

**Joint RBMS/MLA Task Group for Developing Rules for Rare Music Cataloging**  
**Response to Issue:**  
**Use of the copyright statement in DCRM(M) Area 4**  
**June 2008**

This paper addresses the objections of the RBMS-BSC editorial committee over the use of copyright dates in Area 4 of DCRM(M). The editorial committee's objections are as follows:

1. The copyright date is not a publication or distribution date and therefore does not belong in Area 4.
2. Transcription of copyright dates is difficult because early copyright/deposit notices were lengthy. Since Area 4 is a transcribed field, it is better to have the date bracketed, and the full notice transcribed in a note.
3. It does not follow the principles of DCRM.

The Music JTG believes some of these statements to be unfounded, and that replacing a copyright date with an implied publication date is misleading for music materials. While exact transcription may at times be awkward, the Music JTG feels that there are better alternatives than replacing the copyright date with what amounts to an implied publication date in Area 4. The objections of the RBMS-BSC editorial committee are discussed below and a solution for transcribing copyright dates is offered. *Note:* The relevant rules from DCRM(B) are included in an appendix to this document.

**Objection #1. The copyright date is not a publication or distribution date and therefore does not belong in Area 4.**

Publication vs copyright date

The Music JTG wants to make it perfectly clear that it is not claiming that a copyright date is equivalent to the publication or distribution date. In fact, it is far more common with music than with books that a copyright date is not equivalent to the date of publication. Since the early eighteenth century, musical works, unlike books, have been published preponderantly by means of engraved or etched plates. A publisher kept the plates on file and could reuse them over and over; moreover, plates continued to be re-used even after being sold to other publishers. The publisher could do a very small print run, and then perform additional print runs if required by popularity. They were the original "print on-demand" type of publishing. While we realize procedures similar to "print on-demand" were also in practice at times for books, this situation was much more the norm for music. Even today, publishers continue to issue music from 19<sup>th</sup> century plates. No music cataloger would suggest that a copyright date is equivalent to the publication date. It simply serves as a *terminus post quem* for publication in lack of other evidence.

Replacing a valid copyright date in Area 4 with a suggested publication date that is the same as the copyright date, implies that the copyright date is equivalent to a publication date. It may suggest that the cataloger has outside evidence that the copyright date was indeed the publication date, or the cataloger may simply be giving a “best guess” that this is the case. Because of this, the Music JTG feels that replacing the copyright date with the same date in brackets is misleading and a disservice to readers.

#### The place of copyright dates in Area 4

The claim that copyright dates were not legally part of Area 4 puzzled the Music JTG, but after our meeting with the editors, we think that we might now see where this misunderstanding stems from. We note that the AACR2 Chapter 2 section on Early Printed Books omits copyright as part of Area 4. We wonder if this is why the editorial committee does not believe copyright date to be part of Area 4.

DCRM(M), however, does not follow Chapter 2 (Books, Pamphlets, and Printed Sheets), but Chapter 5 (Music). While some rules in Chapter 5 refer the cataloger to Chapter 2 for guidance, Area 4 rules do not. Music catalogers are referred to Chapter 1 for initial guidance and further rules are given in Chapter 5.

AACR2 rule 5.4F1 clearly demonstrates that copyright dates are valid in Area 4. The rule is as follows:

**5.4F.** Date of publication, distribution, etc.

**5.4F1.** Give the date of publication, distribution, etc., of a published music item as instructed in 1.4F. If the copyright date is found only on the first page of the music, do not enclose it in square brackets.

New York ; London : Peters, 1975  
Leipzig : Peters, c1971

The relevant rules in 1.4F, referred to in 5.4F1, are 1.4F5-1.4F6:

**1.4F5.** *Optional addition.* Give the latest date of copyright following the publication, distribution, etc., date if the copyright date is different.

, 1967, c1965  
, [1981], p1975

**1.4F6.** If the dates of publication, distribution, etc., are unknown, give the copyright date or, in its absence, the date of manufacture (indicated as such) in its place.

, c1967  
, 1967 printing  
, p1983  
, 1979 pressing

**1.4F7.** If no date of publication, distribution, etc., copyright date, or date of manufacture appears in an item, supply an approximate date of publication.

