



OFFICE OF THE
REGISTER OF COPYRIGHTS

COPYRIGHT OFFICE
THE LIBRARY OF CONGRESS
WASHINGTON 25, D. C.

COPYRIGHTS DIVESTED UNDER RECENT
AMENDMENTS TO THE TRADING WITH THE ENEMY ACT

A recently enacted law, Pub. L. No. 87-846, approved October 22, 1962, includes provisions whereby most copyrights of former enemy nationals now held by the Attorney General under World War II vesting procedures, are returned to the persons entitled thereto, effective January 21, 1963, including the rights and interests remaining in the Attorney General under previously issued licenses. No monetary return in the form of compensation or accumulated royalties is involved. This return is subject to the rights of licensees and assignees and to the right of the United States to exhibit or reproduce for its own use any divested copyrighted motion picture film. Licensees, however, are directed to pay to the Attorney General any unpaid royalties accrued to the day of divestment. Excepted from the return are some specific copyrights of a few high Nazi leaders.

The divestment of these copyrights is automatic and it is not necessary for specific claims to be filed for their return, the law declaring simply that on the effective date, the persons entitled shall "succeed to the rights, privileges and obligations arising out of such copyrights." The divestment is not to be construed as including the right to bring an action for infringement occurring while the property was vested; this right remains in the Attorney General.

All vested rights and interests arising out of pre-vesting contracts affecting copyrights are also returned under the same procedure, with the exception of contracts relating to most of the previously mentioned Nazi works. Royalties under such contracts accrued to or received by the Attorney General or his predecessor are excepted from the divestment, as are all rights or interest in such contracts which have been previously disposed of or returned.

The forgoing summary is furnished you as a matter of interest. It should be noted that under this law the Copyright Office has not been delegated any function with respect to the divestment.