

COPYRIGHT—ASSIGNMENT TO INTENDED COMPANY—REGISTRATION—VALIDITY OF ASSIGNMENT—GOODS IMPORTED TO SUPPLY ORDER GIVEN BEFORE REGISTRATION—INFRINGEMENT—FINE ARTS COPYRIGHT ACT 1862 (25 & 26 VICT. c. 68) SS. 1, 4, 9, 11.

*Millar v. Polak* (1908) 1 Ch. 433 was an action to restrain the infringement of a copyright. The author of drawings and designs for Christmas cards in February, 1905, agreed with the trustee of an intended company to be called M. & L. to sell the drawings and designs to the company when formed, and on March 1, 1905, executed an assignment thereof to the M. & L. company. On March 3, 1905, the company was incorporated and afterwards executed the usual adoptive agreement. In September, 1906, the company registered the drawings and designs which had been so assigned under the Fine Arts Copyright Act, 1862, and entered on the register March 1, as the date of the assignment to the company. The defendants, subsequent to September, 1906, imported into England infringements in fulfilment of orders given prior to the registration. Neville, J., who tried the action, held that the drawings or designs were proper subject matter for registration as drawings under the Act of 1862, and that the copyright extended to the right of multiplying copies, or reproductions of, by engravings thereof, be also held that the date of the assignment was properly stated as March 1, 1905, notwithstanding the company had not, on that date, been incorporated. Also, that it was an infringement of the copyright to import the copies above mentioned after registration, even though the importation was in fulfilment of an order given prior to the registration of the copyright.

INTERNATIONAL COPYRIGHT—FOREIGN MUSICAL COMPOSITION—REGISTRATION—UNAUTHORIZED PERFORMANCE IN ENGLAND—‘WILFULLY’ CAUSING OR PERMITTING UNAUTHORIZED PERFORMANCE—COPYRIGHT ACT, 1842 (5-6 VICT. c. 45)—INTERNATIONAL COPYRIGHT ACT, 1844 (7-8 VICT. c. 12)—MUSICAL COMPOSITIONS ACT, 1882 (45-46 VICT. c. 40)—INTERNATIONAL COPYRIGHT ACT (49-50 VICT. c. 40)—BERNE CONVENTION, 1887, ARTS, 2, 11—MUSICAL COPYRIGHT ACT, 1888 (51-52 VICT. c. 17) s. 3.

*Sarpy v. Holland* (1908) 1 Ch. 443. In this case a copyright in a musical composition was claimed under the International