

Background on Treatment of Copyright Dates in DCRM(B) Compiled by Manon Thérout, January 2009

1. DCRB
2. DCRM(B) Epsilon Draft
3. DCRM(B) Epsilon Draft Discussion Questions
4. DCRM(B) Epsilon Draft Discussion: RBMS/BSC ALA Annual 2005
5. DCRM(B) Epsilon Draft Discussion: Public Hearing ALA Annual 2005
6. DCRM(B) Epsilon Draft Responses
7. DCRM(B) Zeta Draft

Please note that many of the documents cited below are no longer available on the RBMS/BSC website (and links to the documents in relevant DCRM-L messages thus no longer work).

1. DCRB

DCRB was the base text for the DCRM(B) revision. It instructed:

4D2. Copyright dates⁸:

Add the date of copyright following the publication date if it differs from the publication date. Example:

, 1967, c1965
(Copyright date printed on verso of t.p.)

, 1896, c1894
Note: Publication date from verso of title page

4D3. When the date of publication or printing does not appear in the publication but is known, supply it in square brackets from any source, preferably a reliable bibliography or reference work, if possible. Give the source of a supplied date and any needed explanation in the note area. Example:

, [1876]
Note: Publication date from BAL

4D4. Give the date of copyright as a substitute for an unknown date of publication or printing. Example:

, c1894

4D5. Give a conjectural date based on any information available. Give necessary indications of the basis for the conjecture in the note area.

[4D2 Footnote 8: When applying this and other rules, use only copyright dates appearing in works published in a country after the enactment of modern uniform copyright legislation (in the United States, since 1870). A date of copyright that precedes the enactment of such legislation may be recorded in the note area, if desired.]

The DCRM(B) editors found the DCRB instructions problematic on numerous counts:

- DCRB gave no instructions for the faithful transcription of copyright dates; rather, it implied that copyright dates should be silently normalized to lower-case “c” and an arabic-style date
- The copyright symbol had not yet been approved for use in catalog records.
- Instructions in 4A2 prohibited the combination of statements belonging to a single element when they appeared in different sources in the publication; they did not identify 4D2 as an exception. Thus, 4D2 conflicted with 4A2.
- The footnote to 4D2 resulted in an inconsistent approach to copyright dates: pre-1870 dates were treated one way, post-1870 dates another way. Would catalog users be confused by sometimes finding copyright dates in the 260 field and sometimes in a note, if at all?
- The footnote to 4D2 only gave a cut-off date for the United States. Catalogers were given no guidance on copyright dates appearing in publications from other countries. Were the DCRM(B) editors going to have to research the history of copyright law in each country and come up with a reference table?
- The instructions did not address questions of multiple copyright dates, copyright renewal dates, and dates of deposit (which are not necessarily the same as copyright dates and may differ). The LCRI for AACR2 1.4F6 says: “Ignore copyright renewal dates for works first copyrighted before 1978. If the copyright dates vary, give the latest date for works copyrighted after 1977.” [Regarding dates of legal deposit appearing on French publications, I highly recommend this article: Edmunds, Jeff. “Le Depot Legal: Implications for Cataloging” CCQ 21.1, 1995].
- The LCRI for AACR2 1.4F5 instructs that, for printed books and serials, catalogers should not record a copyright date in addition to a publication date. [There is no prohibition against recording copyright dates for music materials].
- DCRB’s use of copyright dates in Area 4 was limited to two situations: first, if both a publication date and a copyright date appeared on the publication; second, if the publication date was unknown. If the publication date was known from

other sources, 4D3 called for supplying the publication date in square brackets (rather than recording the copyright date).

- The first example in 4D2 did not include a note indicating the source of the copyright date even though the editorial comment in parentheses make it clear that the source was not the title page (such a note was required by 0D, 4A2, and 7C8); the second example in 4D2 and the example in 4D4 might also have needed such notes, but it wasn't clear from the information given)

2. DCRM(B) Epsilon Draft:

<https://listserver.lib.byu.edu/pipermail/dcrm-l/2005-June/000929.html>
<https://listserver.lib.byu.edu/pipermail/dcrm-l/2005-June/000930.html>

The DCRM(B) epsilon draft was issued 3-4 weeks before ALA Annual 2005, together with a list of discussion questions, one of which concerned copyright statements. Notice was sent to the DCRM-L discussion list and various other lists and the deadline for comments was Aug. 31, 2005. The draft was discussed at the RBMS BSC meeting and at an official RBMS public hearing specifically devoted to DCRM(B).

