the Office's major activities for the past 3 years has been research and study to produce recommendations for a general revision of the United States copyright law. This program of studies moved ahead with substantial progress under the guidance of Abe A. Goldman, Chief of Research. The program is designed to re-examine comprehensively the basic features of the present law, which is essentially the law enacted in 1909, and to analyze legal and practical problems and alternative possibilities for their solution.

Separate studies are completed or in progress on each of the major problems of substance to be reexamined. They are designed to review the historical development of the law, the present law as construed and applied by the courts, the practical operation of the present law and the problems encountered in practice, proposals heretofore made for legislative revision and the discussion of those proposals in hearings and reports, and the parallel provisions in the laws of other countries and in international copyright conventions. On the basis of that review of the background, each study then presents an objective analysis of the issues to be resolved and of alternative possibilities for resolving them.

The first draft of each major study is sent to a panel of specialists, drawn from the various groups and industries concerned with copyright, for their review and comment, and the panel members are asked to submit their views on the issues and alternative solutions. The draft is then edited in the light of the panel's comments, and the completed study, together with the views submitted by the panel, is made generally available to interested persons and groups, whose comments and views are invited.

Prior to the beginning of fiscal 1958, 3 preliminary studies of a background nature had been published, and the first drafts of 4 studies on substantive problems had been sent to the panel. During fiscal 1958 the

first drafts of 10 additional studies went to the panel. The process of receiving and reviewing the panel's comments and views and editing the first drafts was completed during fiscal 1958 for 9 studies. Copies of these, together with the views of the panel members, were made available to interested persons. The studies cover the following subjects: The compulsory license provisions; the damage provisions; duration of copyright; divisibility of copyright; unauthorized duplication of sound recordings; notice of copyright; protection of unpublished works; liability of innocent infringers; and operation of the damage provisions in practice.

The three preliminary studies previously published dealt with the following subjects: The history of United States copyright law revision, 1901-54; the moral right of the author; and the meaning of "writings" in the Constitution.

At the close of fiscal 1958, the first drafts of studies on the following subjects were in the hands of the panel members: The economic aspects of the compulsory license; fair use of copyrighted works; works made for hire and on commission; limitations on performing rights; and the economic size of the copyright industries.

Studies on some 20 other features of the copyright law were in various stages of research at the close of fiscal 1958. The more important ones on substantive problems of general interest will be sent at an early date to the panel.

Two meetings of the panel, together with committees of the American Bar Association and of the Association of the Bar of the City of New York, were held, at which the general revision program and some of the substantive issues involved were discussed. The Register and other representatives of the Copyright Office also discussed the general revision program at meetings in California, Chicago, and elsewhere with bar groups and trade organizations.

LEGISLATIVE MATTERS

Few new bills affecting copyright were presented during the Second Session of the

85th Congress. The bills introduced during the First Session which were noted in last year's annual report for the most part were not considered by the Congress during the Second Session.

H. R. 8419, which permits copyright proprietors to bring infringement actions against the Federal Government, passed the House on May 19, 1958. At the close of the fiscal year it had not yet been reported out of the Senate Judiciary Committee.

The ever-present "jukebox" bill, S. 1870, was the subject of extensive hearings on April 23-25, 1958, by the Patents, Trademarks and Copyrights Subcommittee of the Senate Judiciary Committee. The Subcommittee reported the matter favorably to the full Committee. At the close of the fiscal year no action had been taken by that body.¹

Last year's annual report mentioned two bills whose purpose was to establish a loan service for captioned films for the deaf and to authorize the loan of these films, which originally were made available to the Library of Congress under the copyright laws. Although no action was taken on these bills, a similar bill introduced in the Senate, S. 1889, was passed by the Senate on August 23, 1957. No further action had been taken with respect to this bill at the close of the fiscal year, but a new bill, H. R. 13678, was passed on September 2, 1958, becoming Public Law 85-905 (85th Congress).

