

Announcement

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

DEATH OF FORMER REGISTER OF COPYRIGHTS

ABRAHAM L. KAMINSTEIN
(1960 - 1971)

Abraham L. Kaminstein, who was Register of Copyrights from 1960 until his retirement in 1971, died on September 10, 1977, in Washington, D.C., following a short illness.

Mr. Kaminstein, a leading figure in national and international copyright affairs, played a principal role in the formulation of the new U.S. copyright statute, which was enacted in 1976 and most of the provisions of which will take effect January 1, 1978.

As Register of Copyrights he gave new impetus to the movement for the general revision of the copyright law, whose major provisions had not been revised since 1909. His leadership resulted in numerous meetings of a panel of consultants on general revision over which he presided, in the molding of recommendations for a new statute, in the drafting of a proposed general revision bill, in extensive testimony and other activity supportive to Congress, and in keeping the revision effort alive despite legislative inactivity in the Senate during the years following passage of the general revision bill by the House of Representatives in 1967. The bill finally enacted by Congress in 1976 is, in its major features, the measure prepared under his direction.

In addition, he took a leading part in international copyright affairs. His stature with the American copyright community and with the copyright experts of the other leading countries, and close liaison with the Department of State, enabled him to take a pivotal role in coping with the broad issues in the field of intellectual property. He was, over the years, U.S. representative at various sessions of the Intergovernmental Copyright Committee, established under the Universal Copyright Convention, which took effect in 1955 as the first worldwide multilateral copyright treaty to which the United States adhered.

Among his most notable achievements was his work in resolving the critical controversies between developing and developed countries engendered by the Protocol Regarding Developing Countries adopted at the meeting, in 1967 at Stockholm, for the revision of the Berne Convention; the Protocol, which would have permitted developing countries to make certain sweeping reservations and exceptions under the revised convention, brought a major crisis in international copyright. Although the United States is not a party to the Berne Convention, Mr. Kaminstein

as the head of the U.S. observer delegation was able to suggest alternatives that were the basis of a program that culminated in revisions of both the Berne Convention and the Universal Copyright Convention, which have brought the developing and developed countries into harmony. These revisions were adopted at conferences held in Paris in 1971, where Mr. Kaminstein was co-chairman of the U.S. delegation and general rapporteur of the revision conference on the Universal Copyright Convention. Also, he had assisted in preparing the U.S. proposals for the original version of the Universal Copyright Convention and was adviser to the U.S. delegation in 1951 at the Paris meeting where the preliminary draft of the convention was prepared. He was chairman of the U.S. delegation to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, held at Rome in 1961, and was general rapporteur of the conference.

Born in 1912 in New York City, Mr. Kaminstein was a graduate of the College of the City of New York. He received the LL.B. and LL.M degrees from the Harvard Law School, where he was a Research Fellow in 1936-37. After some ten years of Government service as an attorney for various Federal agencies, he came to the Library of Congress in 1947 as Chief of the Copyright Office Examining Division and later served as Deputy Register of Copyrights. He was a leading force in adapting the copyright registration system to the public interest.

He was the author of numerous articles on copyright law, including an important study on Divisibility of Copyrights. He was a member of the New York Bar, the Bar of the Supreme Court, the Federal Bar Association, the American Bar Association and the Copyright Society of the U.S.A. Upon his retirement the Librarian of Congress appointed him Honorary Consultant in Domestic and International Copyright Affairs, a post he held until his death. In 1971, Mr. Kaminstein received the Richard Strauss Medal from the German Society for Performing and Mechanical Rights in Music, in recognition of his contributions to the development of copyright law; he was the first American to receive this Medal. He also received, in 1972, the Jefferson Medal of the New Jersey Patent Law Association for exceptional contributions in the field of copyright, and the 1977 award of the Copyright Society of the U.S.A.

He is survived by his widow, Mrs. Barbara Kaminstein of Bethesda, Maryland, and by a son and daughter-in-law, Dana Seth and Maria Kaminstein, of Philadelphia, Pennsylvania.

It is requested that any contributions in his name be made to the Copyright Society of the U.S. A., 40 Washington Square South, New York, New York 10012.