

NYU LAW
Law Center Publications

Bulletin of the Copro. Society

Chairman of Editorial Board:

Prof. Walter J. Dornberg

From! with a
Pursuing, Sept. 22, 1955

753 President Street
Brooklyn 15, New York
20 September, 1955

Dear Professor Derenberg:

Eheu! fugaces labuntur anni -- but even Horace who kept his odes under a bushel nonum in annum would be surprised at a mail carrier so derelict of duty as to wait almost three lustra until delivery. If I have any excuse it is the assumption, well-founded on circumstantial evidence, that the enclosed letter was written in my own behalf rather than for the sake of the addressee; favors may be waived. Moreover, I had changed my mind from the further pursuit of law to library science. After getting a Columbia B.S. in this field I became the editor in chief of the world's most widely distributed encyclopedia (not the best, though) and also edited a couple of other books. This will explain my reluctance to approach you. The time has now come, however, when I feel no longer justified in an omission for which a postman would be subjected to disciplinary, and perhaps criminal, punishment. After all, the letter may contain something different from what I was assuming. The time has come because I reverted to my old, apparently insuppressible, enthusiasm for the law, Goethe's "Begeisterung ist keine Heringsware, Die man einpoekelt fuer manche Jahre" being wrong in my case; the present term is my last, I hope. And of course hearing you lecture on copyright, that is, meeting you in person, alarmed my conscience and made me prendre le mors aux dents. Fleeing in a forward direction I apologize for the long delay.

May I add that since Btz, pronounced Bates in German, was my customary abbreviation on copies and my original name proved hard to American tongues I had the contracted form Anglicized and legalized when I became a citizen.

Sincerely yours,

Roy C. Bates

Enclosure

Walter J. Derenberg, Esq.
165 Broadway
New York, New York

753 President Street
Brooklyn 15, New York
March 5, 1956

Dear Professor Derenberg:

"First thing, the next morning," after the bar examinations had been done with, I tried to register for your seminar. The rules of the School do not permit it at this late hour, Prof. Putnam told me. I was more disappointed than Tarquin. (Having lost most of the bargain by his delay he yet secured the last volume of Rome's history-in-prospect from the Cumaeen sibyl.) Though much could be learned in the discussions ahead -- almost two-thirds of the entire course -- it seems that I have to forgo hope to participate. But if you should happen to have any idea for me as to how I might deepen and expand my knowledge of copyright law by study and in practical training I should be very grateful indeed. It is, as it was, the field of my liveliest interest.

Yours very sincerely,

Roy C. Bates

Walter J. Derenberg, Esq.
165 Broadway
New York, New York

Mar 15, '56:

New Schuman Review, July 1953
to Prof. Derenberg

ALEXANDER, MALTITZ, DERENBERG & DANIELS

COUNSELORS AT LAW

LOUIS ALEXANDER
JOE E. DANIELS
WALTER J. DERENBERG
H. VON MALTITZ
FRANCIS J. SULLIVAN
LOUIS KUNIN

March 8, 1956

165 BROADWAY
NEW YORK 6, N.Y.
TEL. DIGBY 9-2930
CABLE ADDRESS
ALMALDA
WASHINGTON ASSOCIATES
MEAD, BROWNE, SCHUYLER
& BEVERIDGE

Roy C. Bates, Esq.
753 President Street
Brooklyn 15, New York

Dear Mr. Bates:

I am sorry that you were too late to register for the Copyright Seminar. However, there is no reason why you should not be my guest for a lecture or two. There is an especially interesting lecture coming up on March 15th by Philip Wittenberg, on "Copyright Problems in the Field of Book Publishing." Why not come in to hear that one from 6 to 7:45 p.m. in Room 346?

With kind regards -

Sincerely yours,

W. J. Derenberg

Walter J. Derenberg

WJD:DH

753 President Street
Brooklyn 15, New York
April 4, 1956

Dear Professor Derenberg:

