AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Reference to respective Houses.

Restriction on publicity.

Committee on Ways and Means and the Committee on Finance. The Committee on Ways and Means or the Committee on Finance may submit such information to the House or to the Senate or to both the House and the Senate, as the case may be. The joint committee (but no subcommittee or member of the joint committee) shall have the right to make public any such information, in such cases and to such extent as it may deem advisable, but no such information shall be made public with respect to any particular taxpayer unless specifically authorized by the joint committee; but this sentence shall not apply to information made public through the medium of a public hearing as provided in paragraph (1) of this subsection.

Personal services.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. The joint committee is authorized to utilize the services, information, facilities, and personnel of the Departments and agencies in the executive branch of the Government and of the Joint Committee on Internal Revenue Taxation.

5 U. S. C. §§ 661-674.

Utilization of other facilities, etc.

Delegation of authority.

SEC. 5. The joint committee may authorize any one or more persons to conduct any part of such investigation on behalf of the committee, and for such purpose any person so authorized may hold such hearings, and require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, and take such testimony, as the committee may authorize, but nothing in this section shall be construed as authorizing a public hearing. In any such case subpenas shall be issued under the signature of the chairman of the joint committee and shall be served by any person designated by him.

Duration.

SEC. 6. All authority conferred by this joint resolution shall expire on February 1, 1938.

Approved, June 11, 1937.

[CHAPTER 317]

JOINT RESOLUTION

June 11, 1937
[H. J. Res. 334]
[Pub. Res., No. 41]

To protect the copyrights and patents of foreign exhibitors at the New York World's Fair, to be held at New York City, New York, in 1939.

New York World's Fair, 1939.

Protection of copyrights and patents of foreign exhibitors.

Branch copyright, etc., offices on grounds.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Librarian of Congress and the Commissioner of Patents are hereby authorized and directed to establish branch offices under the direction of the Register of Copyrights and the Commissioner of Patents, respectively, in suitable quarters on the grounds of the New York World's Fair, to be held at New York City, New York, under the direction of the New York World's Fair Corporation, Incorporated, a New York corporation, said quarters to be furnished free of charge by said corporation, said offices to be established at such time as may, upon sixty days' advance notice, in writing, to the Register of Copyrights and the Commissioner of Patents, respectively, be requested by said New York World's Fair Corporation, but not earlier than January 1, 1939, and to be maintained until the close to the general public of said exposition; and the proprietor of any foreign copyright, or any certificate of trade-mark registration, or letters patent of invention, design, or utility model issued by any foreign government protecting any trade mark, apparatus, device, machine, process,

Certificate of proprietorship to be issued.

method, composition of matter, design, or manufactured article imported for exhibition and exhibited at said fair may upon presentation of proof of such proprietorship, satisfactory to the Register of Copyrights or the Commissioner of Patents, as the case may be, obtain without charge and without prior examination as to novelty, a certificate from such branch office, which shall be prima facie evidence in the Federal courts of such proprietorship, the novelty of the subject matter covered by any such certificate to be determined by a Federal court in case an action or suit is brought based thereon; and said branch offices shall keep registers of all such certificates issued by them, which shall be open to public inspection.

Registers to be kept.

At the close of said New York World's Fair the register of certificates of the copyright registrations aforesaid shall be deposited in the Copyright Office in the Library of Congress at Washington, District of Columbia, and the register of all other certificates of registration aforesaid shall be deposited in the United States Patent Office at Washington, District of Columbia, and there preserved for future reference. Certified copies of any such certificates shall, upon request, be furnished by the Register of Copyrights or the Commissioner of Patents, as the case may be, either during or after said exposition, and at the rates charged by such officials for certified copies of other matter; and any such certified copies shall be admissible in evidence in lieu of the original certificates in any Federal court.

Deposit at close of Fair.

Certified copies of certificates.