On July 23, 1957, Representative Edwin E. Willis introduced H. R. 8873, a bill for the protection of "ornamental designs of useful articles." The bill had been developed over a period of 3 years by the Coordinating Committee on Designs of the National Council for Patent Law Associations, with the Copyright and Patent Offices participating in drafting and discussing the measure. The need for more effective design legislation than that pro-

vided by the patent law has been urged for many years. More recent developments following the 1954 Supreme Court decision in *Mazer v. Stein* (347 U. S. 201) have placed the Copyright Office in a difficult administrative position, and indicate clearly that general protection for designs of useful articles under the present copyright law is inappropriate. The bill was prepared in an effort to provide equitable and practical short-term protection against design piracy, while avoiding the defects of both the patent and copyright laws in this area. Since its introduction the bill has been widely disseminated and has been the subject of extensive discussion and study. It is reported that an inter-industry committee has been formed to support its basic principles. Active consideration of the problem in the next session of Congress is expected.

Senator George A. Smathers introduced as S. 2834 on August 21, 1957, a proposal to amend Section 310 of the Communications Act of 1934 (47 U. S. C. 310), which, while not a copyright bill, would affect the operations of music publishers. The bill provided that a license for a radio or television broadcasting station should not be granted to, or held by, any person or corporation engaged directly or indirectly in the business of publishing music or of manufacturing or selling musical recordings. The bill was referred to the Committee on Interstate and Foreign Commerce, which held extensive hearings on the measure.

Four bills, H. R. 9827, S. 2957, S. 3126, and S. 3187, sometimes referred to as the "sputnik" bills, were introduced in January 1958 in the wake of Russian missile and satellite success. They would establish organizations or foundations with appropriated funds to stimulate American scientific education by copying, abstracting, and translating scientific and technical publications, particularly Russian works. While these are not copyright bills, they may have copyright connotations, since copying, abstracting, and translation programs may be affected at times by copyright laws.

One of the few new bills of the Second Session of the Congress, H. R. 9844, in-

¹ On August 15, 1958, the full Senate Judiciary Committee reported favorably on S. 1870, but added an amendment increasing the recording royalty payment on jukebox records from 2 to 4 cents.

troduced on January 8, 1958, by Representative Frank Thompson, Jr., relates to the deposit of sound recordings in the Library of Congress and provides penalties for failure to comply with the Librarian's demand. Although this bill purports to amend Title 17 of the *U. S. Code*, it is, in effect, a provision for a "depot legal" rather than strictly a copyright matter. No action was taken in connection with the bill during the year.

On February 18, 1958, Senator J. W. Fulbright introduced S. 3296, which in effect would establish a "domaine public payant." It provides that all music now or hereafter in the public domain shall be the property of the United States as copyright owner and establishes a "National Music Council" to collect royalties and utilize the proceeds to encourage the creation, understanding, and appreciation of music.

Each of these new bills adds something borrowed from foreign copyright systems, reflecting recent interest in comparing foreign laws on copyright. Foreign nations likewise have considered some United States features in their current legislative programs, again demonstrating the international scope and effect of any copyright activity.

COURT DECISIONS

From the viewpoint of the Copyright Office, probably the most interesting court decision of the year was that of *Bailie & Fiddler v. Fisher*, 117 U. S. P. Q. 334 (D. C. Cir. 1958). This case began as a result of the Office's denying registration of a cardboard display-piece descriptively entitled "Self-Supporting Star-Shaped Photograph Bearing Phonograph Record." This work was rejected as not being within the "work-of-art" category for which application was made. The plaintiff sought a declaratory judgment requiring the Register to register this as a work of art. The lower court's action in sustaining the Register was upheld by the Court of Appeals.

Another example of the state of confusion existing in the area of design protection is illustrated by the case of

Vacheron & Constantin-Le Coultre Watches, Inc. v. Benrus Watch Co., Inc., 115 U. S. P. Q. 115 (D. C. S. D. N. Y. 1957). The manufacturer of a wrist watch with a distinctive dial, designed in the space-age style and called "Galaxy," sued the manufacturer of a similar watch called "Elegance Constellation" on grounds of both copyright and design patent infringement, as well as unfair competition. The watch, for which the Copyright Office had twice denied registration as a work of art, was held not copyrightable, but the court saw "nothing reprehensible" about concurrent reliance on both copyright and design patent, remarking that "The law as to the relationship between copyright and design patent claims is in an unsettled state, . . . and patent counsel are to be commended in seeking for their clients protection under both heads upon the theory that protection under the one or the other may be upheld by the courts." (On appeal (119 USPQ 189, 2d Cir. Oct. 21, 1958) the case was remanded to the district court.)

