

# Review Articles

## Copyright

*The Law of Literary Property.* By Philip Wittenberg. Cleveland: World Publishing Co. 248p. \$5.

Philip Wittenberg, who is a lecturer in law at Columbia University, attempts here to provide a book on literary property "written for the layman in law who is professional in the field of writing, and for those who publish and distribute in the various media of communication . . ."

The first chapter deals with the development of the concept of literary property. This is followed by discussions of common-law literary property, statutory copyright, international copyright, plagiarism, piracy, and infringement, as well as of fair use, quotation, burlesque, and permissions. The parts of the book which do not deal with literary property, in the sense of common law or statutory copyright, cover the protection of names and titles, protection of ideas, the problems of libel, the right of privacy, and the general problem of censorship.

*The Law of Literary Property* is less heavy going than most such books because of its careful selection of cases to illustrate principles rather than to provide full documentation. However, under the present copyright laws it is not surprising that Mr. Wittenberg has to give examples of exceptions for many of the principles he states.

Some of the book's definitions are confusing. For example, in attempting to differentiate among plagiarism, piracy, and infringement Mr. Wittenberg says, "Piracy is just plain theft. Sometimes it is legally culpable as infringement, sometimes not." Then he gives examples, as if they constituted piracy, of the compilation into an anthology of works on which the copyright had expired or never existed. Elsewhere in the book he points out that many types of things are in the public domain. It is a little difficult to see why he should castigate as piracy the use of materials that belong to the public. As he says, "the authors had no recourse," but there appears to be no reason

for believing that the law intended for them to have any recourse once their copyright had expired or if they had published without copyright.

Such minor errors as this are all too easy to find in any book in this very complicated field, and obviously Mr. Wittenberg does not intend this book to make each reader his own copyright attorney. He does make real contributions in his semi-popular presentation of the subject and in recognition of the recent trend towards the use of other means, such as the law of unfair competition, to protect such things as titles, which are specifically not included in the copyright.

It is doubtful that the slight treatments of the law of libel or of the issues of censorship add much to the book. Furthermore, the right of users to make private use of copyright materials, whether in the original or photocopy, is barely touched upon. Nevertheless, the book as a whole can be commended as an attempt to provide a readable discussion of this confused field.—*Ralph R. Shaw, Rutgers University.*

## Recent Foreign Books on The Graphic Arts, Bibliography, and Library Science

Heinrich Roloff's *Beiträge zur Geschichte der Universitätsbibliothek Rostock im 19. Jahrhundert* (Leipzig, Otto Harrassowitz, 1955; *Zentralblatt für Bibliothekswesen*, "Beiheft," 79) is a significant contribution to the history of a major German university library. It is not a comprehensive history, for it deals with two major aspects of Rostock's development in the last century. The first part describes Friedrich Wilhelm Rönning's plan for the reorganization of the library in 1830, and the second is concerned with the library of Ferdinand Kämmerer (1784-1841) and its incorporation into the University of Rostock Library.