

Handbook and Notes for the RBTI Index

By Joel Horst

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A Word about Copyright Notices

Before 1978, everything had to have a copyright notice on it at publication, or it went public domain immediately. This includes audio recordings.

After 1978, but before 1989, the copyright law changed. Any document, book or audio recording was automatically copyrighted when published, as long as it contained a proper copyright notice. Note the word “proper” copyright notice. According to the 1976 Copyright Act:

§ 401. Notice of copyright: Visually perceptible copies

- (a) General Requirement.—Whenever a work protected under this title is published in the United States or elsewhere by authority of the copyright owner, a notice of copyright as provided by this section shall be placed on all publicly distributed copies from which the work can be visually perceived, either directly or with the aid of a machine or device.
- (b) Form of Notice.—The notice appearing on the copies shall consist of the following three elements:
 - (1) the symbol © (the letter C in a circle), or the word “Copyright”, or the abbreviation “Copr.”; and
 - (2) the year of first publication of the work; in the case of compilations or derivative works incorporating previously published material, the year date of first publication of the compilation or derivative work is sufficient. The year date may be omitted where a pictorial, graphic, or sculptural work, with accompanying text matter, if any, is reproduced in or on greeting cards, postcards, stationery, jewelry, dolls, toys, or any useful articles; and
 - (3) the name of the owner of copyright in the work, or an abbreviation by which the name can be recognized, or a generally known alternative designation of the owner.
- (c) Position of Notice.—The notice shall be affixed to the copies in such manner and location as to give reasonable notice of the claim of copyright. The Register of Copyrights shall prescribe by regulation, as examples, specific methods of affixation and positions of the notice on various types of works that will satisfy this requirement, but these specifications

shall not be considered exhaustive.

§ 402. Notice of copyright: Phonorecords of sound recordings

- (a) General Requirement.—Whenever a sound recording protected under this title is published in the United States or elsewhere by authority of the copyright owner, a notice of copyright as provided by this section shall be placed on all publicly distributed phonorecords of the sound recording.
- (b) Form of Notice.—The notice appearing on the phonorecords shall consist of the following three elements:
 - (1) the symbol © (the letter P in circle); and
 - (2) the year of first publication of the sound recording; and
 - (3) the name of the owner of copyright in the sound recording, or an abbreviation by which the name can be recognized, or a generally known alternative designation of the owner; if the producer of the sound recording is named on the phonorecord labels or containers, and if no other name appears in conjunction with the notice, the producer's name shall be considered a part of the notice.
- (c) Position of Notice.—The notice shall be placed on the surface of the phonorecord, or on the phonorecord label or container, in such manner and location as to give reasonable notice of the claim of copyright.

§ 405. Notice of copyright: Omission of notice

- (a) Effect of Omission on Copyright.—The omission of the copyright notice prescribed by sections 401 through 403 from copies or phonorecords publicly distributed by authority of the copyright owner does not invalidate the copyright in a work if—
 - (1) the notice has been omitted from no more than a relatively small number of copies or phonorecords distributed to the public; or
 - (2) registration for the work has been made before or is made within five years after the publication without notice, and a reasonable effort is made to add notice to all copies or phonorecords that are distributed to the public in the United States after the omission has been discovered; or
 - (3) the notice has been omitted in violation of an express requirement in writing that, as a condition of the copyright owner's authorization of the public distribution of copies or phonorecords, they bear the prescribed notice.

http://en.wikisource.org/wiki/Copyright_Act_of_1976#Chapter_4.

And, in the Copyright Office's *General Guide to the Copyright Act of 1976*, this statement is made:

...if the notice is omitted from more than a "relatively small number" of copies or phonorecords, copyright is not lost immediately, but the work will go into the public domain if no effort is made

to correct the error and if the work is not registered within five years after copies or phonorecords were published without a notice.

Both the House and Senate Reports state that the phrase "relatively small number" is intended to be less restrictive than the phrase "a particular copy or copies" in section 21 of the old law.

<http://www.copyright.gov/reports/guide-to-copyright.pdf>

According to the above, a proper notice reads something like "© 1982 XYZ Publishers" for books and documents, and "© 1983 XYZ Recordings" for audio recordings. If a book, document or audio recording, published before 1989 and not registered with the Copyright Office, is improperly marked, it is public domain. We will see more about this.

Since March 1, 1989, everything is copyrighted for the author's life plus 70 years, or a minimum of 95 years, unless specifically released to the public domain.

Notes about Specific Documents

- **Reams materials from the 1970's:**

From what I have seen of photos of old Reams tapes, it appears they were published with no copyright notice. This would have automatically sent them into the public domain. It was also Reams's wish, according to what I have been told, that his information would be freely available to the world.

A notable exception is *Choose Life or Death*, which was copyrighted by the publisher, and subsequently sold to June Wiles. *Carey A. Reams: A Moses for Health* was never published, so it would be under copyright as well.

- **Promise Outreach CD's and DVD's:**

Promise Outreach claims copyright on all audio, video and publications they produce. Obviously, any new materials are definitely copyrighted.

However, their claim of copyright to old Reams recordings that they have copied to CD seems pretty shaky, unless they have edited or significantly enhanced the recordings. But in their June 2010 publication list, they make this statement:

Many of these materials are recently copied from old VHS and cassette tapes. All materials will be sold "as is" Some of them are rough, also be aware that Doc Reams voice was coarse and at times he was hard to understand, but there are some gold mines here!