So hairsplitting and scrupulous a casuist as Sanctus Alphonsus de Ligorio must have dealt with the query whether a guest-licensee becomes a trespasser when he stays on though there was an essential alteration in the program of the feast to which he had been invited, e.g. and i.e., Miss Nicholson substituting for Mr. Wittenberg. But I failed to remember the solution of the saint; nor could I enlist Emily Post whose ethics of etiquette are ahead of my reading. Uncounseled and left to the still small voice within I kept my seat, profited from the speaker's experience, and had a good time. If elusive Mr. Wittenberg had been there I might have told him about the strange surroundings amid which I happened to meet his Literary Property first. It was in the fifth year of the Oriental zodiac, a year of the dragon. The scene: the rock garden of the Fujiya Hotel at Miyanoshita, Hakone, Japan. While I was admiring an array of dwarfed trees (bonsai) a young girl clothed as a budding geisha (hangyoku) appeared, bowed, graciously smiling handed me the book. In vain did I try to return it to her. Later, in the lobby, I learned from the honorable Yamaguchi-san himself -- managing director, and owner of the longest and most cultivated mustache ever sported by man -- that he had dispatched the girl, assuming I would be interested in the volume which some honorable traveler had donated to the hotel library. I was. I also recall that I found a provision in the model contract somewhat unrealistic. It concerns changes in the text. Mr. Wittenberg seemed to believe that the average author's bargaining power is strong enough to overcome the practice of editing by an employee of the publisher. Of course, James Joyce could fend off the insertion of a single period in the stream-of-consciousness monologue of Ulysses or the reformation of multilingual tongue-twister puns in Finnegan's Wake, and Gertrude Stein would have justly poisoned an editor who bluepenciled "is a rose" after "is a rose" as redundant. But dii minorum gentium have no such power, and at present the forms of some of the biggest publishing houses surreptitiously and impliedly reserve the right to change the original in a sentence added to or hidden under "Representations."

If you, dear Professor Derenberg, have ever been to Japan these dry reminiscences will conjure up pleasant and colorful memories. At any event, I wish to thank you again very much for your hospitality.

With kind regards,
sincerely yours,

NEW YORK UNIVERSITY
SCHOOL OF LAW

WASHINGTON SQUARE, NEW YORK 3, N.Y.

FACULTY OF LAW

TELEPHONE: SPRING 7-2000

December 12, 1956

Mr. Roy C. Bates
753 President Street
Brooklyn 15, New York

Dear Mr. Bates:

While I am not at the present time a member myself of the Club and do not know if I am acceptable as a sponsor, it is a great pleasure to act as your proposer. I am therefore returning the form, properly filled out.

With all good wishes -

Sincerely yours,

W. J. Derenberg

Walter J. Derenberg
Professor of Law

WJD:DH

Roy C. Bates

753 President Street
Brooklyn 15, New York
December 11, 1956

Dear Professor Derenberg:

There does not seem to be an English term exactly corresponding, in mood and scope, to the German "Anliegen." But this is what I have, something trifling yet important... somehow.

The New York University Alumni News of October last carried a blank soliciting membership in the New York University Club. I cut it out, filled it in, and mailed it, together with my check as requested, late in November. ⁴ A few days ago I received the enclosed "Proposal for Membership," and I learned that I cannot be born into the club without the midwifery of a "proposer" and a "second." Both must be graduates of New York University. ⁷ None of my legal cronies are the particular brand of graduate required. So I am wondering whether you would be gracious enough to sign as "proposer," ⁴⁵ and I will then cast about for a "second."

May I take the opportunity to wish you the best for Christmas and the New Year.

With kind regards -

sincerely yours,

Walter J. Derenberg, Esq.
Professor of Law
165 Broadway
New York 6, New York

Nov. 8, 1957n

At Prof. Merenberg's office, B'way

D: die "Stiftung" ist innerhalb des "rechts der Mrs. Meyer ueber die Briefe zu verfuegen. Sie kann sie irgendwem schenken oder auch verkaufen. Das Urheberrecht bleibt natuerlich bei den Mannschen Erben.

D. will write to Library of Congress for document (internal direction ?) re handling of private letters given to Library of Congress. Library cannot exhibit the letters without making it clear to the public, nor let anybody read the letters, without making it clear that the letters must not be copied and that if a biographer Thomas Mann's wants to use the letters he must ask the heirs for their permission.

I promised to lend him Erika Mann's Das letzte Jahr

*

D is a lifelong pianist and music lover. He left Germany by air in 1934 (?) together with Demuth and Otto Meyer. D was then a Gerichtsassessor connected with some commercial institution. He just got Bescheid about German pension (from Berlin, not Hamburg though Hamburg was his domicile and Berlin only a derivative working place for him). : about \$240 a month.

*

D suggested that I (after the document is in or shown not to exist) to propose to Erika that I write a letter to Library of Congress : The letters enjoy common-law copyright. They must not be exhibited or shown to any person without making it clear that ~~they~~ the copyright is in Mann's heirs, i.e., that they must not be copied and that if a biographer wants to use them he needs special permission from the heirs. (Please acknowledge the receipt of this letter.)

*

*

am 8. November 1957

Sehr geehrter Herr Professor Derenberg!

