

U.S. Supreme Court

Washingtonian Pub. Co. v. Pearson, 306 U.S. 30 (1939)

Washingtonian Publishing Co. v. Pearson

No. 222

Argued December 6, 1938

Decided January 30, 1939

306 U.S. 30

Syllabus

1. Section 12 of the Copyright Act of 1909 provides that, after copyright has been secured by publication with the prescribed notice of copyright, two copies of the copyrighted work shall be "promptly" deposited in the copyright office, and that no suit for infringement shall be maintained "until" the provisions of the Act with respect to the deposit of copies and registration of such work shall have been complied with.

Held: that the right to sue under the Act for infringement is not lost by mere delay in depositing copies of the copyrighted work. P. [306 U. S. 39](#).

2. Fourteen months after the date of its publication and six months after it had been infringed, copies of a publication which bore notice of copyright were deposited in the copyright office and a certificate of registration secured.

Held: a suit to enjoin the infringement and to recover damages (from the date of publication of the infringing work) was maintainable under the Copyright Act of 1909. Pp. [306 U. S. 33](#), [306 U. S. 39](#).

3. The Copyright Act of 1909 was intended definitely to grant valuable, enforceable rights to authors, publishers, etc., without

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burdensome requirements. Forfeitures of such rights are not to be inferred from doubtful language. Pp. [306 U. S. 36](#), [306 U. S. 42](#).

68 App.D.C. 373, 98 F.2d 245, reversed.

Certiorari, 305 U.S. 583, to review the reversal of a decree for the plaintiff in a suit for infringement of a copyright.

