

No. 1893

---

**UNITED STATES OF AMERICA  
and  
FINLAND**

**Exchange of notes constituting an agreement relating to the extension of time for fulfilling the conditions and formalities of the copyright laws of the United States of America. Washington, 16 November 1951**

*Official text: English.*

*Registered by the United States of America on 14 October 1952.*

---

**ÉTATS-UNIS D'AMÉRIQUE  
et  
FINLANDE**

**Échange de notes constituant un accord relatif à la prorogation des délais impartis pour remplir les conditions et les formalités prescrites par les lois américaines sur la propriété littéraire et artistique. Washington, 16 novembre 1951**

*Texte officiel anglais.*

*Enregistré par les États-Unis d'Amérique le 14 octobre 1952.*

No. 1893. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND FINLAND RELATING TO THE EXTENSION OF TIME FOR FULFILLING THE CONDITIONS AND FORMALITIES OF THE COPYRIGHT LAWS OF THE UNITED STATES OF AMERICA. WASHINGTON, 16 NOVEMBER 1951

---

I

*The Finnish Minister to the Acting Secretary of State*

LEGATION OF FINLAND  
WASHINGTON, D. C.

4664

November 16, 1951

Excellency,

I have the honor to inform Your Excellency that the attention of the Government of Finland has been invited to paragraph (b), section 9 of title 17 of the United States Code, codified and enacted into positive law by the act of Congress approved July 30, 1947 (*61 Stat. 652*), which provides for extending, on a reciprocal basis, the time for the fulfillment of the conditions and formalities prescribed by the copyright laws of the United States in the case of authors, copyright owners, or proprietors of works first produced or published abroad who are or may have been temporarily unable to comply with these conditions and formalities because of the disruption or suspension of the facilities essential for their compliance.

My Government have requested me to inform Your Excellency that, by reason of the conditions arising out of World War II, Finnish authors, copyright owners, and proprietors have lacked, during several years of the time since the outbreak of hostilities on September 3, 1939, the facilities essential to compliance with and to the fulfillment of the conditions and formalities established by the laws of the United States of America relating to copyright.

It is the desire of the Government of Finland that, in accordance with the procedure provided in the above-mentioned section 9 of title 17 of the United States Code, the time for fulfilling the conditions and formalities of the copyright

---

<sup>1</sup> Came into force on 16 November 1951, by the exchange of the said notes.

laws of the United States of America be extended for the benefit of citizens of Finland whose works are eligible to copyright in the United States.

With a view to assuring the Government of the United States of America reciprocal protection for authors, copyright owners and proprietors of the United States, the Government of Finland have requested me to invite Your Excellency's attention to the Finnish copyright laws of June 3, 1927, and the Ordinance of the President of Finland dated December 8, 1928, whereby citizens of the United States have been entitled to obtain copyright protection for their works in Finland on substantially the same basis as citizens of Finland without the need of complying with any formalities, provided such works secured protection in the United States. This very liberal legislation was kept in force during the war and continues to remain in force. United States authors have accordingly suffered no prejudice to their rights in Finland because of the war.

The Government of Finland would, therefore, greatly appreciate if the President of the United States would proclaim, in accordance with the aforesaid title 17 of the United States Code, that by reason of the disruption or suspension of facilities during several years of the time since September 3, 1939, citizens of Finland who are authors, copyright owners, or proprietors of works first produced or published outside the United States and subject to copyright or renewal of copyright under the laws of the United States, have been temporarily unable to comply with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States.

The Government of Finland are prepared, if this proposal is acceptable to the Government of the United States of America, to regard the present note and Your Excellency's reply to the same effect as constituting an agreement between the two Governments, which shall take effect this day.

Accept, Excellency, the assurances of my highest consideration.

Johan NYKOPP

His Excellency James E. Webb  
Acting Secretary of State  
Department of State  
Washington, D. C.

## II

*The Acting Secretary of State to the Finnish Minister*DEPARTMENT OF STATE  
WASHINGTON

Nov. 16, 1951

Sir :

I have the honor to acknowledge the receipt of your note of today's date in which you refer to paragraph (b), section 9 of title 17 of the United States Code, codified and enacted into positive law by the act of Congress approved July 30, 1947, which authorizes the President to extend by proclamation the time for compliance with the conditions and formalities prescribed by the copyright laws of the United States of America with respect to works first produced or published outside the United States of America and subject to copyright under the laws of the United States of America when the authors, copyright owners, or proprietors of such works are or may have been temporarily unable to comply with those conditions and formalities because of the disruption or suspension of the facilities essential to such compliance.

