

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
August 2, 1940

The Revisory Board met at 3:30 P.M., August 2, and adjourned at 4:15. Present: Mr. DeWolf, Acting Chairman, Mr. Smith and Mrs. Brady.

Number of cases considered - 10.

Total time consumed - 45 mins.

Unanimous decisions - 9

Divided opinions - 1

Passed for entry - 2

Rejected - 6

Further correspondence required 3

Passed for Entry.

1. Pulsifer, Alden W. (48868)--Class A. "The Philosophy of the New Deal in Thirteen Words." The Examiner thought there was not sufficient copyrightable matter, but as there are twenty-two words to which the claim of copyright would apply, and as a considerable degree of originality seems present, the Board approves entry.

Also on MP-764.

2. Francisco, Wm. W. (46262)--Class A. "The New Hired Man." The work is a printed synopsis apparently for use in making a motion picture. On the first page of text the words "Detailed Synopsis" appear. The Examiner thinks they should be added to the title on the application, but the Board finds this unnecessary. The omission of the title from the affidavit is also regarded as negligible. The Index Division may add the words "Detailed Synopsis" on the index card if thought necessary. Enter.

Rejected finally or Subject to correspondence.

3. Van Auken-Ragland, Inc. (47688)--Class A-5 (A or K). "New Light on That Something Extra." The material for which registration is requested appears on pages 70-73 of "Jobber Topics" for June 1940, and consists of both text and pictures. The notice "© Ramco, 1940" is defective for a book. The Board is of the opinion, however, that the matter on pages 72-73 may be registered as a "print", the notice being sufficient for this purpose. Write accordingly, requesting a new application with the title that appears on page 72.

4. Tolle, Norman W. & Associates. (48426)--Class B. "Flypaper". Inadequate notice. The title of the periodical is followed by the

words "Published and Copyrighted by" and the name of the claimant, Speer Flying Service. The year date is present only as a part of the usual publisher's announcement on the left of the heading, reading--"Vol. 1 No. 4 - July 1940". This the Examiner rejects as a case of absence of the year date, and the Board agrees.

5. Juley, Peter A. & Son, Inc. (45206)--Class J. "The Constitution. By Hoard Chandler Christy." This is a photograph of a painting recently installed in the Capitol. Applicant says under date of July 23 that publication has not taken place. The Examiner questions whether copyright is desired for the painting or for the photograph. It does not seem probable that Peter A. Juley & Son, Inc. are copyrighting the painting, and the Board recommends sending J-2 for registration of the photograph, with the suggestion that another registration may be required in Class H if and when publication takes place.

6. Bernard Picture Co., Inc. (41961)--Class K. "Chinese Still Life" and 5 others. The copies are process prints of some kind in pale neutral tints, and because of their ragged edges and other indications (one of them is printed on both sides) they appear to be proofs not intended for publication in this form. Applicant was so informed, and copies of the best edition published were called for. The reply was that the best copies "available" had been sent. The Examiner felt that this statement was insufficient to permit of entry, and the Board agrees. Reject, explain and refund, with return of copies.

7. Grebenstchikoff, George D. (33883--refunded)--Class A. "The Turbulent Giant." The Examiner rejected this application because of evidence that publication without an adequate copyright notice had taken place. Letters from friends of the author, Igor I. Sikorsky and Carl Less, as well as from the author himself, plead for reconsideration largely on personal grounds. There seems no reason, however, to reverse the action of the Examiner. Reject.

8. Gilgoff, Maurice (40233)--Class A. "Re-Employment Survey". The copies are largely typewritten, and the application was rejected on the grounds of doubtful publication in the first instance. Applicant now states that "Mr. Gilgoff 'publicly distributed' within recent days several copies of the MANUAL OF PROCEDURE to various officials of the city of Boston" with the notice. It still appears to the Board that a general publication in the meaning of the copyright law has not taken place. Reject.