The epsilon draft instructed catalogers to transcribe copyright dates faithfully, but only if no publication date was present. It did not limit the transcription of U.S. copyright dates to post-1870 dates; rather than trying to come up with dates for the enactment of uniform copyright legislation in multiple countries, it took a “transcribe what you see” approach:

4D4. Copyright dates

Transcribe a copyright date as part of this element only if a date of publication, distribution, etc., is not present in the source. Transcribe the date as found, including any accompanying words or phrases. Use a lowercase "c" to represent a copyright symbol.

, copyright 1894

, c1982

If the copyright statement cannot be transcribed succinctly, either abridge the transcription, using the mark of omission, or supply the copyright date in square brackets. If supplying the copyright date, provide details of the fuller statement in a note.

, copyright 1912 ...

, [c1850]

Note: Copyright statement dated 1850 on t.p. verso

, [c1866]

Note: "Entered, according to Act of Congress, in the year 1866 ... in the clerk's office of the Dist. Court of the U.S., for the Southern District of New York"--T.p. verso

If the date of copyright is not the probable date of publication, supply a probable publication date in square brackets before the copyright date and provide an explanatory note.

, [1912?], copyright 1911
Note: Dedication dated Aug. 1912

, [1976], c1953
Note: Date of deposit in colophon: 1er trimestre 1976

If the publication contains multiple copyright dates, transcribe only the latest one. Use the mark of omission to indicate the omission of any intervening words. Transcribe the full statement in a note if desired.

, copyright ... 1899
Note: Copyright date from t.p. verso; full statement reads: Copyright 1883, 1887, 1888, 1890, 1891, 1894, 1896, 1898 and 1899 by James Whitcomb Riley

If the publication contains a copyright date that differs from the date of publication, it may be given in a note if desired.

, 1892
Note: Copyright 1887 on t.p. verso

, 1880
Note: "Copyright, 1878, by F.B. Greene"--T.p. verso

If the copyright statement contains a date that duplicates the publication date but features additional information deemed important to the cataloging agency, it may be given in a note if desired.

, 1879
Note: "Entered according to Act of Congress in the year 1879 by J.M. Cataldo"--T.p. verso

3. DCRM(B) Epsilon Draft Discussion Questions

The discussion questions on the DCRM(B) Epsilon draft prepared for the BSC meeting and RBMS public hearing included the following:

4D4: Copyright statements often include the name of the copyright holder; do we want to specify that these should be omitted from the date of publication when transcribing? Using a mark of omission or not? Does it matter if the name comes after the date, before the date, or between the word/symbol and the date?

In source: © Editions Gallimard, 1966

Possible transcriptions:

c1966

c ... 1966

In source: Copyright 1953 by Librairie Plon

Possible transcriptions:

copyright 1953

copyright 1953 ...

Copyright statements often include both the word and the symbol. Will it be confusing to transcribe both?:

In source: copyright ©1980

Possible transcriptions:

copyright c1980

c1980

4. DCRM(B) Epsilon Draft Discussion: RBMS/BSC ALA Annual 2005

http://www.rbms.info/committees/bibliographic_standards/conference-docs/bsc-200506-minutes.pdf

The minutes of the BSC meeting record the following discussion; given a choice between 2 options (transcribing “difficult” copyright statements using the mark of omission and supplying “difficult” copyright dates in square brackets), the majority preferred transcribing. Note that the option of simply “dropping” copyright dates from Area 4 altogether did not emerge during this meeting:

4D4. DCRM(B) has rationalized transcription in rare book cataloging to a greater degree, and the editorial board is looking for advice with regard to copyright statements. Currently, DCRB instructs the cataloger to type “c” followed by the year presented in the copyright statement. Often, however, early copyright statements contain more information than just the date. Currently all of this information is being silently omitted, which conflicts with the principle of transcription in this transcription field. Larrabee voiced concerns that inserting a mark of omission for omitted copyright data will render the date information unintelligible to users, suggesting that it makes more sense to bracket the date if the whole statement is not to be transcribed: the bracket will indicate that the information is not as it appears on the piece, but indicates this concept in a clearer fashion than using the mark of omission. Schneider favored transcribing the whole statement. Thérout noted that transcription is good, unless it doesn’t make sense to the user or is extremely complicated. The group engaged in a discussion of the pros and cons of transcribing versus using the mark of omission versus making no change to the rules. The majority favored extending the transcription principle to copyright statements, which would result in transcribed data with any omissions indicated by the mark of omission, while others preferred to keep the current practice. There were suggestions for steps in the middle, such as *c[*copyright*]* as a replacement for the copyright symbol, which is currently not part of the cataloging, typeset. Thérout noted that there was no cohesive

opinion in the group, but that the editors would carefully consider all arguments when making a decision.