Es war ueberaus liebenswuerdig von Ihnen mir Zeit und Rat zu widmen, und ich wiederhole meinen aufrichtigen Dank fuer diese Stunde.

Das versprochene Buechlein, hier beigefuegt, ist halb und halb eine Selberlebensbeschreibung--mit Jean Paul zu reden. Oder sollte man es eine Selbersterbensbeschreibung nennen?

Ihr sehr ergebener

Walter J. Derenberg, Esq.
165 Broadway
New York 6, New York

WALTER J. DERENBERG
COUNSELLOR AT LAW
165 BROADWAY
SUITE 920
NEW YORK 6, N. Y.
DIGBY 9-2980

November 13, 1957

14

Dear Mr. Bates:

I return to you herewith Erika Mann's
"Das Letzte Jahr" and want to thank you very much for
lending this to me. I have read it with a great deal
of interest.

With kind regards -

Sincerely yours,

W. J. Derenberg

WJD:DH
encl-

To: Roy C. Bates, Esq.
511 West 232nd Street
Riverdale 63, New York

X P.S. Has Letter to the Copyright Office re T.ell.



OFFICE OF THE
REGISTER OF COPYRIGHTS

COPYRIGHT OFFICE
THE LIBRARY OF CONGRESS
WASHINGTON 25, D. C.

November 15, 1957

Walter J. Derenberg, Esq.
165 Broadway
Suite 920
New York 6, New York

Dear Walter:

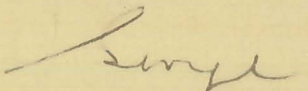
In response to your request of November 12, 1957, I am advised that all persons who desire to make use of the facilities of the Manuscripts Division of the Library of Congress, in which Division such letters as you mentioned would be kept, are given a copy of the enclosed notice, which is self-explanatory.

I am also advised that it is the policy of the Library to make clear to donors of manuscript letters that the common law rights rest in the writers of the letters or their heirs and not necessarily in the donors.

It should be added that although the Library's policy envisages the use of manuscript letters for research purposes, provided there are no restrictions placed upon them by the donors, the Chief of the Manuscripts Division in certain instances, as indicated in the enclosed circular, reserves the right to restrict the use of certain types of letters.

I trust the above satisfactorily answers your inquiry. If not, I should be glad to attempt to find out any additional information you may desire in this regard.

Sincerely yours,


George D. Cary
General Counsel

Enclosure:

"Restrictions on the Use of Manuscripts in the
Manuscripts Division, Library of Congress"

RESTRICTIONS ON THE USE OF MANUSCRIPTS

in the

MANUSCRIPTS DIVISION, LIBRARY OF CONGRESS

Restrictions on the use of manuscripts are of two kinds:

1. Those imposed by donors or depositors of collections. Such stipulations vary greatly. Information about those applying to any specific collection will be supplied upon request.
2. Those imposed by the Chief of the Division (Library Restrictions) upon collections containing a substantial amount of recent material and upon certain earlier collections the content of which makes such restrictions advisable. The term "Library Restrictions" means that papers may be used only by permission of the Chief of the Manuscripts Division or his representative.

It is the policy of the Library to discourage direct quotations of: (a) libelous or scurrilous matter; and (b) matter of a wholly personal and private nature, unless such matter is properly relevant to the subject under study.

Persons using the collections are advised of a principle which does not originate in the Library but is a matter of common law. This is the principle that the writer of an unpublished letter or other manuscript has the sole right to publish the contents thereof, unless he affirmatively parts with the right; and the right descends to his legal heirs regardless of the ownership of the physical manuscript. Responsibility for obtaining necessary permissions to publish, in accordance with this principle, rests with the author and his publishers. At present, photoreproduction of unpublished manuscripts written during the past 50 years is not ordinarily undertaken unless the owners of the literary rights therein have given specific permission or have dedicated their rights to the public.

0127-13
4/23/54

ALEXANDER, MALTITZ, DERENBERG & SULLIVAN

COUNSELORS AT LAW

LOUIS ALEXANDER
WALTER J. DERENBERG
H. VON MALTITZ
FRANCIS J. SULLIVAN
LOUIS KUNIN

November 19, 1957

165 BROADWAY
NEW YORK 6, N.Y.
TEL. DIGBY 9-2930
CABLE ADDRESS
ALMALDA

Roy C. Bates, Esq.
511 West 232nd Street
Riverdale 63, New York

Dear Mr. Bates:

As I told you, I had inquired from a friend of mine in the Copyright Office about the problem which you submitted to me the other day. Enclosed you will find the answer from the General Counsel of the Office, as well as the directive which is presently in force. I believe this is self explanatory and there can be no question that the Library will respect any restrictions imposed upon this material by the Estate of the late Thomas Mann, even if those restrictions should go beyond those set forth in the enclosed directive. I hope this information will be of use to you.

