

OFFICE OF THE
REGISTER OF COPYRIGHTS

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LIBRARY OF CONGRESS
COPYRIGHT OFFICE
WASHINGTON

APR 19 1937

Dear Madam:

The Copyright Office has received your applications on forms J-1 for registration of "Colo. Springs Fine Arts Center", published March 18, 1937, and "Arch Bishop Lamy's Chapel", published March 18, 1937. The fee for published photographs is one dollar each without certificate or two dollars each if certificate of registration is desired. Thus for the two applications filed there should be deposited a total remittance of two dollars or four dollars depending on whether or not the certificates are desired.

The applications give the name of the copyright owner as "Laura Gilpin", while the notice on the copies gives "Gilpin Publishing Co.". Please explain this variance. The name should be given in the application to agree with the notice. Are you perhaps the sole owner of the Gilpin Publishing Co? If so, this information should be given in the application by some such statement in line 1 as "Gilpin Publishing Co. - Laura Gilpin, sole owner". Any needed corrections should be made in new applications for the two works deposited.

In accordance with your request a supply of forms for published photographs is enclosed (J-1).

New registrations will not be required for the photographs which you say have already been registered both in published and unpublished form. All copies published should, of course, bear the notice.

Enclosures:
14 forms J-1
Cir. 45

Respectfully,

C. L. Bouvé
C. L. Bouvé
Register of Copyrights

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Miss Laura Gilpin
317 Cheyenne Rd.
Colorado Springs
Colorado

DEPARTMENT OF COMMERCE.

UNITED STATES PATENT OFFICE.

PRINTS AND LABELS.

Prints and Labels are artistic creations used in the sale of goods and may be copyrighted in the Patent Office for 28 years and renewed for 28 years under the copyright law of 1874. Each must name or picture or be descriptive of some particular article or class of articles, and *prior to filing application* for copyright must be originally published with notice of copyright thus: "Copyright (or Copr.) $\frac{\text{year}}{\text{year}}$ by John Smith."

The notice of copyright is notice to the public that claim is made to copyright of the artistic creation as a whole. If once published without this notice, or if registration is not applied for within a reasonable time after publication with the notice of copyright thereon, the print or label becomes dedicated to the public and will not be registered. Application for copyright may be filed by either author or owner.

A *label* must be attached to the goods, as by pasting onto the container, while a *print* can not be attached to the goods, but must be used to advertise them, such as advertisements in magazines and street-car cards.

A print or label differs from a trade-mark in that it must be descriptive of some goods, and covers all the matter appearing thereon rather than some special part thereof.

Copyright gives the owner the right to sue directly in the Federal courts and obtain damages fixed by law. The notice of copyright should appear on every copy printed.

The fee for registering either a print or label is \$6, and may be returned if for any reason the registration sought can not be secured.

No drawing is required in print and label applications, but *ten specimens* are required. If the print or label is unwieldy, at least two original and ten photographic copies should be filed.

Address all Communications

**THE COMMISSIONER OF PATENTS,
Washington, D. C.**

(Forms on other side of this sheet.)

(I) LABEL OR PRINT FORM FOR AN INDIVIDUAL.

To the COMMISSIONER OF PATENTS:

The undersigned,-----, ^a a -----, ^b residing at-----, ^c and doing business at-----, ^d hereby applies as-----, ^e for registration of the print [or label] shown in the accompanying copies, 10 of which are furnished.

The print [or label] was first published, with Notice of Copyright thereon, on-----; ^f its title is-----, ^g and it is used for advertising purposes for ^h [or on]-----.

(Full signature of applicant.) -----,
Author (or Proprietor.)

(II) LABEL OR PRINT FORM FOR A FIRM.

To the COMMISSIONER OF PATENTS:

The undersigned,-----, ^a a firm, domiciled in-----, ^c and doing business at-----, ^d hereby applies as proprietor, the author from whom title is derived being a citizen of (or subject of)-----, ^e for registration of the print [or label] shown in the accompanying copies, 10 of which are furnished.

The print [or label] was first published, with Notice of Copyright thereon, on-----; ^f its title is-----, ^g and it is used for advertising purposes for ^h [or on]-----.

(Full signature of applicant.) -----,
Proprietor.

By-----,
A Member of the Firm.

(III) LABEL OR PRINT FORM FOR A CORPORATION.

To the COMMISSIONER OF PATENTS:

The undersigned,-----, ^a a corporation duly organized under the laws of-----, ^k located in-----, ^c and doing business at-----, ^d hereby applies as proprietor, the author from whom title is derived being a citizen of (or subject of)-----, ^e for registration of the print [or label] shown in the accompanying copies, 10 of which are furnished.

