

Alfred Bodar

Personal

AB-810 [1994-1995]

QUEEN'S UNIVERSITY ARCHIVES	
LOCATOR	5169
BOX	1
FILE	11

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May 18, 1994

CONFIDENTIAL

Dr. Alfred Bader
Alfred Bader Fine Arts
Astor Hotel Suite 622
924 East Juneau Avenue
Milwaukee, WI 53202

Re: Dr. Bader Autobiography

Dear Dr. Bader:

I have received the draft chapters, "Sigma-Aldrich I" and "Sigma-Aldrich II" dated April 29, 1994 and have discussed my opinion with Mr. Brody.

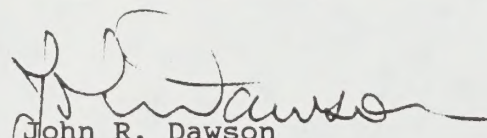
We agree that, except for a few passages which could cause a problem, the two chapters do not present a material risk of libel liability.

As to those passages, we understand that they are true, and truth is, of course, an absolute defense. However, particularly since you would have the burden of proof, the availability and extent of evidence has to be carefully considered, and those passages should be further discussed.

Mr. Brody will arrange to talk to you about these few remaining questions and will give you our joint observations at that time. (He will also discuss a portion deleted from an earlier draft but apparently intended for inclusion elsewhere.)

If I can be of any further service or if you have any questions, please let me know.

Very truly yours,


John R. Dawson

ESTABLISHED 1842

Caveat Gullielmus Neish

Who is this fellow, Neish by name?

From the ranks of lowly prats,
Some say he is a chemist
But we hear he worked with rats.

He may well be a chemist
And perhaps not bad, you say!
But to link him with Organic
Would dishonour Kekulé.

Let not this upstart's name defile
Organic's Hallowed Halls,
Where only names of such as We
Should grace her sacred Walls!

Now hear our Dispensation, Neish!
Mankind will clap and cheer,
When we have stated thus and so
E'en God must lend His Ear!

To you we will be generous
And kind as we can be,
We'll take your tainted money
And split it into three.

We'll call the Prizes Humpty Dump
For reasons that are plain,
(a) The name is non-committal
(b) They can't be joined again!

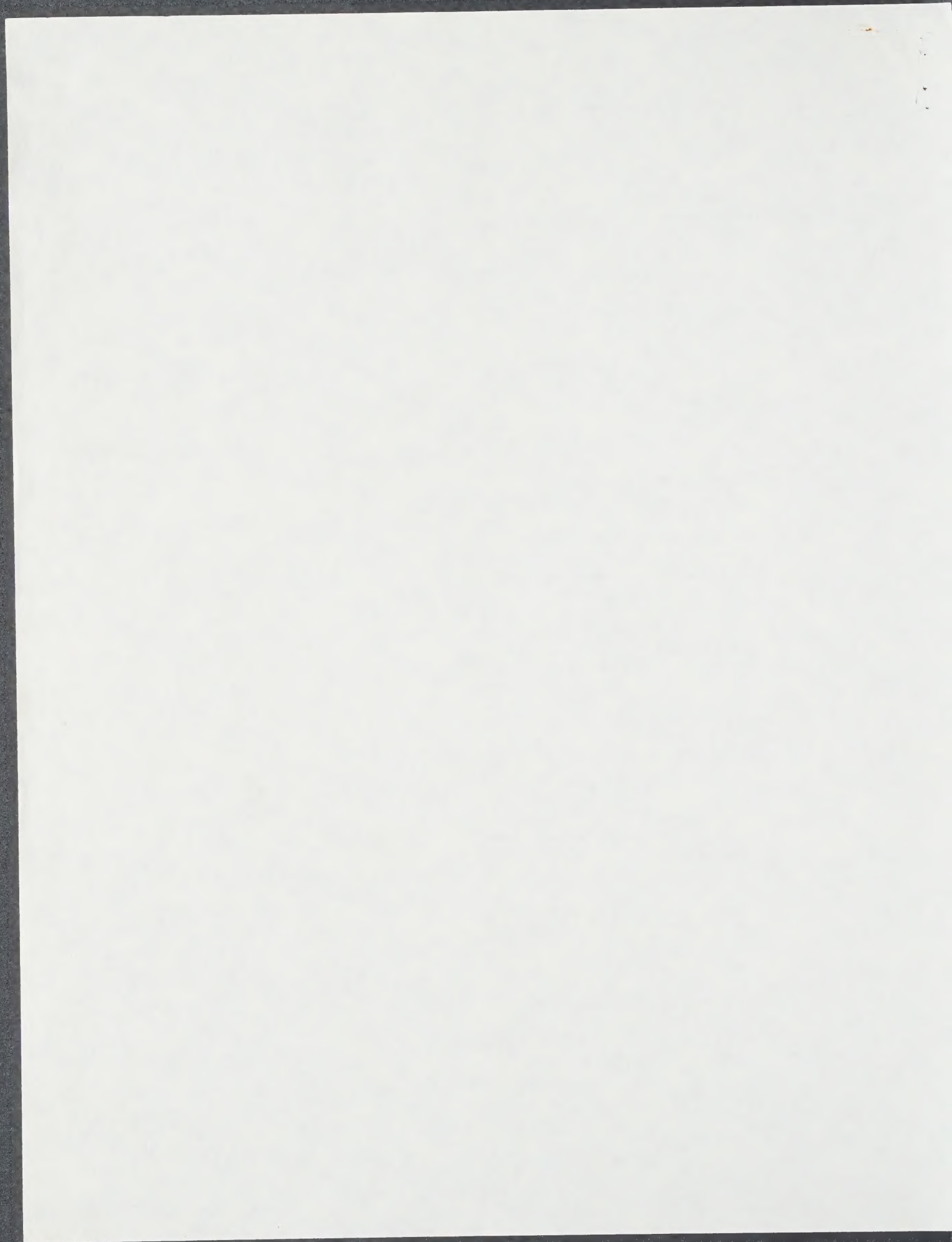
It does not matter what you wish
If you do not like our ploy,
Just take your money and begone
T'will be our greatest joy.

You have caused a lot of jealousy
And we'll cut you down to size,
At last we shall be free of you
And good riddance to your Prize.

It matters not that students
May suffer loss of cash;
A very small price, most agree,
To protect us from such trash.

Beside our humming NMRs
We can all go back to sleep,
May no vile dreams of the Dreaded Neish
Disturb our slumbers deep.

to p. 6a



1461 W. Camino Estelar
Green Valley, AZ 85614
January 31, 1994

33p.

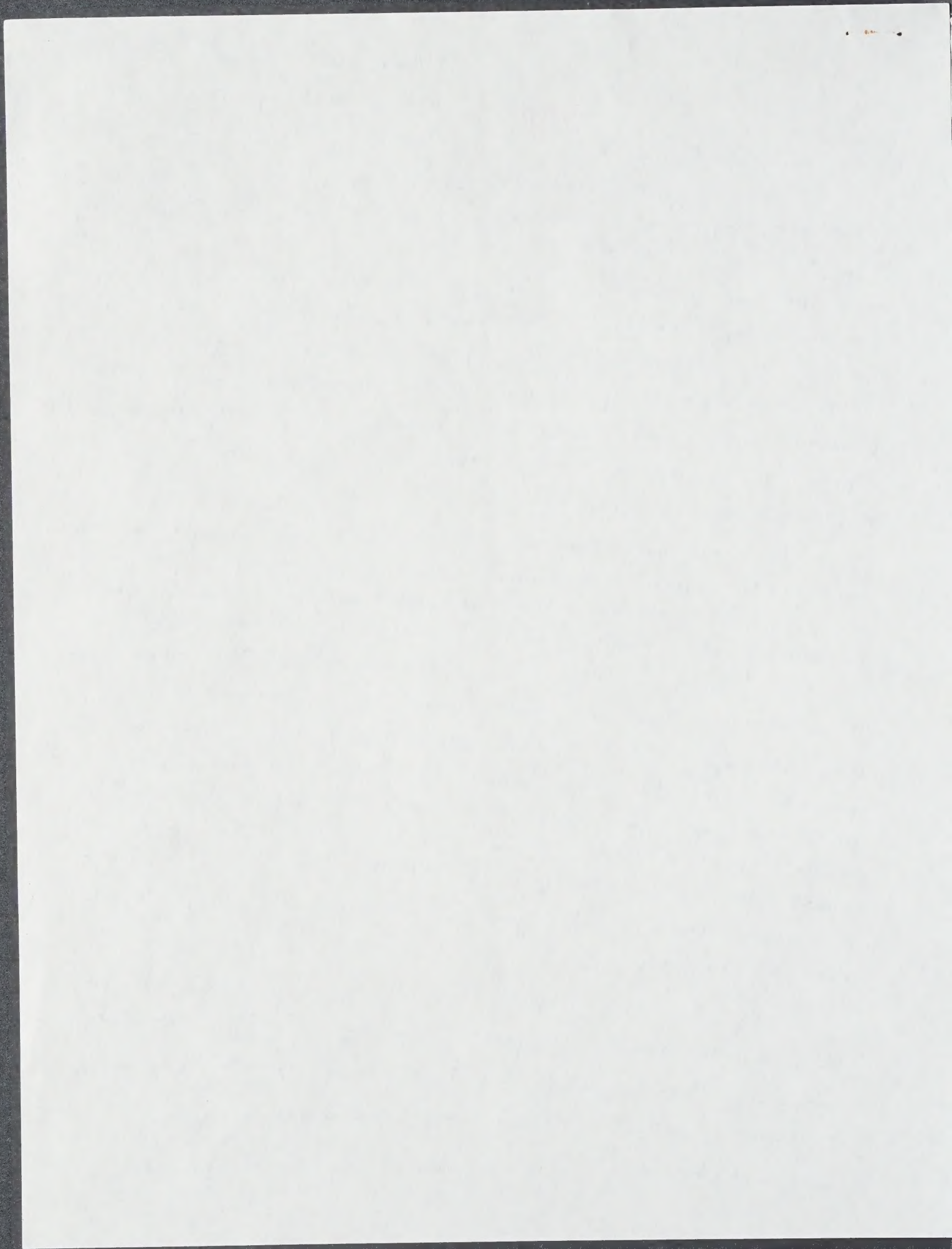
Dear Dr. Bader,

I have just received your letter of January 21, 1994, forwarded by my secretary, and delivered finally by our erratic mail service.

As you probably know, I am retired, but remain of counsel to Foley & Gardner, and still have an office in the firm. My wife and I left Milwaukee for a winter vacation by auto on December 28, and will not return until April 3 or 4, spending most of the three months here in Southeastern Arizona.

For various reasons which I can explain when we next talk, it would be impractical for me to try to review the chapters and/or advise you concerning it until I return to Milwaukee in early April. If you can wait until then (and I note that you do not plan to finish the autobiography until later this year), I will be pleased to do the work at that time. I would not charge for my services. If I would have to enlist some help at the firm, there would be a charge for that, but I would discuss that with you in advance, should it be necessary.

If on the other hand you want to have this work done before April, I would suggest that you contact my partner, John Dawson at Foley & Gardner, who succeeded me and is in charge of



libel matters. He is very proficient in that work.

Please drop me a note at your convenience and let me know how you wish to proceed. If you want me to do the review, I will call you on my return to Milwaukee and will arrange to take care of it promptly at that time.

With best personal regards.

Sincerely,

Pat Brody

c: Marvin Klitsner



James P. Brody
1461 W. Camino Estelar
Green Valley, AZ 85614



Dr. Alfred Bader
2961 North Shepard Ave.
Milwaukee, WI 53211



1
2
3
4

01
03

FBI

Dr. Alfred Bader
2961 North Shepard Avenue
Milwaukee, Wisconsin 53211

le M.C.

February 15, 1994

Mr. James P. Brody
1461 West Camino Estelar
Green Valley, Arizona 85614

Dear Mr. Brody:

Thank you for your kind letter of January 31st.

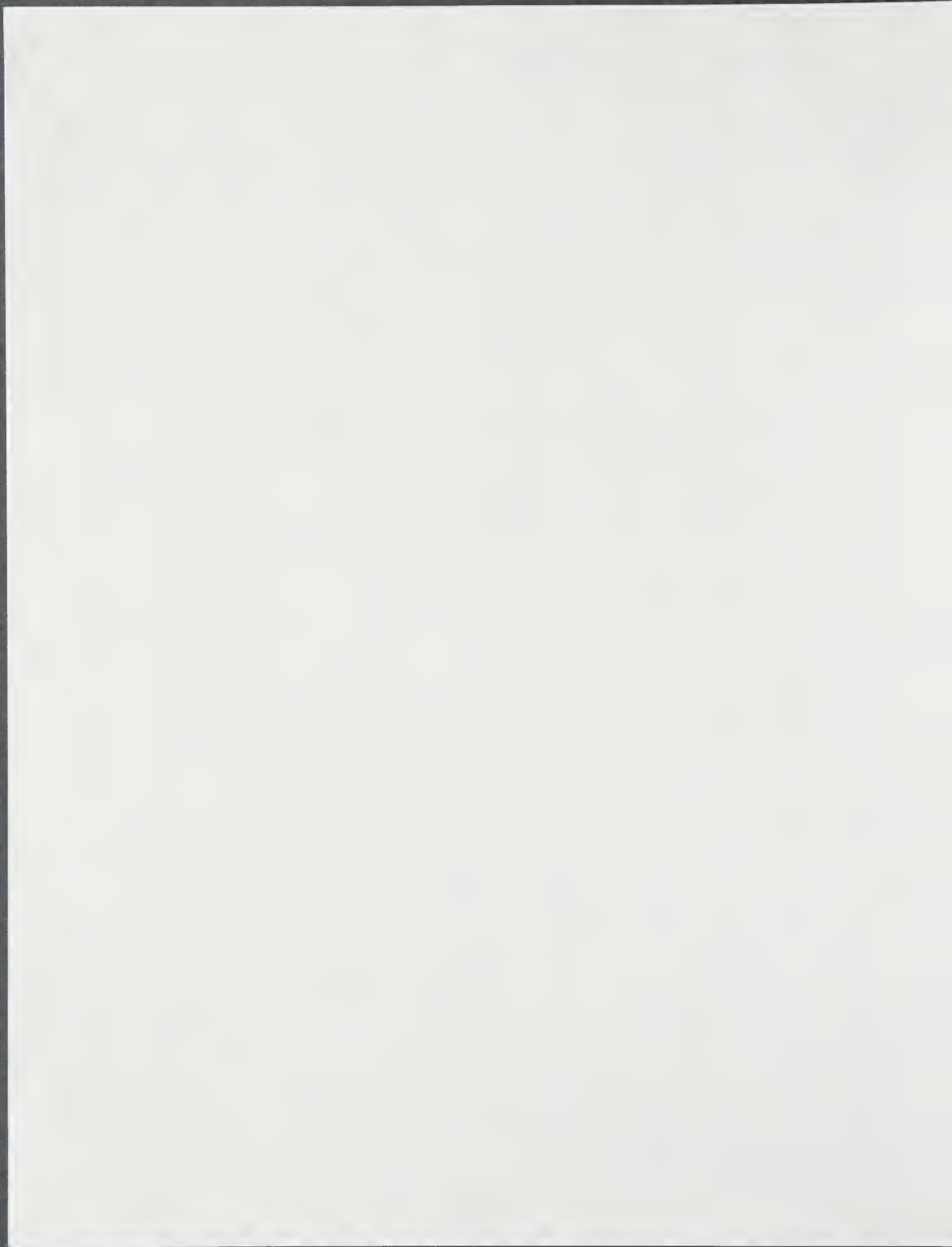
The chapter of greatest concern from a libel point of view is of 33 double-spaced, typewritten pages which I will be happy to give to you in April. Or, if you would like to glance at them before then, I could mail them to you now.

I have been very careful to ascertain that the facts are correct, and Marvin went through a first draft, made quite a few changes, and then suggested that it would really be good if you could also look at it.

Thank you for your offer to read this without charge, but I hope that you will allow me to give you a painting as a token of my appreciation of your kindness.

All good wishes.

Sincerely,



1461 W. Camino Estelar
Green Valley, AZ 85614

Dear Dr. Bader:

This is to acknowledge your letter of February 15.

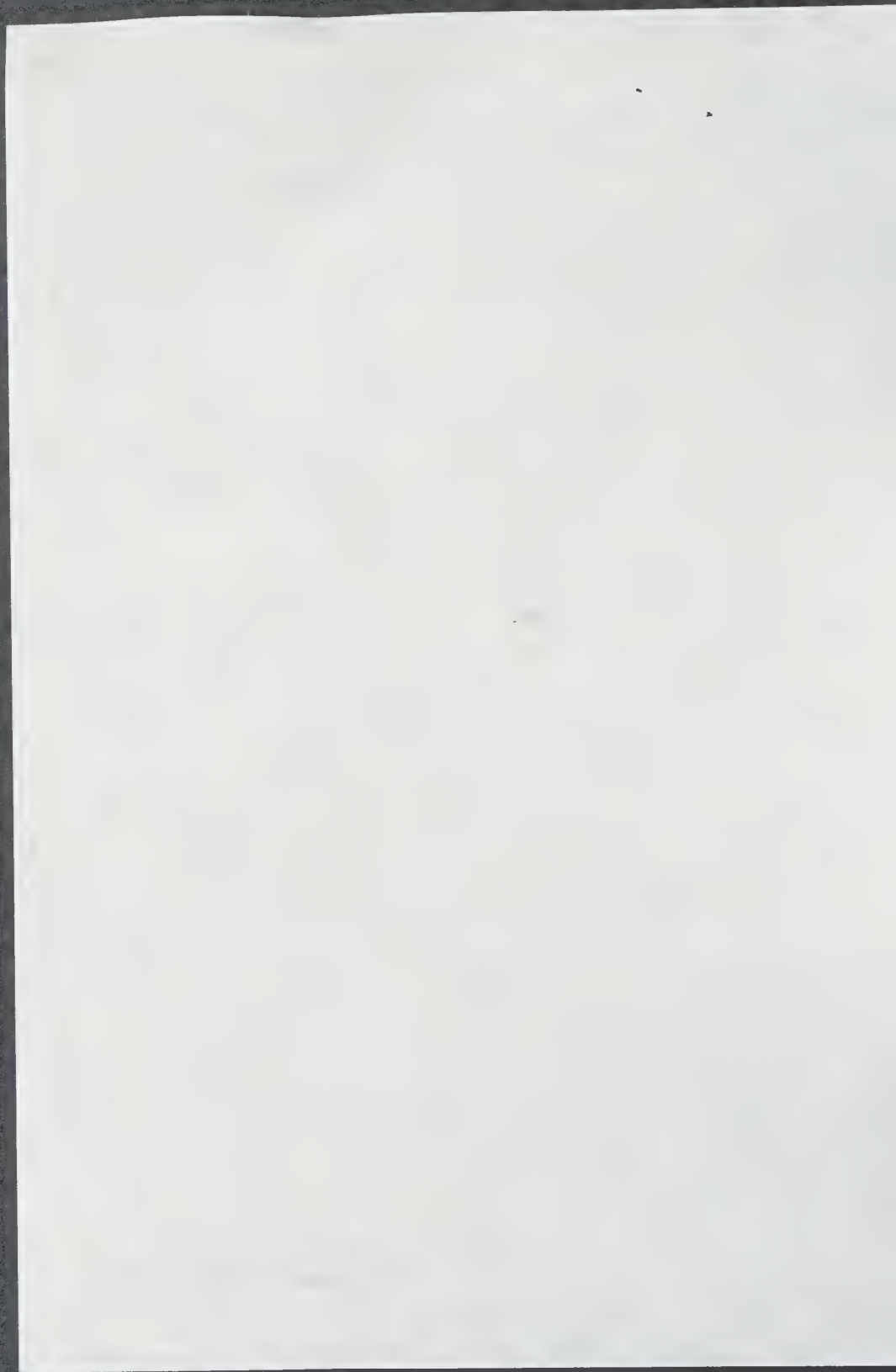
I will look forward to reviewing the chapter, and discussing it with you.

We will be traveling a good deal before we start our trip home, so it would be best that you not send the manuscript here. If you will send it to my secretary at the firm (please ask her to hold it for my return), it will be available when I get back on April 4 or 5, and I will review it promptly. I will give you a call shortly thereafter.

We are having an enjoyable winter here - not quite as fierce as what Milwaukee has experienced this year.

Best regards,

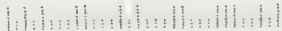
Pat Brody

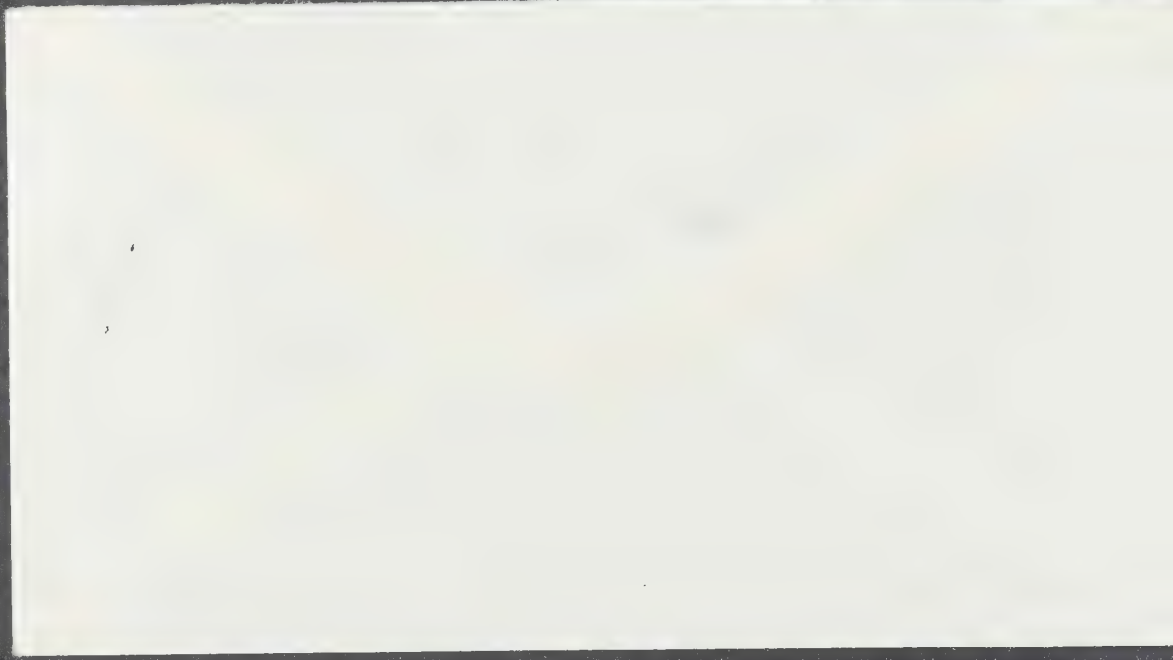


Brody
1461 W. Camino Estelar
Green Valley, AZ 85614



Dr. Alfred Bader
2961 No. Shepard Ave.
Milwaukee, WI 53211





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May 18, 1994

CONFIDENTIAL

Dr. Alfred Bader
Alfred Bader Fine Arts
Astor Hotel Suite 622
924 East Juneau Avenue
Milwaukee, WI 53202

Re: Dr. Bader Autobiography

Dear Dr. Bader:

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We agree that, except for a few passages which could cause a problem, the two chapters do not present a material risk of libel liability.

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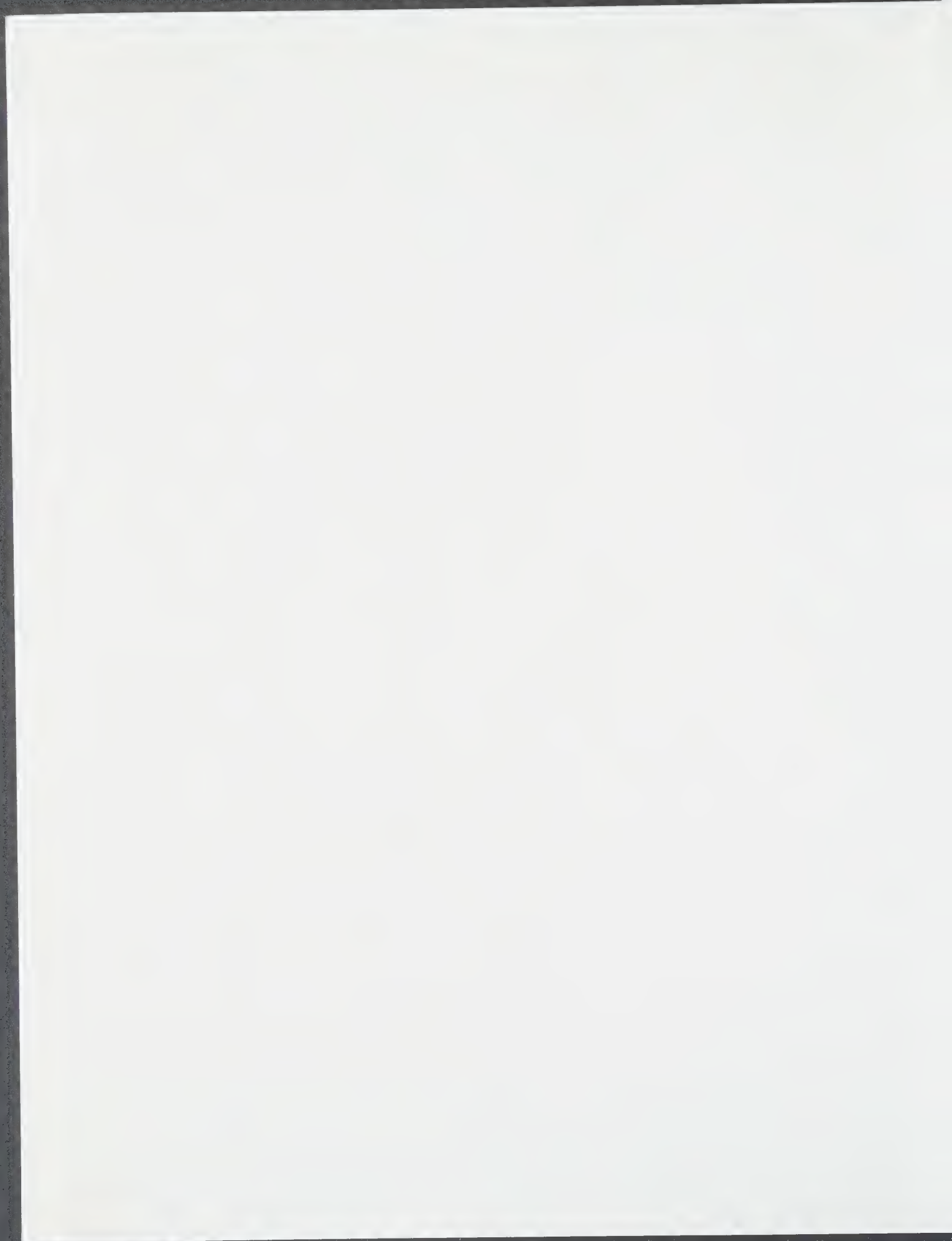
If I can be of any further service or if you have any questions, please let me know.

Very truly yours,



John R. Dawson

ESTABLISHED 1842





ALFRED BADER FINE ARTS

DR. ALFRED BADER

ESTABLISHED 1961

April 18, 1994

James P. Brody, Esq.
Foley & Lardner
777 E. Wisconsin Avenue
Milwaukee, Wisconsin 53202

Dear Pat:

I hope that you will have received the chapter on Sigma-Aldrich which I sent to you.

I remembered later that I did not send along the appendices, and they are now enclosed.

I am sure that I do not have to tell you that everything I wrote in that chapter is true.