X With regard to your personal problem, I have not yet been able to pick up any real helpful suggestions but will continue to think about it.

With kindest regards -

Sincerely yours,

W. J. Derenberg

Walter J. Derenberg

WJD:DH
encl-

November 20, 1957

Dear Professor Derenberg:

I am much beholden to you for the steps you were good enough to take in memory of Thomas Mann, as it were. The information enclosed in your letter of November 19 will certainly allay the nervous premonitions of his family.

And I doubly appreciate your continued interest in my personal hair-raising--instead of revenue-raising--Stamp Act. Its namesake of the 1760's met with too strong an opposition. I still hope that mine will pass if you can unearth somebody familiar with the ways of the State Department.

With kindest regards-

Sincerely yours,

Walter J. Derenberg, Esq.
165 Broadway
New York 6, New York

September 28, 1961

Walter J. Derenberg, Esquire
Counselor at Law
Suite 920
165 Broadway
New York 6, New York

Dear Professor Derenberg:

It so happened you came to my mind when early this month, in Chartres, I saw an affiche advertising Mlle Sagan's movie, "Dites-moi, aimez-vous Brahms?" (Your answer would be Yes, I thought.)

After my recent return from Europe a printed question, "Give the names and addresses of three attorneys who know you. These should be other than those supplying your application..." prompted a similar, though more selfish, remembrance.

"Herr, dunkel ist der Rede Sinn." Well, while driving through Milton on a wintery afternoon my wife and I fell in love with a beautiful old house that was for sale, I bought it in no time, we moved from New York's Riverdale to this entirely residential suburb of Boston, and I applied for admission to the Massachusetts bar. Under the "Rules of the Board of Bar Examiners" I am to "furnish to the board a report by the National Conference of Bar Examiners of an investigation made by it of the moral character and professional experience and standing of such applicant," and so I was requested by letter of September 26, 1961. By submitting no less than ten credentials in support of my application I virtually exhausted the number of attorneys "who know me" and I am at a loss how to supply still "others." May I hope that you will help me in this predicament and permit me to give your name?

By the way, the matter of Thomas Mann's heirs in which you were good enough to write to the Copyright Office (November, 1957) was settled without ado.

With kind regards -

Yours sincerely,

Roy C. Bates

ALEXANDER, MALTITZ, DERENBERG & KUNIN

COUNSELORS AT LAW

LOUIS ALEXANDER
WALTER J. DERENBERG
H. VON MALTITZ
LOUIS KUNIN

September 29, 1961

Oct. 3

165 BROADWAY
NEW YORK 6, N. Y.
TEL. DIGBY 9-2930
CABLE ADDRESS
ALMALDA

Roy C. Bates, Esq.
996 Canton Avenue
Milton 86, Mass.

Dear Mr. Bates:

Thank you for your amusing letter of September 28th. Of course, I remember you quite well and you may feel free to give my name as a reference. I hope, however, I will not be asked questions that I am unable to answer since I have not seen you in recent years and since we did not have a chance to know each other outside the University and one or two little professional matters.

I certainly hope that you will be admitted to the Massachusetts Bar without any difficulty. Kind regards and all good wishes,

Sincerely,

W. J. Derenberg

Walter J. Derenberg

WJD:DH

October 3, 1961

Walter J. Derenberg, Esq.
165 Broadway
New York 6, New York

Dear Professor Derenberg:

Thank you very much for your kindness and good wishes.

I don't think that the National Conference of Bar Examiners will ask you any "hard" questions about me.

Even a few words from you concerning your impression of my character, professional acumen, and "Kultur-niveau" are certain to carry weight.

Sincerely,

Roy C. Bates

May 10, 1962

Walter J. Derenberg, Esquire
Alexander, Maltitz, Derenberg & Kunin
165 Broadway
New York 6, New York

Dear Professor Derenberg:

I was admitted to the Massachusetts Bar and wish to thank you again for your kind help as a character witness. "Ein Talent, doch kein Charakter" said Heine, speaking of Heine. It's hard to decide whether to set great store on the inversion of this ironically boastful self-criticism....

The legal aspects of the Common Market and its ramifications fascinate and occupy me. Rome--I mean the constitution of the EEC--was another Valmy, "ein neuer Abschnitt der (Rechts-)Geschichte." International law is sure to do a bold leap forwards. But telling this to you is like teaching a whale to swim (pisces natare docere).

Kind regards.