Two additional decisions have had an effect on the Office's practices and workload: *Boucher v. DuBoyes*, 253 Fed. 2d 948 (2d Cir. 1958) and *Stasny Music Corp. v. Santly-Joy Inc.*, 156 Fed. Supp. 795 (D. C. S. D. N. Y. 1957) affirmed 249 F. 2d 957 (2d Cir. 1957). In the *Boucher* case the issue was the question of the copyrightability of some costume jewelry, the validity of which the court upheld. A pair of earrings sold by the plaintiff bore the copyright notice on only one of them and the defendant attempted to urge that in view of the fact that one of a pair of earrings is sometimes used as a decorative clip, the notice should have been on each of the pair. Both courts rejected this argument, pointing out that the fact the earrings could be used singly did not mean that they were separate works of art.

The *Stasny* case illustrated the importance of complying with the notice-of-use provision. The case was dismissed because at the time of the alleged infringement plaintiff's notice of use, required under Section 1 (e), had not been filed, and

the court held that this was a complete bar to the action. The past year's increase in the recording of notices of use in the Copyright Office was doubtless influenced by this decision.

In *Gibran v. National Commission of Gibran*, 117 U. S. P. Q. 218 (2d Cir. 1958), the author had willed the royalties from his writings to his native village. At the time for renewal the author had died, leaving a will in which no executor was named. There were no widow or children, and the issue involved was whether the statute gave the renewal copyright to the author's sister, as next of kin, or whether his "administrator c. t. a." was the proper renewal claimant. The Court of Appeals reconsidered statements in an earlier case suggesting that an administrator c. t. a. has no right to renew, and, under the circumstances in this case, held that the administrator c. t. a. rather than the next of kin was the proper renewal claimant. The decision has focused attention on a gap in the renewal provision—one that has plagued the Copyright Office for many years.

Another renewal case was that of *Miller Music Corp. v. Charles N. Daniels, Inc.*, 116 U. S. P. Q. 92 (S. D. N. Y. 1957), which involved the renewal of the song "Moonlight and Roses." In this case one of the co-authors assigned his renewals to the plaintiff, but died prior to the renewal year. When the executor obtained the renewal and made distribution to the residuary legatees, who subsequently assigned their rights to the defendant, the plaintiff contested the validity of such renewal. The court, in granting the defendant's motion for summary judgment, held that the executor was not bound to carry out the testator's agreement; that the renewal rights are statutory; and that under the copyright law the executor is authorized to renew or dispose of the copyrights for the benefit of the legatees.

The case of *Continental Casualty Co. v. Beardsley* referred to in last year's report, which concerned the copyright of insurance forms, was appealed to the Court of Appeals during the year, 117 U. S. P. Q.

1 (7th Cir. 1958). The lower court's decision upholding the copyright ability of the form was modified and affirmed. At the end of the year a petition for certiorari was pending in the Supreme Court.

The rather unusual opinion referred to in last year's report, *Young v. Hickerson, Inc.*, 159 NYS 2d 612 (Municipal Ct. of N. Y., Bor. of Manhattan, 45th Dist. 1957), in which the Court held that a copyright notice on a photograph was sufficient to apprise an infringer of proprietary rights and the contractual relationship between the photographer and the photographed person, was overruled on appeal, 170 NYS 2d 168 (S. Ct. N. Y., App. Term, 1st Dept., 1957). The Supreme Court of the State of New York pointed out that the plaintiff's remedy was for copyright infringement, which was a Federal question, and dismissed the action on the ground that the State court lacked jurisdiction.

An interesting case which provides a rather extensive review of the activities of one of the performing rights societies, SESAC, is that of *Affiliated Music Enterprises, Inc. v. SESAC, Inc.*, 160 F. Supp. 865 (S. D. N. Y. 1958). Plaintiff filed a treble-damage action under the antitrust laws and defendant counterclaimed for unfair competition. Both actions were dismissed by the court, which hinted that the defendant might have violated the antitrust statutes by reason of its affiliation agreement and its licensing procedure but held that even though this were so, the plaintiff was not found to be hurt by the alleged action.

