

THE LIBRARY OF CONGRESS
COPYRIGHT OFFICE

FORTY-FIFTH ANNUAL REPORT
OF THE
REGISTER OF COPYRIGHTS

FOR THE FISCAL YEAR
ENDING JUNE 30

1942



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1943

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FEES FOR FISCAL YEAR

Registrations for prints and labels.....	\$7, 162 at \$6	\$42, 972. 00
Registrations for published works.....	115, 880 at \$2	231, 760. 00
Registrations for published photographs with- out certificates.....	917 at \$1	917. 00
Registrations for unpublished works.....	46, 785 at \$1	46, 785. 00
Registrations for renewals of prints and labels....	27 at \$6	162. 00
Registrations for renewals, all other classes.....	11, 461 at \$1	11, 461. 00
Total number of registrations.....	182, 232	
Fees for registrations.....		\$334, 057. 00
Fees for recording 3,474 assignments.....	\$11, 924. 00	
Fees for indexing 13,991 transfers of proprietorship..	1, 399. 10	
Fees for 1,327 certified documents.....	1, 327. 00	
Fees for 414 notices of user recorded.....	414. 00	
Fees for searches made at \$1 per hour of time con- sumed.....	2, 037. 00	17, 101. 10
Total fees earned, fiscal year 1942.....		\$351, 158. 10

The annual applied fees since July 1, 1897 are shown in Exhibit C, at the end of this report. This table shows that the fees have increased over six-fold in the forty-five years. The total registrations of 6,076,497, and the total fees applied of \$7,595,237.70, are indeed impressive figures.

Copyright Deposits

The total number of separate articles deposited in compliance with the copyright law which were registered during the fiscal year is 286,436. The number of these articles in each class for the last five fiscal years is shown in Exhibit E.

During the present fiscal year 2,980 works were received in response to requests addressed to delinquent copyright owners, and in addition thereto forty-four additional works were received within the demand period where official demands were made, making a total of 3,024.

However, as observed in the Register's Annual Report for 1941, there is good reason to believe that this number, encouraging as it may appear, represents no more than a fraction of the cases occurring all over the United States in which works are published with copyright notice, of which neither the Library nor the Register of Copyrights can possibly have a complete knowledge and in connection with which the copyright owner makes no attempt whatsoever to meet the requirements of Section 12 of the Copyright Act.

During the fiscal year a total of 174,355 current articles deposited have been transferred to the Library of Congress. This number

included 55,749 books, 94,646 periodical numbers, 20,302 pieces of music, 2,485 maps, and 1,173 photographs and engravings.

Under authority of Section 59 of the Act of March 4, 1909, 1,863 books were transferred during the fiscal year to other governmental libraries in the District of Columbia. Under this transfer, up to June 30, 1942 the following libraries have since 1909 received the total number of books indicated below:

Department of Agriculture, 4,618; Department of Commerce, 23,076; Navy Department, 1,879; Treasury Department, 1,496; Bureau of Education, 22,837; Federal Trade Commission, 31,979; Bureau of Standards, 2,094; Army Medical Library, 10,078; Walter Reed Hospital, 2,884; Engineer School, Corps of Engineers, 3,202; Soldiers' Home, 1,600; Public Library for the District of Columbia, 64,090. A number of other libraries have received a smaller number of books. In all, 192,883 volumes have been thus distributed during the last thirty-three years.

The Copyright Act authorizes the return to copyright claimants of such deposits as are not needed by the Library of Congress or the Copyright Office. Under such authority, 4,094 motion picture films were returned during the fiscal year. However, on May 26, 1942 a new policy was adopted with respect to the retention of motion picture films. Under this arrangement both copies of the motion picture rolls submitted for copyright deposit will be returned to the copyright claimant subject, however, to delivery to the Library upon request of one copy of such copyright films as the Library may select, after screening, for transfer to its permanent collections.

Expenditures

The total obligation for salaries in the Copyright Office during the year was \$279,783.04. Expenditures for stationery, postage, and transportation amounted to \$2,282.68. The allotment for printing the *Catalog of Copyright Entries* was placed at \$45,000 although it is not known how much of this appropriation will actually be required in view of the substitution during the course of the year of photo-offset reproduction for printing. An additional allocation for "Printing and Binding, General" of \$10,834.40 brings total expenditures or allotments to \$337,900.12. It is to be noted, therefore, that the earnings of the Copyright Office exceeded its expenditures by at least \$13,258.98. The final rendering of bills from the Public Printer will probably increase the amount somewhat.