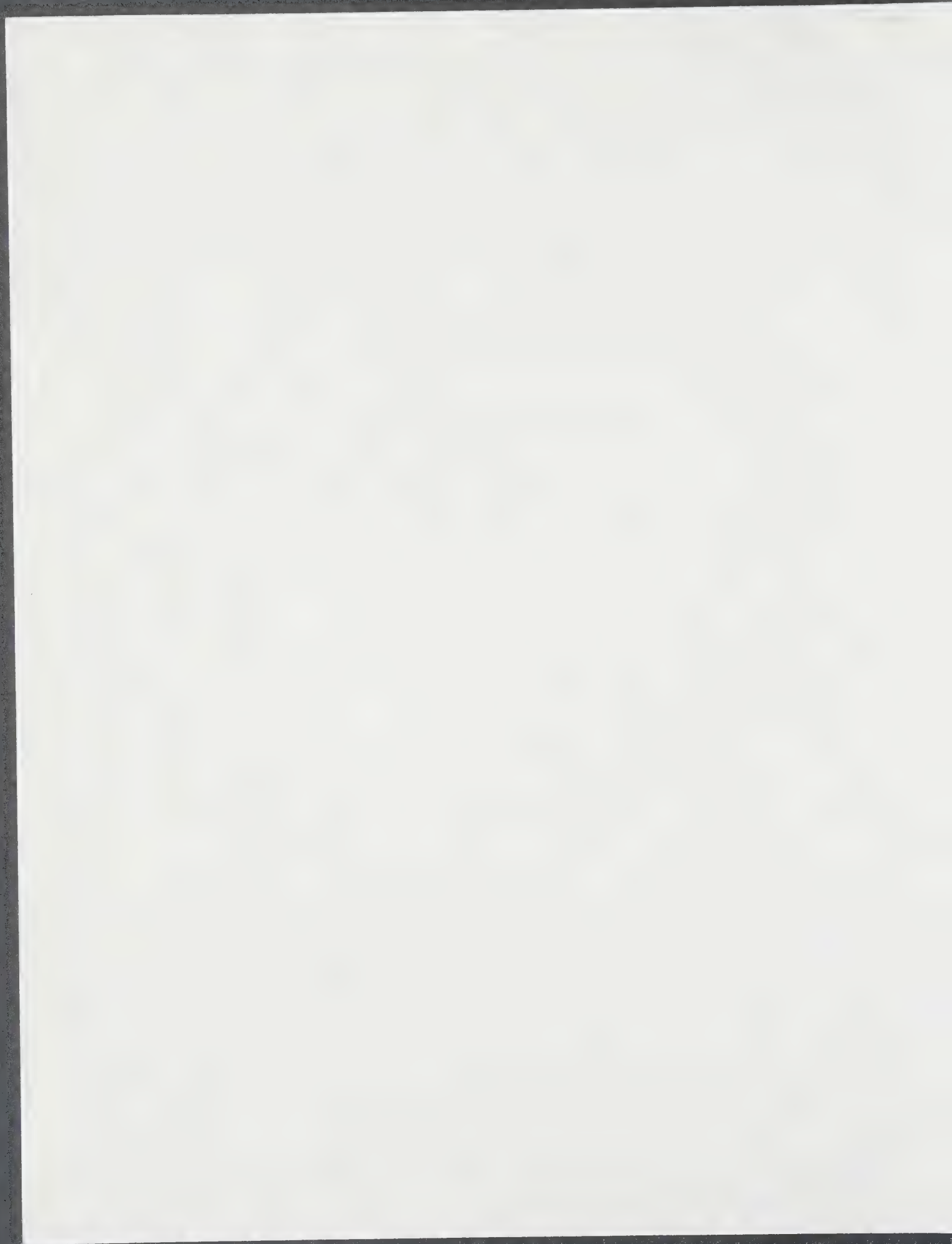
As you perhaps know, Marvin is here just now and if you would like to discuss this with him also, please do so.

Many thanks for all your help, and best regards.

Sincerely,

Enclosures
c: M. Klitsner

By Appointment Only
ASTOR HOTEL SUITE 622
924 EAST JUNEAU AVENUE
MILWAUKEE WISCONSIN USA 53202
TEL 414 277-0730 FAX 414 277-0709





ALFRED BADER FINE ARTS

DR. ALFRED BADER

ESTABLISHED 1961

March 17, 1994

Secretary of James P. Brody
Foley & Lardner
777 E. Wisconsin Avenue
Milwaukee, Wisconsin 53202

Dear Madam:

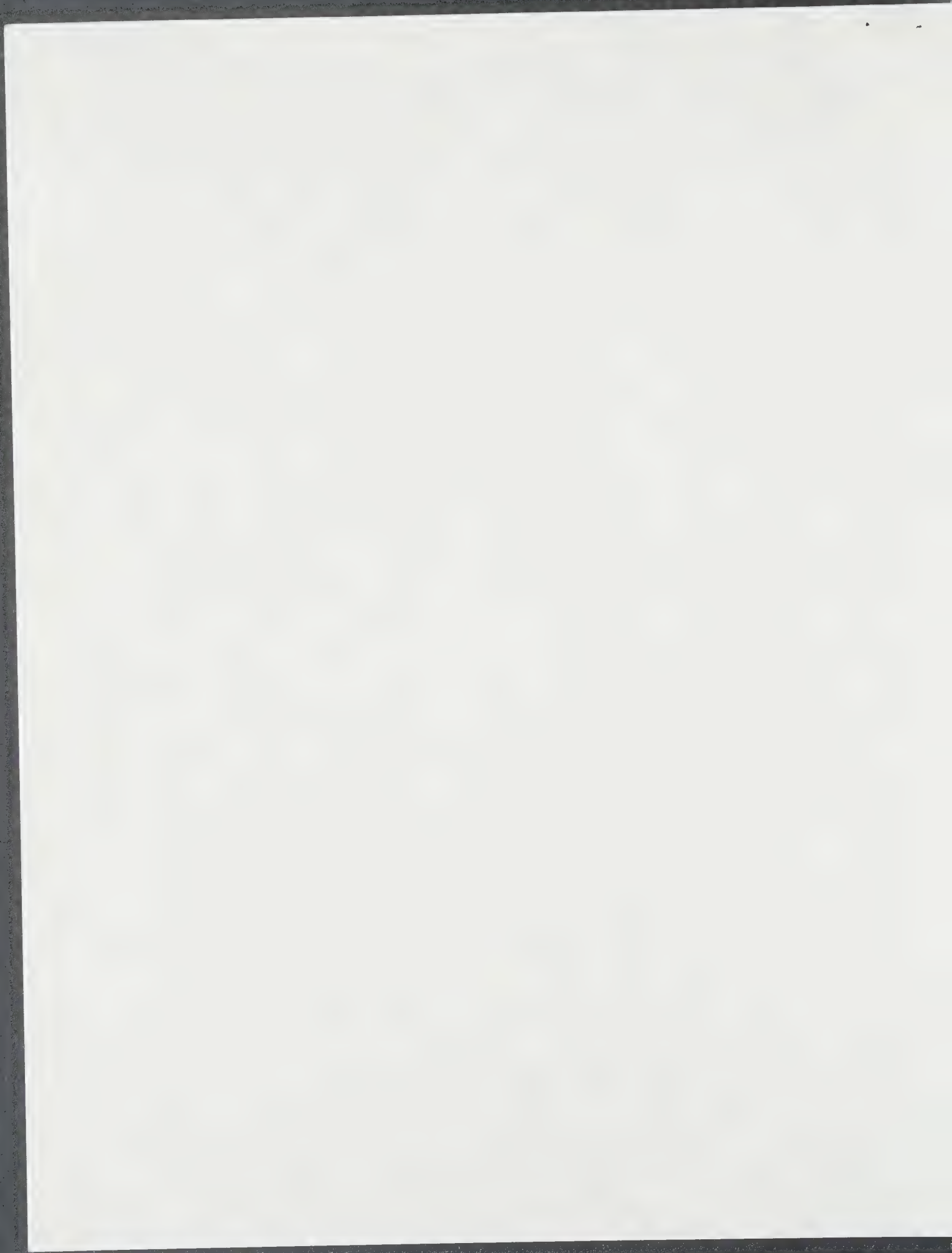
When Mr. Brody returns to Milwaukee in April, could you then please give him
the enclosed.

Thank you.

Sincerely,

Enclosure

By Appointment Only
ASTOR HOTEL SUITE 622
924 EAST JUNEAU AVENUE
MILWAUKEE WISCONSIN USA 53202
TEL 414 277-0730 FAX 414 277-0709



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1 SOUTH PINCKNEY STREET
MADISON, WIS. 53701
TELEPHONE (608) 257-5035

April 15, 1981

PERSONAL

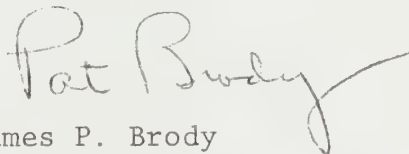
Dr. Alfred R. Bader
President
Aldrich Chemical Company, Inc.
Post Office Box 355
Milwaukee, Wisconsin 53201

Dear Al,

I am finally returning herewith your Vol. 3, #1970 publication and your article, "In Search of a Girl." I put it in a safe place a few years ago, among some books on a bookshelf, preparatory to returning it to you, and then overlooked it until last night when I was re-arranging the shelf. My apologies for keeping it so long. I enjoyed the article very much, and thank you for letting me see it.

We enjoy the pictures we bought from you. They're so much a part of our home now that I don't know how we got along without them!

Best regards,



James P. Brody

Enclosure



Chemists Helping Chemists in Research and Industry

aldrich chemical company, inc.

Dr. Alfred R. Bader
President

April 17, 1981

Mr. James P. Brody
Foley & Lardner
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

Dear Pat:

I so enjoyed your kind note about paintings.

I now acquire between 100 and 200 paintings each year,
and if you and your family would ever like to acquire
more, just visit me at my office, which is over-
crowded with them.

Best regards,

Alfred Bader

AB:mmh

FAX FROM

DR. ALFRED R. BADER
Suite 622
924 East Juneau Avenue
Milwaukee, Wisconsin 53202
Telephone 414-277-0730
Fax No. 414-277-0709

English
trip

9 VIII 94

To: Mr. Jeffrey Pimmens

Dear Jeffrey:

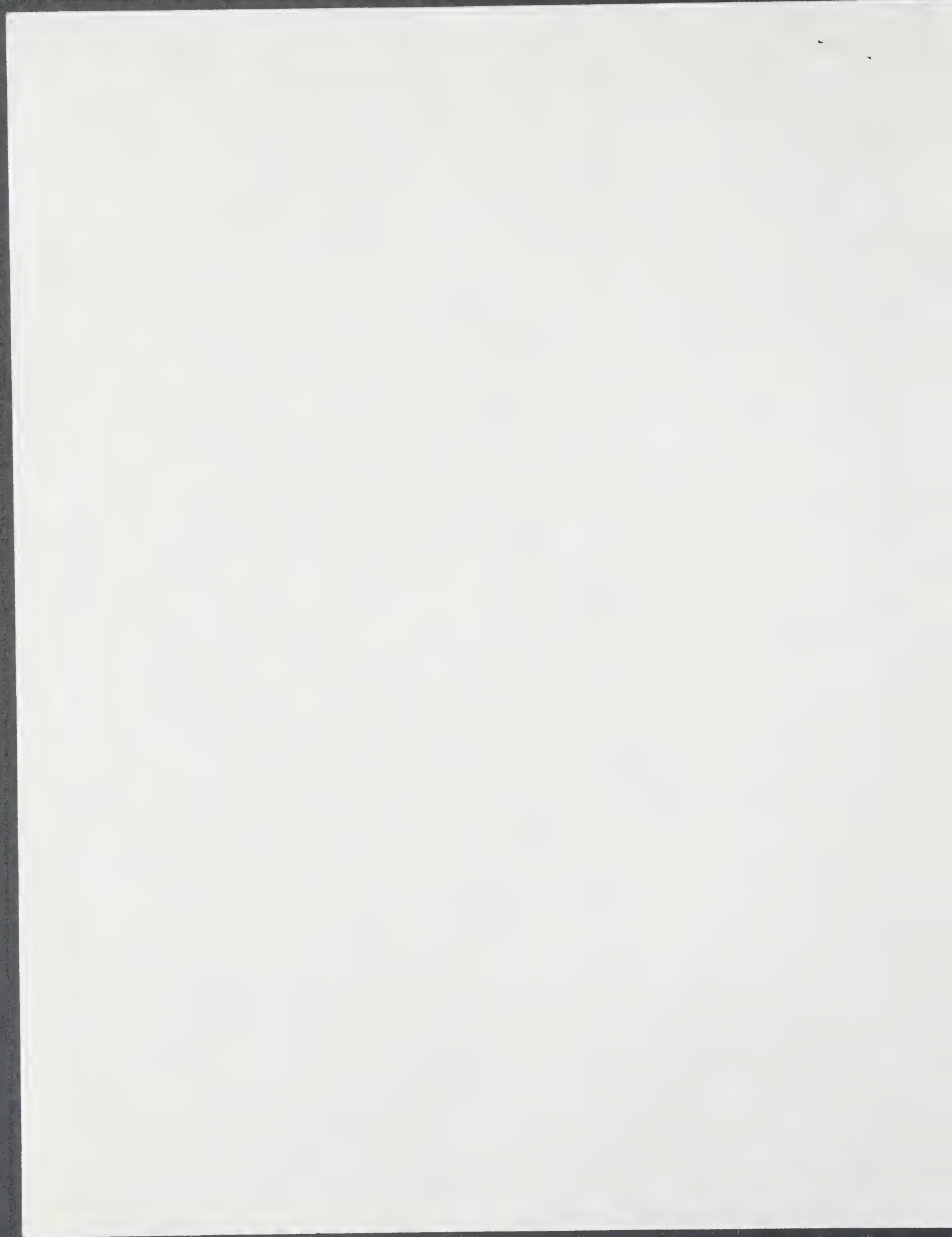
I look forward to being with you at
11 am one week from today, August 16.

Martin Klitzone just came to Milwaukee
and gave me all his suggested changes which
will be made this week. He likes the draft for
the cover but thinks the book will interest chemists,
art lovers and students of business

I have written a 24. chapter, Painting
Vignettes, dealing with paintings not covered in
the paintings chapter. I will leave you a rough
draft, with some free-standing completed chapters
next week. If convenient, I would like to visit
you again after we return from Spain; would
September 1 or 2 be convenient? You could then
show me your editorial changes.

Get it

Best wishes



Top file



Faint text in the upper middle section, possibly a title or header, which is illegible due to blurriness.

Faint, illegible text in the middle of the page, possibly a paragraph or a list of items.

Faint text at the bottom left of the page, possibly a date or a signature.



FAX FROM

DR. ALFRED R. BADER
Suite 622
924 East Juneau Avenue
Milwaukee, Wisconsin 53202
Telephone 414-277-0730
Fax No. 414-277-0709

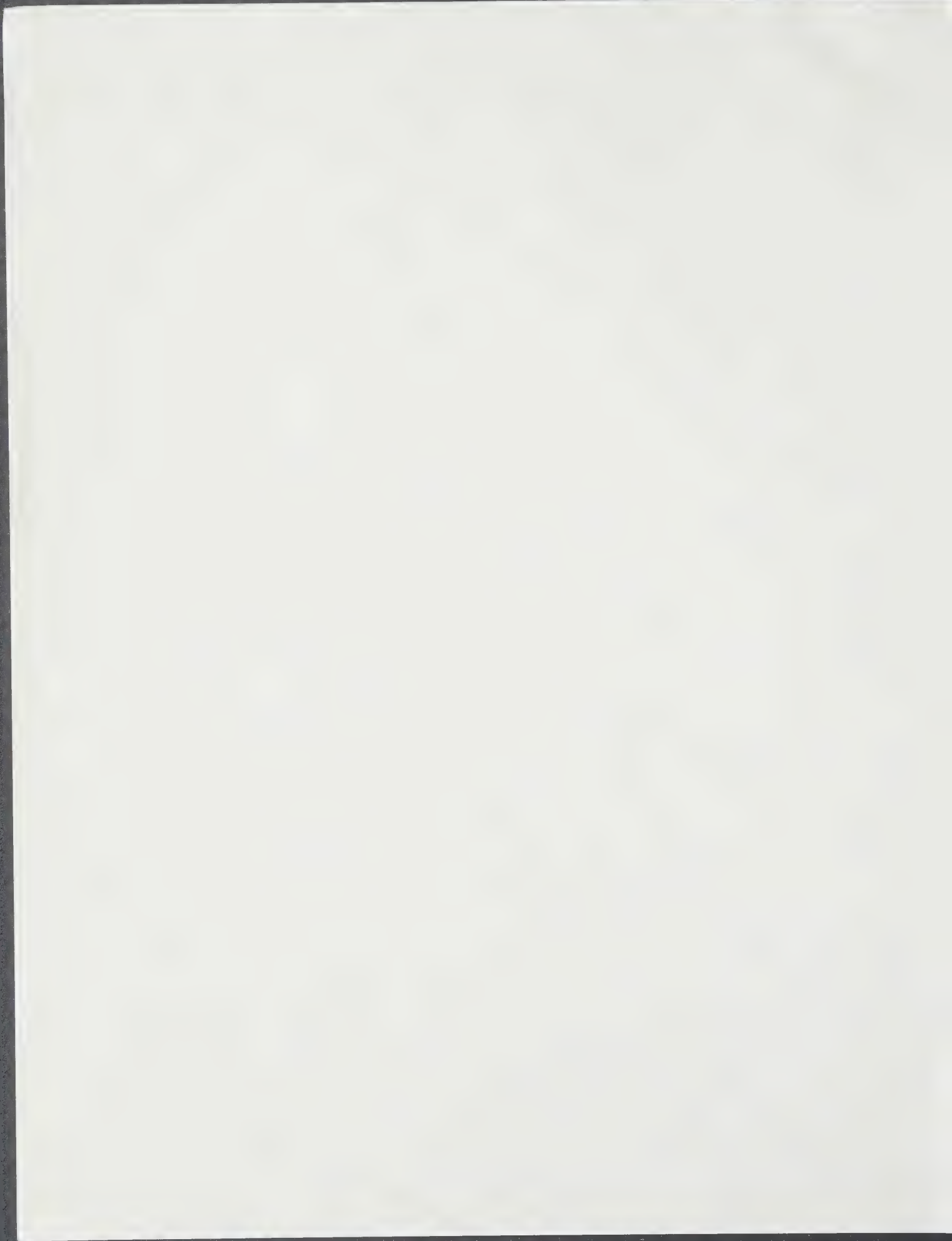
September 2, 1994

To: Daniel Bader
c/o Lisa Hiller

When I spoke to Dr. Bader yesterday, he had the following messages:

1. There is a new painting in the gallery of a Rabbi holding what I assume is a Torah. He would like you to look at it, Dan.
2. The publisher for the autobiography would like the text on a diskette--for use in English practice, whatever that may be. Do you know what is required for England? If not, we can ask the publisher to send specifics. (The only unused diskettes I have are formatted for IBM, so if you would need an unformatted disk, let me know and I will obtain.)

Thank,
Narilyn



Memorandum
Date

The following is a summary of the
information received from the
Department of the Interior
regarding the proposed
acquisition of land in the
State of California.
The land is situated in the
County of Los Angeles
and is owned by the
State of California.
The proposed acquisition
is for the purpose of
establishing a national
monument.

Very truly yours,
[Signature]



Comments on Manuscript - A.B. auto days
I Milwaukee Vegetables:

✓ P.P. 1-2 : Re Count Michels Serenyi.
Misplaced in Mid. V. - & perhaps in Book of al

✓ P.P. 8-9. Dr. Warden
Different Recollection: July 1864. Blue Cross of

P. 11, L. 10. "Executed" & officers? Pd.?

P. 12. End of 1st full H

Moved to NW side - to which many of members
had moved

old. Organ members had been in place

Detached. Organ members had been in place

Just R. moved & died with. & really.

Defective condition of Rabbit's

✓ II Library. - Ann. Replaced by version in

Convent House

By not delete beginning of 2nd H. 1st

Revised P. 4. Per. C. V. version.

✓ III Convent House

Unrevised

P. 2. Story on KSC award covered in "A. V. 1864"

P. 12. Middle H. - struck in Milwaukee

IV The Beginning of Alchids.

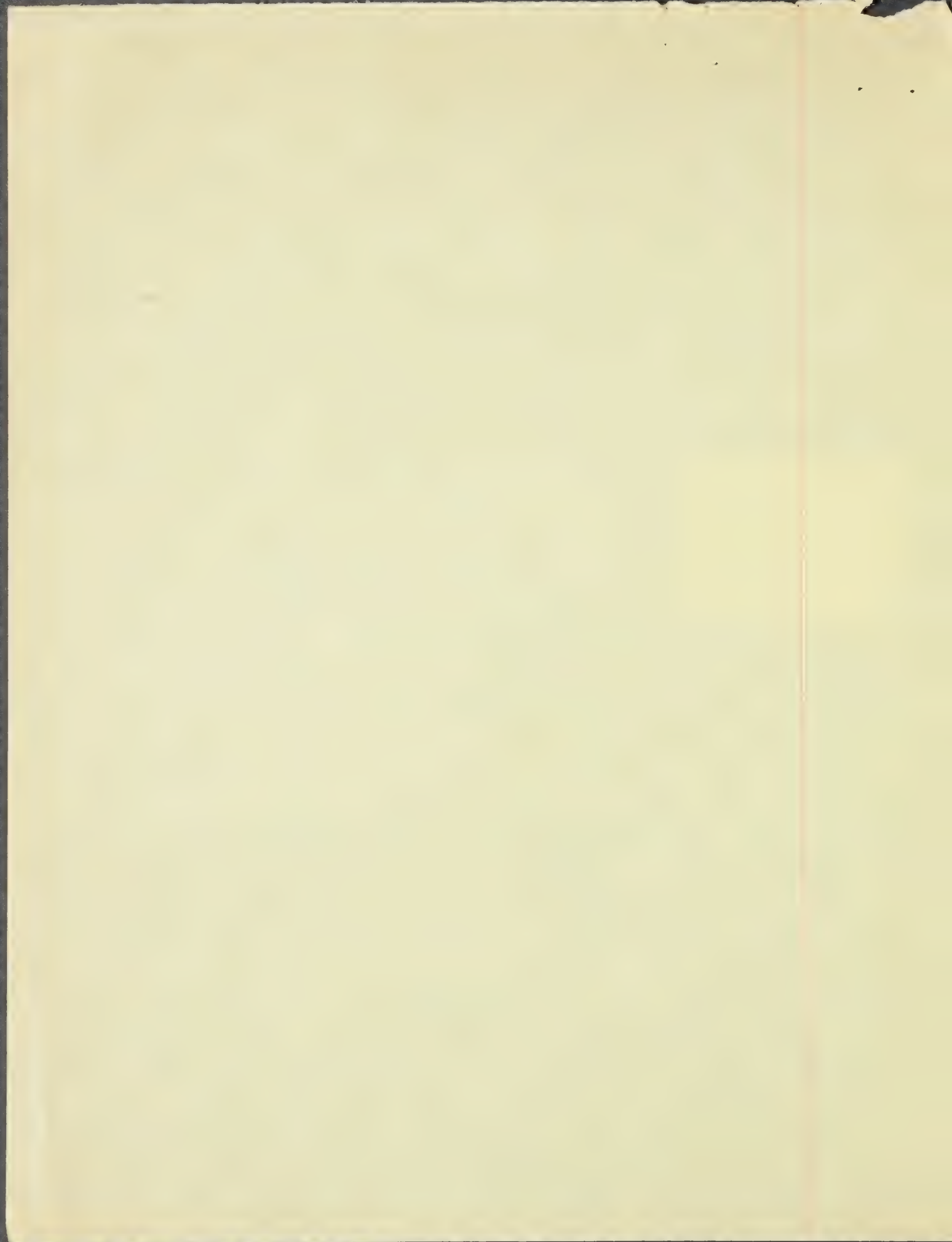
✓ P. 3. Quote in Middle H from Convent reported
in position on P.V.G

P. 4. 1st line last B. ? "Now" in place of "but"

P. 6. Middle of last full H. " " " " " "

P. 7. 1st line - line do late and not help it.

Spanish
H.S. for



P. 10. L 2. 45 - 39 ?

P. 13. Fig L. 1-3. Delete Fig 2.

✓ II

Sic. m. - Aldrich I

P. 20 - Last p. (1) New Burdock for
Don Birds

III

Suppliers -

2

✓ P. 22. Middle of p. Different handwriting
of Dodge Watson - Dr. Free & friends

Under Dr. Brown in next report

Did know). Work. Consideration. etc.

✓

P. 14 - De la Roche copy, not clear
that you rejected proposal for other... etc.

P. 30 Not clear that ASKING & ...

never to know the ...
UN deconvince self ...

✓

VI To Benefit Mercantile ...

P. 8. 1951 ... this ...

the value of Trade of gift & should not
be available to ...

✓

Re word Elen of ...

... of ...

✓

B

Printings of ... not clear ...

... rate of ...



Dr. Alfred Bader
2961 North Shepard Avenue
Milwaukee, Wisconsin 53211
July 15, 1994

Mr. Richard Stevenson, Editor
Chemistry in Britain
Royal Society of Chemistry
Burlington House, Piccadilly
London W1V 0BN
England

Dear Mr. Stevenson:

Weidenfeld & Nicolson plans to publish my autobiography--, *The Adventures of a Chemist-Collector*, early next year.

May I have your permission to re-print the three letters as marked on the enclosed from the September 1992 issue?

Of course for ease of reading, we would format the three letters onto one page.

The enclosed request given to me by the publisher does not quite apply to *Chemistry in Britain*, but surely this is not material.

All good wishes.

Sincerely,

Enclosures

OK - permission
granted
A. Bader

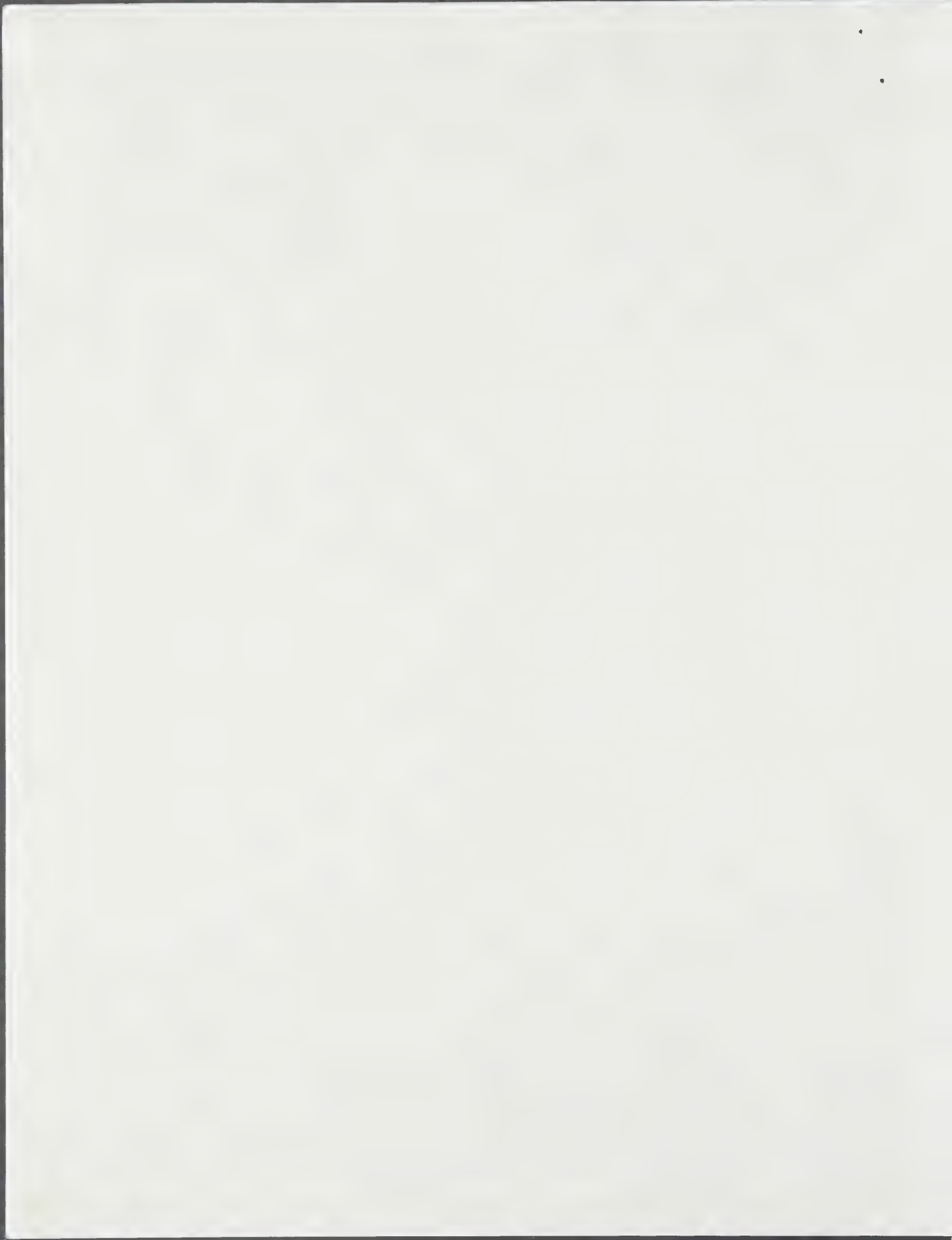


image of madness

From Dr B. Knight

My two year old daughter was recently given a Boots *Funny faces* sticker book, which she greatly enjoyed. However, I was rather concerned about the representation of Mad Martin the scientist who 'locks himself away in his laboratory and makes all sorts of powders and potions'. Is this the sort of image a company calling itself Boots the Chemist really wants to give of its own staff of scientists, and of chemists and pharmacists in general?

I appreciate that this book is intended for the very young, but this sort of representation is a common stereotype, and the dangerous thing about stereotypes is that by repetition they are accepted as fact and become substitutes for thought. An erroneous image, if implanted early, is very difficult to erase.

I took this matter up with Boots, but the customer service manager of the Baby Business Centre said that she thought that the book was not to be taken very seriously because it was aimed at a very young market and that people/animals/robots etc did not need to be depicted completely accurately.

However, while it does not really matter whether children have positive images of dinosaurs and robots as they are not

conversion of sucrose by the enzyme glucosyl transferase to a water insoluble glucan (ISG) more generally known as dental plaque. At concentrations as low as 100 g/100 ml both acids almost completely prevented ISG formation (Kohda *et al*, *Planta Medica*, 1986, 119).

D. A. Lewis, CChem, FRSC,
Pharmaceutical Sciences Institute,
Aston University,
Birmingham B4 7ET.

Bader support

From R. J. H. Clark, Sir William Ramsay Professor and head, department of chemistry and Prof A. G. Davies

Alfred Bader's many friends in British universities will be distressed to read of the circumstances under which Sigma-Aldrich have dispensed with his services (J. Emsley, *Chem. Br.*, 1992, 28, 496). We have all benefited from his generosity, either directly or indirectly, through his endowment of awards in universities and the Royal Society of Chemistry. One only has to work for a few weeks in a country where Sigma-Aldrich does not have a base to appreciate that Bader himself deserves a medal for his services to chemistry. It is particularly sad that this generosity should apparently have led to his expulsion from the company.