Sincerely,

Roy C. Bates

Professor in Profile

WALTER J. DERENBERG

The grim Nazis who burned books one night in 1933 on a Berlin street, far-fetched as it may seem, were almost certainly responsible for the legends which are to be found today on the door of Room 348, Vanderbilt Hall. That door carries three markers: *Walter J. Derenberg* — *The Copyright Society of the U.S.A.* — *The Copyright Publications Center*.

The man who has come to be known as "Mr. Literary Property" of both the United States and Western Europe witnessed both the burning of the books and the Reichstag fire. He was there, a quiet young lawyer, a German Jew, born in Hamburg of a family distinguished in both Europe and the United States, watching his career, perhaps even his whole life, going up in flames with the books and the building which symbolized republicanism and personal freedom in Germany.

The Nuremberg Laws meant dismissal from the German civil service for Walter. He had to leave his post with the Berlin Chamber of Commerce, where he had been serving in a quasi-judicial capacity for two years, since 1931. Before then he had served the Hamburg court system in another quasi-judicial capacity. With such public service no longer possible, Walter applied for admission to the practicing bar. Strangely enough, he was admitted. But not for long. The Nazis swiftly tracked him down. Within two weeks his certificate was revoked.

Europe's loss

What now? It wasn't easy to leave Germany — not easy in many ways. Family and home, always strong ties, were especially powerful in Walter's case. Take the house in Hamburg. There on the top floor, Walter's father, a physician of high standing, had built a greenhouse in which many an important botanical development was brought about. There, for example, certain African flowers were made to prosper in Europe for the first time. Dr. Derenberg died much too soon, at 55, but this many-talented man had left much in Hamburg. Botanists honored him with the *Echeveria Derenbergii*. The art treasures which he collected were still there. It would be hard for young Walter to leave.

Even after being dismissed from the

civil service and having his bar certificate revoked, Walter therefore decided to try to hang on a while. He says now that he thought immediately of emigrating to America when Hitler came to power. But for the moment he gave the cotton-importing business in Hamburg a whirl. Anyone who knows Walter will probably conclude that this, or any other kind of commercial activity, was not exactly his forte. After less than a year he was no longer in the cotton business. The Nazis picked up his boss for alleged violation



Professor Derenberg

of the exchange-control laws. Walter, too, was suspected, but, he regretfully explains now, the suspicions were unfounded; he had very little of the medium of exchange to smuggle out, and what he had when he finally made his move, he left.

As has been true so often in the past, Europe's loss was America's gain. As has also usually been true, Americans were not particularly swift in recognizing their gain. Although some were very helpful, others were in no hurry to help Walter find a place to get started. They thought he should have no trouble finding a place.

Considering his experience and training, they had good ground for their opinion. He had already mastered the language, partly because of the special effort he made to learn it as a youth in Hamburg, but even more because of the two years (1928-1929) he had spent in the United States and in England. Shortly

after graduating from law school, Walter had come to America, apprenticed himself to an Irish American lawyer in Brooklyn, and set about writing a book, in German, on American trade-mark law.

America's gain

The apprenticeship was always fascinating and often hilarious. Walter's diary, which surely ought to be shared with the world some day, is full of comment, much of it bewildered, about American legal practice and procedure. He gets a chuckle today reminiscing about the judge who kept telling his boss to "get to the point."

The book on American trade-mark law was a success, both here and in Germany, receiving highly favorable reviews in the law journals. The title: *Warenzeichen und Wettbewerb in U.S.A.* (Berlin, 1931). It was the foundation for Walter's big book, *Trade-Mark Protection and Unfair Trading* (Matthew Bender, 1936), a massive work of over a thousand pages written while Walter was — at one and the same time — both student and instructor at our School of Law, and Research Director of the American Arbitration Association on the side.

Among the few Americans quick to appreciate Walter's potential was Yale's famous international lawyer, Edwin M. Borchard, who wrote a strong letter of recommendation, dated January 21, 1935, to Dean Frank H. Sommer. Those who know Walter will nod in agreement with Professor Borchard's description of him as "a man of modesty and agreeable personality." Like Arthur T. Vanderbilt, later, Professor Borchard thought that Walter's subjects "are of a type which ought to interest a good part of the student body." And how right Professor Borchard was when he opined that Walter "could succeed in making his subject of value to them and to the School of Law!" Dean Sommer agreed, and Walter became a lecturer at the School of Law in 1936.

Walter got his job at the American Arbitration Association in part on the strength of his experience in Germany in the Hamburg court system and the Berlin Chamber of Commerce. So there he was, with two jobs and one great immediate goal — a law degree, not to

(Continued next page)

PROFILE—*continued*

mention the big book he started immediately.

