

J.F.K. Assassination Films: Court Rules "Fair Use"

A Federal court has ruled that the use in a book of renderings of frames for the copyrighted Zapruder film of President Kennedy's assassination is not a violation of copyright. In an opinion issued on September 24, Judge Inzer Wyatt denied *Life* magazine's request (*PW*, December 25, 1967) for an injunction against the book, "Six Seconds in Dallas" by Joseph Thompson (*Bernard Geis Associates*).

Life, which purchased the film from Abraham Zapruder for \$150,000, complied with all the provisions for registering it for copyright, and the court concluded that the copyright was valid. The copyright was not violated, however, Judge Wyatt said, by reproduction in the book of charcoal sketches which themselves were exact copies of the Zapruder film.

In ruling that the use of the pictures was "fair," Judge Wyatt relied heavily on the "public's right to know" doctrine enunciated in two recent cases: *Rosemont Enterprises vs. Random House*, in which agents of Howard Hughes were unable to suppress a book about him; and *Estate of Hemingway vs. Random House*, in which Ernest Hemingway failed to halt publication of material about her late husband. Judge Wyatt also cited the definition of "fair use" in the copyright revision bill now pending in Congress and parts of the House committee report on which the definition is based.

The court found Mr. Thompson's book "a serious, thoughtful and impressive analysis of the evidence" in building the author's case that four bullets killed President Kennedy and not, as the Warren Commission concluded, a single bullet. The judge concluded that the use of the Zapruder pictures made the book easier to understand, but that such use was in no way competitive with *Life*. "The book is not bought because it contained the Zapruder pictures," he said. "The book is bought because of the theory of Thompson and its explanation, supported by the Zapruder pictures."

Judge Wyatt concluded, finally, that the use of the pictures in the book had not injured *Life* since the

book and the magazine were not in competition. Noting that *Life* has further plans for the Zapruder film, including possible theatrical or television showing, Judge Wyatt said he thought that the use of the pictures in Mr. Thompson's book would, if anything, enhance the value of the copyrighted film.

Kraus-Thomson Prints First Italian National Bibliography

The first Italian national bibliography, or "Catalogo Cumulativo," as it is officially entitled, has been published by the newly formed Kraus-Thomson Organization (*PW*, May 6) at Nendeln in Liechtenstein. The "Catalogo Cumulativo," printed in Italian, lists every printed work published in Italy during the 71 years from 1886 to 1957 in 39 folio volumes. It contains nearly 650,000 entries. In format and purpose, it is comparable to the published catalogs of the Library of Congress and the British Museum.

Speaking of the catalog, Professor Olga Ragusa, acting chairman of the department of Italian at Columbia University and editor of the *American Journal of Teachers of Italian* said: "The 'Catalogo Cumulativo' will make possible a far more thorough, accurate and convenient access to the titles of hundreds of thousands of references to modern Italy. Before publication of this one-alphabet cumulation, full research on a subject required endless thumbing through 72 unrelated annual volumes, catalogs and other listings scattered in many places. Even then, one was not certain of having included at least all the key titles on a subject."

The first step in the production of the catalog was the establishment of a National Center for a Union Catalog in 1950 to determine the policy and create the means for recording and controlling the bibliographical resources of Italy more efficiently. Several plans for the publication of the catalog were discarded. Finally, all entries in the *Bollettino delle Pubblicazioni Italiane*, a monthly publication started in 1886, which lists the copyright deposits at the National Library of Florence, were programmed into a computer to create an alphabetical cumulation. Work on the bibliography

was completed in the winter of 1967.

Kraus-Thomson printed the volumes by offset reproduction from the printout of IBM computers. IBM Italia was given the job of programming and preparing the material for publication. The information on the magnetic tapes also can be used to prepare cards for the Union Catalog, or for other purposes—for example, a catalog of periodicals or other cumulation. The National Center for a Union Catalog is planning to add to the record, also by computer, a catalog of all foreign as well as Italian works acquired by the participating libraries from 1886 to the present, the nucleus of which is the "Catalogo Cumulativo."

The price of the catalog, cloth-bound, is \$1980. Kraus-Thomson publishes and distributes a continuation of the bibliography, in monthly issues and in cumulative annual volumes, starting with the 1958 issue of the work.

The directors of the project were Dr. Luigia Risoldi, director of the executive office of Italy's National Center for a Union Catalog and librarian of the University of Bologna; Professor Aldo Ferrabino, president of the Center; and Dr. E. Casamassima, director of the National Library in Florence.

Farrar, Straus Buys Octagon Books

Farrar, Straus & Giroux has acquired Octagon Books for an undisclosed sum. Octagon will operate a wholly owned subsidiary of Farrar, Straus, Henry G. Schlanger, president of Octagon, will continue as editor-in-chief.

Octagon Books is a reprinter of scholarly works, with more than 300 titles in print. Octagon will be located at 19 Union Square West, New York 10003.

AIGA Announces 1968 Plant Tour Program

The schedule for the American Institute of Graphic Arts' 1968 plant tour program is as follows:

October 24, Photogravure and Color Company; bus leaves New York Port Authority Bus Terminal at 5:30