

## OPINION 1004

SCUTELLUIDAE RICHTER & RICHTER, 1955 (TRILOBITA):  
VALIDATED UNDER THE PLENARY POWERS

**RULING.**—(1) Under the plenary powers, it is hereby ruled that the family-group name SCUTELLUIDAE Richter & Richter, 1955 (a replacement name for SCUTELLIDAE Richter & Richter, 1925, non Gray, 1825) is to be given priority over the family-group names THYSANOPELTIDAE Hawle & Corda, 1847, and GOLDIIDAE Raymond, 1913 by any zoologist who believes that these names or either of them, apply to the family-group taxon that contains the nominal genus *Scutellum* Pusch, 1833.

(2) The family-group name SCUTELLUIDAE Richter & Richter, 1955 (type-genus *Scutellum* Pusch, 1833) is hereby placed on the Official List of Family-Group Names in Zoology with the endorsement specified under the plenary powers in (1) above, with the Name Number 473.

(3) The genus-group name *Scutellum* Pusch, 1833 (gender : neuter), type-species, by monotypy, *Scutellum costatum* Pusch, 1833, is hereby placed on the Official List of Generic Names in Zoology with the Name Number 1985.

(4) The species-group name *costatum* Pusch, 1833, as published in the binomen *Scutellum costatum* (type-species of *Scutellum* Pusch, 1833) is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2509.

(5) The family-group name BRONTEIDES Hawle & Corda, 1847 (invalid by reason of being based on the name of a junior homonym) is hereby placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology with the Name Number 466.

(6) The genus-group name *Brontes* Goldfuss, 1839 (*non* Fabricius, 1801) is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Number 2029.

## HISTORY OF THE CASE (Z.N.(S.) 1789)

The present case was submitted to the office of the Commission by Prof. H. B. Whittington and Prof. H. E. Erben in January 1967. The application was sent to the printer on 3 May 1967 and was published on 20 September 1967 in *Bull. zool. Nomencl.* **24** : 230–233. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to other prescribed serial publications (Constitution Art. 12(b): *Bull. zool. Nomencl.* **21** : 184).

The proposals were supported by Dr. C. J. Stubblefield (*Bull. zool. Nomencl.* **24** : 322–323), Drs. D. L. Bruton, E. C. Stumm, J. Shirley, E. N. K. Clarkson, A. R. Orminston, G. Hemmingsmoen, D. Meischner, F. Prantl, P. Hupé, Prof. J. Sdzuy, Drs. F. Lütke and Z. A. Maksimova. The proposals were opposed by Dr. J. T. Temple.

## DECISION OF THE COMMISSION

On 15 May 1969 the Members of the Commission were invited to vote under



the Three-Month Rule on Voting Paper (69)28 either for or against the proposal set out in *Bull. zool. Nomencl.* **24** : 231-232. At the close of the prescribed voting period on 15 August 1969 the state of the voting was as follows:

Affirmative votes—twenty (20), received in the following order: China, Brinck, Lemche, Mayr, Eisenmann, Bonnet, Vokes, Obruchev, Sabrosky, Uchida, Simpson, Jaczewski, Evans, Melville, Forest, Starobogatov, Alvarado, Ride, Mertens, Kraus.

Negative votes—two (2): Holthuis, do Amaral.

On leave of absence—one (1): Tortonese.

Voting papers not returned: one (1): Munroe.

Commissioner Binder returned a late affirmative vote.

However, Commissioner Holthuis, in returning his negative vote, pointed out that there were several technical flaws in the proposals. He commented: "I believe that the normal application of the Code here is the best solution for the present problem.

"The name THYSANOPELTIDAE Hawle & Corda, 1847, evidently is the valid name for the family. Of the arguments against this name, only that of usage seems of some importance. But the difference in usage between this name and its rival seems slight, being for the last ten years only 2 authors against. Also the fact that only 6 authors published on the family in the last 10 years shows that the name SCUTELL(U)IDAE is not such a well known one that its salvation justifies the complicated procedure requested by the applicants.

"There are several technical flaws in the proposal.

1. It has not been indicated when the spelling SCUTELLUIDAE was published first and by whom. [This was in fact done by R. & E. Richter, *Senck. Leth.* **36** : 291, 30 September 1955. R.V.M.].

2. Since *Brontes* Goldfuss, 1839 is a junior homonym of *Brontes* Fabricius, 1801, it is invalid and so is the family name based on it. There is therefore no need to ask for the suppression of BRONTEIDES Hawle & Corda, 1847 under the plenary powers. The name can be placed on the index without any other action.

3. The name GOLDIIDAE Raymond, 1913 cannot be suppressed as long as the name of its type-genus *Goldius* de Koninck, 1841, is still available. Either *Goldius* has to be suppressed also or GOLDIIDAE has to be placed on the Official List with SCUTELLUIDAE with the annotation that it is to be used only by zoologists who think the two names represent different family-group taxa.

"However, as said above, I believe the strict application of the Code is more simple and advisable here."