The Supreme Court, in the case of *Columbia Broadcasting System, Inc. v. Loew's, Inc.*, 356 U. S. 43 (1958), by an equally divided court upheld the lower court's decision that television comedian Jack Benny, who had performed a parody of a copyrighted motion picture, had in fact infringed the motion-picture property right. It now appears that a burlesque of a copyrighted work infringes if it reproduces the work extensively. It is interesting to note, however, that a case which arose in the same circuit as the Benny case involving burlesque by another come-

dian, Sid Caesar, was found by the District Court not to be an infringement in view of the fact that the burlesque did not adhere closely to the original copyrighted version.²

International Developments

UNIVERSAL COPYRIGHT CONVENTION

Among the most important events of the year, so far as international copyright developments were concerned, was the United Kingdom's ratification of the Universal Copyright Convention, which became effective on September 27, 1957. Austria's ratification, mentioned in last year's report, became effective on July 2, 1957. The greatest impact on the U. S. Copyright Office of the United Kingdom's ratification was the reduction in the number of foreign registrations, particularly in the ad interim category. It meant that books by British nationals first published in a country party to the Universal Copyright Convention other than the United States were, under the terms of the Convention, protected in this country without the requirements of United States manufacture or registration; and importation restrictions were lifted. Ad interim registrations during the fiscal year decreased 42 percent. Many problems have arisen concerning importation, since there are still circumstances calling for ad interim registration; it has been necessary to work in close liaison with the customs authorities and the publishing industry in devising practical instructions covering new situations in the international flow of literary and artistic material.

The Register of Copyrights presided over the week-long second session of the Intergovernmental Copyright Committee (of the Universal Copyright Convention), which met in Washington October 7-11, 1957. In addition to delegates from the 12 member countries of the Committee, there were representatives of 26 States not members of the Committee and of the Bureau of the International Unions for the

Protection of Industrial, Literary and Artistic Property, the Organization of American States, and Unesco; at the final meeting the Director General of Unesco was the speaker. A full report of the proceedings of the Committee was later published by Unesco.

India and Argentina had representatives at the Intergovernmental Copyright Committee meeting, and they announced their countries' intention to ratify the Convention shortly. These countries had amended their copyright laws in the respects necessary to become parties to the Convention, and, effective January 21, 1958, and February 13, 1958, respectively, India and Argentina became the 28th and 29th States to adhere to the UCC.

Every UCC ratification or accession has been preceded by lengthy and learned deliberation and debate on enabling domestic legislation required by the Convention for its effectuation. The desire to take advantage of the international reciprocity offered by the Convention has created new interest in copyright law all over the world. Many nations have brought their laws up to date and are continually studying new features to accommodate technological advances.

COPYRIGHT LAWS AND TREATIES OF THE WORLD

A great help in the comparative study of copyright laws has been the compilation *Copyright Laws and Treaties of the World*, published by Unesco and the Bureau of National Affairs in looseleaf form in 1956. The Copyright Office continued last year to assist the publishers in collecting and editing supplementary material for this work. The first (1958) annual supplement was distributed early in 1958, and work on the second supplement was substantially completed.

NEIGHBORING RIGHTS

Earlier in this report mention was made of performers, the part they can play in the international scene, and the relationship of copyright. This relationship raises the interesting problem of the so-called "neigh-

² *Columbia Pictures Corp. v. NBC*, 137 F. Supp. 348 (S. D. Cal. 1955).

boring rights" (those rights said to be "neighboring" on or related to copyright), which were briefly mentioned in last year's report and on which there is continuing activity throughout the world. Performing artists, record manufacturers, and broadcasters, who add something of value to intellectual properties, are not protected by many existing copyright statutes. Three international organizations have been actively engaged in studying the problem and preparing proposals for the possible international protection of these "neighboring" rights, namely, Unesco, the Berne Bureau (The Bureaux of the International Unions for the Protection of Industrial, Literary and Artistic Property), and the International Labor Organization. Two draft conventions have been drawn, one prepared jointly under the auspices of Unesco and the Berne Bureau, and the other sponsored by the International Labor Organization. During the past year these two documents were submitted to the governments of member countries for comment. The United States' reply, submitted on October 16, 1957, through the State Department, made no comments or suggestions on specific substantive provisions of the draft agreements, which differ on fundamental issues and basic principles, but suggested that "any agreement on 'neighboring rights' should be based upon concepts of intellectual property and be developed in close interrelation with the existing international copyright conventions," and that the Monaco draft "represents a sounder basis for further discussions." Comments were also submitted by 40 other countries.

