COPYRIGHT
OFFICE

July 6, 1999

Re: BRACELET B4260 and BRACELET B6055
Copyright Office Control No. 60-608-1552(D)

LIBRARY
OF
CONGRESS

Dear Mr. Zarro:

After carefully reviewing the above titled works in light of the arguments you made on behalf of Yurman Design, Inc., the Copyright Appeals Board has decided to register the claim to copyright in BRACELET B6055. The certificate of registration, with an effective date of July 1, 1997, will be sent to you soon.

Washington
D.C.
20559

The Board has a threshold question, however, with respect to BRACELET 4260. Upon first publication, did this work bear a notice of copyright? The application states that this bracelet was published on January 1, 1987. Before the effective date of the 1988 Berne Convention Implementation Act, published works had to bear a statutory notice of copyright or be registered within five years of publication in order to maintain copyright. *See* 17 U.S.C.§ 405(a).

To implement the notice requirement, deposit regulations for such works require the submission of photographs of the notice of copyright on the work as first published. 37 C.F.R. 202.21(e). The deposit for BRACELET 4260 does not include a reproduction of the notice of copyright. If this work bore the required notice please submit a photograph, or other representation permitted by regulation, indicating placement of the notice on the bracelet as published. The Board will then resume consideration of registrability. If the work was published without notice, it is now too late to cure such publication. In that event, we will have to refuse registration for BRACELET 4260 without further consideration.

Please address your reply to the Copyright Appeals Board, GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024.

Sincerely,

David O. Carson
General Counsel

Mr. Joseph Zarro
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July 7, 1999