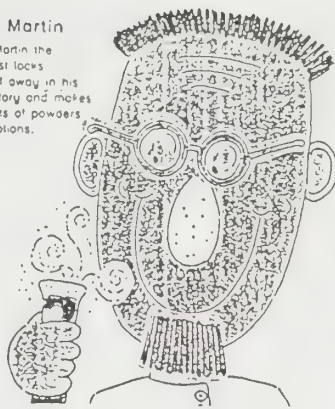
R. J. H. Clark, CChem, FRSC, FRS,
A. G. Davies, CChem, FRSC, FRS,
Christopher Ingold Laboratories,
University College London,
5 Gordon Street,
London WC1H 0AJ.

From Dr Dudley H. Williams

The sad end to Alfred Bader's career with Sigma-Aldrich is appropriately summarised in your Talking Point. I can only add that on the basis of the available evidence, Bader appears to have behaved in the civilised and warm manner that has always been evident in our meetings. As for the role of the

Mad Martin

Mad Martin the scientist locks himself away in his laboratory and makes all sorts of powders and potions.



going to meet them or even aspire to become them in future, it does matter that children should not have negative images of scientists because we hope that some children will become scientists when they grow up.

B. Knight, CChem, MRSC,
44 Worley Road,
St Albans,
Hertfordshire AL3 5NN.

Sigma-Aldrich board, the best that can be said is that the affairs of men are frequently not open to rational discussion, and this appears to be such a case.

Despite the sadness, it is time to acknowledge the enormously important contributions that Bader made to organic chemistry. These are not only through his frequent visits to our laboratories with his wife, Isabel, asking 'What can we do better?', but also for his part in the creation of Sigma-Aldrich, which has led to the ready availability of so many important reagents and starting materials.

His benefactions to chemistry have been often crucial in helping those who are not the most privileged members of the community. Last, but by no means least, it is a pleasure to acknowledge the friendship that he has shown to the chemical community. I hope that we will be privileged to continue to hear his words of wisdom.

D. H. Williams, CChem, FRSC, FRS,
Department of Chemistry,
University of Cambridge,
Lensfield Road,
Cambridge CB2 1EW.

From R. A. Raphael, professor of organic chemistry and Prof S. V. Ley

The Talking Point *The Sigma-Aldrich affair* certainly highlights the sense of shock felt by organic chemists worldwide on the expulsion of Alfred Bader from Sigma-Aldrich. When we first heard about this we felt so concerned that we both wrote to Dr Cori, chief executive officer of Sigma-Aldrich and had long telephone conversations with him. Then, together with John Emsley, we had a lengthy personal meeting with him in an attempt to effect a reconciliation.

We emphasised repeatedly the undeniable facts. Bader was the prime generator of Sigma-Aldrich's present position as the leading supplier of research chemicals. By his worldwide ambassadorial role as a highly effective personal publicist for the

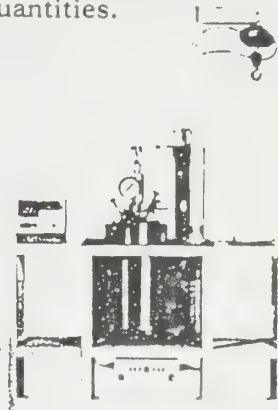


PARR REACTORS

For Developing new formulations.

Study reaction parameters.

Produce complex chemicals in small quantities.



5 GALLON REACTOR

Maximum working capacity...
3.75 gallons

Maximum ratings with T316
stainless steel vessel...1900 psi @
350°C

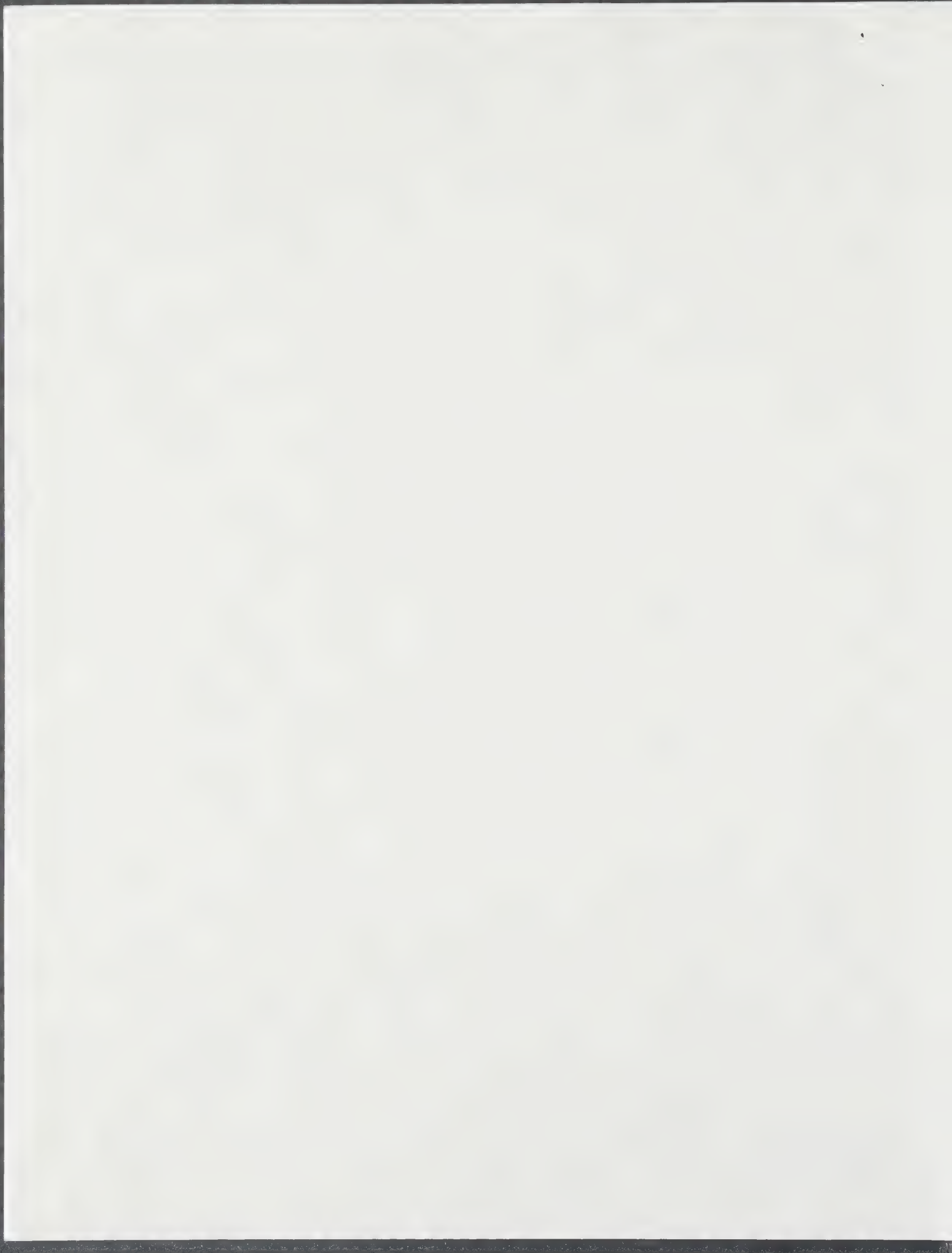
The 5 Gallon Reactor shown above is only one of a large family of stirred reactors made by Parr for conducting liquid-gas reactions safely within prescribed temperature and pressure ranges. They are offered in six different styles and twelve sizes from 25 ml to 5 gallon, all available in various corrosion resistant alloys with an extensive list of fittings, temperature and stirring controls, safety features and user options. They provide an excellent medium for any procedure requiring well designed equipment capable of mixing liquids and gases under heat and pressure while keeping solids uniformly suspended within the mixture.

For complete details, ask for a copy of our 118 page Reactor Catalogue.



Scientific & Medical Products Ltd
856 Wilmslow Road, Didsbury,
Manchester M20 8RX
Tel: 061 434 3466
Fax: 061 445 2943

Circle 118 for further information



firm and his enthusiastic and generous customer participation, he built up a highly effective symbiosis that has greatly benefited both chemistry and the company. His post-retirement dismissal as an unpaid roving ambassador for the company on a trivial pretext is an astounding self-inflicted wound in Sigma-Aldrich.

Unfortunately, such opinions and arguments seemed to carry no weight with Cori when we met him. He remarked that we could not make adequate judgements as we were not apprised of the full facts of the case. When we asked what these 'full facts' were, he replied that they were confidential and could not be divulged! In such a Catch 22 situation we have sadly come to the conclusion that it seems almost impossible to modify Cori's hard-line intransigence.

R. A. Raphael, CBE, CChem, FRSC, FRS, University Chemical Laboratory, Lensfield Road, Cambridge CB2 1EW.
S. V. Ley, CChem, FRSC, FRS, Department of Chemistry, Imperial College, London SW7 2AY.

Miracle liquefaction

From Dr P. D. Lark

In the Perspective *Bloody miracle* you state that 'only now have scientists begun to offer rational explanations' for the liquefaction of St Januarius' blood.¹ The explanation given turns on the thixotropic character of ferric sols. In fact, Alexander and Johnson made this proposal over 40 years ago² and this may not have been the first time as the thixotropic character of such sols was reported by Szegvari a quarter of a century earlier.³

The ether/spermaceti explanation you mention is much older. According to a popular mid-Victorian work⁴ 'M. Salverte informs us that this blood of the saint is made by reddening sulphuric ether with alkanet root, and then saturating the liquid with spermaceti. This preparation will remain fixed at a temperature of 10° per cent [sic] above freezing, and melts and boils at 20°, a temperature to which it can be raised by holding the phial for some time in the hand'.

P. D. Lark, CChem, FRSC,
92 Arabella Street,
Longueville,
NSW,
Australia 2066.

References

1. *Chem. Br.*, 1992, 28, 306.
2. A. E. Alexander and P. Johnson, *Colloid science*, p 506. Oxford: Clarendon, 1949.
3. H. Freundlich, *Colloid and capillary chemistry*, p 829. London: Methuen, 1926.
4. J. Timbs, *Things not generally known*, p 111. London: Kent, 1858.

Amplifying Fe(CO)₅

From Martyn V. Twigg

The point raised by Prof Maitlis and co-workers¹ regarding traces of iron pentacarbonyl in carbon monoxide can be particularly important in the context of catalytic chemistry. For example, iron transported as the volatile carbonyl was a problem that had reduced catalyst selectivity of early coal-to-methanol synthesis plants. The high

carbon monoxide on iron—both favour iron pentacarbonyl formation.

An interesting related problem was encountered during World War I when a shortage of oil gas forced the German railways to use compressed coal gas in iron cylinders for incandescent lighting. Quite rapid formation of small quantities of iron pentacarbonyl took place, which led to deposition of ferric oxide on the lamp mantles. The investigation of this phenomenon was published after the war and became a classic textbook illustration of the ease with which iron pentacarbonyl can be formed.²

Although often overlooked, traces of oxygen in carbon monoxide can be troublesome, for example causing progressive deactivation of sensitive homogeneous catalysts. When necessary oxygen is readily removed, even at very low levels, by passage over suitable copper or manganese adsorbents.³

M. V. Twigg, CChem, FRSC,
ICI Chemicals & Polymers,
PO Box 90,
Wilton,
Middlesbrough,
Cleveland TS6 8JE.

References

1. A. Haynes *et al.*, *Chem. Br.*, 1992, 28, 517.
2. J. R. Partington, *Textbook of inorganic chemistry*, 3rd edn. London: MacMillan, 1930.
3. D. F. Shriver and M. A. Drezdson, *Manipulation of air sensitive compounds*. New York: John Wiley, 1986.

Quantum extrapolation

From Dr Eric R. Scerri

I would like to thank Prof Henry Schaefer for his response¹ to my letter² commenting on the article on quantum chemistry and truth. Schaefer is puzzled by my claim that extrapolation was used in calculations on the CH₂ molecule. Perhaps I could quote from a later article by Schaefer³, where he states that despite having established 'beyond doubt' the non-linearity of methylene, experiments were unable to agree on a precise value for the bond angle. The authors, therefore, set out to place error bars on the theoretical prediction of the bond angle. In another article they say 'the agreement with experiment obtained for H₂O will give us an estimate of the reliability for our prediction concerning CH₂'.⁴

In the same article the reliability of predictions is judged with respect to previous results on the NH₂ molecule. Is it really so preposterous to regard this as extrapolation rather than a rigorous determination of error bars for the CH₂ molecule itself? Is this not an example of what Davidson⁵ has described as calibrated *ab initio*, as opposed to true *ab initio* work?

Finally, to restate my philosophical point, the mere fact that a theory might yield a true prediction does not necessarily imply the truth of the theory itself.

E. R. Scerri, CChem, MRSC,
King's College,
London WC2R 2LS.

References

1. H. F. Schaefer, *Chem. Br.*, 1992, 28, 604.
2. E. R. Scerri, *Chem. Br.*, 1992, 28, 326.
3. H. F. Schaefer, *Science*, 1986, 231, 1100.
4. D. R. McLaughlin, C. F. Bender and H. F.

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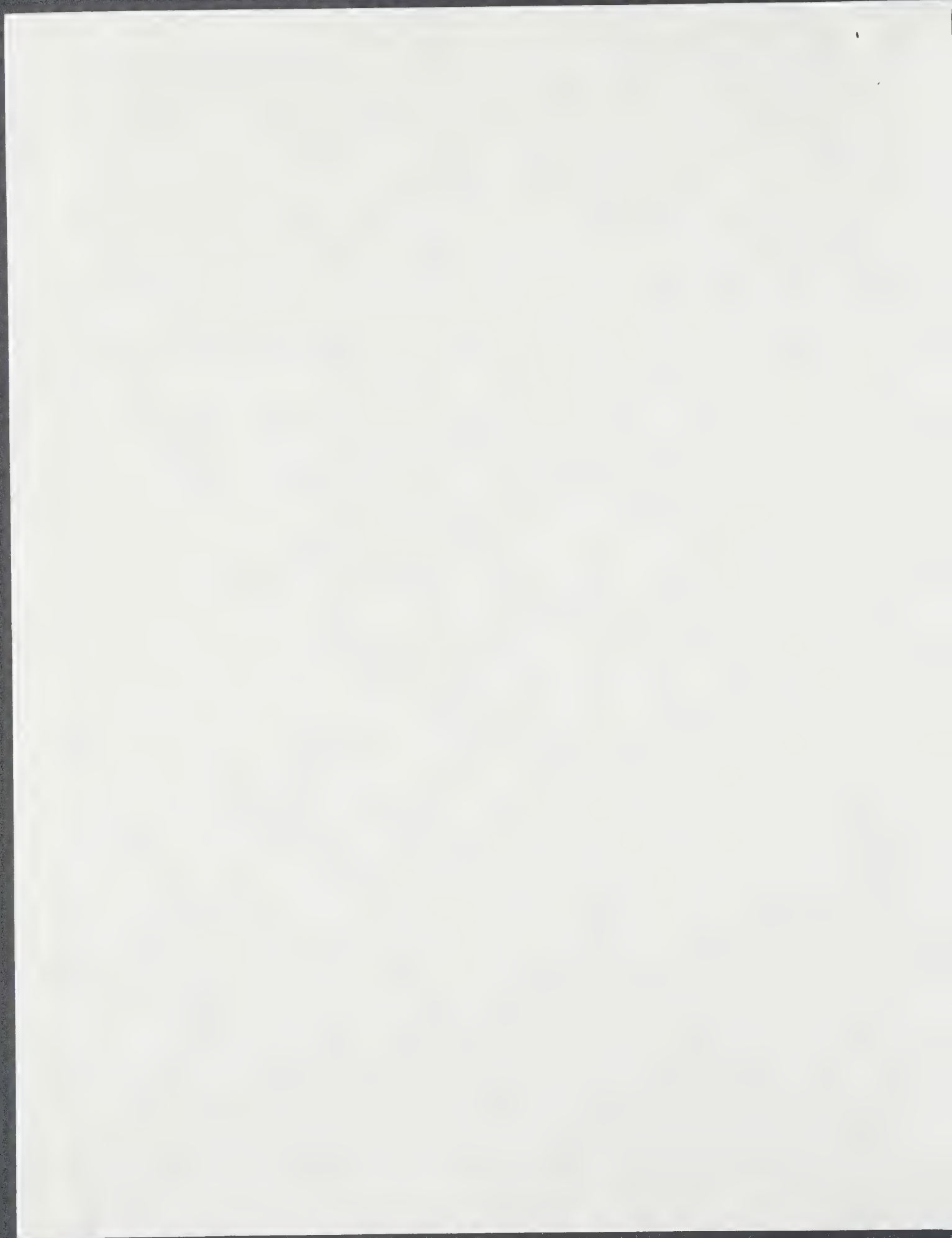
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Dear

I am preparing my autobiography entitled **ALFRED BADER: ADVENTURES OF A CHEMIST-COLLECTOR** which will be published in 1995 by Weidenfeld & Nicolson.

I would like permission to include the following material from one of your publications:

TITLE:

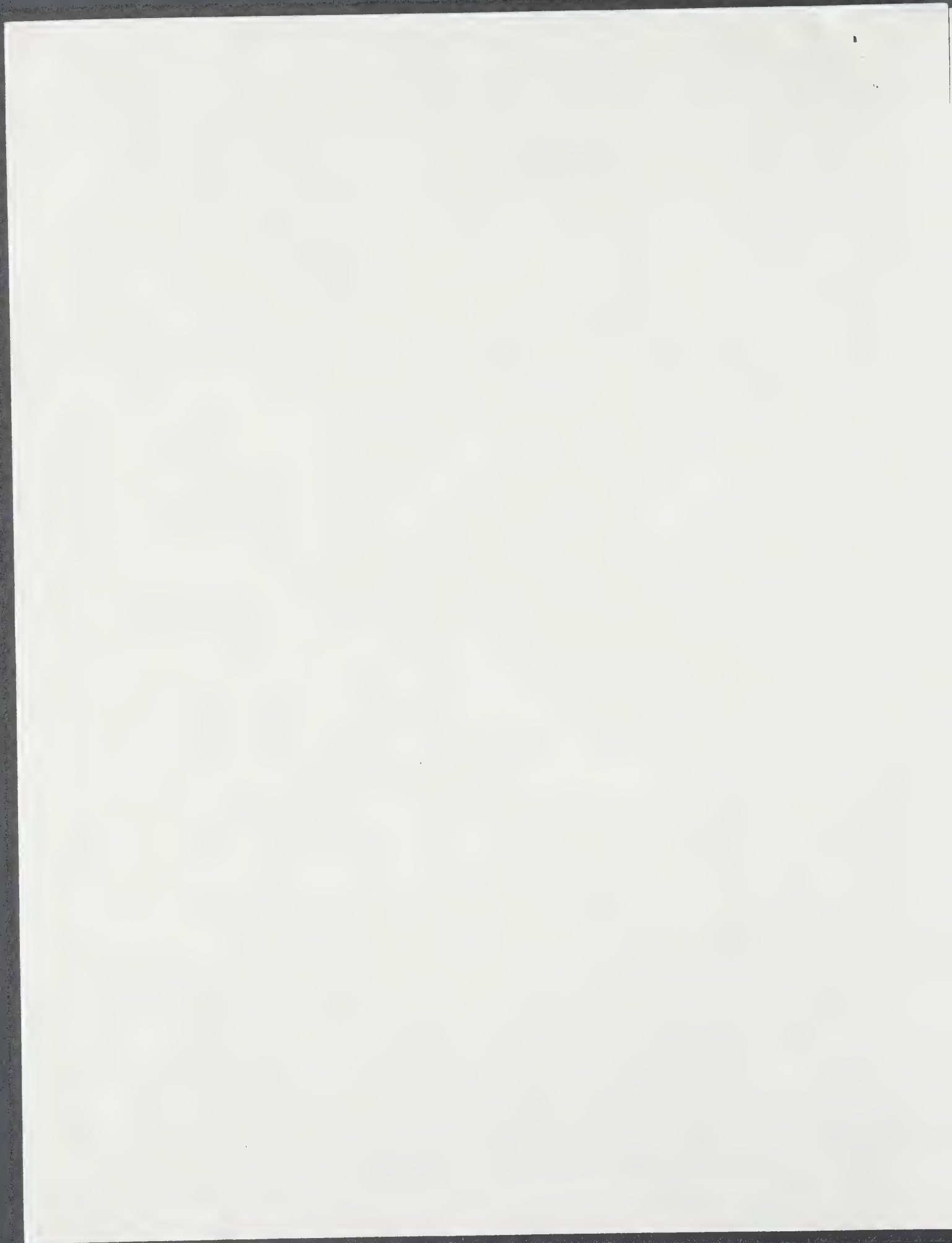
YEAR OF PUBLICATION:

AUTHOR/EDITOR:

PAGE NUMBERS AND TOTAL NUMBER OF WORDS:

I am seeking non-exclusive world rights. If you do not control these rights, then please let me know to whom I should apply. If you require a special credit line in the finished book, please specify it in your reply, along with any other conditions.

Yours faithfully,



Dr. Alfred Bader
2961 North Shepard Avenue
Milwaukee, Wisconsin 53211

September 7, 1994

Mr. Henry Richards
Savills
132-135 Sloane Street
London SW1X 9AX
England

Dear Mr. Richards:

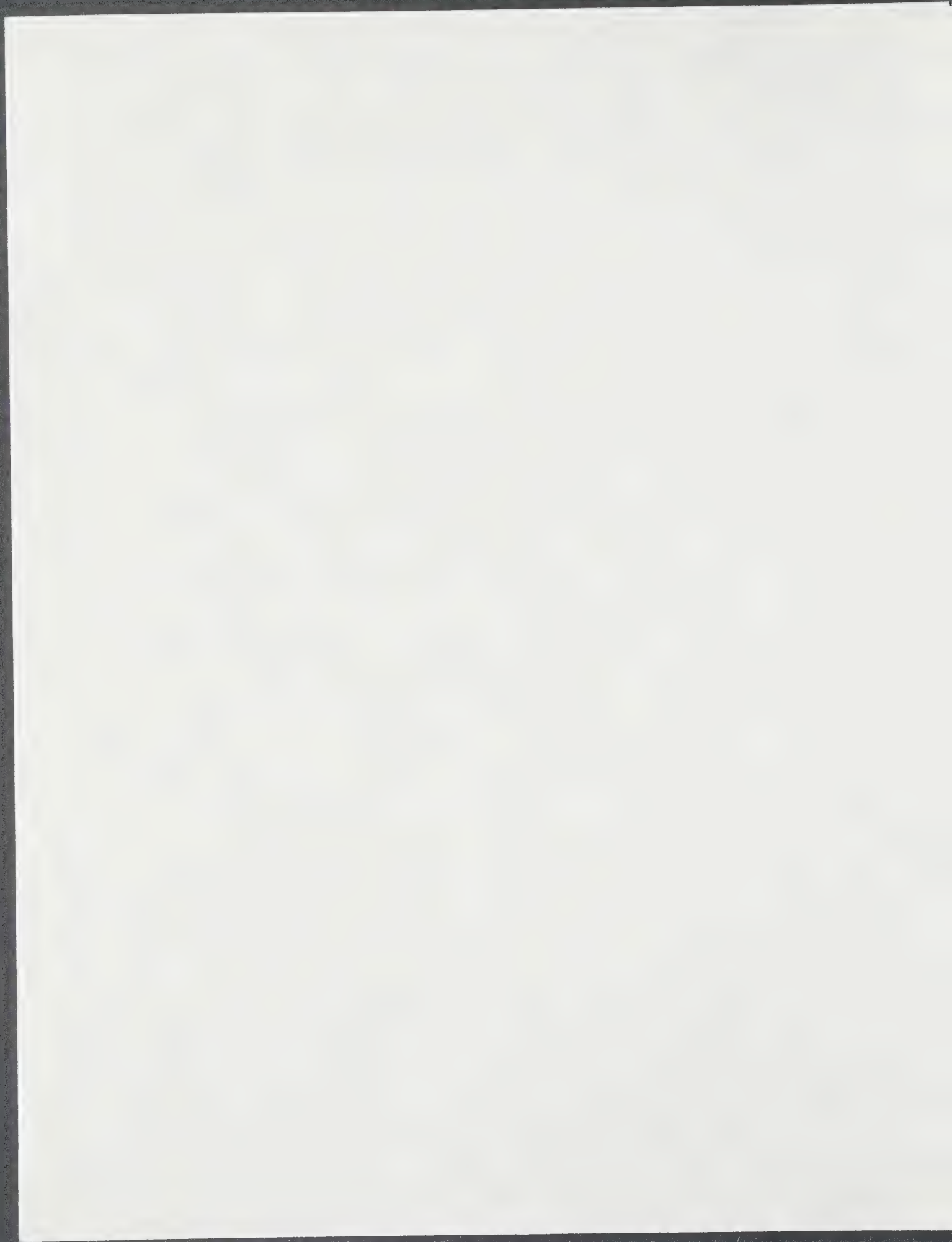
I am just finishing my autobiography entitled *The Adventures of a Chemist-Collector* which will be published by Weidenfeld in London.

Of course there is a chapter on Herstmonceux Castle, and I am writing in some detail about your help and the information you gave me.

The publisher would very much like to use the color photograph on your beautiful brochure. If a color transparency is available from Savills Marketing, I would very much appreciate your loaning it to my literary agent, Mr. Jeffrey Simmons, 10 Lowndes Street, London SW1X 9HA, telephone 071 235 8852. You may recall that the photography was done by Andy Atkins and Peter Kingsford.

Many thanks for your help, both in the past and now.

Sincerely,



Dr. Alfred Bader
2961 North Shepard Avenue
Milwaukee, Wisconsin 53211

September 7, 1994

Mr. Henry Richards
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132-135 Sloane Street
London SW1X 9AX
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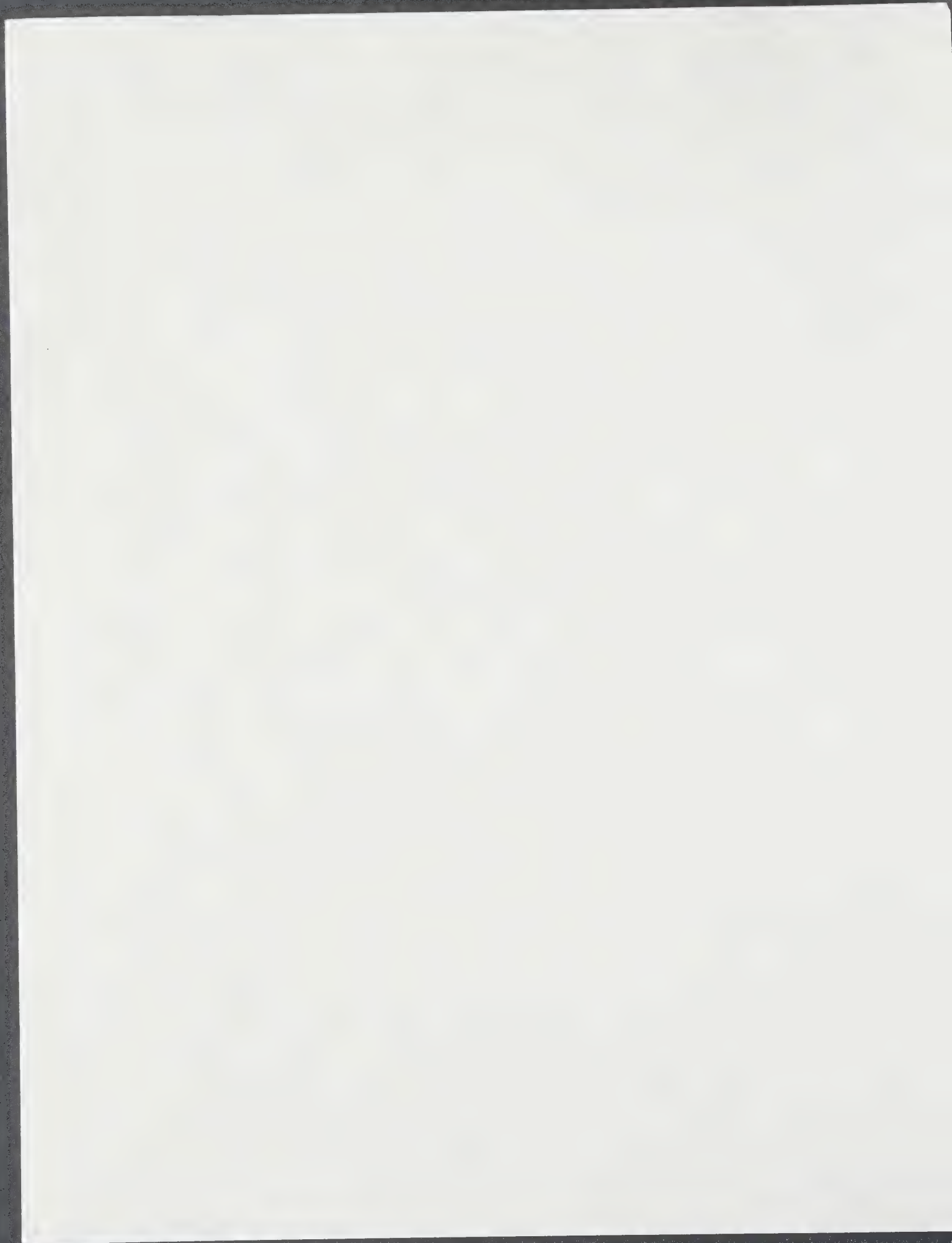
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Many thanks for your help, both in the past and now.