Accounts

On July 6, 1942, the books of the Copyright Office were balanced for June, the accounts for the fiscal year were closed, and the financial statements completed for the Treasury Department, showing that all earned fees to June 30 had been paid into the Treasury.

Correspondence

The business of the Copyright Office, as measured by the volume of correspondence, registered a slight increase during the year in number of items received and an approximately equal decrease in number of items dispatched. The total of incoming letters and parcels was 253,424 as compared with 249,564 the preceding year, and the number dispatched 274,891 as compared to 282,507 the preceding year.

Personnel

On September 30, 1941, Mr. Herbert A. Howell retired from the position of Assistant Register of Copyrights, having served in the Copyright Office since April 1, 1909 and as Assistant Register since December 16, 1937. Mr. Howell was a graduate of the University of Toronto and of Cornell University Law School and had also considerable experience in the practice of law before entering the services of the Copyright Office. These qualifications, added to his long service in the Office, made him especially valuable in dealing with complex legal problems. His work was always thorough and conscientious. The first result of his leisure has been a book on copyright law which has already met with the approval of that section of the Bar which specializes in copyright practice.

Mr. Howell was succeeded in the position of Assistant Register of Copyrights on October 1, 1941, by Mr. W. Harvey Wise, Jr., who had served in a series of positions of steadily increasing responsibility in the Copyright Office since August 1925. Mr. Wise's appointment as Assistant Register thus continued the tradition of promotion from within the ranks which has prevailed in the Copyright Office. His period of service as Assistant Register, though outstanding, was short, as he left on July 1, 1942 to enter the Navy as a Lieutenant, Junior Grade. The vacancy thus created was filled by the recall to the service of Mr. Richard C. DeWolf, who had resigned a year earlier.

The employee turnover in the Copyright Office during the fiscal year has been exceptionally large. Sixty-eight employees, nearly

45 percent of the total staff of the Office, have resigned during the past year. Of these, nineteen have entered the armed services of the United States. Many of the other separations were, of course, due to the national emergency which has resulted in a demand for the services of our employees in other agencies of the Federal Government.

Copyright Office Index

The Copyright Office made and filed approximately 559,950 index cards covering all registered material, all mail received, and all assignments recorded during the year. In addition to its regular routine work, the Mails, Files, and Index Section has accomplished considerable work on the consolidation of the indexes prior to 1937. Two complete indexes have been consolidated and the index of claimants for "Books" covering the years 1897 to 1937 is approximately one-half finished. The effect of the progress of this undertaking in facilitating the movement of correspondence and searches through the Copyright Office is gratifying.

Large Works of Sculpture as Copyright Deposits

It has recently become clear that an amendment to Section II of the Copyright Act is desirable to permit the registration of large and expensive works of sculpture where such works are later reproduced in copies for sale without the deposit of the two copies now required. A bill for the general revision of the Copyright Act, which passed the House of Representatives in 1931 would have authorized the elimination of the deposit provision in the case of any work unsuitable for permanent retention in the Copyright Office or the Library of Congress "by reason of its character, bulk or fragility or because of its dangerous ingredients."

An amendment to accomplish this purpose is deemed desirable in view of the fact that the unreasonable requirement for the deposit of two copies of an expensive work of sculpture has in fact deprived sculptors in many cases of copyright protection in their works.

Copyright Bills and Resolutions in Congress

In my last year's report (p. 396), attention was called to the bill H. R. 4826, "A Bill to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the emergency, and for other purposes," which had been passed by

the House of Representatives on June 2, 1941. On June 3 it was referred to the Senate Committee on Patents; reported out from the Committee, without amendments, July 22, 1941 (Report No. 571); and passed by the Senate on September 17, 1941 (Public No. 258, 77th Cong., 1st Sess., approved September 25, 1941). The purpose of the Act is to prevent authors or copyright proprietors, whether citizens of the United States or nationals of other countries, from losing the opportunity to acquire or preserve protection in their literary works as the result of the disruption of communications due to the present crisis. This relief, under the act, is to be extended only on a basis of reciprocity. The arrangement for reciprocal protection has not yet been effected by the necessary proclamation or Executive Order.

The following bills, among others, were introduced during the fiscal year:

H. R. 6454. "A Bill authorizing the Commissioner of Patents to extend the time for the payment of any fee or for the taking of any action with respect to an application for patent, and for other purposes." Introduced by Mr. Coffee of Washington (by request) January 23, 1942, and referred to the Committee on Patents. 77th Congress, 2d Session.