5. DCRM(B) Epsilon Draft Discussion: Public Hearing ALA Annual 2005

<https://listserver.lib.byu.edu/pipermail/dcrm-l/2005-August/000959.html>

It was during this meeting that the option of not transcribing copyright statements in Area 4 was raised; it received 18 out of 29 votes. Stephen Skuce served as recorder at the hearing; his notes are below:

djl: [Ending the discussion and beginning a new topic]: The issue of transcribing copyright statements vs. just summarizing them when there is no publication date. DCRB now follows AACR2; use the copyright as the date with "c." But we want to hold firm with transcribing the date area, not silently changing these data. Thoughts? Do you agree that the copyright date should be [more fully] transcribed?

cc[?]: The copyright symbol as well as the word copyright spelled out? "Copyright c1982" looks funny.

djl: What about using "sic" as we do elsewhere?

lc: It's no more an error than a printer name plus a printer's device.

[several voices]: But we don't transcribe a printer's device.

[brief yapping about the meaning of "sic"]

rn: This opens a can of worms. Copyright information often provides information of a different kind about the genesis of the text. It is often entirely separate from the actual production and dissemination of the piece. "Copyright 1881" in a 1905 edition. It's probably better to bail, and retain the practice of defaulting to a second standard with the option of a note quoting the copyright statement.

es: What does rn mean?

rn: I'm saying we should continue the practice of "c1966" as in ordinary AACR2 practice because the information does not always present itself well. This is extracted information, very distant from the notion of imprint.

ecs: [agrees with richard]. If it's important, put it in a note. We're not gaining enough by transcribing it.

djl: How do we justify not transcribing in a transcription area?

jg: I would put c1966 all in brackets; this says you've normalized it.

rn: Look at normal bibliographic practice. It's just not done. [Unclear: "it adds information regarding the possible date of issue" [?]]

djl: [expresses firm opposition to silent normalization in a transcription field]: When we've used DCRB for such materials, we've bracketed the copyright date and added a note with the actual transcription.

rn: For purposes of \$c in the 260, it is not imprint information at all. It's different altogether. You can infer information from it, but all information from it IS inferential.

djl: It is a transcription field. We don't normalize there.

rn: But copyright is different.

djl: But silent normalization is wrong.

rn: Follow AACR2.

lc: We have a tradition of not regarding the imprint as necessarily a pure transcription field, especially the date, which explains the Roman numerals in DCRB. There have been problems all along. If we try it we'll likely go back to redo it when we revise these rules yet again. It can help for identification of states and issues, whatever. But I remember an LC statement: "don't worry about consistency in this area."

ja: Do you express copyright by the symbol or not? is the question. But remember, this area is for date of publication, and a copyright date is NOT a publication date. You can record it as evidence, sure.

vb: I'm working on Longfellow now. The copyright date is clearly and demonstrably not the publication date of volume 1 of the set. I infer the [actual publication] date, and leave it at that [i.e., she does not record the misleading copyright date]

ja: But we are trying to preserve transcription. The fact that it isn't a date of publication gives you permission to put it in a note.

es: We do treat the date as transcription.

rn: Copyright statements are about registration, not publication. It may be good, or it may be misleading, data for determining the publication date.

djl: Another poll. The options are:

1. Leave text as it is, and work out some difficult issues
2. Silently normalize copyright data when there's no publication date (the AACR2 rule)
3. Drop out any instruction regarding copyright dates in this element. Only record the publication date, whether actual or inferred.

[Results:

1 = 3

2 = 8

3 = 18

mt: That isn't compatible with DCRB, another consideration informing the construction of these rules. [mt addition to the minutes: I think I actually noted that the 3rd option wasn't compatible with either DCRB or AACR2, both of which were DCRM(B) principles].

rm: Is there a "rare books" reason for treating this differently [than AACR does]?

es: In modern publications, the copyright and publication dates are usually pretty close.