, [1971 or 1972]	<i>one year or the other</i>
, [1969?]	<i>probable date</i>
, [between 1906 and 1912]	<i>use only for dates fewer than 20 years apart</i>
, [ca. 1960]	<i>approximate date</i>
, [197-]	<i>decade certain</i>
, [197-?]	<i>probable decade</i>
, [18-]	<i>century certain</i>
, [18-?]	<i>probable century</i>

*Optionally*, give an approximate date of publication if it differs significantly from the date(s) specified in 1.4F6.

, [1982?], c1949

Only in the absence of a copyright date does AACR2 permit the use of an approximate publication date on its own; it may also be used in conjunction with a copyright date if the publication is known to differ significantly. The LCRI for 1.4F5 supports the option for materials other than books and serials.

The above quoted rules illustrate that date of copyright is indeed a legal part of Area 4 in AACR2. In addition, 1.4F6 gives copyright date precedence over date of manufacture, a date that the editorial committee admits as valid in this area.

The practice of transcribing the copyright date in Area 4 of AACR2 closely follows ISBD. The relevant rules are as follows:

**4.4.6** When there is no date of publication, production or distribution in the item, the copyright date or date of manufacture is given in its place. Both dates are indicated as such.

e.g. , cop. 1995

**4.4.7** A copyright date may be added to the date of publication, production or distribution when the bibliographic agency considers it to be important.

e.g. , 1995, cop. 1993

**4.4.8** When no date of publication, production or distribution, copyright date or date of manufacture can be ascertained for the item, an approximate date of publication, production or distribution is given in square brackets.

e.g. , [ca. 1994]  
      , [1992?]  
      , [199-?]

The place of the copyright date in Area 4 is also supported by the instructions for the use of subfield c of the 260 field (Publication, Distributions, etc. (Imprint)) of MARC21:

\$c - Date of publication, distribution, etc.

Subfield \$c contains the date of publication, distribution, etc. If the date of manufacture is substituted for the date of publication, it is recorded in subfield \$c. The date of creation may be recorded for unpublished items. Multiple adjacent publication dates such as a date of publication and copyright date are recorded in a single subfield \$c ...

DCRM(B) Introduction. Part II. Relationship to other materials states in part:

“DCRM(B) deviates in substance from AACR2 and LCRI only when required by the particular descriptive needs of rare materials”.

To remove a copyright date from Area 4 for music and replace it with an implied publication date is a clear violation of AACR2 and LCRI, and would thus require a particular descriptive need to do so. As stated above, it is also a violation of ISBD & MARC. Not only does the Music JTG believe that there is no clear reason for deviating from AACR2 in this instance, but also that there are also important music reasons for retaining the AACR2 rules.

**Objection #2. Transcription of copyright dates is difficult because early copyright/deposit notices were lengthy. Since Area 4 is a transcribed field, it is better to have the date bracketed, and the full notice transcribed in a note.**

Principle III.2.2 of DCRM states in part:

“Precise representation is of particular relevance in those areas of the description that require transcription (the title and statement of responsibility area, the edition area, the publication, distribution, etc., area, and the series area), but should not be ignored in the physical description and note areas. The general principles of representation and standardization stand in greater tension with each other when cataloging rare materials. Faithfulness to both principles may require descriptive and annotative treatment

necessarily exceeding the norms (and at times the vocabulary) established as sufficient for the description of general materials.”

In musical works dating from the mid-nineteenth century on, copyright dates are printed on the publication. Since a date may be taken from any of the chief source of information, caption, cover, colophon, other preliminaries, first page of music, the copyright date is always in a prescribed source and should be transcribed without brackets. For these later works, direct transcription of a copyright date poses no problems to the cataloger. Copyright is indicated by the terms “copyright, copr., (c), cop., c, c., ©”. None of these causes any transcription issues and fulfill the terms of III.2.2 to transcribe Area 4. In fact, it is the practice promulgated by the editorial committee that is in violation of III.2.2 in the case of music. An easily transcribed subfield is replaced by a not-transcribed and inaccurate suggested publication date. From the view of Music JTG, there is no valid reason for doing this in the case of modern copyright dates.

A final issue here is that the practice of putting information in square brackets in this area is restricted to approximate dates of publication, production or distribution in AACR2 and ISBD. Since a copyright date is not an indicator of any of these, putting the copyright date in square brackets indicates that the cataloger has found outside evidence that suggests a specific publication date or is simply making a best guess at the copyright date. As this is not the case, transcribing the copyright date in this way would be misleading to researchers.