Sincerely,

His phone is 717300822
I have no fax
for him!



FAX FROM

DR. ALFRED R. BADER
Suite 622
924 East Juneau Avenue
Milwaukee, Wisconsin 53202
Telephone 414-277-0730
Fax No. 414-277-0709

Sept. 7 94

3 pages

To: Jeffrey Simmons

I am sending you 4 chapters,
pp. 1-64 by Fedex to-day. They promise
Friday delivery if no customs problems.
Please confirm receipt.

Enclosed also is your corrected Ch. III.

Note that I have followed most of your
suggestions.

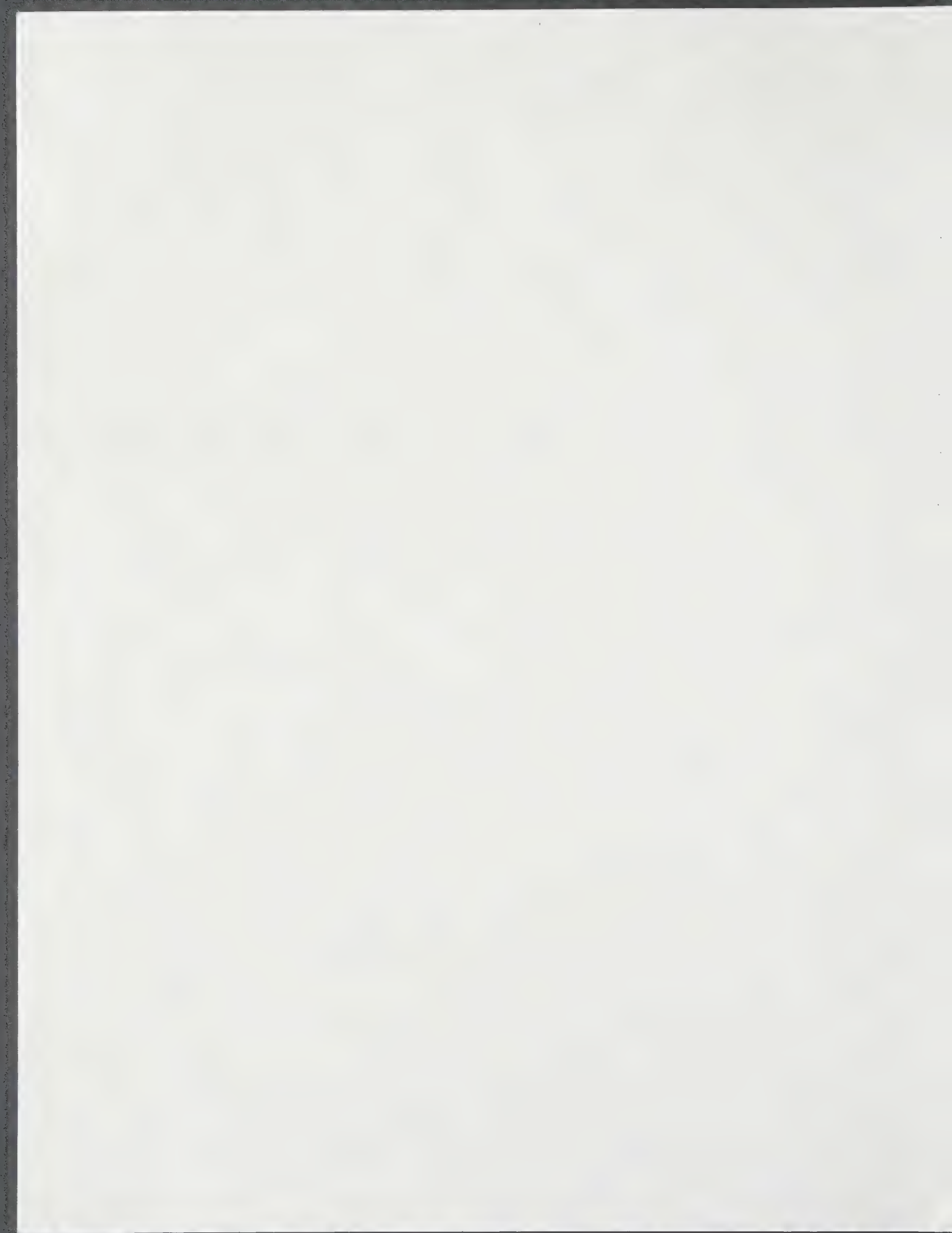
We have a Compaq/MS-DOS 5.0 computer & could send disc.

Re castle Hauspachway, note
letter to Henry Richards at Pavill's -
do call him at 071-730 0822. *

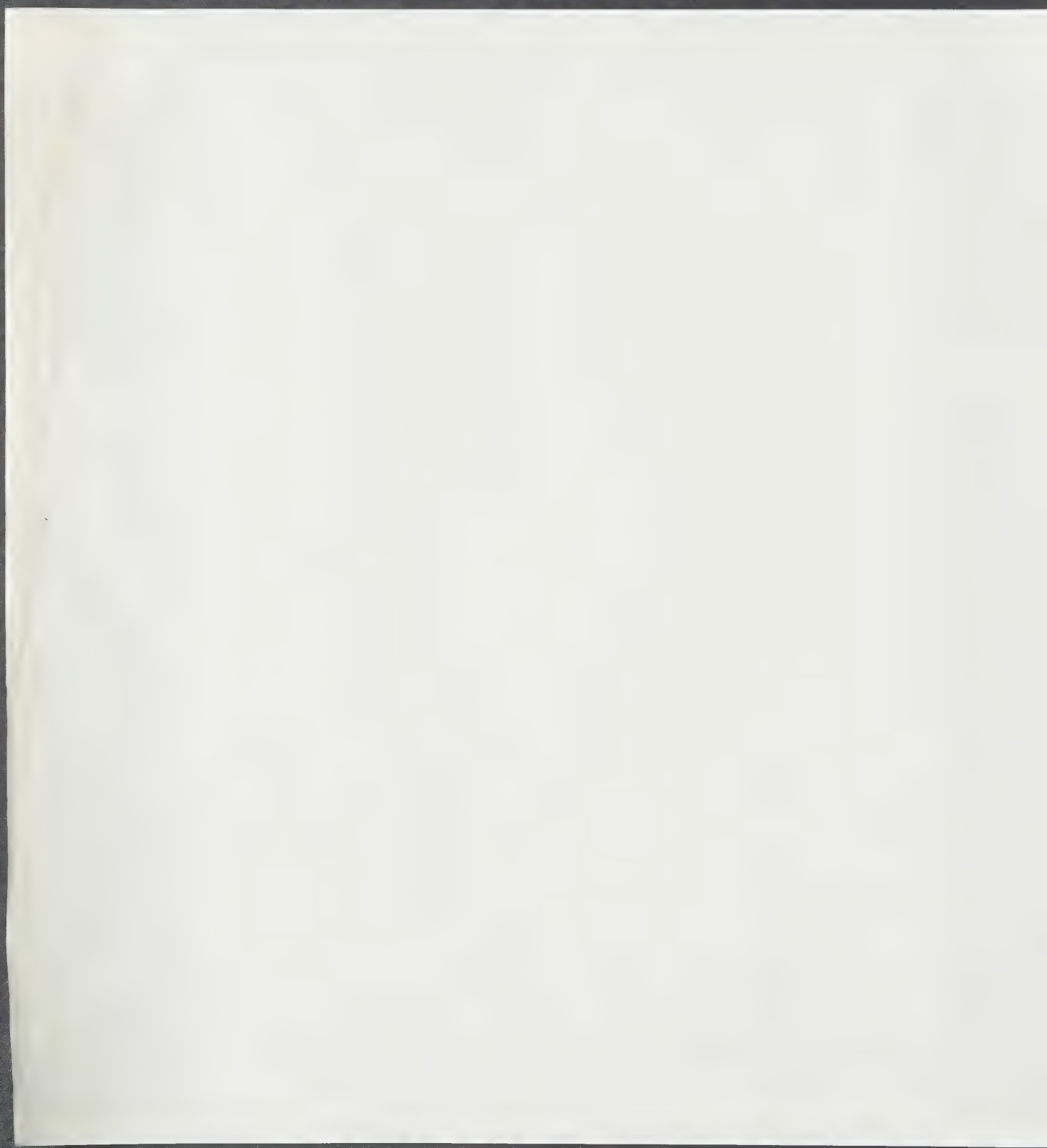
Happy New Year to you & your mother.

Alfred

* I don't have his fax.







FAX FROM

DR. ALFRED R. BADER
Suite 622
924 East Juneau Avenue
Milwaukee, Wisconsin 53202
Telephone 414-277-0730
Fax No. 414-277-0709

9/9/94

To:

Dear Jeffrey

Thanks for fax. Cover looks fine. Small type gets blurred in faxes; for instance in par. 3 the d in Aldrich looks odd.

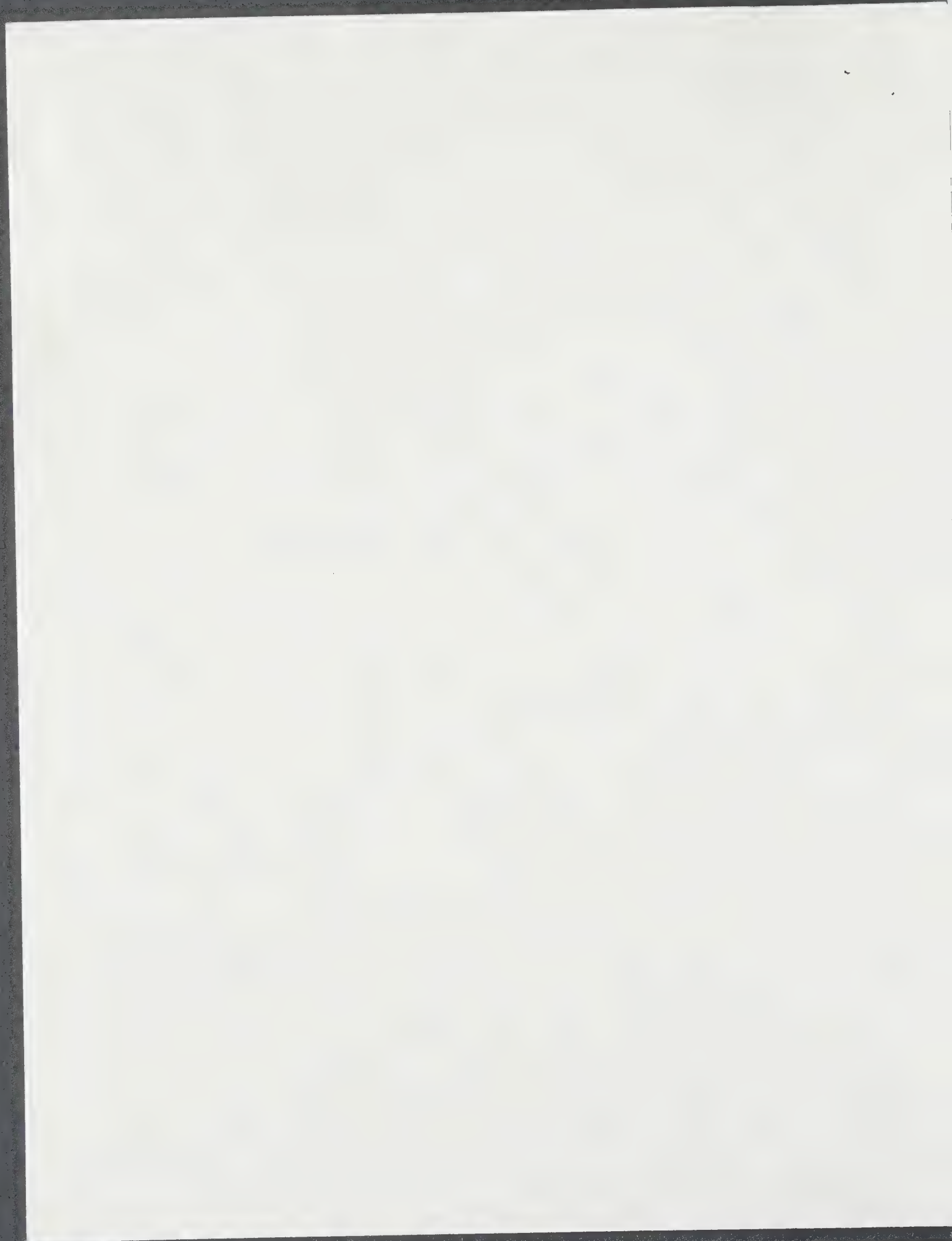
Please leave Kingston, Ontario in par. 3 as is; there are so many Kingstons in the world.

Last paragraph is fine.

I'll Fedex more chapters next week, and last chapters around Sept. 20.

Best wishes

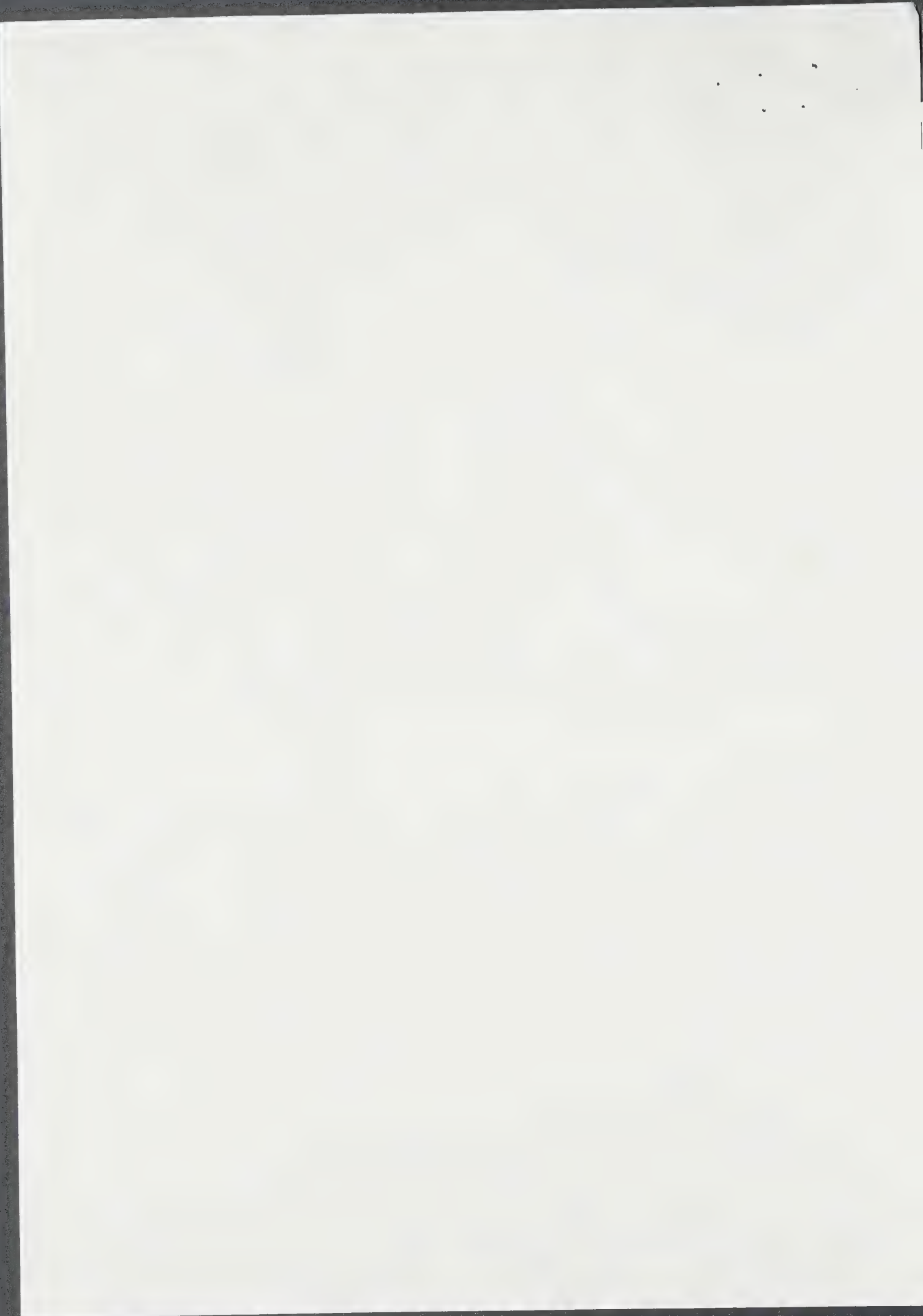
Alfred



The Adventures of a Chemist Collector

- ✓ 1) Childhood
- ✓ 2) Internment
- ✓ 3) Queen's University
- ✓ 4) Harvard
- ✓ 5) PPG (Pittsburgh Plate Glass Company)
- ✓ 6) Isabel and Danny
- ✓ 7) How Aldrich Chemical came to be
- ✓ 8) [Second chapter on Aldrich to come] *Aldrich Vignettes*
- ✓ 9) Suppliers
- ✓ 10) Joint ventures [to incorporate Herbert C Brown]
- ✓ 11) Sigma-Aldrich *I*
- ✓ 12) Sigma-Aldrich II
- ✓ 13) Universities
- ✓ 14) Josef Loschmidt [to come]
- ✓ 15) Milwaukee [to come] *Vignettes*
- ✓ 16) Paintings
- ✓ 17) David and Daniel [about author's two sons, to come]
- ✓ 18) Efim Schapiro and John Whalley *A B*
- ✓ 19) When selling, beware even of the Getty
- ✓ 20) Caveat donor [about difficulties of philanthropy, to come]
- ✓ 21) Hassle with the IRS [to come]
- ✓ 22) Herstmonceux Castle

1 History of it
5 paintings
7 papers
4 A - 3 B
1. History
2. Index
3. A - 3 B



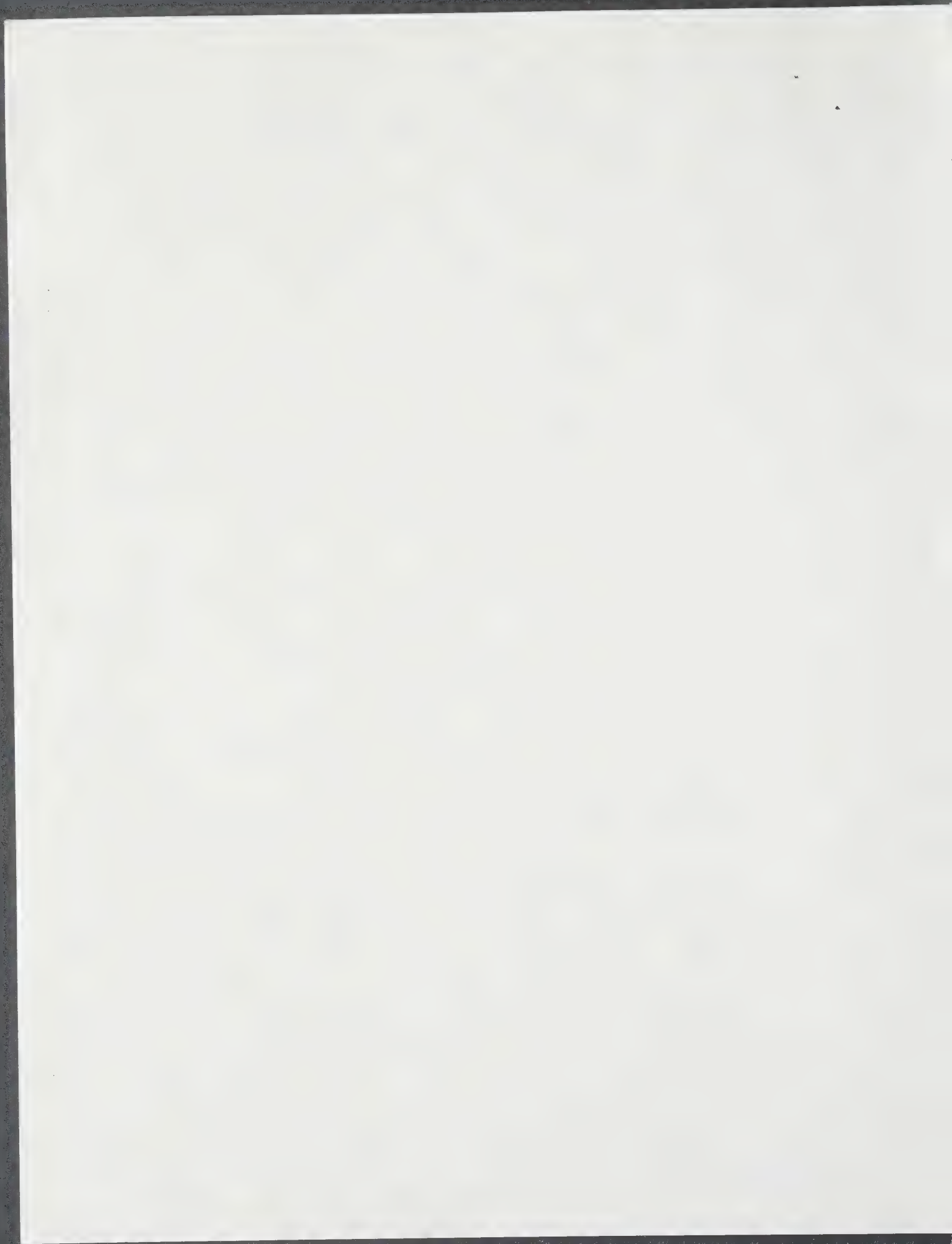
The Adventures of a Chemist Collector

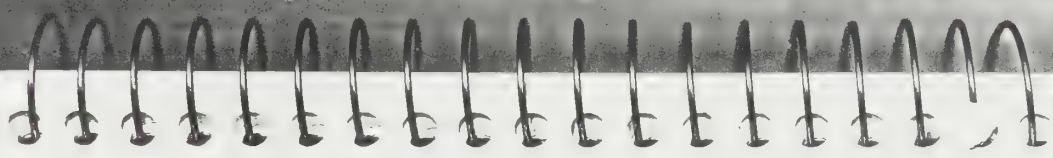
- ✓ 1. Childhood *needs work*
- ✗ 2. Internment *line*
- ✓ 3. Queen's University *||*
- ✓ 4. Harvard *||*
- ✓ 5. PPG *"*
- ✓ 6. Aldrich I *||*
- 7. Aldrich II
- ✓ 8. Joint Ventures *is jargon ||*
- ✓ 9. H. C. Brown *add to 8*
- ✗ 10. Sigma-Aldrich *libel describe people about it to*
- ✓ 11. Suppliers *shorten slightly, after 7*
- ✓ 12. Universities *ok*
- ✗ 13. Isabel and Danny *partial, delete Ewers, anticipate, after 5*
- 14. Milwaukee
- ✗ 15. Paintings *add*
- ✗ 16. Efim Schapiro *2015 a part of it*
- ✗ 17. John Whalley *Add Louis come in many forms*
- ✓ 18. When Selling, Beware even of the Getty
- 19. Caveat Donor
- 20. Hassle with the IRS
- ✗ 21. Herstmonceux Castle
- ✗ 22. Josef Loschmidt *Rough draft - before 12*

10

The Adventures of a Chemist Collector

1. Childhood
2. Internment
3. Queen's University
4. Harvard
5. PPG
6. Isabel and Danny
7. Aldrich I
8. Aldrich II
9. Suppliers
10. Joint Ventures and H. C. Brown
11. Milwaukee
12. David and Daniel
13. Sigma Aldrich I
14. Sigma Aldrich II
15. Universities
16. Josef Loschmidt
17. Paintings
18. Art Lovers Come in Many Forms
19. Getty
20. Caveat Donor
21. Hassle with the IRS
22. Castle



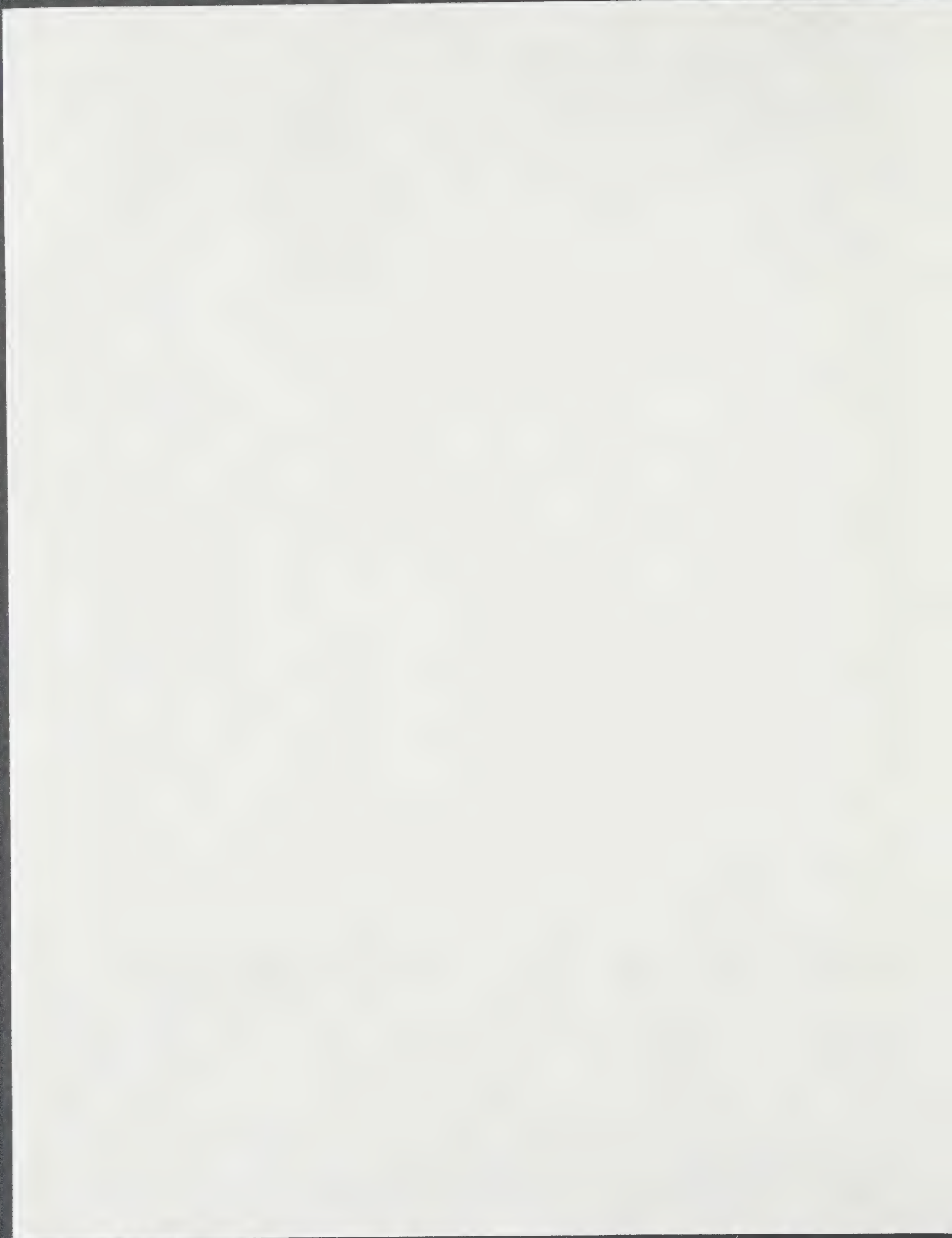


1981-82 (C)
 1982-83 No (C)
 1984-85 (C)
 1986-87 Carat
 1988-89 (C)
 1990-91 with final
 1992-93 (C)

ALH Catalog

1977-1978 - light 627-17 44729:7
 #18
 No (C)

1979-80 (Black pp)
 Penbarat



1 centing + Duplex
of plate #5

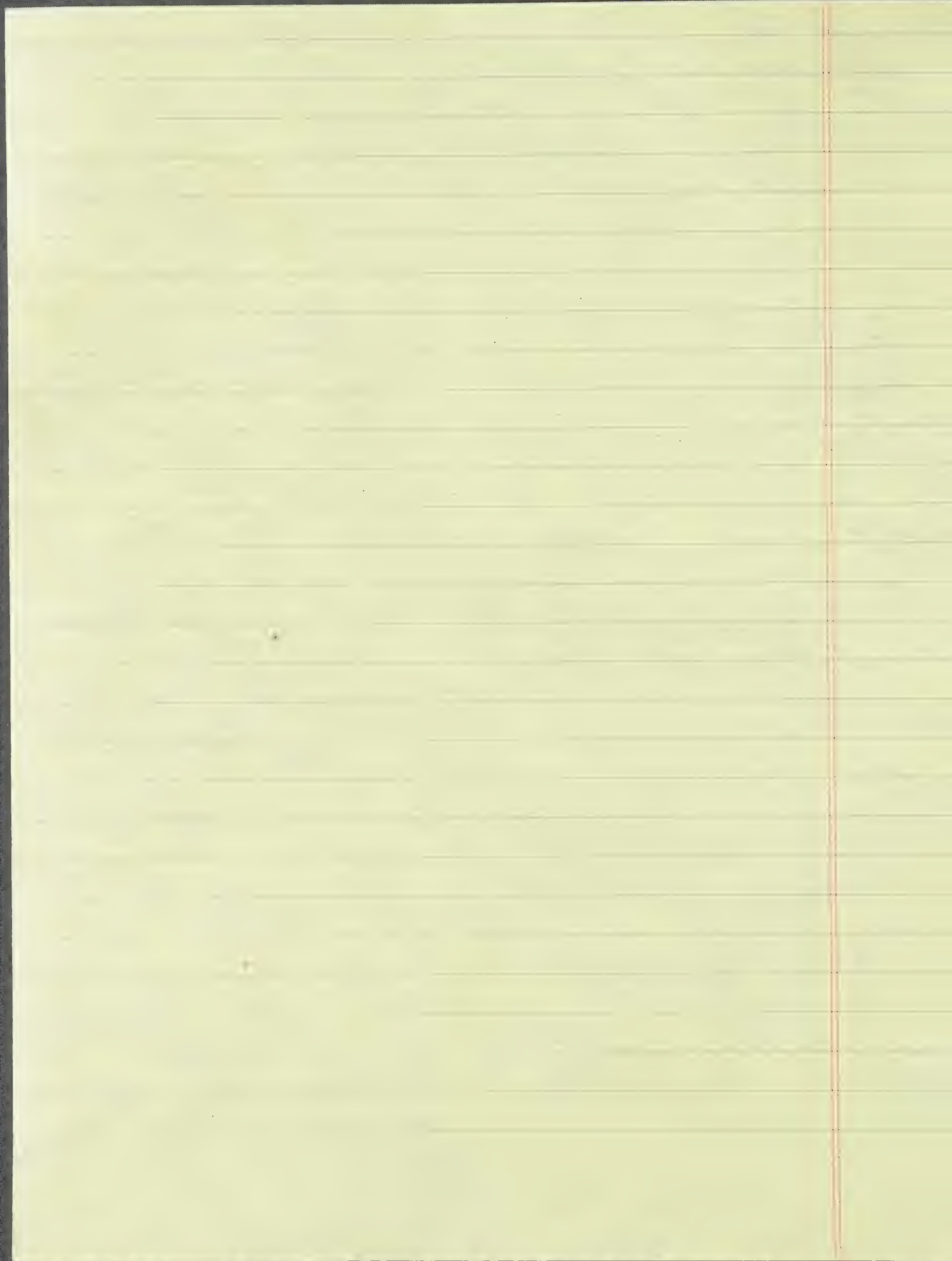
Subjects

- Page
30 Theft acknowledged (1/4 page)
- 51/4 My Phil problem (1/2 page)
- 91 Aldrich's first catalog, 1951
- 91 One of our first enquiries, May 1953
- 109 ~~(Mill ~~over~~ title)~~
Our dream for Aldrich
- 111 ~~111~~ Our advertisements: really mini-reviews
- 113 Aldrich's first stock offering and
annual report, 1965-1966
- 124 The ad which hurt Mary Finner, D.O.C. 1956
- 133 * Our first invoice from Jentka, 1952
(1/2 page)
- 157 Two advertisements from Kodak and
Aldrich's reply, 1976
- 143 * How to find a great herbicide (1/2 page)
- 212 * Letter of resignation, of course not piqued
(1/2 page)
- 213 Letter (3 pages) to Jim Weinberg;
no reply received.