Therefore, on 1 June 1973 the Members of the Commission were invited to vote under the One-Month Rule on Voting Paper (O.M.) (73)1 for the proposals set out in the Secretary's letter of 31 May 1973, an extract from which appears below.

*Mr. R. V. Melville* (Letter to the Members of the Commission 31.v.1973): "To these indisputable points I may add that the use of the plenary powers is not necessary to rule that the stem of family-group names based on *Scutellum* Pusch, 1833 is SCUTELLU-. Those powers need only be used to direct that



SCUTELLUIDAE Richter & Richter is to be given priority over its senior subjective synonyms THYSANOPELTIDAE Hawle & Corda, 1847, and GOLDIIDAE Raymond, 1913. It is the central purpose of the application to achieve this end and the massive vote of the Commission in favour of that purpose has settled the point once for all. None of the points raised by Professor Holthius justifies reopening that question.

The only question at issue, as I see it, is the correct form of the Ruling to be given in the Opinion. Here I venture to differ in one respect from Professor Holthius. Having ruled under the plenary powers that SCUTELLUIDAE is to be given priority over its senior synonyms THYSANOPELTIDAE and GOLDIIDAE, it seems to me unnecessary to place these two latter names on the Official List with the counterpart endorsements that they are to be used only by zoologists who believe them to denote different taxa from SCUTELLUIDAE. I have two reasons for holding this view. First, the point seems to me so obviously implicit in the ruling concerning SCUTELLUIDAE as to be not worth stating. Secondly, and more seriously, it would involve Official List action in respect of both *Thysanopeltis* (as requested by the applicants) and *Goldius*. But both these generic names are currently treated as subjective synonyms of *Scutellum*, which is the senior name of the three. I cannot see what purpose is served by placing names currently held to be junior subjective synonyms on the Official List.

It therefore seems to me that the Commission's Ruling in this case should take the following form:

1. It is hereby ruled under the plenary powers that the family-group name SCUTELLUIDAE Richter & Richter, 1955 (a replacement name for SCUTELLIDAE Richter & Richter, 1925, *non* Gray, 1825) is to be given priority over the family-group names THYSANOPELTIDAE Hawle & Corda, 1847, and GOLDIIDAE Raymond, 1913, by any zoologist who believes that these names, or either of them, apply to the same family-group taxon.

2. The family-group name SCUTELLUIDAE Richter & Richter, 1955 (type-genus *Scutellum* Pusch, 1833) is hereby placed on the Official List of Family-Group Names in Zoology with the endorsement specified under the plenary powers in 1 above.

3. The genus-group name *Scutellum* Pusch, 1833 (gender: neuter), type-species, by monotypy, *Scutellum costatum* Pusch, 1833, is hereby placed on the Official List of Generic Names in Zoology.

4. The species-group name *costatum* Pusch, 1833, as published in binomen *Scutellum costatum* (type-species of *Scutellum* Pusch, 1833) is hereby placed on the Official List of Specific Names in Zoology.

5. The family-group name BRONTEIDES Hawle & Corda, 1847 (invalid by reason of being based on the name of a junior homonym) is hereby placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology.

6. The genus-group name *Brontes* Goldfuss, 1839 (*non* Fabricius, 1801) is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology".



At the close of the prescribed voting period on 1 July 1973 the state of the voting was as follows:

Affirmative votes—twenty-two (22), received in the following order: Holthuis, Binder, Brinck, Eisenmann, Sabrosky, Lemche, Erben, Corliss, Willink, Ride, Melville, Mayr, Tortonese, Habe, Bayer, Nye, Bernardi, Starobogatov, Heppell, Vokes, Kraus, Alvarado.

Negative votes—one (1): Rohdendorf.

Voting papers not returned—three (3): Dupuis, Munroe, Simpson.

#### ORIGINAL REFERENCES

The following are the original references for the names placed on the Official List and Index by the ruling given in the present Opinion:

BRONTEIDES Hawle & Corda, 1847, *K. Böhm. Gesell. Wiss. (Prague)*, Abh. 5 : 55  
*Brontes* Goldfuss, 1839 (non Fabricius, 1801), *Nova Acta Phys. Med. Acad.*

*Caes. Leop. Carol.* 19 : 360

*costatum*, *Scutellum*, Pusch, 1833, *Geognostische Beschreibung von Polen, sowie den übrigen Nord-Karpathenländern*. Pt. 1 : 119

*Scutellum* Pusch, 1833, (*tom. cit.*): 119

SCUTELLUIDAE Richter & Richter, 1955, *Senkenbergiana leth.* 36 : 291.

#### CERTIFICATE

I certify that the votes cast on Voting Papers (69)28 and (O.M.) (73)1 were cast as set out above, that the proposals contained in Voting Paper (69)28 and modified by Voting Paper (O.M.) (73)1 have been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 1004.

R. V. MELVILLE

Secretary

*International Commission on Zoological Nomenclature*

London

6 September 1973



1974. "Opinion 1004." *The Bulletin of zoological nomenclature* 30, 147–150.

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