

Announcement

from the Copyright Office, Library of Congress, Washington, D.C. 20559

REGISTRATION OF ORIGINAL TYPEFACE DESIGNS:

EXTENSION OF COMMENT PERIOD

The following excerpt is taken from Volume 39, Number 223 of the Federal Register for Monday, November 18, 1974:

LIBRARY OF CONGRESS
[37 CFR Part 202]
**MATERIAL NOT SUBJECT TO
COPYRIGHT**

**Registration of Original Typeface Designs;
Extension of Comment Period**

This notice extends the period for comments to the notice published September 10, 1974 (39 FR 32631) on the question whether the Copyright Office should amend § 202.1(a) of its Regulations to permit copyright registration for original typeface designs.

Requests for an extension of time were made in writing by the American Patent Law Association and orally by several other interested persons. The additional comment time is necessary to permit a full and thorough consideration of the issues implicit in the possible change in the Regulations. Interested persons are invited to submit written data, views, or arguments to the Copyright Office, Office of the General Counsel, Washington, D.C. 20559. Each person submitting a comment should include his name and address, and give reasons for his recommendations.

All communications received on or before January 15, 1975, will be considered by the Register of Copyrights and the Librarian of Congress before taking action on the proposed rule.

The Copyright Office registers claims to copyright in accordance with Title 17 U.S.C. in "writings of authors," that is, original works of authorship in the form of literary, musical, dramatic, pictorial, and sculptural expression. Typeface designs have not previously been accepted for registration since the present Regulations prohibit registration for "mere variations of typographic ornamentation (or) lettering" and this prohibition has

been interpreted to include designs for type fonts within its scope. Comments are specifically requested in the following areas:

(1) Whether type fonts, as "useful articles," can incorporate original design elements capable of being identified as "works of art" within the scope of the present copyright statute;

(2) The distinctions, if any, between calligraphy, ornamental lettering, and typeface designs for copyright purposes;

(3) Whether a typeface design can, by its nature, incorporate the degree of originality and creativity necessary to support a copyright;

(4) Whether, for purposes of copyright registration, workable standards can be established for distinguishing "new" designs based on previously-existing typefaces from mere copies or minor variants of earlier designs;

(5) Assuming the potential copyrightability of certain typeface designs, the practical means of complying with the formal requirements of the copyright law as to notice, deposit, and registration.

This advance notice of proposed rule-making is issued under the authority of section 207 of the Copyright Code, Title 17 U.S.C.

Dated: November 12, 1974.

BARBARA RINGER,
Register of Copyrights.

Approved by:

L. QUINCY MUMFORD,
Librarian of Congress.

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