

Stalin's Daughter Blocks Pirated Book in Britain

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LONDON, Aug. 1—Mrs. Svetlana Alliluyeva, Stalin's daughter, obtained a temporary injunction today against the publication in Britain of an unauthorized edition of her memoirs.

The High Court in London prohibited Alex Flegon, head of the Flegon Press, from "publishing in any form in any language the whole or any part of a literary work" written by Mrs. Alliluyeva and entitled in English "Twenty Letters to a Friend."

The restraining order is effective until Thursday or Friday, at which time the question of the rights of publication in Britain is expected to come before the court again for determination.

Formal Contracts Signed

The question is of major importance to Mrs. Alliluyeva and to her publishers here and abroad with whom she has formally contracted for publication in the autumn of her much-heralded memoirs. The sums involved in the various contracts are believed to exceed \$2.6-million.

The London publishing house of Hutchinsons is provisionally scheduled to publish the authorized British version of Mrs. Alliluyeva's memoirs on Oct. 16, and the Observer newspaper will serialize the manuscript.

In the United States, where Mrs. Alliluyeva now lives, Harper & Row is scheduled to publish her memoirs on the same day. The New York Times and Life magazine will begin to serialize the book sometime in October.

In support of the injunction, affidavits from Peter Michael Williams, Mrs. Alliluyeva London attorney and Hilary Rubinstein, her literary agent here, were read in court.

Mr. Williams' affidavit stated that he had written to Mr. Flegon asking for an assurance that he would not publish an edition of the book and warning that if such an assurance was not received, legal action

would be taken to protect Mrs. Alliluyeva's interests.

From "Official Sources"

The affidavit asserted that Mr. Flegon had replied that since the manuscript of the book had been written in Russia the problem of copyright did not arise.

According to the affidavit Mr. Flegon, observing that he had got his copy of the memoirs from "official sources," told Mr. Williams that he did not see "how you can stop me publishing the manuscript." In an interview he said he had got his copy of the memoirs from the Soviet Union.

Mr. Williams's affidavit concluded that any such unauthorized publication as contemplated by Mr. Flegon could be made only through a breach of confidence and would inevitably do grave and irreparable harm to Mrs. Alliluyeva and involve her in considerable financial loss.

Reached by telephone at his home here, the 43-year-old Russian-born Mr. Flegon said, "There is no problem of copyright." He said that the book was written by Mrs. Alliluyeva, who is still a Russian citizen, in Russia in 1963 and that the Soviet Union adhered to no international copyright convention.

He said that he planned to publish it in English early next month.

'Breach' May Be Issue

Mr. Flegon asserted that "Breach of confidence is the only thing that they can claim to stop me publishing," thus dismissing in advance any possibility that the question of copyright will figure substantively in the case when it comes to court later in the week.

Breach of confidence is a somewhat obscure British law that has been defined by a legal expert as follows: "If a defendant is proved to have used confidential information directly or indirectly obtained from a plaintiff, without the consent . . . of the plaintiff, he will be guilty of an infringement of the plaintiff's rights."

The bulk of the books from

Flegon Press are nonliterary and deal with technical subjects. Some of the books are published in the Russian language, destined for open distribution in the Soviet Union. Others, however, are produced from manuscripts that have been smuggled out of the Soviet Union and presumably smuggled back in book form.

Mrs. Alliluyeva's memoirs are one of the few literary works he has dealt with for publication outside Russia in the English language. Mr. Flegon, who came to Britain in 1956, started his small publishing house here in 1962.

Mr. Rubinstein, in his affidavit read in court today, said that on instructions from Mrs. Alliluyeva's New York attorneys he had been negotiating the exploitation of the publishing rights to her book in Britain and other countries.

Read in Newspaper

On June 26, he said, he read in the Evening Standard newspaper here that "pirate" copies of the memoirs were circulating in Britain and that "somebody"

had obtained a copy and was proposing to publish it in this country before the official publication.