Section 13 of this Bill provides for the extension of time for paying any fee or taking any action with respect to a copyright on showing that failure to pay such fee or take such action occurred, or the delay in so doing was unavoidably aggravated on account of conditions arising in the present war. However, the purpose of this provision is met by Public No. 258, approved September 25, 1941, above.

H. R. 7127. "A Bill to codify and enact into absolute law title 17 of the United States Code, entitled 'Copyright.'" Introduced by Mr. Keogh, May 25, 1942, and referred to the Committee on Revision of the Laws. 77th Congress, 2d Session.

H. R. 7173. "A Bill to amend the Act entitled 'An Act to amend and consolidate the Acts respecting copyright,' approved March 4, 1909, as amended." Introduced by Mr. Sacks (by request) June 1, 1942, and referred to the Committee on Patents. 77th Congress, 2d Session.

TRADING WITH THE ENEMY ACT

Following the declaration of war on Japan on December 8, 1941, Germany and Italy on December 11, 1941, Rumania on December 12, 1941, and Bulgaria and Hungary on December 13, 1941, Congress enacted the "First War Powers Act, 1941" (Public No. 354, approved

December 18, 1941, 77th Congress, 1st Session), confirming, ratifying, and amending The Trading with the Enemy Act of October 6, 1917 (40 Stat. 411) as amended. Section 10 of The Trading with the Enemy Act of 1917, pertaining to copyrights, is still in force and effect.

INTERNATIONAL COPYRIGHT

No new copyright proclamations establishing mutual protection with foreign countries have been issued within the year covered by this report.

Respectfully submitted.

C. L. BOUVÉ,
Register of Copyrights.

STATISTICAL SUMMARY

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Statistical Summary

EXHIBIT A. Statement of Gross Receipts, Refunds, Net Receipts, and Fees Applied for Fiscal Year Ending June 30, 1942

Month	Gross receipts	Refunds	Net receipts	Fees applied
1941				
July.....	\$31,452.84	\$1,548.73	\$29,904.11	\$25,998.60
August.....	28,046.84	2,045.84	26,001.00	25,001.40
September.....	31,095.05	1,351.55	29,743.50	27,975.70
October.....	35,981.85	1,641.00	34,340.85	36,663.90
November.....	30,245.50	1,363.60	28,881.90	29,325.30
December.....	35,079.78	1,345.22	33,734.56	29,908.60
1942				
January.....	38,353.30	1,784.71	36,568.59	31,358.40
February.....	28,067.65	1,521.71	27,445.94	27,752.70
March.....	28,194.15	1,900.89	26,293.26	30,008.20
April.....	31,173.43	1,558.07	29,615.36	29,994.60
May.....	28,882.89	1,650.80	27,232.09	28,596.10
June.....	29,934.35	1,210.43	28,723.92	28,574.60
Total.....	376,906.63	18,922.05	357,984.58	351,188.10

Balance brought forward June 30, 1941..... \$42,890.19
 Gross receipts, fiscal year 1942..... 376,906.63

Total to be accounted for.....	419,796.83
Amount refunded.....	\$18,922.05
Copyright fees deposited as miscellaneous receipts during fiscal year, 1942.....	350,078.80
Balance carried to July 1, 1942:	
Balance of fees earned in June 1941 not deposited in Treasury	
until July 1942.....	\$4,574.60
Unfinished business.....	11,858.33
Deposit accounts.....	34,363.04
	50,795.97
	419,796.83

REPORT OF THE REGISTER OF COPYRIGHTS

EXHIBIT B. *Record of Applied Fees*

Month	Registrations of prints and labels, including certificates		Registrations of published works, including certificates		Registrations of unpublished works, including certificates		Registrations of published photos (no certificate)	
	Number	Fees at \$6	Number	Fees at \$2	Number	Fees at \$1	Number	Fees at \$1
1941								
July.....	462	\$2,772.00	8,862	\$17,324.00	8,670	\$8,670.00	49	\$49.00
August.....	503	3,018.00	8,260	16,520.00	3,333	3,333.00	88	88.00
September.....	731	4,386.00	8,862	17,724.00	3,524	3,524.00	76	76.00
October.....	867	5,202.00	12,524	25,048.00	3,910	3,910.00	78	78.00
November.....	612	3,672.00	10,075	20,150.00	3,466	3,466.00	32	32.00
December.....	577	3,462.00	10,132	20,264.00	3,522	3,522.00	170	170.00
1942								
January.....	483	2,898.00	10,550	21,100.00	4,239	4,239.00	78	78.00
February.....	524	3,144.00	9,148	18,296.00	4,022	4,022.00	36	36.00
March.....	572	3,432.00	9,832	19,664.00	4,647	4,647.00	79	79.00
April.....	592	3,552.00	9,609	19,218.00	4,255	4,255.00	91	91.00
May.....	600	3,600.00	9,168	18,336.00	3,849	3,849.00	66	66.00
June.....	639	3,834.00	9,078	18,156.00	4,348	4,348.00	84	84.00
Total.....	7,162	42,972.00	115,880	231,760.00	46,785	46,785.00	917	917.00