Supers

- ✓ p 30 Kipper notes
- Walt ✓ p 56 My PhD problems
- ✓ p 91 First Aldrich catalog
Enquiry from Henry Williams copy
- ✓ 109 Dream with R
- home ✓ 111 Area minireviews
- ✓ 113 First proposals, first annual report
✓ 133 First invoice from Tokyo
✓ 144 Roundup
✓ 124 Free ads
- ✓ p 157 We admit it Please bother us
It is easier to get it from Kodak ←
- ✓ 212 Letter of resignation
- ✓ 213 Letter to you Wembley
- ✓ 214 Letter to directors •
- ✓ 214 Cori's appreciation
- ✓ 215 Letter to chemists
- ✓ 215 Letter from Carol Brown
- ✓ 216 Letter to Chemistry in Britain
- ✓ 243 Charles Furd's first corrections
- ✓ 364 R B W



(1) Stella Wana

(2) Phyllis Felice Kratzer

Barbara Feustle

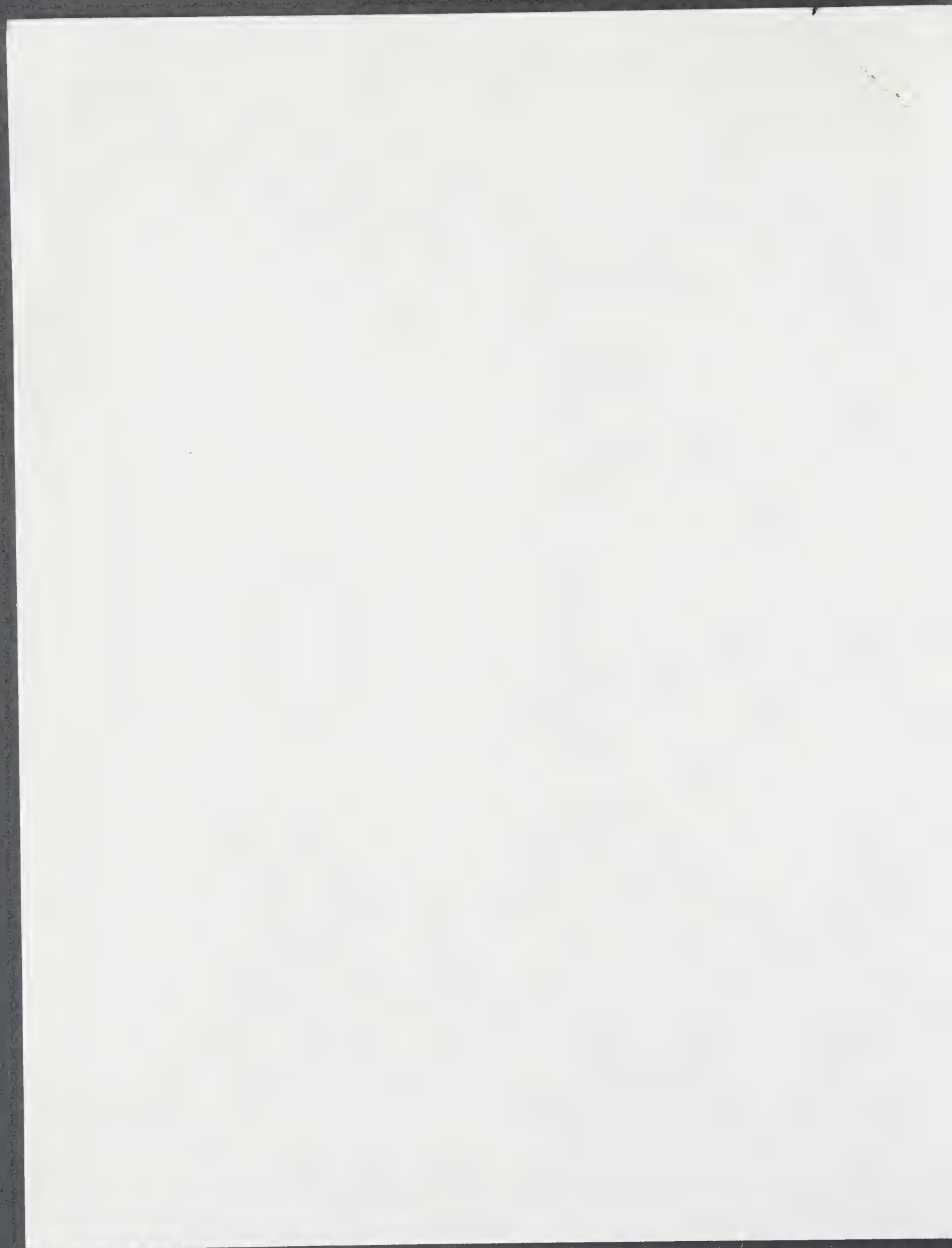
(7) Joris Lamont^{agne}~~agne~~

(6) Kris ~~Chris~~ Korthoff

Mary Barnes

Pat & Friedrich

rex 1976



MEMORANDUM

TO: Marvin E. Klitsner
FROM: Ralph H. Lane *RHL*
DATE: August 23, 1994
RE: Alfred Bader

*Alfred,
A request given not
request permission
Marc*

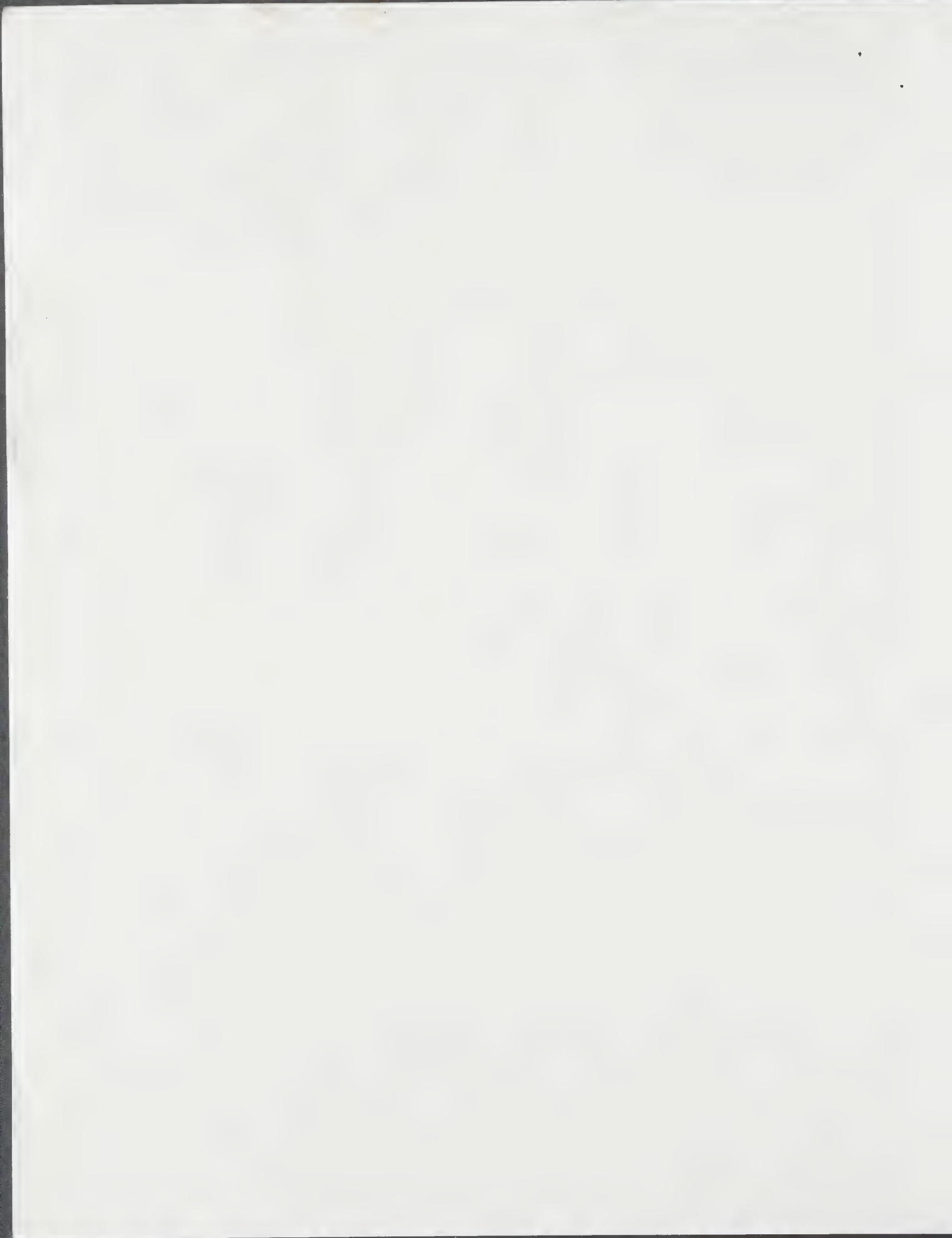
This will respond to your questions on the right of the former CEO of Aldrich Chemical Company to publish, without the company's permission, articles which he wrote for company publications and which were in fact published by the company. You have also posed questions on reproduction and distribution of artwork -- old masters -- which have appeared on the covers of company publications.

Approaching these questions from the standpoint of copyright law, it is important to note that the copyright law changed significantly in many of its provisions as of January 1, 1978. By either version of the law, however, the first question would be whether your client wrote the articles as a part of his duties to the corporation or as an independent endeavor. Some of the tests used to determine the answer are whether they were written on one's own time, in one's own home, and with one's own equipment, rather than during work time, in the office, and with the company's facilities. For example, did his secretary type the manuscripts?

Even if these articles were written for the company and would be considered "works made for hire", there is still the question whether the company obtained copyright and then the further question whether the company maintained its copyright. Here, the date of the first publication will be significant, because of the change in the law.

Before January 1, 1978, obtaining copyright was rather mechanical, and it was very easy to forego copyright by making a simple mistake. To obtain copyright under the old law, the work would have to be "published with notice", that is, distributed to the public with a proper copyright notice ("Copyright" or "Copr." or "©", followed by the year of publication and the name of the copyright holder). Moreover, the copyright notice would have to be placed at the statutorily prescribed place, which would be on the title page of the work or on the back side of the title page.

After January 1, 1978, copyright was deemed to exist as soon as the author would lift the pen from the paper; that is, as soon as the work had been created. However, a copyright notice was still required on any publication of the work, to avoid loss of the copyright, with a "saving" provision that would allow correction of



an omission of the notice from a relatively small number of copies to be made within five years after the publication without notice. This requirement for notice under the new Act was relaxed as of March 1, 1989, and since that date, no notice has been required at all -- although its use provides some advantages which are otherwise lost.

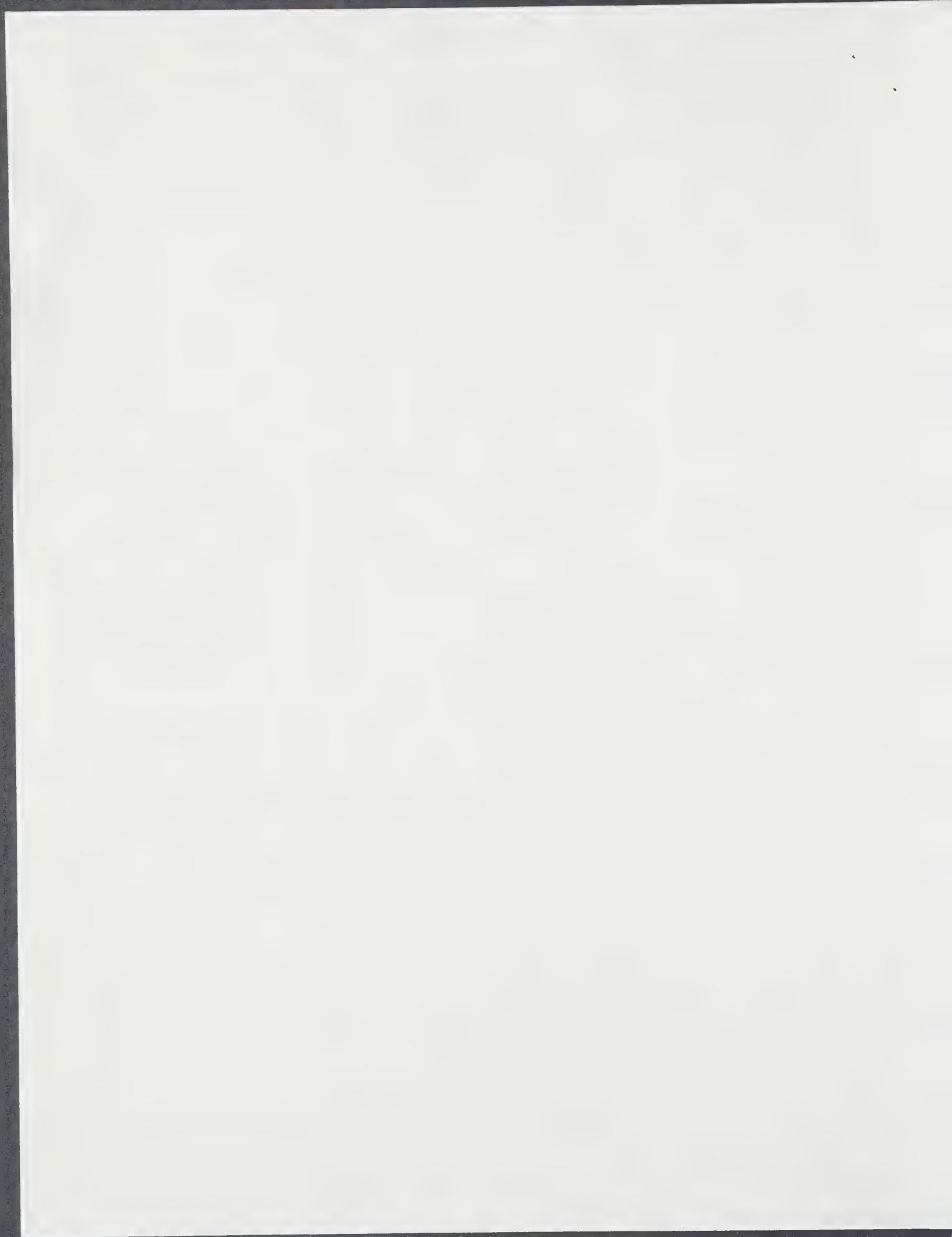
With you, I have inspected a few of the materials that the client wishes to reproduce. We found several facts which are relevant to these rules. In particular, the company's catalogs sometimes carry the copyright notice, and sometimes they do not. From this fact, it can be concluded that the safest course would be to choose for republication those articles which were published prior to January 1, 1978 in publications which bore no copyright notice or which were published before 1984 without a copyright notice (that is, five years before the 1989 abolition of the copyright notice requirement).

To publish any other articles would run the risk of a claim by the company that the works were "works made for hire" and that any new publication would violate the copyright of the company. As you know, the copyright is really a bundle of rights: to make copies, to distribute the copies, to make a derivative work, to display the work publicly, and (for appropriate media) to perform the work publicly. If your client would edit the work, have his edition printed, and distribute the edition publicly, he might thereby have violated three of the rights of the copyright.

Of course, it is often possible for the individual writer to obtain permission from the copyright holder, but uncooperative copyright holders cannot be forced to extend this courtesy.

Even if the company were deemed to be the copyright owner, and if permission to reprint were not requested or were denied, there would still be an opportunity to publish portions of these under the doctrine of "fair use". This doctrine, developed under the common law, has been codified under Section 107 of the Copyright Act of 1976 (the version which went into effect on January 1, 1978). That section requires that, in determining whether the use made of a work in any particular case is a fair use, the factors to be considered shall include:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and



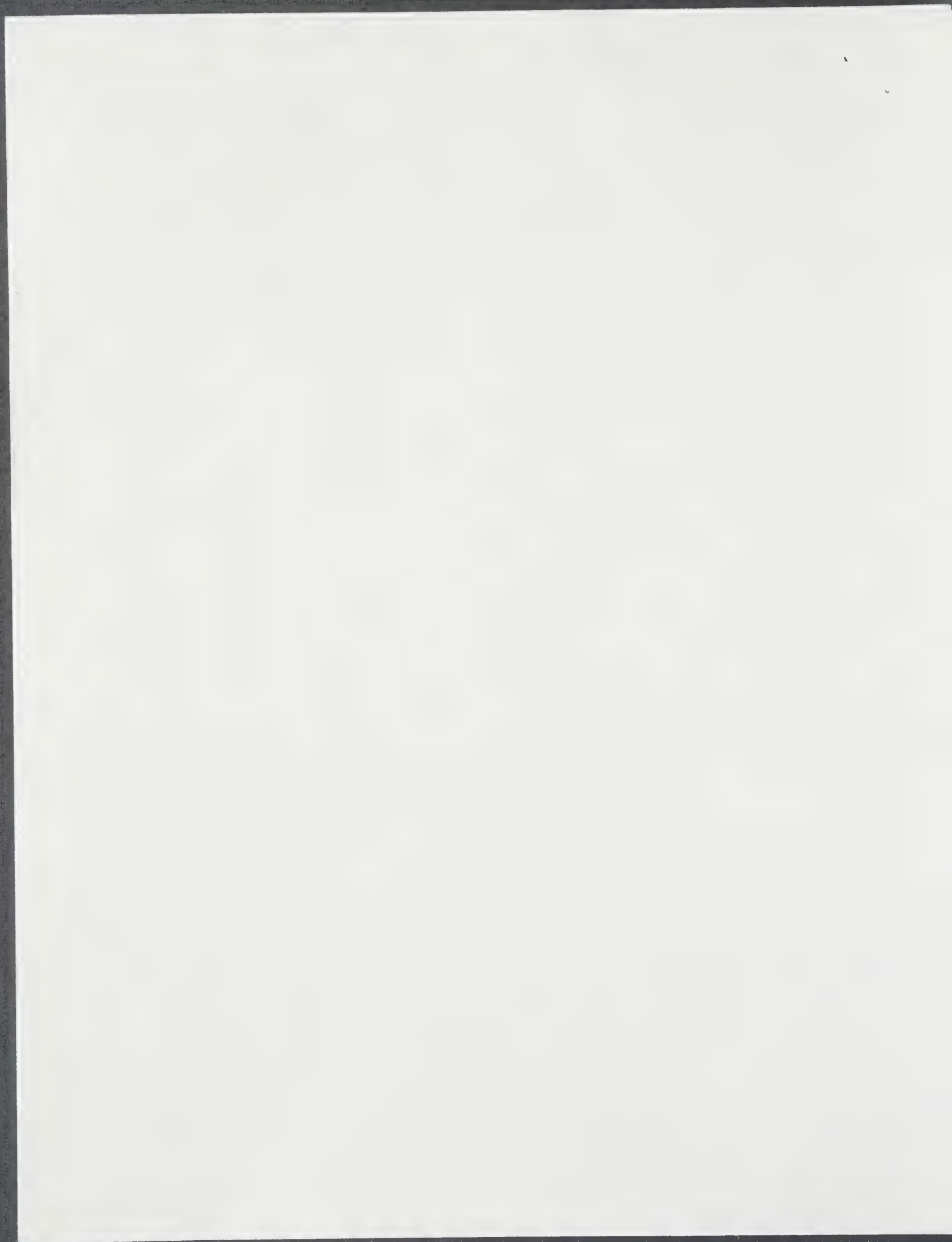
4. the effect of the use upon the potential market for or value of the copyrighted work.

Applying these tests, which essentially all boil down to the single test of depriving the copyright holder of his market for selling his own copies, it would seem that your client would claim "fair use" as a defense to his publication (or republication) of copyrighted works, in view of their educational character in his publication, their educational character in the original publication, and the fact that he would not be depriving the copyright owner of a market for reprints. The argument would become even better for your client if he would severely limit the amount of the article he would reprint, so it would not comprise a substantial portion of the copyrighted work.

The "old master" paintings on the covers of the catalogs present an entirely different issue, and an easy one to resolve. If the old master paintings were in any way altered or combined with other materials, the resulting new work would be considered a "derivative work" and would be subject to a new term of copyright protection. However, inspection of the covers of the catalogs of the company indicates that the master paintings regularly occupied the entire surface of the cover. In my view, these were not derivative works and did not enjoy any separate copyright protection.

Is there any other protection which would be available to the covers, in the absence of copyright protection? A theory could be made out that the chemical profession has become accustomed to identifying publications bearing "old master" paintings on the covers as being the publications of the company. By this theory, the presence of an old master work on the cover of a catalog would tend to function as a trademark, indicating its source of origin or, at any rate, distinguishing such catalogs from the catalogs of other companies. No registration would be required to have such trademark rights recognized. However, in my view, it would be difficult for the company to succeed with such an argument, if it were to make it. If a particular painting were used on all of the covers, issue after issue, it would be another matter. However, each cover bore a different artwork, as I understand, and so the company would have to argue for a trademark in a style, rather than in a particular image. In my view, that would be a difficult argument, under the trademark law.

As a refinement to that argument, the company might suggest that the use by another person of its cover style would constitute *unfair competition*. That law is summarized in the Trademark Act, Section 43(a), which really has nothing to do with trademarks necessarily and serves as a codification of the federal unfair competition law. That section says, in essence, that the use of any word, term, name, symbol, or device that is likely to cause confusion or mistake or deception as to the affiliation,

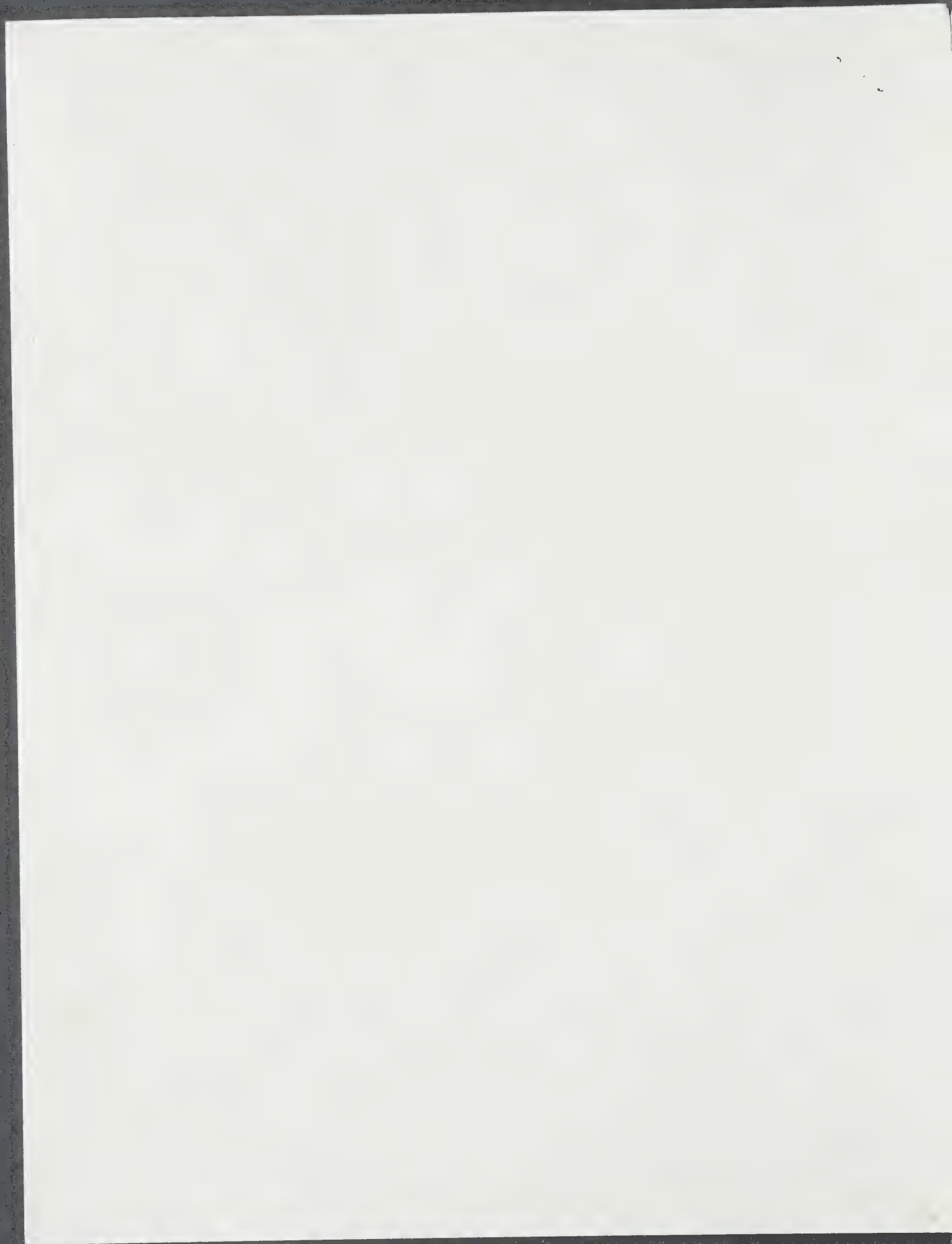


connection, or association of the goods is actionable. Under that standard, the question would be whether the members of the chemical profession, upon seeing the republication, would conclude wrongly, from the appearance of the familiar style of "old master" paintings, that the client's publication came from the company or was otherwise sponsored or approved by the company or affiliated with it.

As I understand, the client's use of the covers would be in the context of an autobiography which is clearly his own and which would clarify the circumstances of his publishing it now. In view of the sophistication of the readers and the close attention which they could be expected to pay, even to details in a written text, I should think it would be highly unlikely that a significant portion of his intended readers would be likely to be misled in this regard. Therefore, I do not think that a finding of unfair competition would be likely to arise, merely from the republication of the old master paintings in the context of an autobiography.

