

Historical Deposits Found in Warehouse

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Last year, **George Thuronyi** spotted a dusty tub tucked under a staircase at the Copyright Office's warehouse in Landover, Maryland, and he asked staff what it held. No one knew, so Thuronyi, assistant chief of the Information and Records Division, looked in the tub and discovered copyright registrations for commercial prints and labels from 1893 to 1925. After some research, he found that the Library's Prints and Photographs Division did not have these items in its collection, and he conceived a project for this year's Junior Fellows Summer Interns Program.

Under Thuronyi's direction, Hannah German and Leslie Tabor, the interns assigned to the Copyright Office, sifted through more than 1,300 copyright registrations for commercial prints and labels, organizing them and creating a finding aid. For the first time, these artifacts will be available to the public through the Prints and Photographs Division, which describes its collection of product labels as "fertile territory for scholarly exploration." The current collection extends from the 1840s to the 1880s.

The Library was not always so welcoming of commercial art; in fact, it once considered prints like those illustrating this column as unworthy of registration with other copyrightable works. In a 1940 article in the *Yale Law Journal*, scholar Walter Derenberg wrote that the Library

was seen in the 1870s as "too dignified and scientific an institution to concern itself with the deposit of labels and prints used for commercial purposes." In 1874 Congress concurred, passing the Print and Label Law, which transferred responsibility for registering copyrights for commercial prints and labels from the Library to the U.S. Patent Office. Between 1874 and 1940, the Patent Office registered more than 55,000 advertising labels and 18,000 commercial prints.

Following years of public confusion about the extent of protection secured by Patent Office registration, Congress returned jurisdiction over commercial prints and labels, "for the purpose of copyright registration," to the Library under the authority of the Register of Copyrights, effective July 1, 1940.

From 1940 through 1977, the Copyright Office registered commercial prints and labels on Form KK, now defunct. The numbers registered annually fluctuated from a high of 13,320 in 1950 to a low of 4,118 in 1972. Starting in 1978, with enactment of the Copyright Act of 1976, commercial prints and labels have been registered as works of visual art. ©

The Calumet Baking Company of Chicago registered "The Calumet Kid Calculator," the print shown at far right, in 1924. W. J. Butterfield of New York City registered the tea advertising print shown at right in 1903.