Month	Registrations of renewals				Total number of registrations	Total fees for registrations
	Number	Fees at \$6	Number	Fees at \$1		
1941						
July.....	2	\$12.00	1,014	\$1,014.00	13,850	\$24,841.00
August.....			417	417.00	13,601	23,376.00
September.....	1	6.00	766	766.00	13,900	26,482.00
October.....	1	6.00	1,006	1,006.00	13,386	35,260.00
November.....			700	700.00	14,885	28,620.00
December.....	8	48.00	927	927.00	15,336	28,398.00
1942						
January.....	1	6.00	1,477	1,477.00	16,828	29,798.00
February.....	1	6.00	920	920.00	14,646	26,414.00
March.....	2	12.00	861	861.00	15,993	28,095.00
April.....	1	6.00	1,364	1,364.00	15,912	28,486.00
May.....	6	36.00	1,101	1,101.00	14,765	28,948.00
June.....	4	24.00	908	908.00	15,061	27,354.00
Total.....	27	162.00	11,461	11,461.00	182,232	334,057.00

REPORT OF THE REGISTER OF COPYRIGHTS

EXHIBIT B. Record of Applied Fees—Continued

Month	Certified documents		Assignments and copies		Indexing transfers of proprietorship		Notices of user		Search fees	Total fees applied
	Number	Fees at \$1	Number	Fees	Number	Fees at \$0.10	Number	Fees		
1941										
July.....	42	\$42.00	260	\$750.00	1,826	\$182.60	51	51.00	182.00	\$25,998.00
August.....	98	98.00	315	1,230.00	1,674	167.40	21	21.00	109.00	25,001.40
September.....	96	96.00	280	1,096.00	747	74.70	59	59.00	168.00	27,975.70
October.....	109	109.00	335	1,002.00	1,429	142.90	11	11.00	149.00	36,662.90
November.....	202	202.00	265	792.00	1,223	122.30	25	25.00	164.00	29,325.30
December.....	122	122.00	344	1,022.00	1,296	128.60	42	42.00	201.00	29,908.60
1942										
January.....	62	62.00	351	1,122.00	1,834	183.40	48	48.00	145.00	31,256.40
February.....	162	162.00	326	868.00	977	97.70	8	8.00	208.00	27,752.70
March.....	115	115.00	308	866.00	682	68.20	28	28.00	236.00	30,006.20
April.....	91	91.00	334	1,138.00	596	59.60	58	58.00	162.00	29,994.60
May.....	132	132.00	317	1,164.00	831	83.10	22	22.00	247.00	28,596.10
June.....	96	96.00	279	874.00	886	88.60	41	41.00	121.00	28,574.60
Total.....	1,327	1,327.00	3,753	11,624.00	13,991	1,399.10	414	414.00	2,037.00	351,158.10

EXHIBIT C. *Statement of Gross Cash Receipts, Yearly Fees, Number of Registrations, etc., for 45 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	80,908	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	78,056.00	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		11,067
1910-11.....	113,661.52	106,913.95	115,198	6,124	
1911-12.....	120,149.51	116,685.05	120,931	5,733	
1912-13.....	118,968.26	114,980.60	119,496		1,436
1913-14.....	122,636.92	120,219.25	123,164	3,659	
1914-15.....	115,594.55	111,922.75	115,198		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	113,008	6,275	
1919-20.....	132,371.37	126,492.25	126,562	13,559	
1920-21.....	141,199.83	134,516.15	135,280	8,718	
1921-22.....	145,398.26	138,516.16	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	161,969		21,955
1929-30.....	336,980.75	327,629.90	172,792	10,823	
1930-31.....	312,865.41	309,414.30	164,642		8,150
1931-32.....	284,719.20	280,984.90	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.....	269,348.31	259,881.70	142,031	2,984	
1935-36.....	293,149.82	285,206.00	156,963	14,931	
1936-37.....	295,313.24	280,541.40	154,424		2,538
1937-38.....	326,326.67	298,779.60	166,248	11,824	
1938-39.....	330,466.37	306,764.40	178,135	6,887	
1939-40.....	341,061.35	320,082.00	176,997	3,862	
1940-41.....	347,125.35	347,430.60	180,647	3,650	
1941-42.....	378,906.63	361,168.10	182,232	1,585	
Total.....	7,933,960.40	7,595,237.70	6,076,497		