From these observations, I draw these conclusions:

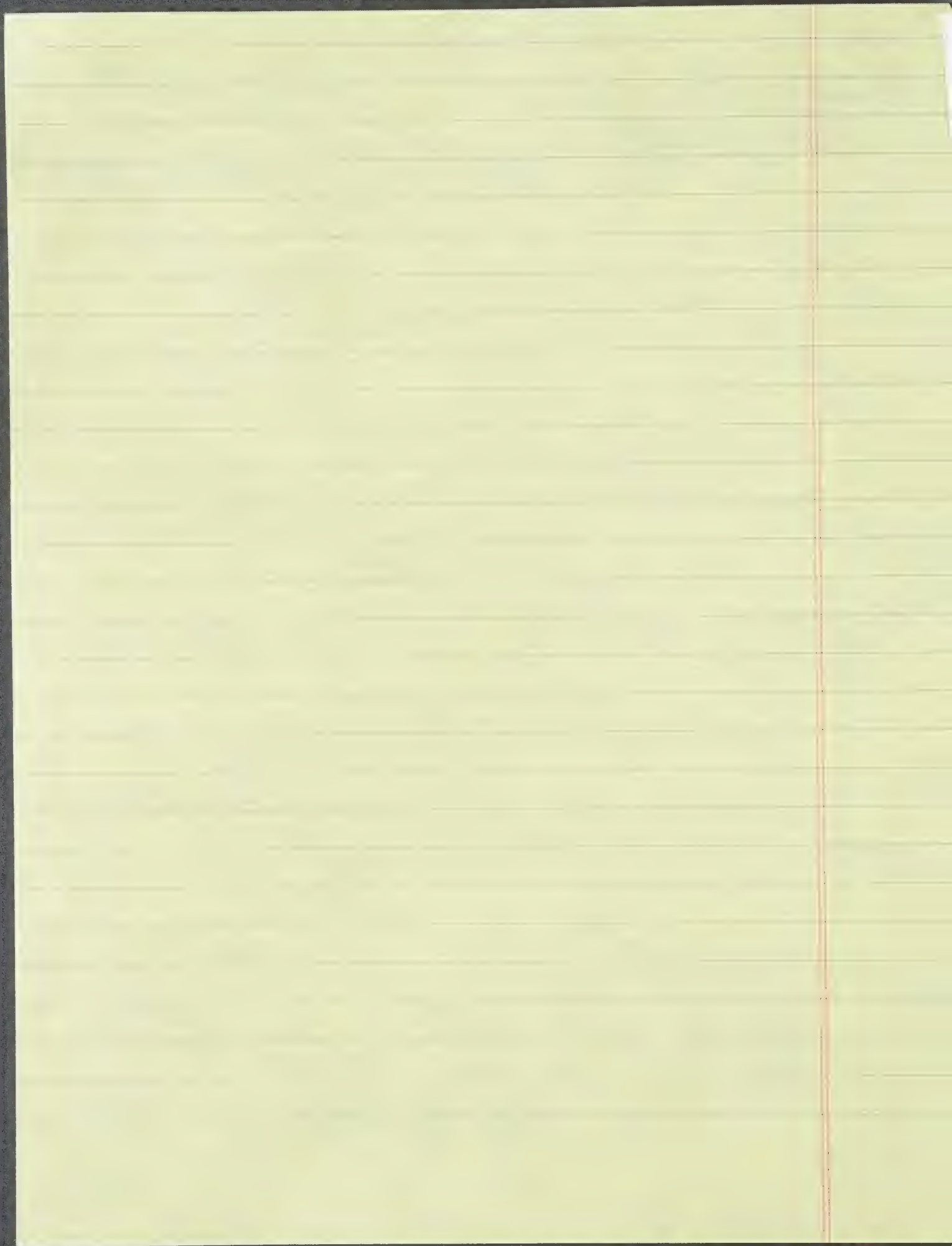
- Republishing the "old master" paintings as illustrations in the autobiography would be acceptable.
- Publishing small excerpts of the articles, or the entire articles in the case of those which were published before March 1, 1984, without copyright notices, would be the safest course.



Page

- 214 ~~XXXX~~ Letter (4 pages) sent to all directors ;
no reply received.
- 214 Tom Cori's appreciation, prepared
~~so~~ early in 1992 and withdrawn from the
1991 annual report.
- 215 A letter to chemists, distributed in April 1992.
- 215 Letter from Professor Carlos Secane,
one of hundreds such letters received from
around the world.
- 216 Letters to the editor of Chemistry in Britain,
- 243 * Charles Furda's first corrections, 1953
- 264 "Please bother us" (1/6 of page)

* These could be left out, if we
have too much text.





ALFRED BADER FINE ARTS

DR. ALFRED BADER

ESTABLISHED 1961

January 23, 1995

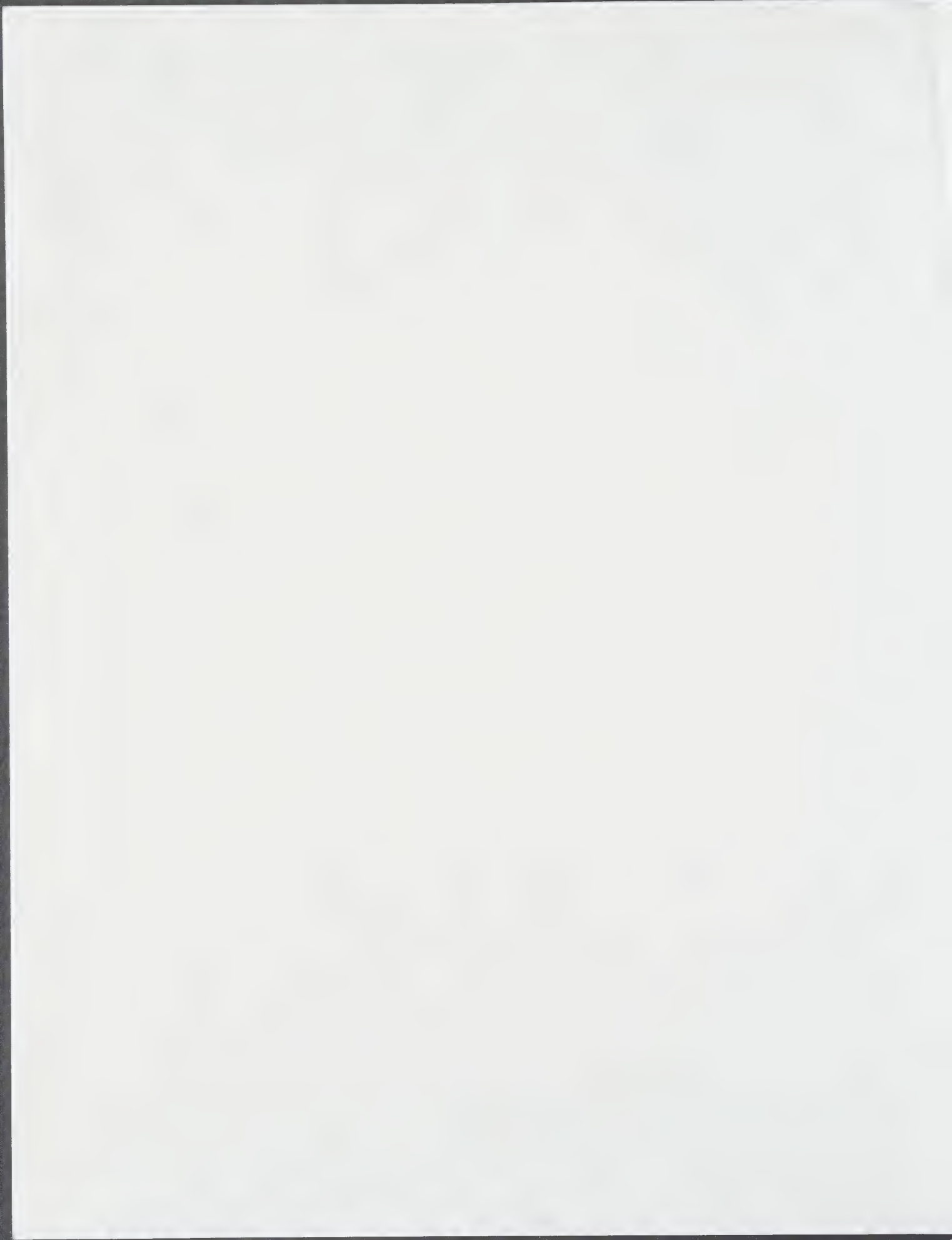
Wisconsin Jewish Chronicle
1360 North Prospect Avenue
Milwaukee, Wisconsin 53202

Dear Sir or Madam:

Could you please send me your rate schedule for advertisements in the Wisconsin Jewish Chronicle?

Sincerely,

By Appointment Only
ASTOR HOTEL SUITE 622
924 EAST JUNEAU AVENUE
MILWAUKEE WISCONSIN USA 53202
TEL 414 277-0730 FAX 414 277-0709





ALFRED BADER FINE ARTS

DR. ALFRED BADER

ESTABLISHED 1961

January 19, 1995

Ms. Lisl Cade
172 West 79th Street
New York, New York 10024

Dear Lisl:

Isabel and I spent such instructive two hours with you last week that I hope you will not mind if I address you as Lisl, rather than as Ms. Cade.

You taught us a good deal, most importantly that we are too late in trying to find a competent publicist to help us.

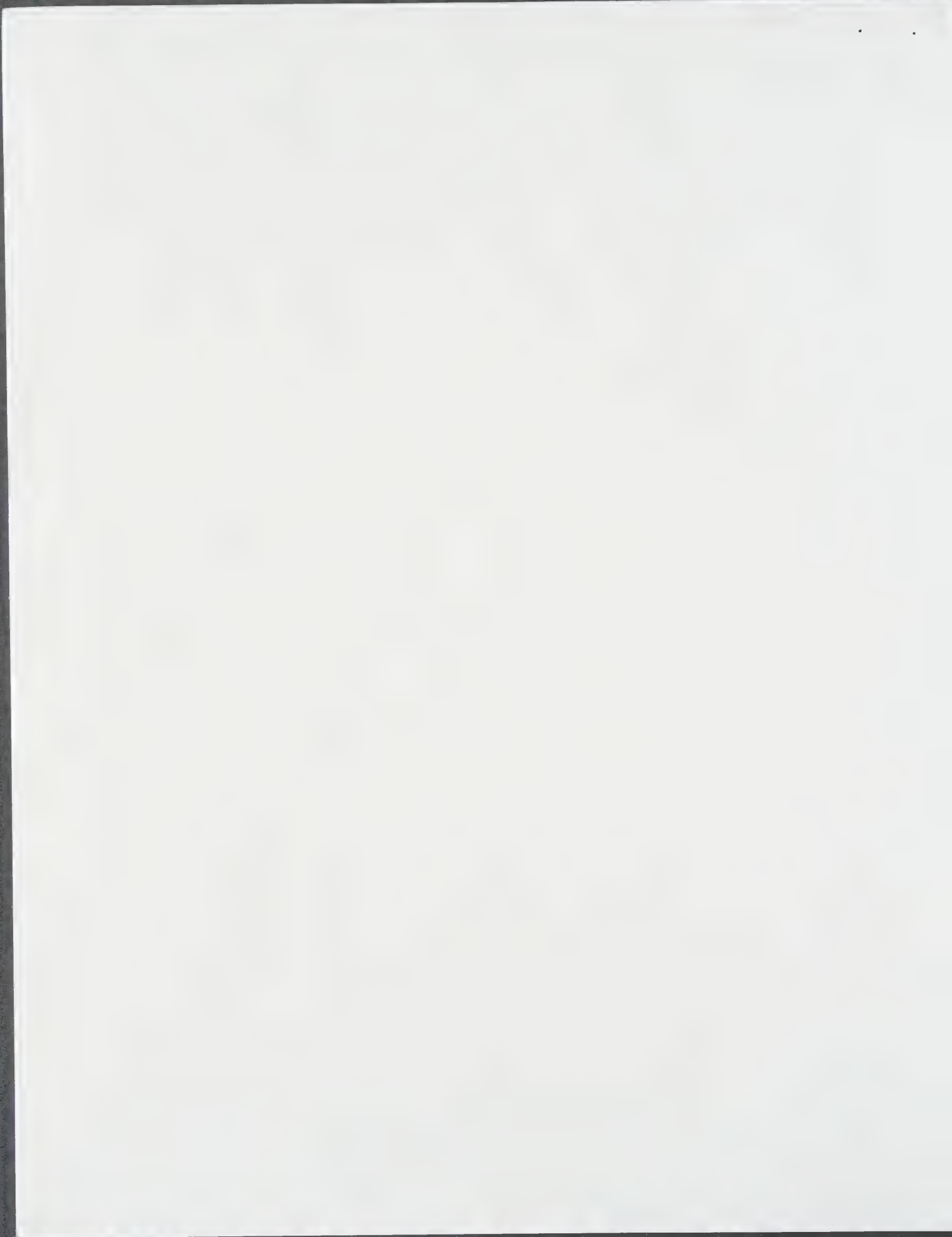
I talked both to Lynn Goldberg, kind, but much too busy, and to Selma Shapiro, who promised to talk to you and then get back to me by fax. As she hasn't, I presume that she is just too busy also.

There is no question in my mind that Weidenfeld is doing a good job producing the book, but neither they nor their distributors seem very interested in promoting it. That is not the end of the world, as I am certain that many chemists will be most interested. The cover, copy enclosed, is so eye-catching that it also will help.

You kindly gave us the press kit on Mary Higgins Clark's book, but we did not take along the other press kit which you so kindly offered us, namely, the one on the book Quest for the Presidency 1992. Would it be possible for you to send it to me at your convenience.

So much in my life seems to have happened through fortunate coincidences. What are the chances of both of us being in Hove at the same time? As I wrote in the book, "Beschert".

By Appointment Only
ASTOR HOTEL SUITE 622
924 EAST JUNEAU AVENUE
MILWAUKEE WISCONSIN USA 53202
TEL 414 277-0730 FAX 414 277-0709





Ms. Lisl Cade
 January 19, 1995
 Page Two

Recently, I came across some beautiful drawings by a young artist now working in New Mexico, William Frederick Wise. I enclose a long article written by a distinguished art collector, Professor William Pelletier at the University of George in Athens, as well as one of Wise's original drawings. Please accept this with sincere thanks from Isabel and me for your thoughtfulness and help.

All good wishes.

Sincerely,

Enclosures

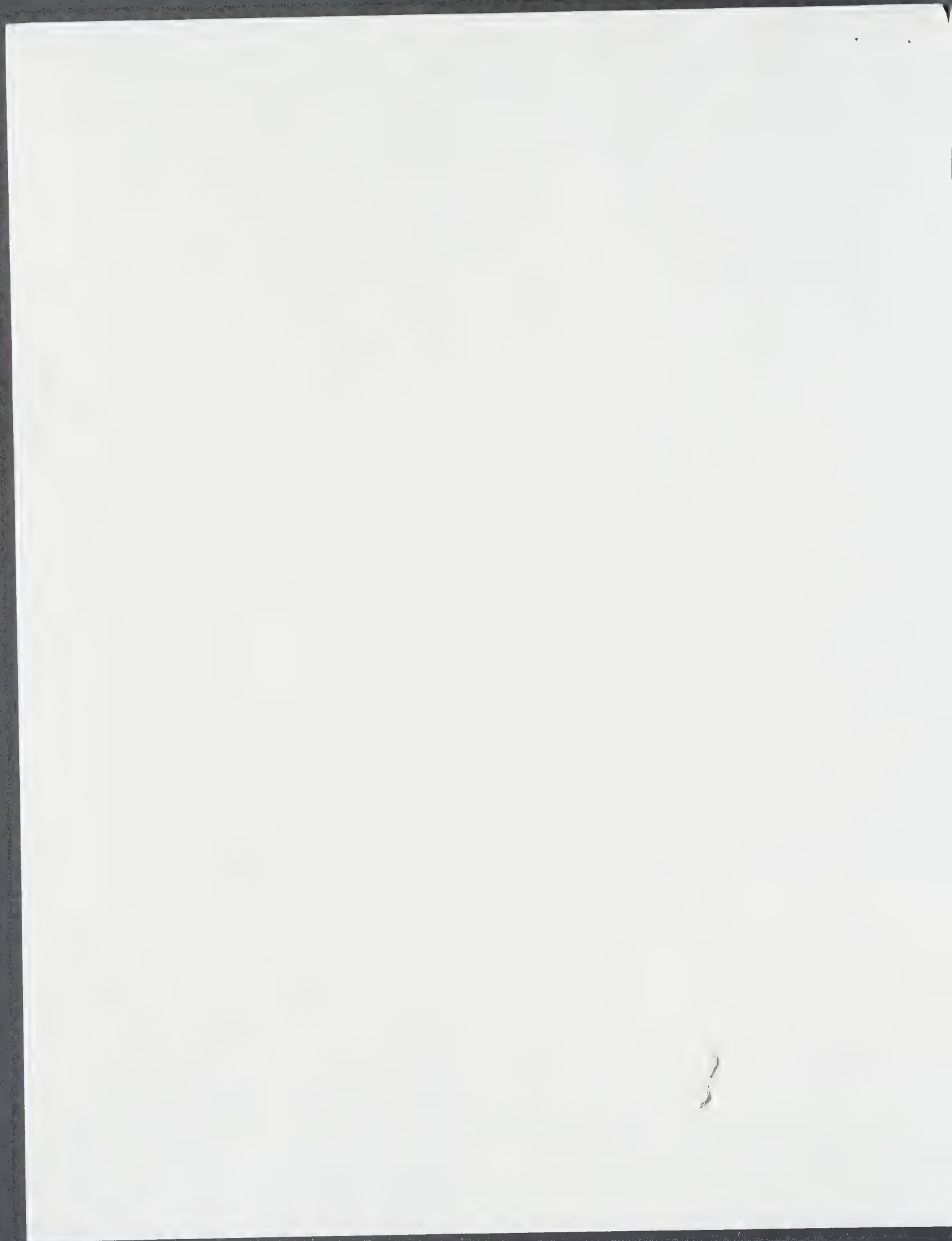
P 992 964 304

Receipt for Certified Mail

No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)

Sent to	Ms. Lisl Cade
Street and No	172 West 79th St.
P.O., State and ZIP Code	New York, NY 10024
Postage	\$ 3.00
Certified Fee	1.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ 5.10
Postmark or Date	JAN 20 1995

PS Form 3800, June 1991



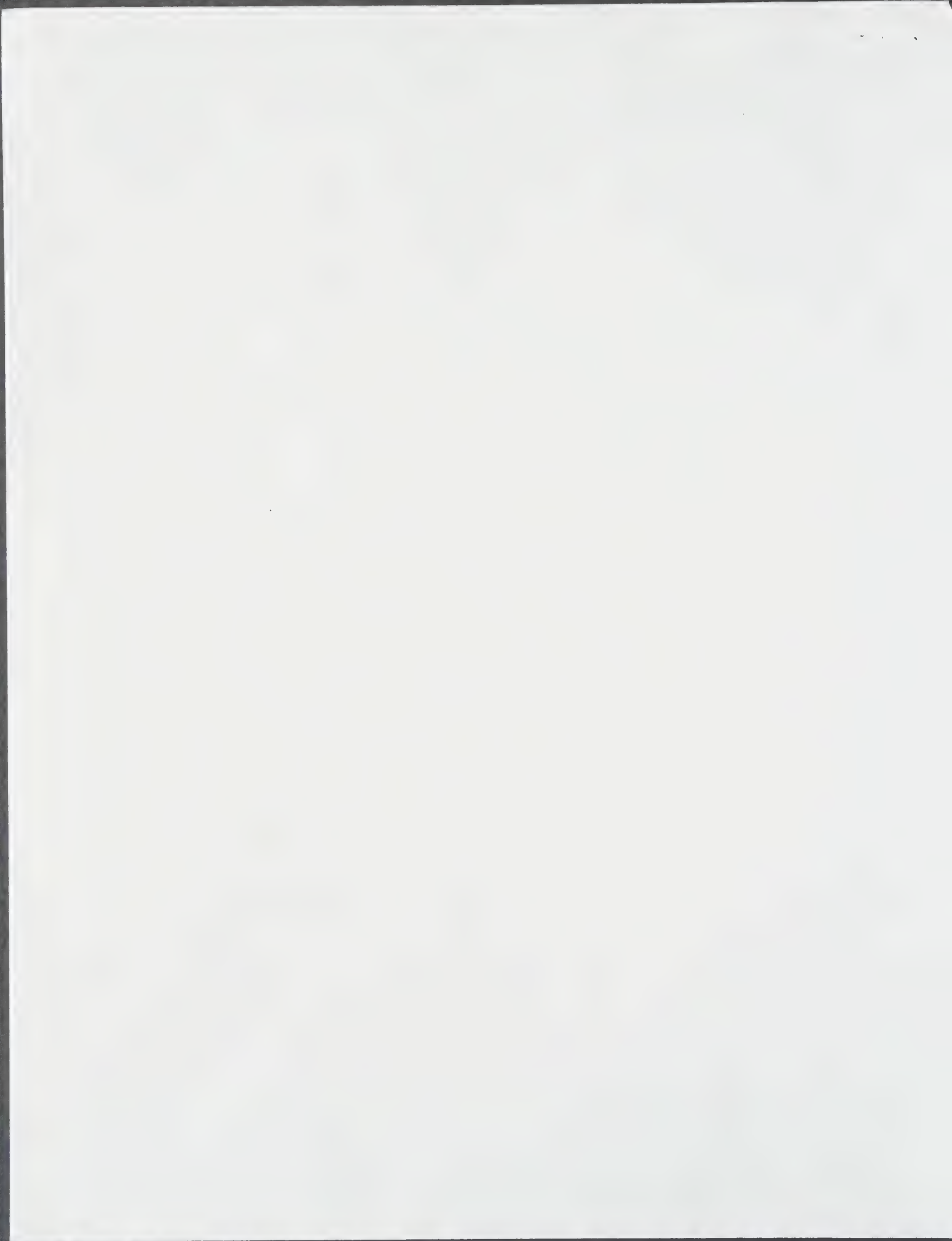
LISL
CADE

212-595-6225
fax 877-3241

172 w.79 st.
newyork 10024

January 1995

- 1980 Established LISL CADE COMMUNICATIONS
- Previous Employment:
- 1964 - 71 Publicity Manager,
 Harper & Row
- 1971 - 79 Publicity Director
 W. W. Norton & Co.
- 1969 - 85 Media Consultant to the **Rockefeller Foundation**
 Worked with three presidents:
 Dr. J. George Harrar, Dr. John H. Knowles, Dr. Richard Lyman
 and Nobel Laureate Dr. Norman Borlaug
 (1970 Nobel Peace Prize for the Conquest of Hunger)
- 1980 - present Clients handled by **Lisl Cade Communications**
- PBS**
- William F. Buckley, Jr.'s television program Firing Line.
 Publicity on special Firing Line series and debates.
- Publishers**
- Addison Wesley; Ballantine; Ballinger; Bantam;
 Basic Books; Crossroad/Continuum; Crown; Dell;
 Dodd, Mead; E. P. Dutton; Ecco Press; Eridanos Press;
 Fromm International; Grove's Dictionaries of Music;
 Harcourt Brace Jovanovich; HarperCollins;
 Harvard Business School Press; Holt, Rinehart & Winston;
 Houghton Mifflin; Kodansha International; Little, Brown;
 Longmeadow Press; Wm. Morrow; Thomas Nelson; W. W. Norton;
 Oxford University Press; Pantheon; Peterson's Guides;
 Pocketbooks; Simon & Schuster; Texas A & M University Press;
 Thunder's Mouth Press; University of California Press;
 University Press of New England; Viking; Walker & Co.;
 Warner Books; Weidenfeld & Nicolson; Wesleyan University Press.
- List of titles attached.





ALFRED BADER FINE ARTS

DR. ALFRED BADER

ESTABLISHED 1961

January 19, 1995

Ms. Lisl Cade
172 West 79th Street
New York, New York 10024

Dear Lisl:

Isabel and I spent such instructive two hours with you last week that I hope you will not mind if I address you as Lisl, rather than as Ms. Cade.

You taught us a good deal, most importantly that we are too late in trying to find a competent publicist to help us.

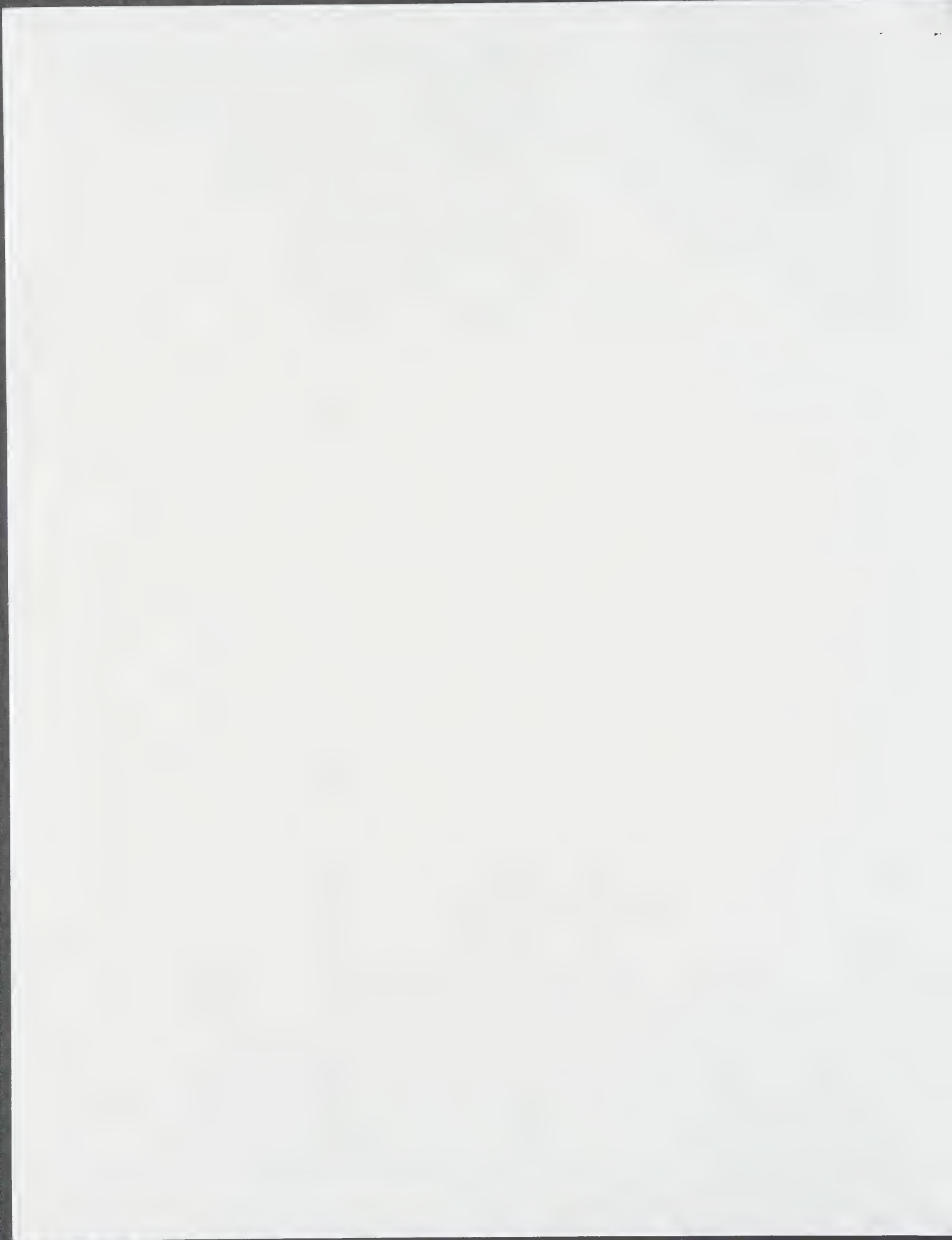
I talked both to Lynn Goldberg, kind, but much too busy, and to Selma Shapiro, who promised to talk to you and then get back to me by fax. As she hasn't, I presume that she is just too busy also. *(But she just did; maybe she can help).*

There is no question in my mind that Weidenfeld is doing a good job producing the book, but neither they nor their distributors seem very interested in promoting it. That is not the end of the world, as I am certain that many chemists will be most interested. The cover, copy enclosed, is so eye-catching that it also will help.

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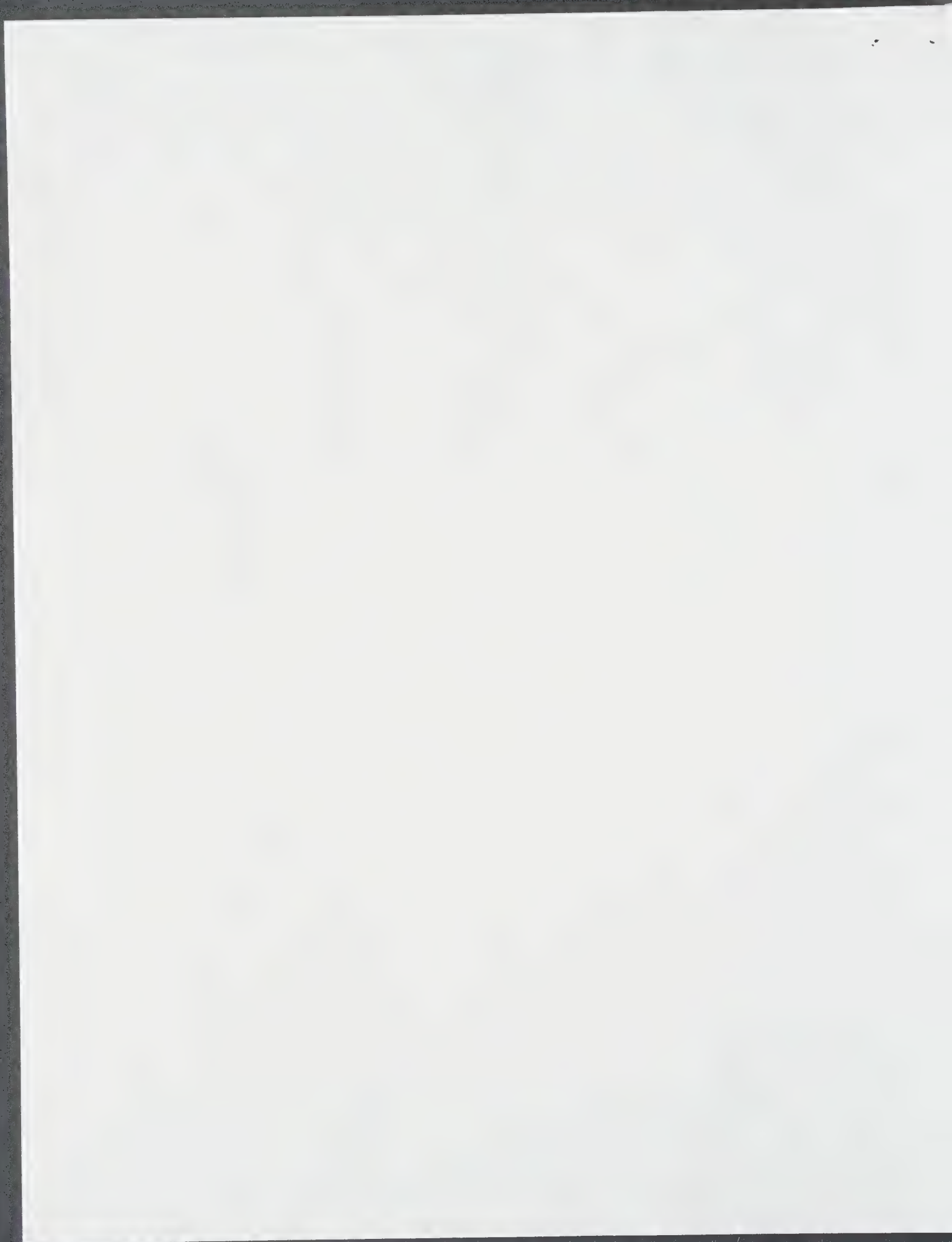
Ms. Lisl Cade
January 19, 1995
Page Two

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All good wishes.