Unfortunately, the copyright code of the US does not give us a basis of how much of a public domain work must be altered before it can be copyrighted. I think it is a stretch to claim copyright to them.

As for Dr. Manthei's works, it appears they may have lapsed into the public domain due to a defective notice. In this photo of a June 1982 Session C recording, the tapes are marked "© More Excellent Way Tapes".



As discussed earlier, the proper notice would be "© 1982 More Excellent Way Tapes". It appears to have been a boilerplate cassette label that could be customized according to the tape it was applied to. Unfortunately, it lacks the proper notice.

The confusion comes from ambiguity in the Copyright code. The *Guide to Copyright* states this:

Omission of name and date: Subsection (c) provides that, if copies or phonorecords "contain no name or no date that could reasonably be considered a part of the notice," the result is the same as though the notice had been omitted entirely and section 405 controls.

As the legislative reports point out, there is no requirement that the elements of the copyright notice "accompany" each other. The reports state that under this provision a name or date that could reasonably be read with the other elements may satisfy the notice requirements even if somewhat separated from them. "Direct contiguity or juxtaposition of the elements is no longer necessary; but if the elements are too widely separated for their relation to be apparent, or if uncertainty is created by the presence of other names or dates, the case would have to be treated as if the name or date, and hence the notice itself had been omitted altogether."

<http://www.copyright.gov/reports/guide-to-copyright.pdf>

The other catch is what constitutes a “relatively small number of copies” (*See above*). I have no clue how many copies of certain recordings may have been released. Is 20 a “relatively small number of copies”? 5? 25? 105?

Bottom line? The tapes use the wrong symbol (© instead of ®) and may be undated, as far as the notice is concerned. Short of a court case, with a decision by a judge, it is unclear as to whether any Manthei materials with this notice would have a valid copyright.

Without seeing tapes of other seminars by Dr. Manthei, I can't be absolutely certain whether any other tapes were marked in the same manner. However, I would guess this same label was used on many other tapes. If anyone has information to contribute, I would be happy to hear it.

- **Reams/Skow Materials:**

I have never seen any original tapes from Dan Skow's seminars with Reams, so I do not know if they had copyright notices or not. I tried several times to contact Jon Frank with International Ag Labs with a request for information, but I never received any information back from him. My only clue is that a friend told me that her more recent copy of the Reams/Skow Cooking Course had no copyright notice on it at all. I could find no record of Dan Skow having filed a copyright with the Copyright Office for anything, or having submitted any documents to the Library of Congress (a requirement under the 1909 Copyright Act, in force until 1978), except for *Mainline Farming For Century 21* (1991).

- **Salem Kirban's "Health Guide for Survival" Tapes:**

[This photo](#) of Kirban's tapes show a copyright claim from 1976. However, examining both the [1976](#) and [1977](#) *Catalog of Copyright Entries* turns up no records of Kirban having registered his tapes with the Copyright Office. Whether he ever filed a copy of his recordings with the Library of Congress as required by the 1909 Copyright Act is unknown. Furthermore, it appears that the tapes may have the © symbol instead of ®, as with the Manthei tapes discussed above. I would class these as “Probably Public Domain”.

Explanations of Copyright Statuses

- © [name]: Copyright proven beyond reasonable doubt
- “Probably Public Domain”: Likely to be public domain, but without extensive investigation and possible legal decision, cannot be proven.
- “Possibly Public Domain”: May be public domain, but cannot be verified due to lack of information.

- “Public Domain”: Due to either neglect or purposeful placement into public domain, no restrictions whatsoever on usage. May be copied freely.
- “Unknown”: Due to lack of information or uncertainty of case, copyright status is unknown.

Final Thoughts

I'm only in the first grade, compared to where you [students] are going to take this. – Carey Reams

Unfortunately, Reams's hope that his students would progress and continue to develop RBTI did not come to fruition. No one that I know of has ever mastered the RBTI as Reams did, let alone take it any further. Why?

RBTI, in many people's minds, is no more than a secular healing art. In reality, it is much broader. Jesus Christ revealed the RBTI equation to Carey Reams. As such, each person who desires to learn the program must be guided by the Holy Spirit to learn the secrets of true health. I believe the only way to advance beyond Reams is to be taught by the One who Reams credited for teaching him—Jesus.

Central to RBTI is realizing that we merely move a person's body into the “healing range” and supply what is needed by the body, and God performs the actual healing. If you believe this is absurd, you are free to use the program as you see fit. If it works, great!

Unfortunately, from my observations, some people never understand RBTI, even though they read and hear clear teaching on the subject. If you have never accepted Jesus Christ as your personal Savior and Lord, I believe you will waste your time trying to learn the RBTI program.

Brothers and sisters in Christ, let us seek to hear the teaching of the Holy Spirit to know how to be 100%, truly healthy in body, soul and spirit.

“And all thy children *shall be* taught of the LORD; and great *shall be* the peace of thy children.” (Isaiah 54:13)

Please note: if you are a non-Christian and can see the full body picture and bring people to perfect health as Reams did, please let me know so I can remove the above.

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