either mandate or permit changes should be ignored; plainly they should not. Nor do I have a clear preference for retaining or abolishing gender agreement although this, owing to taxa being reallocated between genera, has been shown to be the single greatest cause of spelling differences, and thus of claims of instability in relation to names of birds (Olson, 1987).

Additional reference

Olson, S.L. 1987. On the extent and source of instability in avian nomenclature, as exemplified by North American birds. *Auk*, **104**(3): 538–542.

Comment on *Grallaria fenwickorum* Barrera & Bartels, 2010 (Aves, GRALLARIIDAE): proposed replacement of an indeterminate holotype by a neotype

(Case 3623; see BZN **70**: 99–102, 256–269)

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We consider that the designation of a neotype for *Grallaria fenwickorum* Barrera & Bartels, 2010 is not necessary because the name is not available, i.e. the description by Barrera et al. (2010) does not satisfy criteria of availability for names published after 1999 because they failed to designate a holotype unambiguously (an explicit fixation is lacking). The Code requires type specimens to be explicitly and unequivocally designated when proposing new species-group names after 1999 (Articles 16.4 and 72.3) and, by definition, a holotype should be a single specimen (Article 73.1). The holotype designation by Barrera et al. (2010) contains a fundamental ambiguity. The designation is divided in two parts: 'a' and 'b'. In part 'a', they designated a sample of 14 feathers as the holotype, whereas in part 'b', they designated a bird depicted in a photograph as the holotype (the photograph was published on the cover

of the same issue of the journal). The typification is ambiguous because it is not clear whether the holotype is the sample of feathers or the bird in the photograph. This ambiguity is not a lapsus in the wording of the type designation; instead, the ambiguity persists for the remainder of the article. For example, an entire paragraph is used to justify the sample of feathers as an appropriate holotype (p. 10) but the 'Description of the holotype' (p. 11) is entirely based upon the bird photographed, not the sample of feathers. Therefore, Barrera et al. (2010) intentionally designated two entities as the name-bearing type and used one holotype or the other alternatively throughout the description as a way to cope with different interpretations of the Code (acknowledged by Gonzalez et al., 2011).

A holotype can be a whole animal, or one or more parts of an animal, but it must be a single specimen derived from a single animal (Articles 72.5 and 73.1). In ornithology, the holotype is typically a preserved 'round skin' specimen, which is just a part of the original bird. Other parts from the same bird (tissue samples, partial skeletons, stomach, etc.) can also be part of a holotype (i.e. holotypes can be composed of multiple parts). However, the typification by Barrera et al. (2010) does not conform to a holotype composed of multiple parts for two reasons. First, the two 'parts' of the holotype were not treated as a single specimen. The feathers were preserved but the bird was not. Barrera et al. (2010) actually declared that they released the holotype back into the wild, a fact that was reaffirmed subsequently by one of the authors (ProAves, BZN **70**: 256–269, December 2013) and documented with photographs published by González et al. (2011) and online (http://www.flickr.com/photos/proaves/sets/72157623898966996/). We interpreted this action as in direct contravention of Article 16.4.2, which requires a declaration regarding the deposition of the type specimen in a collection. According to other interpretations, Article 16.4.2 does not apply in this case: because the type was not preserved, it cannot be an 'extant specimen' (González et al., 2011). In any case, the fact that the two parts of the holotype were treated as different specimens remains clear.

Secondly, the evidence available indicates that the feathers and the photograph were not taken from the same individual bird; thus, the holotype is a composite of different individuals. The bird that was captured and its feathers sampled (hereafter specimen A, depicted in figure 1 of González et al., 2011, also available at http://www.flickr.com/photos/proaves/sets/72157623898966996/) is different from the bird depicted on the cover page of Barrera et al. (2010) also designated as holotype (specimen B). Specimen A was photographed in the hands of an investigator while being sampled on 11 January 2010, and shows a prominent metal band on the right foot, just before it was released (the bird was banded during the study); its bill is clean and looks straight (the culmen is decurved but the gonys is recurved, resulting in no overall curvature). Specimen B, on the other hand, seems to be a free-roaming bird; other than some disarranged feathers, it does not show any sign of being captured and studied; in particular, it does not have a metal band on the foot; its bill is more decurved than in specimen A, mostly the effect of a straighter gonys; its bill and feathers around the face look dirty. Another photograph of bird B is available on the Internet Bird Collection (IBC, http://ibc.lynxeds.com/photo/urrao-antpitta-grallaria-fenwickorum/holotype-foto-grallaria-fenwickorum), where it is labelled as depicting the holotype of *fenwickorum*; the bill of this bird shows blotches of dirt in exactly the same places as the bird in the cover of Barrera et al. (2010), suggesting that the two