Sincerely,

Enclosures



289 3616

MEMORANDUM

TO: Marvin E. Klitsner
FROM: Ralph H. Lane *RHL*
DATE: August 23, 1994
RE: Alfred Bader

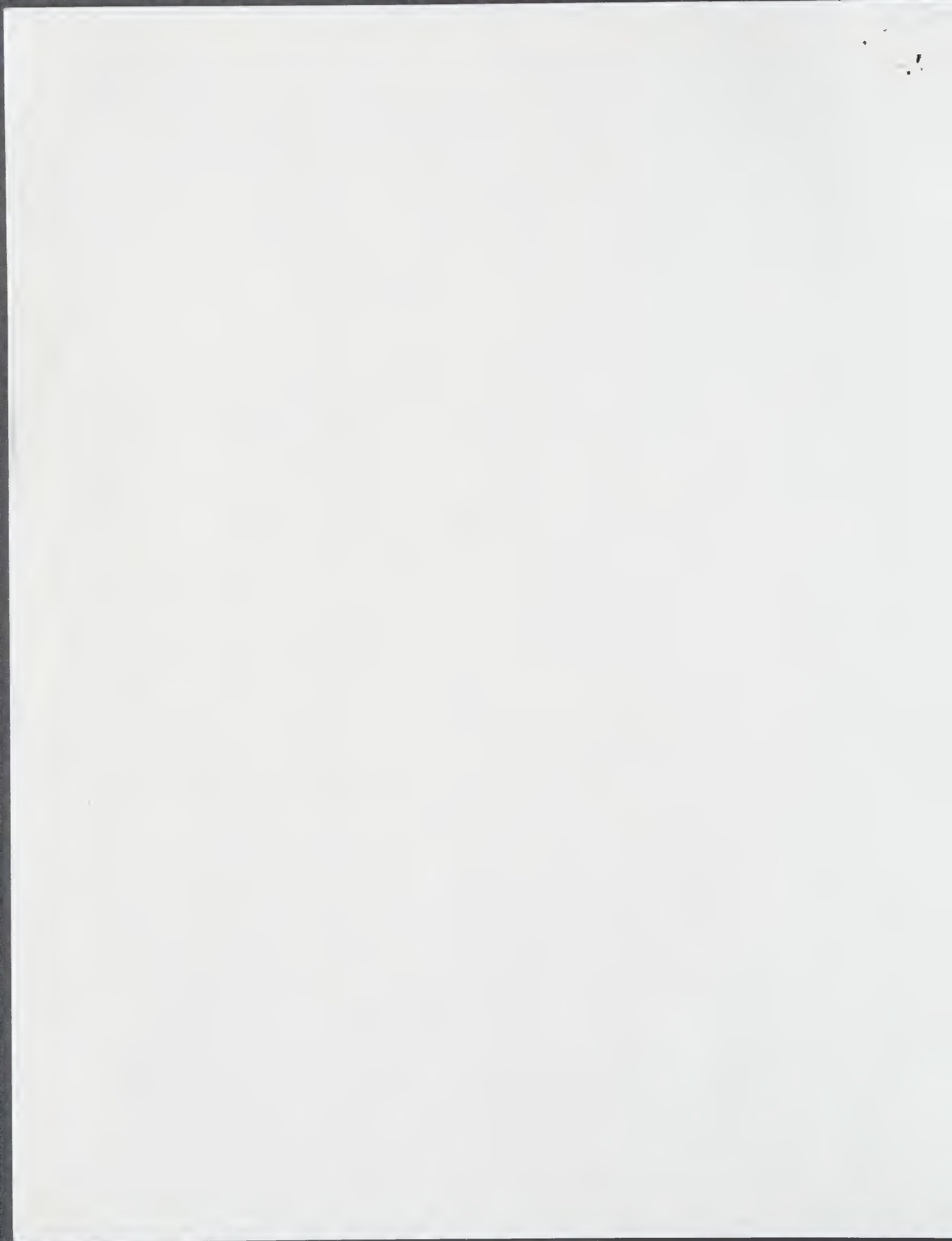
This will respond to your questions on the right of the former CEO of Aldrich Chemical Company to publish, without the company's permission, articles which he wrote for company publications and which were in fact published by the company. You have also posed questions on reproduction and distribution of artwork -- old masters -- which have appeared on the covers of company publications.

Approaching these questions from the standpoint of copyright law, it is important to note that the copyright law changed significantly in many of its provisions as of January 1, 1978. By either version of the law, however, the first question would be whether your client wrote the articles as a part of his duties to the corporation or as an independent endeavor. Some of the tests used to determine the answer are whether they were written on one's own time, in one's own home, and with one's own equipment, rather than during work time, in the office, and with the company's facilities. For example, did his secretary type the manuscripts?

Even if these articles were written for the company and would be considered "works made for hire", there is still the question whether the company obtained copyright and then the further question whether the company maintained its copyright. Here, the date of the first publication will be significant, because of the change in the law.

Before January 1, 1978, obtaining copyright was rather mechanical, and it was very easy to forego copyright by making a simple mistake. To obtain copyright under the old law, the work would have to be "published with notice", that is, distributed to the public with a proper copyright notice ("Copyright" or "Copr." or "©", followed by the year of publication and the name of the copyright holder). Moreover, the copyright notice would have to be placed at the statutorily prescribed place, which would be on the title page of the work or on the back side of the title page.

After January 1, 1978, copyright was deemed to exist as soon as the author would lift the pen from the paper; that is, as soon as the work had been created. However, a copyright notice was still required on any publication of the work, to avoid loss of the copyright, with a "saving" provision that would allow correction of



an omission of the notice from a relatively small number of copies to be made within five years after the publication without notice. This requirement for notice under the new Act was relaxed as of March 1, 1989, and since that date, no notice has been required at all -- although its use provides some advantages which are otherwise lost.

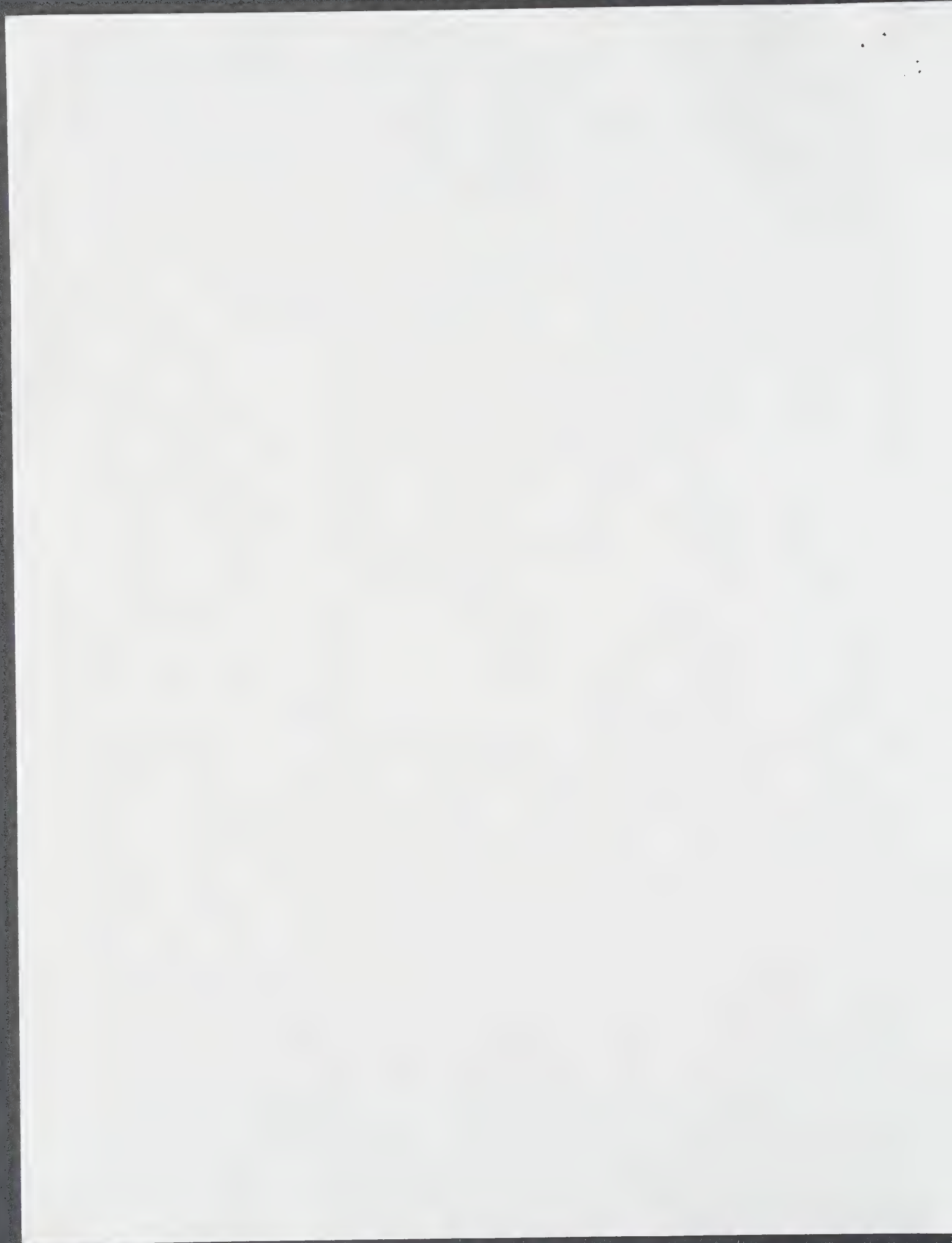
With you, I have inspected a few of the materials that the client wishes to reproduce. We found several facts which are relevant to these rules. In particular, the company's catalogs sometimes carry the copyright notice, and sometimes they do not. From this fact, it can be concluded that the safest course would be to choose for republication those articles which were published prior to January 1, 1978 in publications which bore no copyright notice or which were published before 1984 without a copyright notice (that is, five years before the 1989 abolition of the copyright notice requirement).

To publish any other articles would run the risk of a claim by the company that the works were "works made for hire" and that any new publication would violate the copyright of the company. As you know, the copyright is really a bundle of rights: to make copies, to distribute the copies, to make a derivative work, to display the work publicly, and (for appropriate media) to perform the work publicly. If your client would edit the work, have his edition printed, and distribute the edition publicly, he might thereby have violated three of the rights of the copyright.

Of course, it is often possible for the individual writer to obtain permission from the copyright holder, but uncooperative copyright holders cannot be forced to extend this courtesy.

Even if the company were deemed to be the copyright owner, and if permission to reprint were not requested or were denied, there would still be an opportunity to publish portions of these under the doctrine of "fair use". This doctrine, developed under the common law, has been codified under Section 107 of the Copyright Act of 1976 (the version which went into effect on January 1, 1978). That section requires that, in determining whether the use made of a work in any particular case is a fair use, the factors to be considered shall include:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and



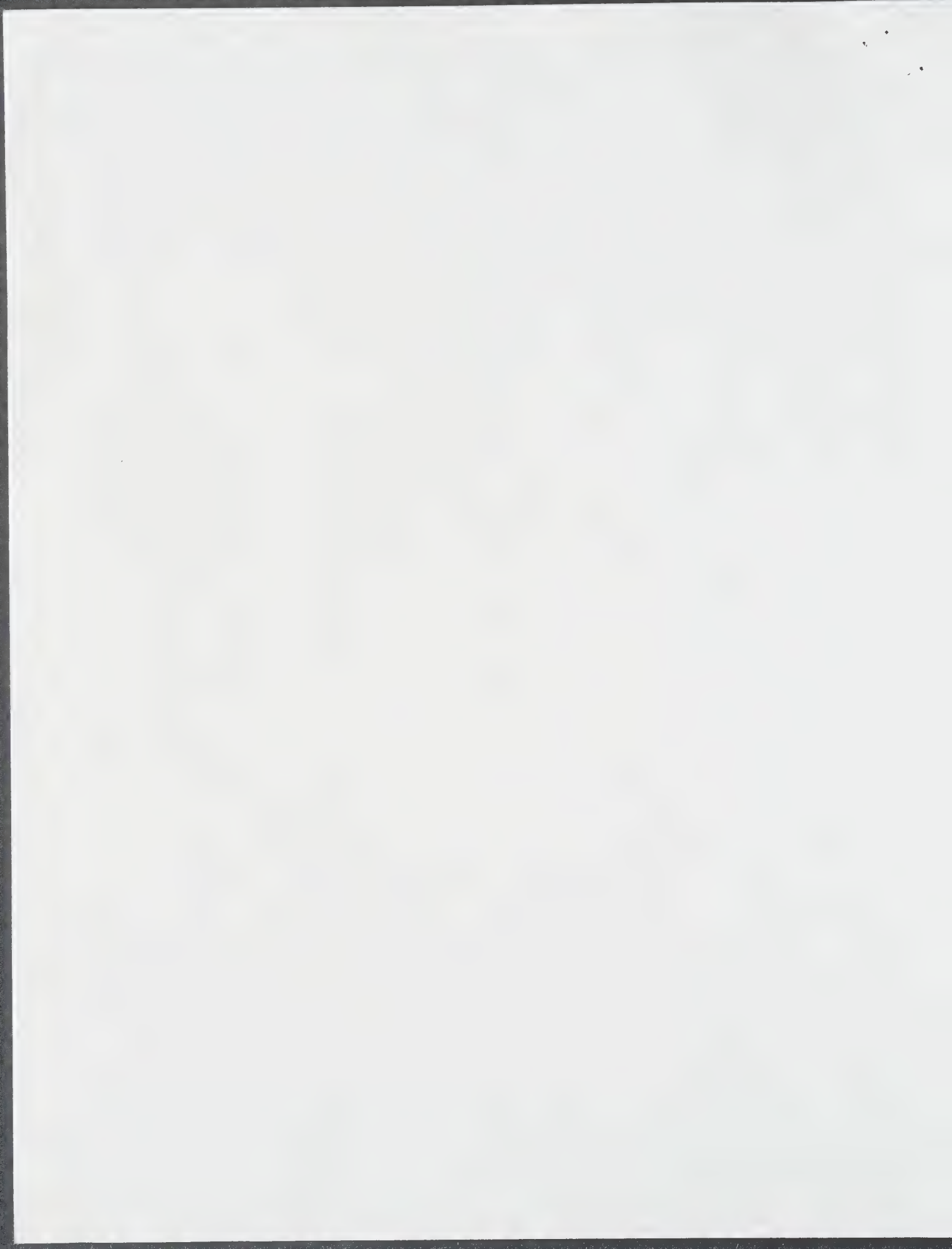
4. the effect of the use upon the potential market for or value of the copyrighted work.

Applying these tests, which essentially all boil down to the single test of depriving the copyright holder of his market for selling his own copies, it would seem that your client would claim "fair use" as a defense to his publication (or republication) of copyrighted works, in view of their educational character in his publication, their educational character in the original publication, and the fact that he would not be depriving the copyright owner of a market for reprints. The argument would become even better for your client if he would severely limit the amount of the article he would reprint, so it would not comprise a substantial portion of the copyrighted work.

The "old master" paintings on the covers of the catalogs present an entirely different issue, and an easy one to resolve. If the old master paintings were in any way altered or combined with other materials, the resulting new work would be considered a "derivative work" and would be subject to a new term of copyright protection. However, inspection of the covers of the catalogs of the company indicates that the master paintings regularly occupied the *entire* surface of the cover. In my view, these were not derivative works and did not enjoy any separate copyright protection.

Is there any other protection which would be available to the covers, in the absence of copyright protection? A theory could be made out that the chemical profession has become accustomed to identifying publications bearing "old master" paintings on the covers as being the publications of the company. By this theory, the presence of an old master work on the cover of a catalog would tend to function as a trademark, indicating its source of origin or, at any rate, distinguishing such catalogs from the catalogs of other companies. No registration would be required to have such trademark rights recognized. However, in my view, it would be difficult for the company to succeed with such an argument, if it were to make it. If a *particular* painting were used on *all* of the covers, issue after issue, it would be another matter. However, each cover bore a different artwork, as I understand, and so the company would have to argue for a trademark in a *style*, rather than in a particular image. In my view, that would be a difficult argument, under the trademark law.

As a refinement to that argument, the company might suggest that the use by another person of its cover *style* would constitute *unfair competition*. That law is summarized in the Trademark Act, Section 43(a), which really has nothing to do with trademarks necessarily and serves as a codification of the federal unfair competition law. That section says, in essence, that the use of any word, term, name, symbol, or device that is likely to cause confusion or mistake or deception as to the affiliation,

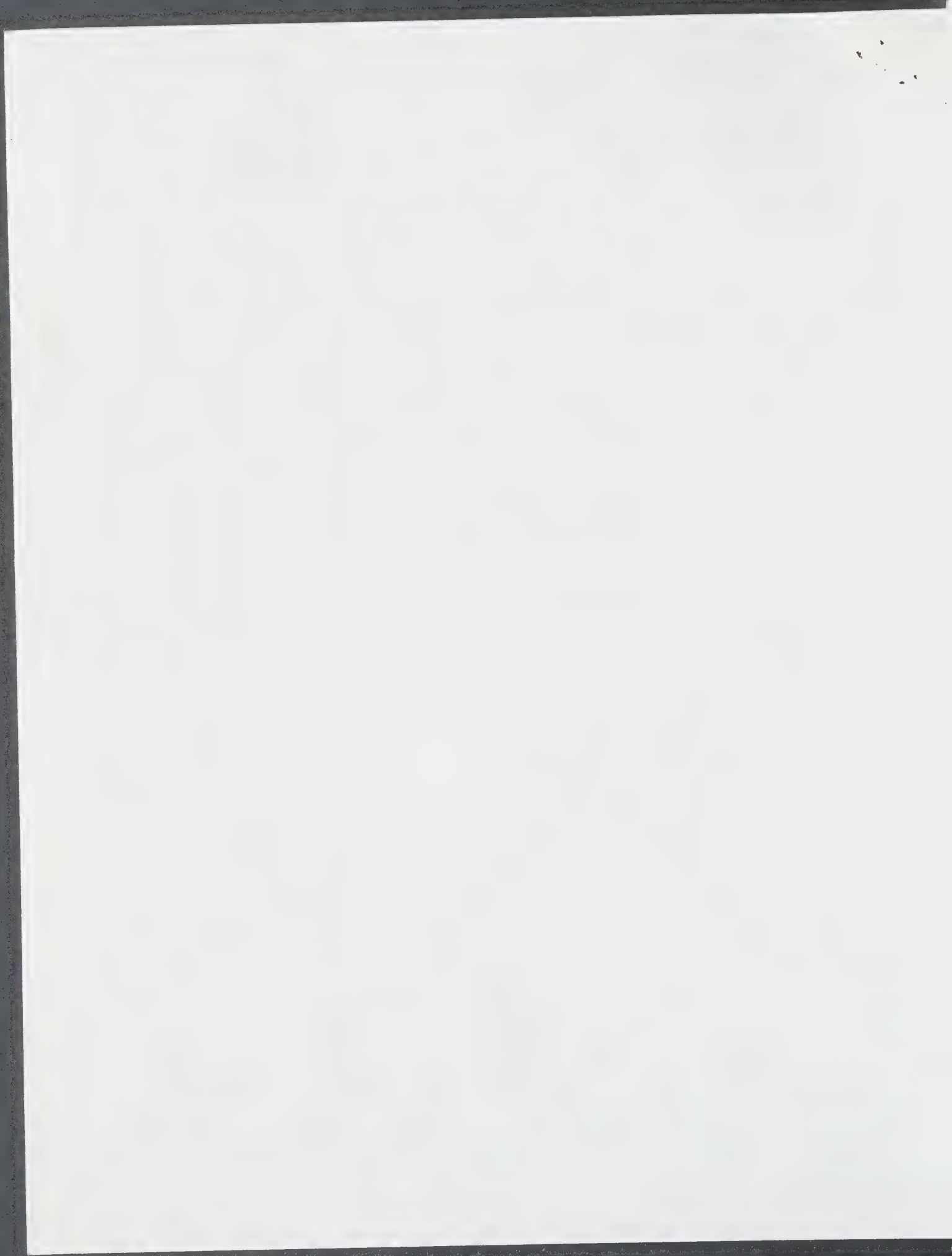


connection, or association of the goods is actionable. Under that standard, the question would be whether the members of the chemical profession, upon seeing the republication, would conclude wrongly, from the appearance of the familiar style of "old master" paintings, that the client's publication came from the company or was otherwise sponsored or approved by the company or affiliated with it.

As I understand, the client's use of the covers would be in the context of an autobiography which is clearly his own and which would clarify the circumstances of his publishing it now. In view of the sophistication of the readers and the close attention which they could be expected to pay, even to details in a written text, I should think it would be highly unlikely that a significant portion of his intended readers would be likely to be misled in this regard. Therefore, I do not think that a finding of unfair competition would be likely to arise, merely from the republication of the old master paintings in the context of an autobiography.

From these observations, I draw these conclusions:

- Republishing the "old master" paintings as illustrations in the autobiography would be acceptable.
- Publishing small excerpts of the articles, or the entire articles in the case of those which were published before March 1, 1984, without copyright notices, would be the safest course.



Biography

Clinton F. Lane was born and raised on an Iowa farm. He received his B.S. degree in Chemistry from Iowa State University of Science and Technology in 1966 and the Ph.D. from Purdue University in 1971 under the direction of Professor Herbert C. Brown. After one year as a post-doctoral research assistant at Cornell University, he returned to the Midwest to join Aldrich Chemical Company.

Clint spent his first five years at Aldrich in the 940 West Saint Paul Avenue building in Milwaukee as a bench chemist developing production procedures for new boron-based reagents. In 1977 he relocated to rural Sheboygan along with four of his co-workers. This new site for Aldrich was slowly developed over the years while Clint was Plant Manager and later Vice President, Sheboygan Operations. In 1989 he returned to Milwaukee, and in 1991 became Executive Vice President with overall responsibilities for Aldrich's chemical manufacturing operations, engineering, quality control, safety, health services, and regulatory affairs.

Clint is a member of the American Chemical Society, Sigma Xi, New York Academy of Sciences, Chemical Society of Japan, and Royal Society of Chemistry, London.

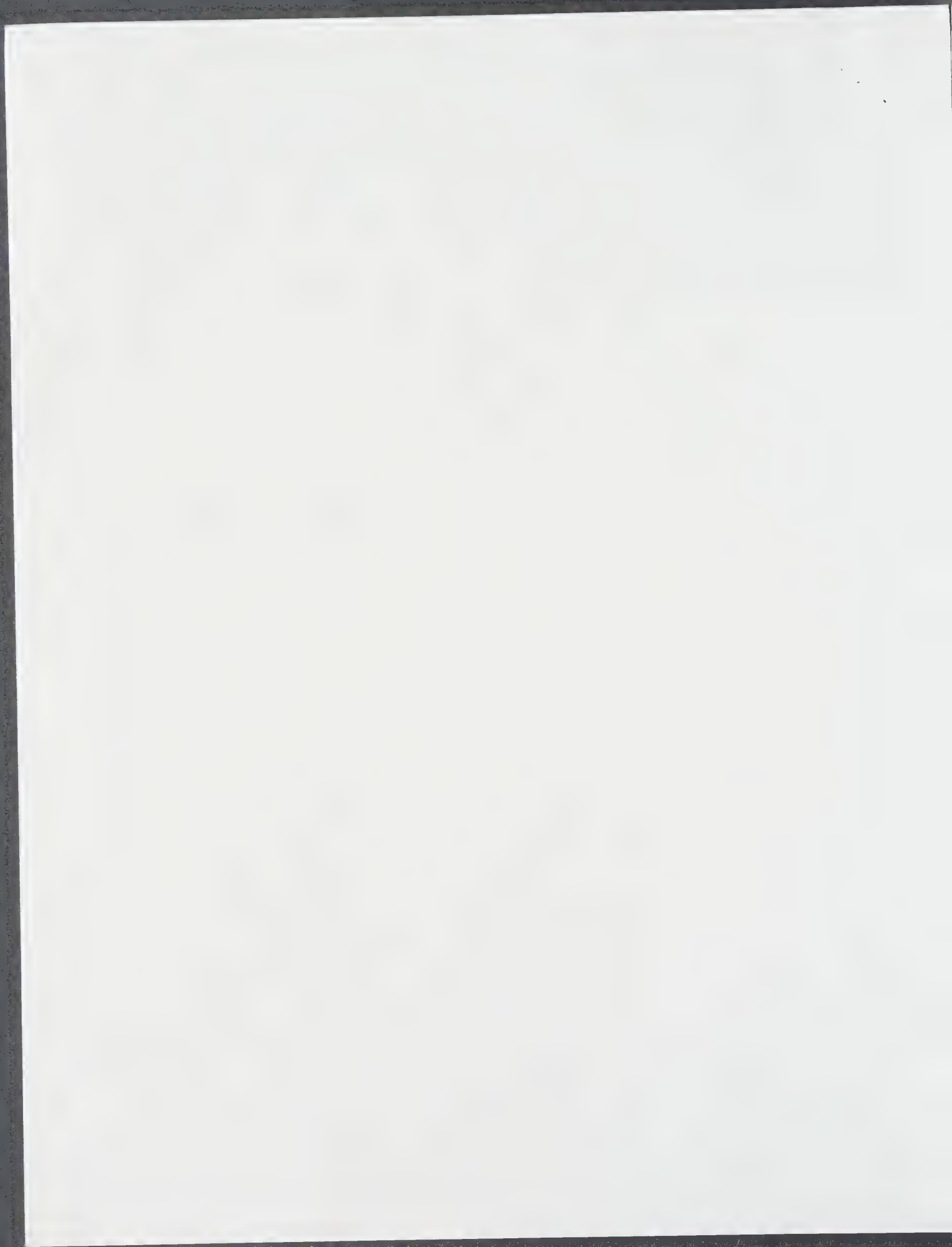
Advertise in *The Amalgamator*!

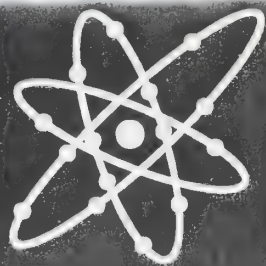
Reach approximately 1000 Milwaukee Section members located in a nine county area in Southeastern Wisconsin by advertising in *The Amalgamator*. Current advertising rates per individual insertion per issue are as follows:

→ One page	\$60.00
Half page	\$35.00
Quarter page	\$20.00
Eighth page	\$12.00

For more information, please contact the Business Manager or the Editor of *The Amalgamator* (see back cover).