Walter was busy. But he will apparently be busy always, in a quiet and unbusy sort of way. The quantity of work which he unassumingly continues to pour forth is a marvel to behold, and yet he always has time to chat in his amiable way with anyone who seeks him out.

Practitioner . . .

Walter got through law school with some of the best and a few of the worst grades which have been recorded. His average on the whole was excellent, good enough to get him an invitation to Law Review which he regretfully declined. After all, there are only so many hours in a day.

Then came the bar exam, and this Walter was absolutely sure he had flunked. How blissful it was, therefore, to receive the news that he had passed. He was in a swimming pool in Switzerland, he recalls, in the summer of 1938, when his mother excitedly announced that he had received a telegram saying that he had "passed bar very high on list." That year, 1938, was a good one in many ways. He had an American law degree, an American license to practice law, an American job with AAA — and lo and behold he even had an American client! Coca Cola put him on a small retainer in the fall of 1938. Walter's love of America, always strong, was now passionate.

The war came. Too young for World War I, Walter was too old for active service in World War II. But he wanted in somehow and wound up in the OPA, on the recommendation of Wesley Sturges of Yale, reaching ultimately the position of Assistant General Counsel. The OPA was hectic, but, as Walter puts it, the company was good, including a large proportion of the big names of today's law school world. Whatever one might say of the work, the personal relationships were warm and gratifying, and lasting.

Then, in 1946, the Nazi War Crimes trial created a need in government service which could be filled best by men with precisely Walter's qualifications. So the United States prosecutor, Justice Robert H. Jackson drafted Walter and brought him back to Germany, and to one of the greatest shocks of his life. The fire which the Nazi thugs had started in 1933 ended with Germany in ruins.

There were a few light moments in Germany, as when Walter played a duet

with an old German friend in the ruins of Frankfort and got so lost in the music that he forgot about the time and the curfew. He had considerable trouble getting past the G.I.s but finally made it, although he almost had to give up his Leica.

Most of this first post-war visit to Germany was depressing, however, and Walter was glad to get back to America. His name was already among the most prominent in trade-mark and unfair competition law. He had had a large hand in the drafting of the new Act of 1946. It was almost inevitable that the late Casper Ooms, Patent Office Commissioner, should draft Walter as Trade-Mark Counsel to the Patent Office, and almost equally inevitable for Walter to accept the job. From 1946, then, till 1949, Walter stayed with this fascinating post, traveling almost constantly, all over the country, meeting all kinds of people and delivering many addresses.

At the same time, Walter continued to conduct his courses at the School of Law, sometimes traveling quite a distance to meet his classes. And herein lies perhaps the essential substance of the story of Walter Derenberg. This man's life and career are crammed with variety; it is hard indeed to believe that it is only one man's life story, and a still far from complete one at that. But throughout there is a unifying theme: his love of teaching. He has always wanted to be a professor of law. His is a busy practice, and the fields of his major professional activity are lively and interesting. But for him the practice is important essentially for the bearing it has on his teaching.

So there is nothing strange in the fact that Walter maintained his connection with the School of Law during the three years of his tenure as Trade-Mark Counsel to the Patent Office. And for the same reason, it was to be expected that his teaching would not suffer when Walter accepted a partnership in a downtown law office (Alexander, Maltitz, Derenberg & Sullivan), in 1950.

. . . and professor

Unlike a good many law teachers, Walter has devoted considerable thought to teaching techniques. Because he feels that "visual aids" can contribute much to effective teaching, he has compiled a "museum" of commercial goods which he uses in his classes to focus attention upon and to clarify subtle issues in trade-mark law and the law of unfair competition. He firmly believes that his teaching would not be nearly as effective as it is were it not for this "museum" and

for the insights which his practice provides. Many of his students share this opinion.

Inevitably, it seems, in any discussion of outstanding members of the law faculty, the presence of Arthur T. Vanderbilt makes itself felt. Walter says: "the Judge understood me and my potential better than I did myself." Even had Walter's vocation for teaching not been as strong as it was, therefore, it is entirely possible that he would have remained in teaching despite his many other activities. For "the Judge" kept after him, insisting that the fields of which Walter was an outstanding master needed the kind of academic development at the School of Law that called for expansion of Walter Derenberg's services. Thus it was that our school pioneered in establishing courses in copyright and trademark law which have inspired similar experiments in other leading law schools — none, however, having approached the comprehensiveness of our offerings in these fields.