WASHINGTON CONVENTION OF 1946

In April 1958 President Eisenhower sent a message to the Senate withdrawing the inter-American copyright convention signed at Washington on June 22, 1946.

The United States had never ratified this convention.

Staff Activities

Members of the Copyright Office staff have devoted much of their extracurricular time to professional work to increase their knowledge and to promote better relations between the Office and the public with which it deals. Its catalogers are active in such library organizations as the American Library Association, the Special Libraries Association, the Music Library Association, and the Institute on Catalog Code Revision; and its lawyers have participated actively in bar associations, serving on copyright committees and panels, and taking part in symposia, as well as speaking before special groups. Others have contributed to the *Bulletin of the Copyright Society of the U. S. A.*, to yearbooks, and to various foreign and domestic periodicals.

Barbara A. Ringer, Assistant Chief of the Examining Division, received a citation from the William A. Jump Memorial Foundation "in recognition of her exemplary achievement and special contribution to the efficiency and prestige of the public service." She was particularly commended for her outstanding contributions and exceptional skill in connection with the development of H. R. 8873, the new draft design bill.

The Register and other representatives of the Copyright Office met on various occasions with committees of the American Bar Association, the Association of the Bar of the City of New York, the Federal Bar Association of New York, New Jersey, and Connecticut, and with California and Illinois Bar groups, as well as with various other trade and professional groups, to discuss copyright problems.

Registration by Subject Matter Classes for the Fiscal Years 1954-58

Class	Subject matter of copyright	1954	1955	1956	1957	1958
A	Books:					
	(a) Printed in the United States: Books, pamphlets, leaflets, etc.	46, 608	49, 142	49, 373	48, 811	53, 275
	Contributions to newspapers and periodicals	3, 294	3, 746	3, 490	3, 214	3, 355
	Total	49, 902	52, 888	52, 863	52, 025	56, 630
	(b) Printed abroad in a foreign lan- guage	3, 697	3, 694	3, 115	2, 915	2, 937
A	(c) English books registered for ad- interim copyright	1, 458	1, 578	1, 454	1, 777	1, 030
	Total	55, 057	58, 160	57, 432	56, 717	60, 597
B	Periodicals (numbers)	60, 667	59, 448	58, 576	59, 724	60, 691
C	Lectures, sermons, addresses	769	813	771	1, 003	852
D	Dramatic or dramatico-musical composi- tions	3, 527	3, 493	3, 329	2, 764	2, 754
		58, 213	57, 527	58, 330	59, 614	66, 515
E	Musical compositions	2, 390	2, 013	2, 242	2, 084	1, 614
F	Maps	3, 170	3, 456	4, 168	4, 557	5, 019
G	Works of art, models or designs	572	900	785	914	1, 044
H	Reproductions of works of art					
I	Drawings or plastic works of a scientific or technical character	1, 300	1, 350	1, 132	699	683
		1, 049	1, 105	1, 408	964	1, 037
J	Photographs	4, 103	3, 793	3, 306	3, 409	3, 413
K	Prints and pictorial illustrations (KK) Commercial prints and labels	10, 784	10, 505	9, 491	8, 687	8, 924
		1, 170	1, 216	1, 659	1, 967	2, 451
L	Motion-picture photoplays	1, 386	1, 434	1, 353	1, 231	748
M	Motion pictures not photoplays	18, 508	19, 519	20, 926	21, 473	22, 593
R	Renewals of all classes					
	Total	222, 665	224, 732	224, 908	225, 807	238, 935

Statement of Gross Cash Receipts, Yearly Fees, Number of Registrations, etc., for the Fiscal Years 1954-58

Fiscal year	Gross receipts	Yearly fees applied	Number of registrations	Increases in registrations
1954	\$913, 663. 78	\$871, 463. 50	222, 665	4, 159
1955	941, 365. 75	881, 017. 00	224, 732	2, 067
1956	930, 351. 82	881, 612. 50	224, 908	176
1957	938, 408. 70	892, 612. 50	225, 807	899
1958	992, 865. 59	945, 231. 50	238, 935	13, 128
Total	\$4, 716, 655. 64	\$4, 471, 937. 00	1, 137, 047