The print [or label] was first published, with Notice of Copyright thereon, on-----; ^f its title is-----, ^g and it is used for advertising purposes for ^h [or on]-----.

(Applicant's full name.) -----,
By-----,
President (or Other Officer.)

^a Insert name of applicant.

^b Insert statement of applicant's citizenship, or of what ruler he is a subject.

^c Insert applicant's residence, domicile, or location.

^d Insert applicant's place of doing business, with postal address.

^e State whether as author or proprietor; and if as proprietor, state also the citizenship of the author (or of what ruler he is a subject) from whom title is derived.

^f Insert date of publication.

^g Insert title of print or label which must appear on the copies furnished.

^h State goods which print is used to advertise or label is used on.

ⁱ State citizenship of the author (or of what ruler he is subject).

^j State under the laws of what State or nation organized.

^k A label application should substitute the word "on" for the words in brackets.

LIBRARY OF CONGRESS

No. 35

COPYRIGHT OFFICE

WASHINGTON, D. C.

Steps Necessary to Secure Copyright Registration in the United States under the Act of March 4, 1909, as amended

For works reproduced in copies for sale or distribution:

1. **Publish the work with the copyright notice.** The notice may be in the form "Copyright, 19..... (year date of publication) by (name of copyright owner)."

The name of the copyright owner given in the notice should be the true, legal name of the person, firm, or corporation owning the copyright, and no other. The use of a fictitious or assumed name, or the name of any person other than the copyright proprietor, may result in the loss of the copyright protection.

Please see the back of this sheet for additional information as to the form and place of the notice. The date in the copyright notice should agree with the year date of publication.

2. Promptly after publication,* send to the Copyright Office two copies of the best edition of the work, with an application for registration and a **money order** payable to the Register of Copyrights for the statutory registration fee of \$2. As to special registration of photographs, see below.

In the case of books (including pamphlets, leaflets, separate forms or single pages) which have been printed from type set or plates made therefrom, or by lithographic or photo-engraving process, the copies deposited must be accompanied by an affidavit, under the official seal of an officer authorized to administer oaths, stating that the typesetting, printing, and binding of the book have been performed within the United States.

This affidavit is not required in the case of a book of foreign origin in a language or languages other than English, nor in the case of a printed play in any language, as such works are not required to be manufactured in the United States.

Only one copy is required to be deposited in the case of a work by an author who is a citizen or subject of a foreign state or nation and has been published in a foreign country in a language other than English.

In the case of contributions to periodicals send **one complete copy of the periodical** containing the contribution with application and fee. No affidavit is required.

3. **Under the provisions of the Amendatory Act of July 3, 1926**, if a **book or periodical** has been printed or produced in the United States by some other process than type setting, as provided by said act, an affidavit of date of actual publication is required to be filed. Application and affidavit forms will be supplied by this office on request.

For works not reproduced in copies for sale or distribution:

Copyright also may be had of certain classes of works (see *a, b, c*, etc., below) of which copies are not reproduced for sale, by filing in this office an application for registration, with the statutory fee of \$1, sending therewith:

- (a) In the case of lectures or other oral addresses, or of dramatic or musical compositions, **one complete manuscript or typewritten copy** of the work.
- (b) In the case of photographs not intended for general circulation, **one photographic print**.
- (c) In the case of works of art (paintings, drawings, sculpture), models or designs, or drawings or plastic works of a scientific or technical character, **one photograph or other identifying reproduction of the work**.
- (d) In the case of **motion-picture photoplays**, a title and description, with one print taken from each scene of every act.
- (e) In the case of **motion pictures other than photoplays**, a title and description, with not less than two prints taken from different sections of a complete motion picture.

In the case of each of the works here noted, not reproduced in copies for sale, the law expressly requires that a second deposit of printed copies for registration and the payment of a second fee must be made upon publication.

* The date of publication is defined in the statute as "the earliest date on which the work was placed on sale, sold, or publicly distributed."

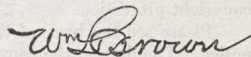
Act of July 3, 1926:

The Act approved July 3, 1926, amends Section 15 of the Act of March 4, 1909, by providing that the requirement of printing from type set or plates made therefrom, or by lithographic or photo-engraving process, shall not apply "to works printed or produced in the United States by any other process than those above specified in this Section."

Fees:

The statutory fee for registration of any published work is two dollars, including a certificate of registration under seal. The fee for an unpublished work is \$1. In the case of a published **photograph**, if a certificate is not demanded, the fee is \$1. In the case of several volumes of the same **book** deposited at the same time, only one registration at one fee is required.