Walter's admiration of "the Judge" is unbounded. Reflecting, he noted that aside from their mutual interest in the School of Law, he and Judge Vanderbilt were on the opposite side of most issues. The Judge had argued vigorously that price controls were unconstitutional at the very time that Walter was doing his best to enforce them. The Judge took a dim view of administrative law while Walter defended it. The Judge represented Pepsi Cola while Walter was on Coca Cola's side. The two differed substantially in their interpretations of trademark law. Despite these many conflicts, the Judge constantly encouraged Walter to expand his teaching at the School of Law. Herein, says Walter, lay one of the most impressive indications of the measure and calibre of Arthur T. Vanderbilt.

Whether because of his own vocation or the encouragement of Arthur T. Vanderbilt and Dean Niles, Walter Derenberg, with apparently no fuss or bother or noise, is both a full-time professor of law and a full-time busy practitioner in some of the liveliest fields of law. And that isn't all. He is now or has been at one time or another chairman, director, editor, president, or vice-president of more active organizations than you can shake a stick at: the New York University Press, The Copyright Society of the U.S.A., the Trade-Mark Reporter, the Attorney General's National Committee to Study the Anti-Trust Laws, the Panel of Experts to Revise the Copyright Law, the Trademark Committee of the New

(Continued next page)

THREE ALUMNI RECEIVE DEGREES 'HONORIS CAUSA'

On Dean's Day in December the University conferred honorary Doctor of Laws degrees on three distinguished alumni of the School of Law. The Editors thought friends would be interested in reading the full texts of the citations which accompanied the degrees.

LOUIS A. VALENTE '05

"Louis A. Valente — Dean emeritus of New York trial judges.

"Lifetime resident of your beloved Washington Square, you were educated in the shadow of the Arch. Here you have lived during your days before the bar and on the bench, and here you still live in what for you is miscalled retirement. Throughout the period you have been a good neighbor and friend to your alma mater. How often we have called upon your skill as mediator in the inevitable misunderstandings that develop as a great university expands to meet the challenge of changing times!

"Your career on the bench has, indeed, been extraordinary. You have served longer than any other living judge in the state and for more than two decades as Chairman of the Board of Justices of the Supreme Court, First Department. You have been a judge's judge and you have exerted a constructive influence in the selection of judges in cooperation with the organized bar. Your unflinching courtesy to lawyers, your compassionate interest in litigants, have made you a respected and admired citizen of your city.

"To you have come honors of the highest order. Outstanding among these is your designation as Knight Commander



Dean Niles, Murry C. Becker, David Tishman and Louis A. Valente

of the Equestrian Order of the Holy Sepulcher by direction of the Vatican and Director of American Relief for Italy during World War II by appointment of the President of the United States.

"Founder of the Valente dynasty both in the New York judiciary and in New York University, may the Valente name be long identified with both.

"The classroom in your honor in Vanderbilt Hall and the perpetual scholarship endowed in your honor by your friends will serve to keep your memory and your distinguished record of service

a living reality to law students in the years ahead.

"Wise, gentle, understanding — these are qualities that have earned for you among many the affectionate title of 'Uncle Louis.' Now we would add still another title in recognition of your service to the judiciary and to this University as we cite you for our honorary Doctor of Laws degree."

DAVID TISHMAN '09

"David Tishman — builder of tomorrow
(Continued on page 16)

PROFILE—continued

York Patent Law Association, the International Association for the Protection of Industrial Property, the National Committee for Effective Design Legislation, the Committee for Revision of the Copyright Law — etc., etc.

It is embarrassing for a merely normal man to write (as it possibly will be for others to read) that besides all this, Walter is a strong chess player, a highly competent photographer, a musician, a sensitive art student, and in general a wonderful and amiable person to be with.

As is becoming in "a man of modesty and agreeable personality," Walter deprecates his accomplishments. There is a remarkable, boyish simplicity in the attitude he adopts toward his present situation. His wonderment over the parallel growth of his own career with that of the School of Law is unceasing. Being settled here in a country he loves and having the professorship of law to which he has always aspired are to him amazing and unaccountable fulfillments. To him they are unearned blessings for which he can only be mutely grateful.

Thus too does he think of his marriage. Walter met his wife, Emily, for

the first time in Washington, in 1946, and they were married in 1949. As Walter describes his life with Emily, she is a quiet comfort and delight to him, a woman devoted to her home and to her husband, with no professional commitments and no particular interest in the world affairs which crowd so urgently upon Walter during the course of the average day. They travel together to Europe each year, and Emily and the charming home she has made provide a quiet harbor for Walter each night. No man could possibly do as much as Walter does so tranquilly without such a wife and such a haven of repose.