Number of Articles Deposited During the Fiscal Years 1954-58

Class	Subject matter of copyright	1954	1955	1956	1957	1958
A	Books:					
	(a) Printed in the United States: Books, pamphlets, leaflets, etc.....	93, 216	98, 284	98, 746	97, 622	106, 550
	Contributions to newspapers and periodicals.....	3, 294	3, 746	3, 490	3, 214	3, 355
	Total.....	96, 510	102, 030	102, 236	100, 836	109, 905
	(b) Printed abroad in a foreign lan- guage.....	6, 954	6, 846	5, 823	5, 326	5, 404
(c) English books registered for ad- interim copyright.....	2, 557	2, 697	2, 504	3, 028	1, 689	
	Total.....	106, 021	111, 573	110, 563	109, 190	116, 998
B	Periodicals.....	121, 312	118, 838	117, 122	119, 390	121, 362
C	Lectures, sermons, etc.....	769	813	771	1, 003	852
D	Dramatic or dramatico-musical composi- tions.....	3, 990	4, 020	3, 862	3, 260	3, 212
E	Musical compositions.....	74, 387	74, 907	75, 815	76, 825	84, 445
F	Maps.....	4, 779	4, 026	4, 484	4, 167	3, 228
G	Works of art, models or designs.....	4, 574	5, 172	6, 664	7, 520	8, 861
H	Reproductions of works of art.....	1, 082	1, 774	1, 554	1, 814	2, 076
I	Drawings or plastic works of a scientific or technical character.....	1, 992	2, 043	1, 779	1, 111	1, 099
J	Photographs.....	1, 740	1, 850	2, 387	1, 647	1, 547
K	Prints, labels and pictorial illustrations.....	29, 772	28, 581	25, 590	24, 188	24, 667
L	Motion-picture photoplays.....	2, 265	2, 382	3, 293	3, 933	4, 897
M	Motion pictures not photoplays.....	2, 576	2, 707	2, 518	2, 215	1, 364
	Total.....	355, 259	358, 686	356, 402	356, 263	374, 608

SUMMARY OF COPYRIGHT BUSINESS, FISCAL YEAR 1958

Balance on hand July 1, 1957		\$208,574.13
Gross receipts July 1, 1957 to June 30, 1958		992,865.59
		<hr/>
Total to be accounted for		1,201,439.72
		<hr/> <hr/>
Refunded	\$43,671.90	
Checks returned unpaid	987.75	
Deposited as earned fees	934,748.00	
Balance carried over to July 1, 1958:		
Fees earned in June 1958 but not deposited until July		
1958	\$85,642.50	
Unfinished business balance	21,504.58	
Deposit accounts balance	114,884.99	
	<hr/>	
	222,032.07	
		<hr/>
		1,201,439.72
		<hr/> <hr/>
Registrations for prints and labels	8,924	53,544.00
Registrations for published works	143,419	573,676.00
Registrations for unpublished works	52,892	211,568.00
Registrations for renewals	22,593	45,186.00
		<hr/>
Total number of registrations ¹	227,828	
Fees for registrations		883,974.00
Fees for recording assignments	\$24,504.00	
Fees for indexing transfers of proprietorship	10,428.00	
Fees for notices of user recorded	10,453.50	
Fees for certified documents	2,348.00	
Fees for searches made	13,524.00	
	<hr/>	
		61,257.50
		<hr/>
Total fees earned		\$945,231.50

¹ Excludes 11,107 registrations made under Public Law 84.

Respectfully submitted,

WASHINGTON, D. C.,
October 3, 1958

ARTHUR FISHER
Register of Copyrights.

PUBLICATIONS OF THE COPYRIGHT OFFICE

<i>Copyright Law of the United States of America</i> , (Title 17, United States Code) (Bulletin 14) 1956 edition. 46 p. Paper. 25 cents.	1918-24 (Bulletin 19) \$2.50
<i>Decisions of the United States Courts Involving Copyright</i> . A series containing substantially all copyright cases, as well as many cases involving related subjects in the field of literary property, decided during the years 1909-1956 by the Federal Courts, including some decisions of the State Courts of the United States. Cloth.	1924-35 (Bulletin 20) \$3.75
1909-14 (Bulletin 17) \$1.75	1935-37 (Bulletin 21) \$0.75
1914-17 (Bulletin 18) \$2.50	1938-39 (Bulletin 22) \$2.00
	1939-40 (Bulletin 23) \$2.25
	1941-43 (Bulletin 24) \$2.75
	1944-46 (Bulletin 25) \$1.50
	1947-48 (Bulletin 26) \$1.75
	1949-50 (Bulletin 27) \$2.00
	1951-52 (Bulletin 28) \$2.50
	1953-54 (Bulletin 29) \$2.25
	1955-56 (Bulletin 30) \$2.75
	1957-58 (Bulletin 31) in process