You state that by reason of conditions arising out of World War II authors, copyright owners, and proprietors who are citizens of Finland have lacked during several years of the time since the outbreak of hostilities on September 3, 1939 the facilities essential to compliance with and to the fulfillment of the conditions and formalities established by the laws of the United States of America relating to copyright.

You express the desire of the Government of Finland that, in accordance with the procedure provided in the above-mentioned section 9 of title 17 of the United States Code, the time for fulfilling the conditions and formalities of the copyright laws of the United States of America be extended for the benefit of citizens of Finland whose works are eligible to copyright in the United States of America.

With a view to assuring the Government of the United States of America reciprocal protection for authors, copyright owners, and proprietors of the United States of America, you invite attention to the very favorable legislation in Finland which was kept in force during the war and you add that, as a consequence, American authors have suffered no prejudice to their rights in Finland because of the war. You add that the Finnish copyright laws and ordinance to which you refer continue to remain in force.

You further state that the Government of Finland is prepared, if this proposal should be accepted by the Government of the United States of America,

to regard the note under acknowledgment and this Government's reply thereto to that effect as constituting an agreement between the two Governments, which shall take effect this day.

I have the honor to inform you that, with a view to giving effect to the commitment proposed in the note under acknowledgment, the President has issued today a proclamation, a copy of which is annexed hereto, declaring and proclaiming, pursuant to the provisions of section 9 of the aforesaid title 17 on the basis of the assurances set forth in your note that as regards (1) works of citizens of Finland which were first produced or published outside the United States of America on or after September 3, 1939 and subject to copyright under the laws of the United States of America, and (2) works of citizens of Finland subject to renewal of copyright under the laws of the United States of America on or after September 3, 1939, there has existed during several years of the time since September 3, 1939 such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America as to bring such works within the terms of the aforesaid title 17, and that accordingly the time within which compliance with such conditions and formalities may take place is extended with respect to such works for one year after the date of the proclamation. The proclamation provides that it shall be understood that the term of copyright in any case is not and cannot be altered or affected by the President's action and that the extension is subject to the proviso of the said title 17 that no liability shall attach thereunder for lawful uses made or acts done prior to the effective date of that proclamation in connection with the works to which it relates, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

The Government of the United States of America accordingly considers the agreement in regard to such extension of time to be in effect as of today's date.

Accept, Sir, the renewed assurances of my highest consideration.

James E. WEBB

Enclosure :  
Copy of Proclamation.

The Honorable Johan A. Nykopp  
Minister of Finland

## COPYRIGHT EXTENSION : FINLAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

WHEREAS the President is authorized, in accordance with the conditions prescribed in section 9 of title 17 of the United States Code, which includes the provisions of the act of Congress approved March 4, 1909, 35 Stat. 1075, as amended by the act of September 25, 1941, 55 Stat. 732, to grant an extension of time for fulfillment of the conditions and formalities prescribed by the copyright laws of the United States of America, with respect to works first produced or published outside the United States of America and subject to copyright or to renewal of copyright under the laws of the United States of America, by nationals of countries which accord substantially equal treatment to citizens of the United States of America; and

WHEREAS satisfactory official assurances have been received that since January 1, 1929, citizens of the United States have been entitled to obtain copyright protection for their works in Finland on substantially the same basis as citizens of Finland without the need of complying with any formalities, provided such works secured protection in the United States; and

WHEREAS, by virtue of a proclamation by the President of the United States of America, dated December 15, 1928 (45 Stat. 2980), citizens of Finland are, and since January 1, 1929, have been, entitled to the benefits of the aforementioned act of March 4, 1909, including the benefits of section 1 (e) of that act :

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid title 17, do declare and proclaim :

That with respect to (1) works of citizens of Finland which were first produced or published outside the United States of America on or after September 3, 1939, and subject to copyright under the laws of the United States of America, and (2) works of citizens of Finland subject to renewal of copyright under the laws of the United States of America on or after September 3, 1939, there has existed during several years of the time since September 3, 1939, such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America as to bring such works within the terms of the aforesaid title 17, and that, accordingly, the time within which compliance with such conditions and formalities may take place is hereby extended with respect to such works for one year after the date of this proclamation.

It shall be understood that the term of copyright in any case is not and cannot be altered or affected by this proclamation, and that, as provided by the aforesaid title 17, no liability shall attach under the said title for lawful uses made or acts done prior to the effective date of this proclamation in connection with the above-described works, or in respect to the continuance for one year subsequent to such date of any business undertaking

or enterprise lawfully entered into prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixteenth day of November in the year of our Lord nineteen hundred and fifty-one and of the Independence of the United States of America the one hundred and seventy-sixth.

[SEAL]

Harry S. TRUMAN

By the President :

James E. WEBB

Acting Secretary of State