We realize that there are transcription issues for works published before the introduction of the term “copyright” on rare materials. A solution for this will be proposed below.

### **Objection #3. It does not follow the principles of DCRM**

As shown above, the Music JTG feels that using the copyright date in Area 4 clearly follows the Principle III.2.2 of DCRM. The JTG also believes retaining this practice also respects Principle III.2.5 which states:

**III.2.5.** Rules conform to the substance and structure of the latest revision of AACR2 to the extent possible; ISBD(A) serves as a secondary reference point

This principle relates to general principles of standardization and user convenience (with the latter’s subprinciple of common usage). DCRM assumes that users of bibliographic descriptions constructed in accordance with its provisions operate in contexts where AACR2 (often as interpreted and applied by the Library of Congress) is the accepted standard for the cataloging of general materials. Therefore, DCRM uses existing AACR2 vocabulary in a manner consistent with AACR2; any additional specialized vocabulary necessary for description and access of rare materials occurs in a clear and consistent manner in DCRM rules, appendixes, and glossary entries. DCRM does not introduce rules that are not required by differences expected between rare and general materials. Numbering of areas within DCRM conforms to the structure of ISBD as implemented in AACR2. When an existing AACR2 rule satisfies the requirements of

cataloging rare materials, DCRM text is modeled on AACR2 text (substituting examples drawn from rare materials for illustration). In cases where the language of AACR2 is not precise enough to convey necessary distinctions or may introduce confusion when dealing with rare materials, DCRM uses carefully considered alternative wording. Wording of relevant ISBD(A) standards was also considered when deviating from AACR2.

Transcribing the copyright date in Area 4 conforms with AACR2 and LCRI (as well as ISBD and MARC21) and Principle III.2.5 requires conformity whenever possible. Retaining this practice in DCRM(M) also abides by the statement that in III.2.5 that

“DCRM does not introduce rules that are not required by differences expected between rare and general materials.”

The reference to ISBD(A) is no longer valid for music materials, since the ISBD(A) is now obsolete.

### **Solutions for transcription issues for early copyright/registration/deposit dates**

Transcribing early dates for copyright, etc., is indeed an issue since the copyright/deposit/registration statement may be so lengthy as to make it unwieldy for display of this subfield. While we feel direct transcription is best whenever possible, we offer a couple of possible compromises for when it is not possible.

1. Use a mark of omission.

In this compromise, a cataloger could transcribe the first word or two of the copyright statement, followed by a mark of omission, followed by the date. This is parallel to 1B7.1 for overly long titles proper, though the number of words is reduced. The full statement could then be quoted in a note if deemed necessary.

*example*

Deposited ... 1865

*Note:* “Deposited at the Stationer’s Office, Philadelphia, June 1865”

2. Use a modern copyright-style date in square brackets.

Instead of quoting an overly long copyright statement, the cataloger could replace it with a modern style copyright symbol and the date placed in square brackets. The full statement would then be quoted in a note. The square brackets would alert the researcher that this subfield has not been transcribed.

*example*

[c1865]

*Note:* “Deposited at the Stationer’s Office, Philadelphia, June 1865”

## Appendix: Rules relating to copyright dates from DCRM(B)

### 4D. Date of publication, distribution, etc.

[ ... ]

#### 4D6. Copyright dates and dates of deposit

##### 4D6.1.

Do not transcribe a copyright date or a date of deposit in the publication, distribution, etc., area.

##### 4D6.2.

If a date of publication, distribution, etc., does not appear in the source and it is likely that the date of copyright or deposit represents the date of publication, supply the date in square brackets as the date of publication. Include a question mark if the supplied date is conjectural. Make a note to indicate that the basis for the supplied date is the date of copyright or deposit. Include in the note as much information as is deemed important to the cataloging agency. If transcribing a copyright symbol in the note, use a lowercase c to represent the symbol if it cannot be reproduced using available typographic facilities.

, [1850?]

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

, [1866?]

*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

, [1976]

*Note:* Date of deposit in colophon: 1er trimestre 1976

, [1988]

*Note:* Page [4] of cover: c1988

##### 4D6.3.

If the date of copyright or deposit does not represent the probable date of publication, distribution, etc., note it nonetheless and supply a more accurate date of publication, distribution, etc., in square brackets. Provide an explanation for the supplied date if possible.

, [194-]

*Note:* Publication date suggested by WWII imagery on cover; copyright date of 1929 in colophon