From Spent:
This and the 10 publications
which should be published
the best publication for Milwaukee
Clint





the amalgamator

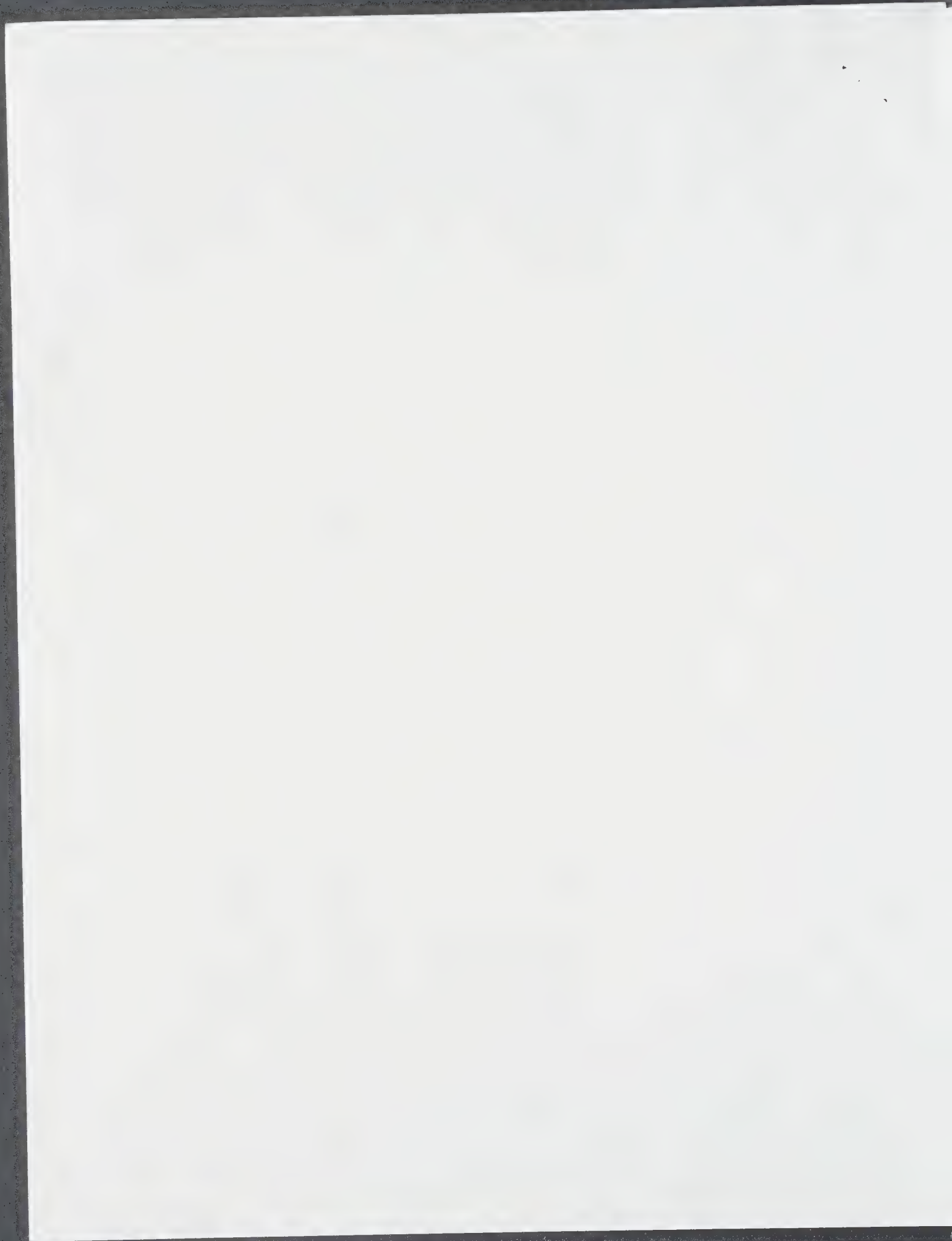
VOL. 49 NOVEMBER-DECEMBER 1994 NO. 5

MILWAUKEE SECTION
AMERICAN CHEMICAL SOCIETY



CLINTON F. LANE

1994 MILWAUKEE SECTION
AWARD WINNER



The Amalgamator

A Free Press for the Milwaukee Section Chemist

The Amalgamator is published bimonthly September through May by the **Milwaukee Section, American Chemical Society**. The Milwaukee Section and the American Chemical Society are not responsible for individual opinions published in this publication.

Correspondence for *The Amalgamator* should be addressed to the persons listed on the inside back cover. Other correspondence should be sent to:

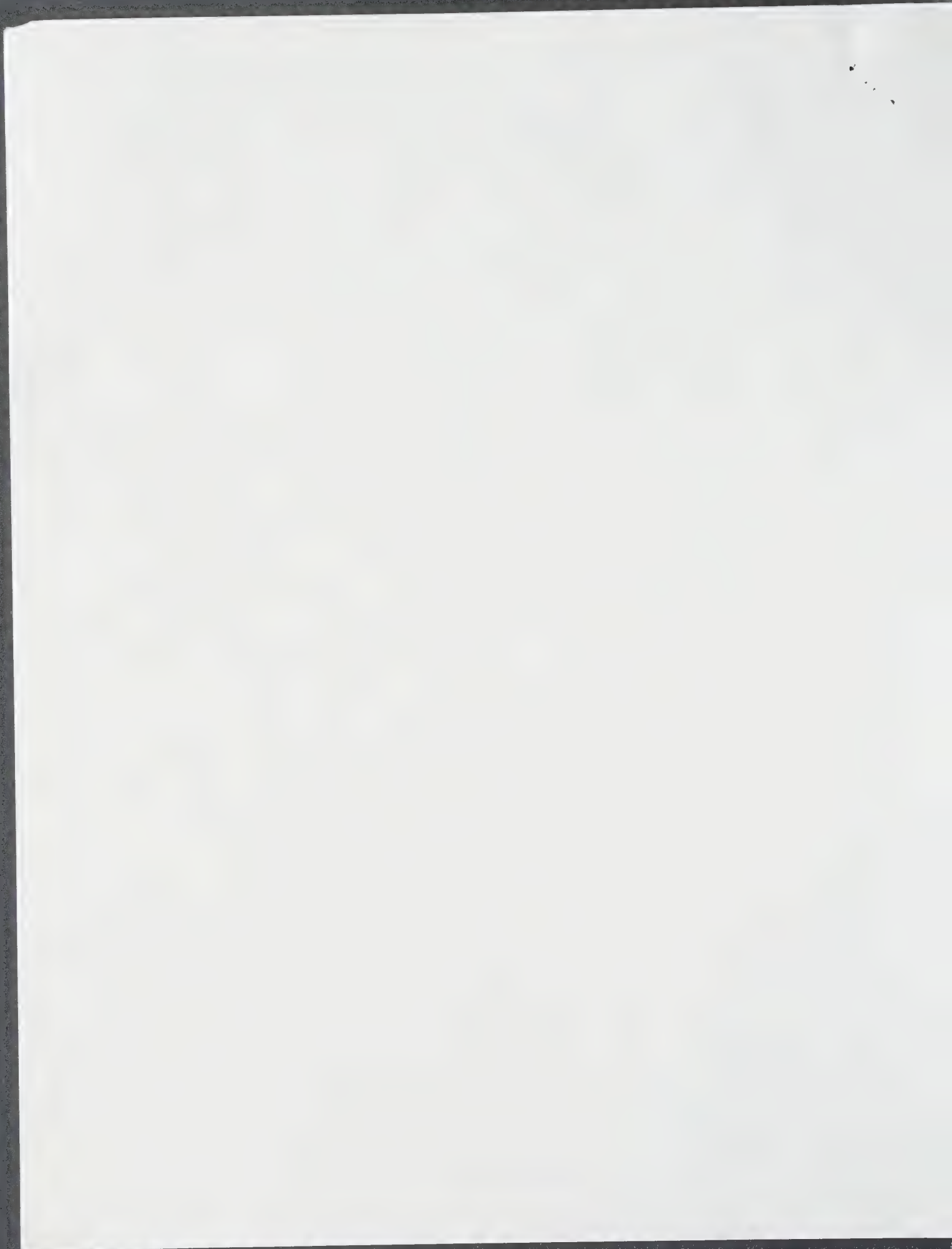
Editor:

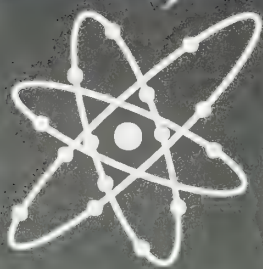
Mark Drezdron
Aldrich Chemical Co., Inc.
P.O. Box 355
Milwaukee, WI 53201
(414) 273-3850

0107708M 10/94 ZN 512
DR ALFRED ROBERT BADER
2961 N SHEPARD AVE
MILWAUKEE WI 53211-3435

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the amalgamator

VOL. 50 JANUARY-FEBRUARY 1995

NO. 1

MILWAUKEE SECTION
AMERICAN CHEMICAL SOCIETY



BUD DOUTHITT

CHAIRPERSON 1995

THE MILWAUKEE SECTION OF THE AMERICAN CHEMICAL SOCIETY

1994-95 PROGRAMS

General schedule for meetings:

- 6:00 p.m. Networking and social hour
- 7:00 p.m. Dinner
- 8:00 p.m. Business meeting and speaker
- 9:15 p.m. Adjournment

Exceptions will be noted in detailed programs in *The Amalgamator*.
You are welcome to join us at 8 p.m. if you cannot make it earlier.

- January 27 (Friday) Mike Carlton, Attorney,
Law Firm of von Briesen & Purtell, s.c.
Topic: "LAND RECLAMATION: ITS IMPACT
ON COMMERCE"
- February 23 (Thursday) Jim Kohl, Department of Natural Resources
Topic: "STORMWATER REGULATIONS—
HOW WILL THEY AFFECT YOU?"
- March 23 (Thursday) Dave Seitz, RMT Inc.
Topic: "SOUTHEAST WISCONSIN AIR—
WHERE ARE WE? WHERE ARE WE GOING?"
- April 28 (Friday) Dr. Patrick J. Hannan, NRL (retired)
Topic: "SERENDIPITY AS THE ULTIMATE
RESEARCH TOOL"
- September 15 (Friday) Dr. James J. Bohing, Chemical Heritage Foundation
Topic: "SUICIDES IN SCIENCE & TECHNOLOGY"
- October 20 (Friday) Dr. James N. BeMiller, Purdue University
Topic: "STARCHES—ADVANCES IN
CHEMISTRY AND APPLICATIONS"

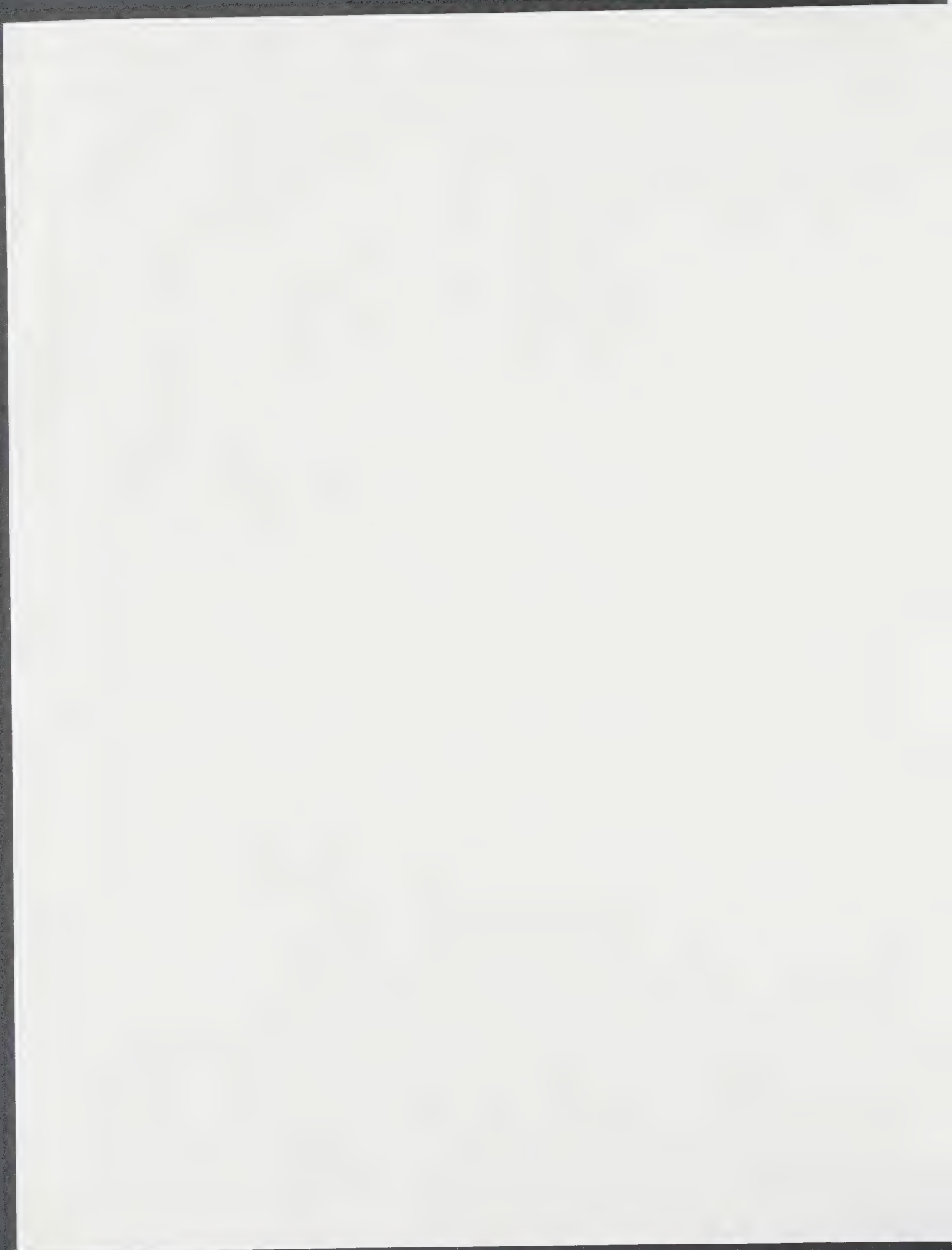
Advertise in . . .



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**For more information, please contact the
Business Manager or the Editor of
The Amalgamator.**



Dr. Alfred Bader
2961 North Shepard Avenue
Milwaukee, Wisconsin 53211

786 8498

Jim Fyfe

3999 Woodrill Lane

New Berlin

53151

1

May issue

Autograph



A MESSAGE FROM THE CHAIRPERSON

I'm looking forward to serving you and the American Chemical Society as Chairperson of the Milwaukee Section for 1995.

My fondest desire would be to stir up some enthusiasm on the part of our 930 members of the local section. Hopefully we will see more members turn out for meetings such as we had for our September session on "Chocolate". Perhaps we chemists all have a latent sweet tooth that we were totally unaware of.

National Chemistry Week was an outstanding success—thanks to the tedious efforts of Dale Wheeler, Anne Arendt, and many, many others. Over 3,000 4th, 5th, and 6th graders were given an opportunity to visit Discovery World and get a taste of the wonderful world of science.

If we all put our shoulders to the wheel we can hopefully make the people of Wisconsin realize just how important chemistry is to their every day life.

Bud Douthitt
Chair, Milwaukee Section, ACS

DEADLINES FOR *The Amalgamator*

March-April 1995 issue:	February 3, 1995
May 1995 issue:	March 31, 1995
September-October 1995 issue:	August 1, 1995
November-December 1995 issue:	October 3, 1995

JANUARY MEETING

“LAND RECLAMATION: IT'S IMPACT ON COMMERCE”

Mike Carlton, Attorney
Law Firm of von Briesen & Purtell, s.c.

Friday, January 27, 1995

Alioto's
3041 North Mayfair Road

Social Hour/Networking: (cocktails)	6:00 p.m.
Dinner:	7:00 p.m.
Meeting and Program:	8:30 p.m.

Menu (prices include tax and gratuity)

Baked Breaded Stuffed Breast of Chicken 'Ala Kiev
Members/Guests: \$12.80 Chemistry Students: \$7.00

Fresh Broiled Boneless Whitefish Filet, Tartar Sauce & Lemon
Members/Guests: \$17.00 Chemistry Students: \$9.00

For dinner reservations, please call by MONDAY,
January 23, 1995:

Anna Perkins
Racine
631-2414

Wendy Treider
Marquette University
288-3515

BIOGRAPHICAL SKETCH:

MICHAEL P. CARLTON is a shareholder of von Briesen & Purtell, s.c. in Milwaukee, Wisconsin, where he heads the environmental law practice. He represents businesses, financial institutions, hospitals, and municipalities regarding Superfund, clean air and clean water, solid and hazardous waste, environmental reporting, OSHA and business and real estate transactions, among other matters. He provides regulatory advice regarding environmental and safety and health questions, and he handles federal and state environmental litigation.

Previously, Mr. Carlton taught environmental law in the United States and at the University of London, and was Wisconsin counsel for a national environmental organization. Prior to that, he was a senior attorney and analyst with the Environmental Law Institute in Washington, D.C. He began his environmental law career as a trial attorney in the Pollution Control Section of the U.S. Department of Justice, representing the EPA and other government agencies in civil and criminal enforcement and defense actions. He is a member of the Environmental Law Section of the Wisconsin Bar Association and a member of the Litigation Section and the Natural Resources, Energy, and Environmental Law Section of the American Bar Association. He is also the past co-chair of the Milwaukee Bar Association's Environmental Law Section and a member of the Federation of Environmental Technologists and the MRA Environmental Executives Roundtable. He is a frequent speaker and writer regarding environmental law and health and safety topics.

Mr. Carlton is a 1974 graduate of the Georgetown University Law Center, and he has a science degree from Marquette University in Milwaukee, Wisconsin.

FEBRUARY MEETING

“STORMWATER REGULATIONS: HOW WILL THEY AFFECT YOU?”

Jim Kohl
Department of Natural Resources

Thursday, February 23, 1995

Midway Motor Lodge
251 Mayfair Road
Wauwatosa, WI

Social Hour/Networking: (cocktails)	6:00 p.m.
Dinner:	7:00 p.m.
Meeting and Program:	8:00 p.m.

Menu (prices include tax and gratuity)

London Broil Topped with Mushrooms

Members/Guests: \$16.15 Chemistry Students: \$8.00

Broiled Cod Almondine

Members/Guests: \$13.55 Chemistry Students: \$7.00

For dinner reservations, please call by FRIDAY,
February 17, 1995:

Anna Perkins
Racine
631-2414

Wendy Treider
Marquette University
288-3515

BIOGRAPHICAL SKETCH:

JIM KOHL is presently the supervisor of the Industrial Wastewater and Community Assistance Construction Management Units in the Southeast District of the Wisconsin Department of Natural Resources. As a member of the wastewater staff Jim is responsible for the supervision of engineers and environmental specialists in the Industrial Wastewater WPDES and Pretreatment Units and the Construction Management Unit in the Environmental Loans Program.

Jim possesses a Bachelor's of Science Degree in both Biology and The Broad Fields of Science. He is also doing work on a Master's Degree in Aquatic Ecosystems and Environmental Education.

Included in his background is work in the field of cancer research with the World Health Organization, chemical laboratory construction, operations and maintenance, and instruction at the secondary school and college level. He has also worked extensively with municipal and industrial wastewater treatment system operations and maintenance design, implementation, and training.

Jim has been involved with the Department of Natural Resources for the past 21 years. He has worked in the field of aquatic nuisance control, wetlands and lakes management, and water regulation and zoning. In the area of wastewater, Jim has served as the district operator instructor, laboratory quality assurance coordinator, safety specialist, and operations and maintenance specialist. Prior to becoming the Industrial Wastewater Supervisor, Jim served for 9 years as the district Wastewater Technical Services Unit Supervisor. In that capacity he was responsible for supervision of wastewater engineering staff covering sludge management, operator certification, laboratory quality assurance and certification, operations and maintenance, and data management and computer operations for district environmental protection programs.

Jim has been the supervisor for industrial wastewater and construction management/environmental loans for the past 6 years. In that capacity he has been responsible for inventory, permitting, inspections, and enforcement in the industrial WPDES and pretreatment programs. He has also supervised the construction management engineering staff in the construction grant and loan programs.

**CALL FOR NOMINATIONS
OF
SECTION OFFICERS**

DEADLINE: MARCH 20, 1995

Members of the Milwaukee Section, ACS are strongly encouraged to participate in the government of the society and to nominate themselves or other members for any of the following positions:

Chairperson Elect for 1996

(will be Chairperson in 1997)

Secretary for 1996

Treasurer for 1996

Councilor for 1996-1998

Alternate Councilor for 1996-1998

If you or your nominee is willing to serve, contact the Nominating Committee. Nominations will be closed at the March meeting. Officers then will be elected by mail ballot and certified at the May meeting.

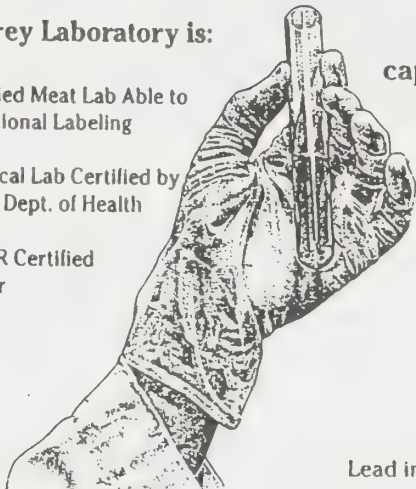
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Safe Well Water Testing

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NATIONAL CHEMISTRY WEEK

National Chemistry Week was observed November 6-13 by ACS local sections throughout the country, including the Milwaukee section. Our section's contribution to the national program was quite impressive, thanks to the volunteer efforts of many members.

Much of the week's activity was centered at the Discovery World Museum in the Milwaukee Public Library. The Institute for Chemical Education (Madison) presented a pair of chemical demonstration shows, open to the public, for the kick-off on Sunday afternoon, November 6. Throughout the following week, volunteers presented up to eight demonstration shows a day for grade school classes, whose admission to Discovery World was underwritten by the Section. Finally, a wind-up awards program on Sunday, November 13 featured a pep talk by meteorologist John Milan and more demonstration shows by Don Schowalter and Marvin Lang of UW-Stevens Point. In all, over 3200 people attended activities at Discovery World, many of them free admissions of school classes from central-city schools.

Another activity which focused on grade school children was classroom visitation. Over 200 classrooms were visited, mostly by participants from high school and college chemistry clubs and Student Affiliate groups, and some by other volunteers from the Section. We had very good participation by the college and university chemistry departments in the area. However, this is an area in which we could improve next year, with more volunteer support from section members. We had almost as many more requests which went unfilled for lack of volunteers. A poster competition was also held for grade school children, with the best posters displayed at Discovery World. Savings bonds were awarded as prizes at the end of the week.

The "Battle of the Burets" was another highlight. Before NCW (on October 23), forty-five high school teams of two students each competed in an exercise testing speed and accuracy in titration. Competition was held on the UW-Parkside and UW-Milwaukee campuses. The winners met, along with a winning representative from the Chicago Section, in a five-team run-off on November 5. The grand champions were from Greendale High School, but there has apparently been a challenge issued from Chicago for a rematch in March.

Other activities were held in conjunction with NCW. At UW-Parkside, two satellite TV conference airings were hosted. On November 7, a conference for teachers on the incorporation of materials science content into general chemistry courses was attended by about 15 college and high school teachers. On November 10, about 40 college and high school students were present for a program on careers in the chemical sciences. At UW-Milwaukee, an open house on November 12 was attended by over 300 people. Activities included lecture demonstrations by Professor Dennis Bennett on "Molecules, Molecules, and More Molecules!" and Dr. Roger Schneider on fireworks, hands-on activities for grade school and high school students, and glassworking demonstrations.

All of this activity would have been impossible without the many hours of volunteer effort. For this we owe a major vote of thanks. The overall organizer for the week was Dale Wheeler, who planned and coordinated activities and found additional funding to support them. Anne Arendt planned the demonstrations by section volunteers, and saw to it that directions, materials, and equipment were on hand and organized for easy use. She also supervised the UWM session of the Battle of the Burets and, along with Tom Holme, organized the UWM open house. Heidi Kraus at Discovery World went far beyond her normal duties in enabling smooth operation of the programs at that location. And many thanks to all

those who did demonstration shows, visited classrooms, and lent a hand with other activities. I'm sure that I speak for many others in noting the personal satisfaction that comes also from activities such as these.

Finally, I would like to acknowledge those "corporate good citizens" of the Southeastern Wisconsin chemical community who contributed their financial support: Brady USA, Miller Brewing, Aldrich Chemical Company, Sanofi Bio-Industries, Henkel Corporation, Pope Scientific, Milsolve Corporation, Hickson-Dumar Inc., Hamilton and Emily Pinkalla, and Molded Rubber and Plastic Corporation. Without their backing, the Section's budget would have allowed only a fraction of the week's activities to take place.

We look forward to an even bigger and better National Chemistry Week next year, building on this year's success and experience.

Alex Hill, 1994 Milwaukee Section Chair

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Minutes of the Board Meeting November 15, 1994 5:30 P.M.
Todd Wehr Chemistry Bldg. Marquette University

Present: Mary Bishop, Bud Douthitt, Stan Flashinski, Jim Frye, Dimitri Gorjestani, Alex Hill, Ken Miller, John Murphy, Sterling Strause, Deanna Talley-Ronsholdt, Dale Wheeler, Ken Welch, and Charles Wilkie.

Secretary's Report: The Minutes from the September 13, 1994 Board Meeting were read and approved with the following corrections: The 1994 Great Lakes Regional Meeting was jointly hosted by the Great Lakes and the Central Regions. At the September 13 board meeting it was agreed that the Section would make a special effort to let the public know that the Section Program meetings are open to the public. Dale Wheeler's name was incorrectly spelled under the paragraph on National Chemistry Week.

Treasurer's Report: Jim Frye presented a detailed year end treasurer's report summarizing all financial transactions made in our Firststar Checking account 1/1/94-11/5/94 and a one page report summarizing budgeted versus actual expenses as of November 5, 1994. Total income to date for 1994 is \$18,617.31 and total expenses are \$20,261.43. Section Assets are \$2,200.94 in Firststar checking, \$15,558.71 in CDs, and \$1,319.73 in M&I Bank NOW Account. The board purposely voted a deficit budget for 1994 to allow for the Chemical Education Committee to fund the Minigrant program. The excess of expenses to date for 1994 can be accounted for by the \$1894.48 given in minigrant awards. Jim reported that there was not enough in the Section's checking account to pay all the bills that had come in for National Chemistry Week, so it was agreed that he would close our NOW account and use these funds to cover expenses. It should be noted that Income and Expenses for National Chemistry Week should balance. The financial report was accepted as presented.

Chemical Education Committee: The Section will participate in the 1995 National Chemistry Olympiad Exam. Letters will be sent to local high school chemistry students in January. As in previous years, invitations to write the Olympiad exam will be based on test scores achieved on the competitive chemistry exam administered by the Chemical Education Committee in March (tentatively March 12, 1995). Those students with the eight highest scores, plus two alternates, will be invited to write the Olympiad. Ken Miller reviewed with the board the discussion held at the September 13 board meeting regarding having the board approve all minigrants prior to their being awarded by the Chemical Education Committee. He and his committee had interpreted that the program would be administered by the Chemical Education Committee. The award date is July 1 so that teachers can plan for the following school year. After some discussion it was decided that the board will approve in January's Section budget a dollar amount to be spent by the Chemical Education Committee on Minigrants for the year. The Chemical Education Committee will select recipients for the minigrant program and award the grants in July. Copies of the winning proposals will be given to the Board for their review at the September board meeting. It was also agreed that the teachers who won the minigrants would be invited to a Section program meeting where they would be asked to present a summary of how they had used their minigrant. It was suggested that winners of the 1994 minigrants should be invited at the section's expense to the January 1995 Section dinner meeting.



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National Chemistry Week: Dale Wheeler gave a summary financial report for 1994 National Chemistry Week. Income, including corporate and individual donations, was expected to be \$5691.00 and Expenses totaled \$5,675.54. This year's National Chemistry Week activities sponsored by the Milwaukee Section were a big success. This year, 3000-4th, 5th, and 6th grade students received free admission to Discovery World thanks to Section donations. Dale thanked UW-Parkside for their indirect donations of approximately \$1300.00 to National Chemistry Week since they paid for some postage and other miscellaneous expenses incurred by the National Chemistry Week Committee. Dale suggested that next year's committee chair may want to consider having one committee member devoted to soliciting donations for National Chemistry Week. This year, Dale was able to obtain donations of \$3100.00.

Publicity: In Jacquelyn's absence, Chuck Wilkie gave the publicity report. Photographers and press attended National Chemistry Week activities at Discovery World so it is thought there may be an article in a local paper this week. Information regarding Clinton Lane as the Milwaukee Section Award recipient was sent to local newspapers and scientific organizations.

Programs: Bud Douthitt reported that arrangements had been made for the January, February, March, and April 1995 Section Program meetings. After some discussion the board agreed that the Chairperson-Elect should be in charge of hospitality and the physical arrangements for the Section Program meetings since these activities distract from the duties of the Chairperson. John Bergman, Chairperson-Elect for 1995, was not present at the meeting to voice his opinion on this decision.

Officer's Manual: Stan Flashinski continues to work on the manual. Operating procedures for committees such as Chemical Education and the Milwaukee Section Award are already drafted.

Milwaukee Section Award: Sterling Strause reported that the plaques with Clinton Lanes's name as Milwaukee Section Award Winner and the \$500.00 check for Clinton to donate to Iowa State University were ready.

Chem-Vets: John Murphy reported that on Thursday, November 17 at 12:00 P.M. Chem-Vets will have a luncheon meeting at the Milwaukee Yacht Club. The speaker is Kevin Bagin, Manager of Environmental Services, Milsolv Corp. The topic will be "Environmental Trends".

Membership: In Pat Meller's absence, Alex Hill gave the Membership committee report. Contact was made with some science teacher organizations and one has agreed to promote Affiliate membership in ACS in one of their mailings. The board suggested that next year's Membership Committee should be asked to help in recruiting volunteers for specific tasks and committees as needed by the Section.

New Business: Chuck Wilkie gave a copy of the ACS's evaluation of the Milwaukee Section's 1993 Annual Report. We were rated outstanding in Section Activities in comparison to other sections of our size and Average in all other areas.

The meeting was adjourned at 7:30 P.M.

Respectfully submitted,
Mary F. Bishop, Secretary

1995 BOARD MEETINGS

The board meetings for the Milwaukee Section are scheduled as follows:

January 24
March 21
May 23
September 19
November 21

All meetings will be on Tuesdays at 5:30 P.M. in Room 103 of the Todd Wehr Chemistry Building on the Marquette University Campus.

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January 24, 1995

Mr. Jim Frye
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