EXHIBIT D. *Number of Registrations Made During the Last Five Fiscal Years*

Class	Subject matter of copyright	1941-42	1940-41	1939-40	1938-39	1937-38
A	Books:					
	(a) Printed in the United States:					
	Books proper.....	10,377	12,735	11,976	11,612	11,625
	Pamphlets, leaflets, etc.....	33,620	31,187	34,687	33,081	32,708
	Contributions to newspapers and periodicals.....	5,119	5,845	13,926	9,643	8,195
	Total.....	49,116	49,767	60,589	54,336	52,528
(b) Printed abroad in a foreign language.....	651	1,553	2,504	4,086	3,646	
(c) English books registered for ad interim copyright.....	309	555	958	1,122	1,177	
	Total.....	50,276	51,885	64,051	59,744	57,351
B	Periodicals (numbers).....	45,145	42,207	40,173	38,307	36,219
C	Lectures, sermons, addresses.....	963	1,362	1,276	1,135	1,034
D	Dramatic or dramatico-musical compositions.....	4,808	5,010	6,450	6,800	7,368
E	Musical compositions.....	50,023	49,135	37,975	40,961	35,334
F	Maps.....	1,317	1,398	1,622	1,566	1,200
G	Works of art, models, or designs.....	2,110	2,187	3,081	3,419	3,330
H	Reproductions of works of art.....	321	343	445	180	50
I	Drawings or plastic works of a scientific or technical character.....	2,086	2,359	2,817	2,663	2,309
J	Photographs.....	1,502	2,411	2,580	3,150	3,174
KK	Commercial prints and labels.....	7,162	7,152			
K	Prints and pictorial illustrations.....	2,017	3,058	4,099	3,126	3,010
L	Motion-picture photoplays.....	871	822	800	826	873
M	Motion-pictures not photoplays.....	1,348	976	811	982	1,016
RR	Renewals of commercial prints and labels.....	27	19			
R	Renewals of all other classes.....	11,461	10,323	10,207	10,177	9,940
	Total.....	182,232	180,647	176,997	173,135	166,948

REPORT OF THE REGISTER OF COPYRIGHTS

EXHIBIT E. *Number of Articles Deposited During the Last Five Fiscal Years*

Class	Subject matter of copyright	1941-42	1940-41	1939-40	1938-39	1937-38
A	Books:					
	(a) Printed in the United States:					
	Books proper.....	20,764	25,470	23,952	22,842	22,846
	Pamphlets, leaflets, etc.....	67,240	62,276	60,374	66,162	65,416
	Contributions to newspapers and periodicals.....	5,119	5,888	13,926	9,848	8,196
	Total.....	93,113	93,634	107,252	98,852	96,457
	(b) Printed abroad in a foreign language.....	651	1,553	2,505	4,086	3,646
(c) English works registered for ad interim copyright.....	509	565	958	1,122	1,177	
Total.....	94,273	95,752	110,715	104,055	101,280	
B	Periodicals.....	90,290	84,214	80,356	76,414	78,496
C	Lectures, sermons, etc.....	963	1,362	1,277	1,135	1,034
D	Dramatic or dramatico-musical compositions.....	5,468	5,648	7,062	7,525	8,217
E	Musical compositions.....	60,098	59,360	46,152	49,010	42,624
F	Maps.....	2,402	2,824	3,242	3,114	2,424
G	Works of art, models, or designs.....	2,583	2,964	4,014	4,064	3,879
H	Reproductions of works of art.....	580	552	647	177	92
I	Drawings or plastic works of a scientific or technical character.....	2,891	3,302	3,931	3,813	4,661
J	Photographs.....	2,543	4,173	4,403	5,544	5,731
KK & K	Prints, labels, and pictorial illustrations.....	20,026	20,068	7,136	5,677	5,113
L	Motion-picture photoplays.....	1,743	1,625	1,563	1,638	1,731
M	Motion pictures not photoplays.....	2,576	1,884	1,633	1,751	1,945
	Total.....	236,436	233,737	272,041	263,937	267,234

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).

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