It is not safe to send currency, stamps, or coin through the mail. Checks may not be accepted for payment of copyright fees. Remittances should be made by money order or bank draft, payable to the Register of Copyrights.


Acting Register of Copyrights.

Extract from the Act of March 4, 1909, respecting the Copyright notice

SEC. 18. That the notice of copyright required by section nine of this Act shall consist either of the word "Copyright" or the abbreviation "Copr.," **accompanied by the name of the copyright proprietor**, and if the work be a printed literary, musical, or dramatic work, the notice shall include also **the year** in which the copyright was secured by publication. In the case, however, of copies of works, specified in subsections (f) to (k)*, inclusive, of section five of this Act, the notice may consist of the letter C inclosed within a circle, thus: ©, accompanied by the initials, monogram, mark, or symbol of the copyright proprietor: *Provided*, That on some accessible portion of such copies or of the margin, back, permanent base, or pedestal, or of the substance on which such copies shall be mounted, his name shall appear. But in the case of works in which copyright is subsisting when this Act shall go into effect, the notice of copyright may be either in one of the forms prescribed herein or in one of those prescribed by the Act of June eighteenth, eighteen hundred and seventy-four.

SEC. 19. That the notice of copyright shall be applied, in the case of a book or other printed publication, upon its title-page or the page immediately following [the back of the title-page], or if a periodical either upon the title-page or upon the first page of text of each separate number or under the title heading, or if a musical work either upon its title-page or the first page of music: *Provided*, That one notice of copyright in each volume or in each number of a newspaper or periodical published shall suffice.

*The following are the classes of works "specified in subsections (f) to (k)":

- (f) Maps.
- (g) Works of art; models or designs for works of art.
- (h) Reproductions of a work of art.
- (i) Drawings or plastic works of a scientific or technical character.
- (j) Photographs.
- (k) Prints and pictorial illustrations.

Explanatory Circular 35
Directions for Copyright
(July 1933—30,000)

LIBRARY OF CONGRESS
COPYRIGHT OFFICE
WASHINGTON, D. C.

No. 45

DIRECTIONS FOR SECURING COPYRIGHT REGISTRATION OF PHOTOGRAPHS

Copyright registration can be made for a photograph in either of two ways, depending upon whether it is published or unpublished. For a published photograph the method of procedure is to publish it, i. e., place on sale, sell or publicly distribute copies, with the notice of copyright in the statutory form on all copies. See reverse side of this circular. This initiates the claim to copyright, which begins to run on the date of publication. Please note that publication here means the distribution of the photograph and not the printing of the picture in a book or periodical. Promptly after publication registration should be made by depositing two copies in this Office, with an application on Form J-1 enclosed, and the fee, which is \$2.00 if certificate is requested, or \$1.00 if only a notice of registration is desired.

For an unpublished photograph the procedure is to deposit one copy of the photograph, with an application and fee of \$1.00. If it is afterwards published a new registration is required following the procedure outlined in the foregoing paragraph. Forms J-1 and J-2, enclosed, are suitable for published and unpublished photographs respectively.

For the purpose of identification each photograph to be recorded should bear an identifying title which should correspond with the title given in the application for registration.

All remittances should be made by money order or bank draft payable to the Register of Copyrights.

REGISTER OF COPYRIGHTS

Enclosures:

Forms J-1, J-2.

Extract from the Act of March 4, 1909, respecting the Copyright notice

SEC. 18. That the notice of copyright required by section nine of this Act shall consist either of the word "Copyright" or the abbreviation "Copr.," accompanied by the name of the copyright proprietor, and if the work be a printed literary, musical, or dramatic work, the notice shall include also the year in which the copyright was secured by publication. In the case, however, of copies of works, specified in subsections (f) to (k)*, inclusive, of section five of this Act, the notice may consist of the letter C inclosed within a circle, thus: ©, accompanied by the initials, monogram, mark, or symbol of the copyright proprietor: *Provided*, That on some accessible portion of such copies or of the margin, back, permanent base, or pedestal, or of the substance on which such copies shall be mounted, his name shall appear. But in the case of works in which copyright is subsisting when this Act shall go into effect, the notice of copyright may be either in one of the forms prescribed herein or in one of those prescribed by the Act of June eighteenth, eighteen hundred and seventy-four.

*The following are the classes of works "specified in subsections (f) to (k)":

- (f) Maps.
- (g) Works of art; models or designs for works of art.
- (h) Reproductions of a work of art.
- (i) Drawings or plastic works of a scientific or technical character.
- (j) Photographs.
- (k) Prints and pictorial illustrations.