Copyright Programs in High Gear

A quiet announcement by Dean Niles on June 14 called attention to one of the most interesting activities associated with the Law Center. Back in 1953, Professor Walter J. Derenberg and Associate Dean Miguel A. de Capriles took part in founding the Copyright Society of the U. S. A., with headquarters in Vanderbilt Hall. Dean Niles' announcement of the establishment of a Copyright Publications Center in Vanderbilt Hall's Law Library, a



Walter J. Derenberg

story in itself, also provides an occasion for reviewing the growth of the Copyright Society.

Today the Copyright Society is very much a going concern, with a membership of over four hundred here and abroad, increasing international prestige, a publication, *The Bulletin of the Copyright Society*, which is literally unique, and a comprehensive program. Six years ago, though, it was only a gleam in Walter Derenberg's eye.

Professor Derenberg has long regretted that intangible property, especially intellectual property, should receive so much less consideration from the law than do the more tangible forms. An advanced civilization, he feels, should accord to intellectual creations the protection which their contribution to society merits. Moreover, it has seemed to him that an organization committed to the promotion and development of intellectual property would be an especially appropriate instrument of the modern law-center idea.

Supported by a number of prominent attorneys, Prof. Derenberg found an early ally in Dean de Capriles, and in due course the Society was founded, with headquarters at Vanderbilt Hall. Professor Derenberg has been one of the trustees since its founding. He has edited the Society's *Bulletin* for the past six years. And in May of 1959 he was elected president of the Society for the third successive term.

The Society's primary function, according to one of its pamphlets, "is to gather and disseminate information concerning protection of rights in intellectual property." This function is performed mainly, though by no means exclusively, through its *Bulletin*, a publication which goes out six times a year and which Prof. Derenberg edits in his Vanderbilt Hall office.

A typical number of the *Bulletin* will contain five kinds of features—an articles section, contributed by foreign and domestic authors; a review of legislative and administrative developments; coverage of recent conventions, treaties and proclamations; notes on court decisions; and a bibliography of foreign and domestic writings pertinent to the copyright field. Often, too, the *Bulletin* contains a section called "news briefs," in which current activities relevant to intellectual property are recapitulated.

With Prof. Derenberg as the pivot between them, the

(Continued next page)

GRANTS AND LOAN FUNDS EX

The Administration of the School of Law recently announced a new program of financial aid for upperclassmen. It is believed that this change will meet the needs of the greatest number of students in the soundest possible way. One or two of the leading law schools have inaugurated a similar procedure and they report excellent results. Other schools have it under consideration. The plan is based on a recognition of the fact that the increased costs of professional education are here to stay and on a desire of the School of Law to aid good students insofar as it is necessary and possible. Under this new program, most assistance will be provided on a half-

Copyright Programs—continued

School of Law and the Copyright Society collaborate on an advanced graduate seminar called Literary and Artistic Property. Many apply for admission to this seminar, but enrollment is limited to thirty specially selected graduate students. Although Prof. Derenberg leads the seminar as a member of the faculty of the School of Law, distinguished members of the Copyright Society are often called upon as guest lecturers, making this seminar the only one of its kind in the country.

Quite possibly also unique is the complete basic course in copyright law which Prof. Derenberg offers in the graduate division (also available as an alternative to undergraduate law students). And while we are on the subject of unique institutions we might also note the New York University Institute of Book Publishing, a program which offers a year of practical and professional special training for young college graduates interested in specializing in the publishing field. Prof. Derenberg has conducted two workshops on copyright for that School.

All this ferment and organic growth of the Law Center's interest in intellectual property reached a high point this summer when the Copyright Publications Center was established at Vanderbilt Hall, with the collection to be housed in the Law Library. In announcing the creation of the Publications Center, Dean Niles said that it would gather current information on all phases of the law pertaining to artistic and literary property, including treatises, periodicals, documents concerning international copyright and legislative background, and other research materials. Both domestic and foreign literature will be collected and leading French, Spanish, Italian, and German copyright publications will be regularly received.

Cooperating with the School of Law in establishing the Publications Center, besides the Copyright Society, were the Association of the Bar of the City of New York and the Copyright Office of the Library of Congress. Arthur Fisher, U. S. Register of Copyrights, in a letter to Dean Niles, praised the conception and assured him that the Copyright Office would be "glad to make available to your Library such current and retrospective copyright materials as may be available for this purpose."

Mr. Fisher went on to say:

"In the highly controversial field of copyright, it seems to me of the greatest importance that a scholarly and impartial approach to legislative policy-making and other problems be preserved, which is most likely to be achieved within a great law school. It goes without saying that Professor Walter Derenberg . . . has made an invaluable contribution to this end."