SEC. 2. It shall be unlawful for any person without authority of the proprietor thereof to copy, republish, imitate, reproduce, or practice at any time during the period specified in section 6 hereof any subject matter protected by registration as aforesaid at either of the branch offices at said exposition which shall be imported for exhibition at said exposition, and there exhibited and which is substantially different in a copyright, trade mark, or patent sense, as the case may be, from anything publicly used, described in a printed publication or otherwise known in the United States of America prior to such registration at either of said branch offices as aforesaid; and any person who shall infringe upon the rights thus protected under this Act shall be liable—

Infringement of rights unlawful.

Liabilities.

(a) To an injunction restraining such infringement issued by any Federal court having jurisdiction of the defendant;

Injunction.

(b) To pay to the proprietor such damages as the proprietor may have suffered due to such infringement, as well as all the profits which the infringer may have made by reason of such infringement, and in proving profits the plaintiff shall be required to prove sales only and the defendant shall be required to prove every element of cost which he claims, or in lieu of actual damages and profits such damages as to the court shall appear to be just;

Pecuniary damages.

(c) To deliver upon an oath, to be impounded during the pendency of the Act, upon such terms and conditions as the court may prescribe, all articles found by the court after a preliminary hearing to infringe the rights herein protected; and

Delivery of articles that infringe.

(d) To deliver upon an oath, for destruction, all articles found by the court at final hearings to infringe the rights herein protected.

Destruction.

SEC. 3. Any person who willfully and for profit shall infringe any right protected under this Act, or who shall knowingly and willfully aid or abet such infringement, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not exceeding one year or by a fine of not less than $100 nor more than $1,000, or both, in the discretion of the court.

Infringement; penalty provisions.

Terms of protection.

SEC. 4. All the Acts, regulations, and provisions which apply to protecting copyrights, trade marks, designs, and patents for inventions or discoveries not inconsistent with the provisions of this Act shall apply to certificates issued pursuant to this Act, but no notice of copyright on the work shall be required for protection hereunder.

Copyright, etc., actions.

SEC. 5. Nothing contained in this Act shall bar or prevent the proprietor of the subject matter covered by any certificate issued pursuant to this Act from obtaining protection for such subject matter under the provisions of the copyright, trade mark, or patent laws of the United States of America, as the case may be, in force prior hereto, and upon making application and complying with the provisions prescribed by such laws; and nothing contained in this Act shall prevent, lessen, impeach, or avoid any remedy at law or inequity [1] under any certificate of copyright registration, certificate of trade-mark registration, or letters patent for inventions or discoveries or designs issued under the copyright, trade mark, or patent laws of the United States of America, as the case may be, in force prior hereto, and which any owner thereof and of a certificate issued thereon pursuant to this Act might have had if this Act had not been passed, but such owner shall not twice recover the damages he has sustained or the profit made by reason of any infringement thereof.

Duration of protection.

SEC. 6. The rights protected under the provisions of this Act as to any copyright, trade mark, apparatus, device, machine, process, method, composition of matter, design, or manufactured article imported for exhibition at said New York World's Fair shall begin on the date the same is placed on exhibition at said exposition and shall continue for a period of six months from the date of the closing to the general public of said exposition.

Reimbursement of incurred expenses.

SEC. 7. All necessary expenses incurred by the United States in carrying out the provisions of this Act shall be reimbursed to the Government of the United States by the New York World's Fair, under regulations to be prescribed by the Librarian of Congress and the Commissioner of Patents, respectively; and receipts from such reimbursements shall be deposited as refunds to the appropriations from which such expenses were paid.

Approved, June 11, 1937.

[CHAPTER 327]

June 11, 1937
[H. R. 5136]
[Public, No. 144]

AN ACT

To authorize the acquisition of land for cemeterial purposes in the vicinity of San Francisco, California.

San Francisco, Calif. Acquisition of land near, for cemeterial purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to acquire by purchase, condemnation, or otherwise, such suitable lands in the vicinity of San Francisco, California, as in his judgment are required for the enlargement of existing national cemetery facilities, and the sum of $200,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for this purpose from any funds in the Treasury not otherwise appropriated, which sum shall remain available until expended.

Appropriation authorized.

Approved, June 11, 1937.

---

[1] So in original.