[Muttering in the room: Not really!]

rn: Again, it's just not a publication date: it's evidence of the history of the text.

jg: I voted for #3, but I still think copyright has to be addressed. What about the notes area?

ja: Add something regarding "how to conjecture"?

lc: There's a fundamental problem with what AACR2 is doing. We can lead the way. The evidence for current practice is weak. Every year, there's an Autocat discussion along the lines of, "It's December 2005, what do I do with this c2006 book?"

rm: That's because they faithfully transcribe.

vb: Recording all these copyright dates doesn't help with Longfellow, for example. I now have 5 "title issues" and all are identical except for the t.p.; they're from the same stereoplates.

Penny Welbourne (pw): What about bracketing a copyright date, but adding a 500 note?

jd: This concerns being required to record copyright dates that are just printings. Go back to the DCRM(B) introductory matter, under pre-cataloging decisions. Number 4: exercised judgement, and be consistent.

jl: Throwing out the copyright is OK, but if your only basis for a bracketed date IS the copyright date, and if you have a reasonably strong copyright date, why not put it in the 260?

djl: (ending discussion): Now for another departure from DCRB

6. DCRM(B) Epsilon Draft Responses

CPSO Response (includes references to the discussion questions): 4D4: CPSO feels the supplied date is not the way to go. Perhaps reorder the paragraphs in this order: 1st, 3rd, 2nd, 4th. The rule needs some indication that the copyright date is serving as a publication date substitute. Include the discussion question examples (or others similar to them) in the code itself at the second section of the rule. We think the third example of the discussion questions can be transcribed as both "...c1980" and "copyright c1980". [mt note: I think the first sentence of the CPSO response refers to the two options in DCRM(B) Epsilon 4D4 paragraph 2 and therefore expresses a preference for an abridged "true" transcription rather than a normalized copyright date supplied in square brackets].

CC:DA Response: 4D4: Given DCRM(B)'s stated rationale of allowing for more complete transcriptions, the TF doesn't understand why 4D4 limits the transcription of copyright dates in Area 4 to cases where a date of publication, distribution, etc. is not present in the source. If the cataloger wishes to include both the publication date and the copyright date in Area 4, why not have an option allowing this choice, rather than limiting the transcription of the copyright date to a note?

CILIP Rare Books Group BSC Response: no mention of copyright

Yale University Rare Book Team Response: 4D4: Transcription of copyright statements? As occurred in the public hearing, our discussion ranged beyond the question of transcription of copyright statements to the general use of copyright dates in the publication date area [the 260 \$c]. One thing we agreed on was that transcription of copyright statements is unacceptable to us. Otherwise, we discussed the options below and realized that we disagreed about which one we each preferred. Thus we decided that we do not have a Team response to this issue (although some of us might send individual comments to you).

- 1) Infer date of publication from copyright date, which would mean keeping the copyright date out of the 260 \$c altogether?
- 2) Follow AACR2 and continue with putting the copyright date in the 260 \$c?
- 3) Put the copyright date in the 260 \$c but bracket it?

Individual Responses (Windy Lundy, University of Colorado at Boulder; David Woodruff, Getty; Kate Moriarty, Saint Louis University): no mention of copyright

7. DCRM(B) Zeta Draft:

The DCRM(B) Editorial Team met in Sept. 2005 to discuss the Epsilon Draft. The decisions made at this meeting were reflected in the DCRM(B) Zeta draft, issued prior to ALA Midwinter 2006:

<https://listserver.lib.byu.edu/pipermail/dcrm-l/2006-January/000982.html>

The Zeta draft was accompanied by a document detailing changes made to the Epsilon draft, including this summary of the new instructions regarding copyright in 4D4:

4D4: revised so that copyright dates cannot be transcribed in the publication, distribution, etc., area; they can only serve as the basis for supplied dates (per editorial team decision); included dates of deposit

The Zeta draft was also accompanied by a list of possible discussion points, including copyright:

<https://listserver.lib.byu.edu/pipermail/dcrm-l/2006-January/000996.html>

Minutes from the ALA Midwinter 2006 meeting of the BSC show that the change in treatment of copyright was summarized thus:

4D4. Copyright dates are no longer to be recorded in the date of publication element. They may be given in notes and they may form the basis for supplied dates of publication. The instructions now deviate from both AACR2 and DCRB but they resolve the problems associated with transcribing copyright statements.

The minutes show no further discussion of the new copyright rules:

http://www.rbms.info/committees/bibliographic_standards/conference-docs/bsc-200601-minutes.pdf