photographs were taken at least on the same day. Although the cover photo was reportedly taken on 11 January 2010, this could not be confirmed independently, since the Exchangeable image file format (Exif) metadata of the digital file were erased. However, the IBC photo of specimen B was taken on 9 January 2010 (reported in the IBC site and confirmed by the Exif metadata). Therefore, specimens A and B not only look different and have signs of differential treatment, but they also were photographed two days apart. Finally, we noted that the biometric measurements reported for the holotype (Barrera et al., 2010, Table 1) do not coincide with the measurements taken when the bird was captured and banded on 11 January (see notebook depicted in the photographs in González et al., 2011, also available at http://www.flickr.com/photos/proaves/4538313633/). Overall, the evidence demonstrates that at least two individual birds were involved. Therefore, Barrera et al. (2010) simultaneously and intentionally designated two birds as 'the holotype', an action that invalidates the description since fixation of a single specimen as holotype is required for descriptions after 1999 (Article 16.4.1).

Several arguments have been presented in defence of the *fenwickorum* description. Those regarding the Principle of Priority will not be discussed here since this principle concerns available names, and we consider *fenwickorum* not available. Barrera et al. (2010, see also González et al., 2011) argued that because *fenwickorum* is based upon photographs, Article 73.1.4 applies ('Designation of an illustration of a single specimen as a holotype is to be treated as designation of the specimen illustrated; the fact that the specimen no longer exists or cannot be traced does not of itself invalidate the designation'), and no preservation of type specimens would be necessary. However, the alluded photographs were never designated as holotypes; instead, the 'individual depicted' in the photographs was designated as holotype directly; therefore, Article 73.1.4 is irrelevant in this case. González et al. (2011, p. 50) tried to make the case that, because the bird sampled was not a holotype at the moment of study, Article 16.4.2 does not apply, and no preservation of the holotype would be required. However, it is evident that individual feathers were collected knowingly on 11 January 2010, indicating the intent of designating the specimen under study as the name-bearing type (ProAves, BZN **70**: 263). Lastly, it has been argued that because types can be just parts of an animal, deposition of parts of a holotype is sufficient for the purposes of Article 16.4.2 (Barrera et al., 2010, González et al., 2011). Although a holotype can be any part of an animal, the holotype itself must be preserved, not just a fragment of the holotype.

For the reasons expressed above, we conclude that the name *fenwickorum,* Barrera & Bartels, 2010, is not available for nomenclatural purposes. Because another name is available and in current use for this bird, *Grallaria urraoensis* Carantón-Ayala & Certuche-Cubillos, 2010, described by the actual discoverers of the new species, the unavailability of *fenwickorum* does not result in any inconvenience or nomenclatural instability. Therefore, we think that no action from the Commission is required, other than clarifying matters publicly by placing *fenwickorum* on the Official Index of Rejected and Invalid Names in Zoology and *urraoensis* on the Official List of Specific Names in Zoology.

We also consider the comment on this case by ProAves (BZN **70**: 256–269) to contain several fallacious and misleading statements regarding the history surrounding the descriptions of *G. fenwickorum* and *G. urraoensis*. However, we restrain from

setting the record straight here and restrict this comment to the nomenclatorial issues that the Commission is asked to consider. A full dissection of ProAves (BZN **70**: 256–269) will be published elsewhere.

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Additional reference

González, J., Proctor, G. & Bruno, E. 2011. The nomenclatural availability of and priority between two recently described names for the same new antpitta species from Colombia. *Conservación Colombiana*, **15**: 45–54.