

5 February 1959

MEMORANDUM FOR: Office of General Counsel

SUBJECT: Clarification of Author's and Publisher's
Rights Regarding Works of Boris Pasternak

1. The Commercial Staff currently is working with SR Division on a project which involves the commercial publication and distribution of Russian-language editions of certain of the works of Boris Pasternak.
2. As your office is aware, a previous operation involving Pasternak's novel, Dr. Zhivago, illustrated the complex rights problems pertaining to at least one of Pasternak's works and also demonstrated the potential legal and commercial difficulties that could arise from an uninformed approach to transactions involving these works.
3. To obviate future difficulties and to permit this staff to provide certain individuals cooperating in this project with adequate guidance, it is requested that we be provided with the opinion of the Office of General Counsel regarding the publishing rights considerations in the following two specific situations:
 - a. During the 1920's and 1930's Pasternak wrote a great deal of material, mostly poetry which was published in the Soviet Union. Reportedly, this material is now in the public domain because of Russia's non-participation in certain international copyright conventions and agreements. Since it is our intention to include this material in a Russian-language anthology we desire to have printed, a confirmation of its rights status is requested. Certain of the works have been published in English in the United States.
 - b. After completion of Dr. Zhivago, Pasternak wrote an autobiography which has been published by the French publishing house, Gallimard, under the title Essai d'Autobiographie. The French publisher has claimed that the Italian publisher of Dr. Zhivago, Feltrinelli, likewise claims rights to any Russian-language edition of the autobiography. It is further reported by Gallimard that Feltrinelli intends to have the work published in Russian in Holland or Belgium. Further, a recent ad in the New York Times states that Pantheon, who published the American

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edition of Dr. Zhivago, plans to publish the autobiography in this country.

[redacted] the Agency has obtained a copy of the Russian-language manuscript of the autobiography from which the French translation was made. We desire to include this work in the Russian-language anthology mentioned above. We would appreciate receiving your opinion regarding possible enforceable rights which could be held by Feltrinelli and which could serve as the basis of suit in the event of our publishing the work.

4. Attached hereto are copies of some introductory pages of "Selected Writings of Boris Pasternak" published in this country by New Directions Press. We feel these may be of interest in any study made.

[redacted]
Chief, Commercial Staff

DDS [redacted]

Distribution:

Original & 1--OGC (w/att.)

1--C/[redacted]

1-[redacted]/Subj.

1--[redacted]

1--CM/Chrono.