Cumulative Index, 1909-1954 (Bulletins 17-29)
 \$1.75
 Complete Set, Including Index \$32.75
 Prices Subject to Change

Orders for the above publications may be addressed and remittances made payable either to the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C., or to the Register of Copyrights, Library of Congress, Washington 25, D. C.

Orders for the following publications should be addressed and remittances made payable to the Register of Copyrights, Library of Congress, Washington 25, D. C.

Catalog of Copyright Entries. Each part of the *Catalog* is published in semiannual numbers covering, respectively, the periods January-June and July-December. These catalogs contain the claims of copyright registered during the particular periods for which they are issued. The prices given below are for the year.

Part 1—Books and Pamphlets Including Serials and Contributions to Periodicals. \$5.00.

Part 2—Periodicals. \$2.00.

Parts 3-4—Dramas and Works Prepared for Oral Delivery. \$2.00.

Part 5—Music. \$7.00.

Part 6—Maps and Atlases. \$1.00.

Parts 7-11A—Works of Art, Reproductions of Works of Art, Scientific and Technical Drawings, Photographic Works, Prints and Pictorial Illustrations. \$2.00.

Part 11B—Commercial Prints and Labels. \$2.00.

Parts 12-13—Motion Pictures and Filmstrips. \$1.00.

Annual Subscription Price, all parts. \$20.00.

Motion Pictures:

1894-1912, Identified from the Records of the United States Copyright Office by Howard Lamarr Walls. 1953. 92 p. Buckram. \$2.00.

1912-1939, a Cumulative Catalog listing works registered in the Copyright Office in Classes L and M between August 24, 1912 and December 31, 1939. Copyright Office Cumulative Series. 1951. 1,256 p. Buckram. \$18.00.

1940-1949, a Cumulative Catalog listing works registered in the Copyright Office

in Classes L and M between January 1, 1940 and December 31, 1949. Copyright Office Cumulative Series. 1953. 598 p. Buckram. \$10.00.

These three volumes together list nearly 80,000 motion pictures produced since the beginning of the motion-picture industry.

Dramatic Compositions Copyrighted in the United States, 1870-1916. Over 60,000 titles alphabetically arranged, with complete index to authors, translators, proprietors, etc. 2 vols. 1918. 3,547 p. Cloth. \$4.00.

Copyright in Congress, 1789-1904. A bibliographical and chronological record of all proceedings in Congress in relation to copyright. (Bulletin 8.) 1905. 468 p. Cloth. 65 cents.

General Information on Copyright. (Cir. 35.) 7 p. Free.

Regulations of the Copyright Office. (Code of Federal Regulations, Title 37, Chap. II) (Cir. 96). 8 p. Free.

Related Code Provisions. A list of some provisions in the United States Code and the Code of Federal Regulations dealing with or related to copyright (exclusive of 17 U. S. C. and 37 C. F. R. ch. II) (Cir. 86). 17 p. Free.

Copyright Bibliography; by Henriette Mertz. A bibliography for checking purposes divided into two sections, English and Foreign. Items are listed alphabetically by author or title and no attempt has been made toward a subject approach. 1950. 213 p. Paper. Free.

The Copyright Office of the United States of America. A general description of the organization and functions of the Copyright Office. 30 p. Free.

Informational circulars dealing with various specific subjects such as Television Programs, Transfer of Copyrights, Renewal, Ad Interim Copyright, International Copyright Relations, etc., are available upon request stating specific need. Free.

Orders for the following microfilm should be addressed and remittances made payable to the Chief, Photoduplication Service, Library of Congress, Washington 25, D. C.

A Compilation of the Regulations Concerning Copyright 1874-1956. The regulations of the Copyright Office from 1874 to 1956. (Microfilm.) \$6.50.