9. Payne, Wm. (42526 & 47030)--Class K. "Honi Soit Qui, Mal Y Pense." Reject as obscene.

Divided Opinion

10. Country Press, Inc. (46543)--Class A. "Hooey Annual No. 10." Mrs. Brady would reject this as obscene. Mr. DeWolf and Mr. Smith

think that it is coarse and vulgar but hardly over the line dividing
vulgarity from obscenity and would therefore enter. *Reject - CL Bourne.*
(See "Obscene")

R. Le De Wolf
Acting Chairman, Revisory Board.



MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
August 6, 1940

The Revisory Board met at 10:40 A.M. and adjourned at 12:00 Noon.
Present: Mr. DeWolf, Acting Chairman, Mr. Smith, and Mrs. Brady.

Number of cases considered - 17
Total time consumed - 80 mins.

Unanimous decisions - 12
Divided opinions - 5
Passed for entry - 4
Rejected - 3
Further correspondence
 required - 4
Referred to Print &
 Label Section - 1

Passed for Entry.

1. Laramie, Joseph D. (47454)--Class I. "Economics of Poverty" and "Economics of Security". The Examiner felt the material should be registered in Class A if at all, but the Board thought enough of the graphic element was present to justify Class I as applied for. Enter.
2. Burns, Arthur E. and Watson, Donald S. (49181)--Class A. "Government Spending and Economic Expansion." The Examiner thought both signatures on the affidavit were written by one person, and further that striking out the statement in the affidavit "of which copies have been deposited" vitiated it. The Board thought the affidavit acceptable. Enter.
3. Frost & Reed, Ltd. (10850 & 49236)--Classes G and H. "Summer Day" & others. The Examiner thought the copies of published colored prints filed as "identifying reproductions," for entry of two G's were not acceptable, because they are published prints and duplicates of those deposited for registration in Class H in February. The Board, however, is of the opinion that this makes no difference, and that as the statute provides for a "photograph or other identifying reproduction," and as nothing could better identify the original painting than colored prints made from it, the picture should be accepted and entry made as applied for. Enter.
4. Jones, Edward Lye (49219)--Class A. "Keeping You Well is the

Doctor's Business," & 2 others. The copies of one of the articles contained the following three sentences--"Keeping you well is the Doctor's business. Keeping your car well is our business. Our products and services will keep your car healthy and well." The other articles are identical except that the word "healthy" was used in place of "well" in the first two sentences. Each of the first two sentences are printed inside an ornamental border. The Examiner rejected these cards as "slogans", but the Board was of the opinion that they contain enough text matter to justify registration. Enter.

Rejected.

5. Mrs. Kitty Keepers Voss (10610)--Class C. "Kitty's High School Assembly Broadcast No. 1 - No. 2." The Examiner recommends rejection of this material because each of the two copies contains portions of a large number of different stories, in addition to several complete stories, and a list of other stories available. In other words, each copy contains much more than can properly be registered on one application and fee. The Examiner is sustained. Reject and explain why.

6. Carrata Co. (47204)--Class G. "Bonita" & 4 others (Mannequins). The Examiner, apparently on the basis of a previous action in regard to similar articles, recommends only that new applications be filed correcting some defects. The Board, however, believes these are articles of utility notwithstanding they are human figures, and that they should be rejected regardless of their possible artistic character, just as an ash tray or a candlestick would be. Reject.

7. Elliott, Bruce S. (49021)--Class G. "Willkie - Bumper emblem for autos." The article consists of a representation of the United States' flag, with no indication of individual artistic treatment, and under it the word "Willkie". As an emblem, this is probably the subject of design patent rather than copyright. As a representation of the flag without artistic treatment it must be rejected. Reject.

Further correspondence.

8. Boris (48130)--Class J. "Old Man of Cape Ann," & 1 other. The copies are presumably ^{unpublished} photographs but are applied for on forms J-1. It seems from applicant's letter that publication has in one case taken place in a magazine. On one photograph the words "Boris (C)" appears. This may or may not be an adequate notice, depending on whether Boris is a recognized trade name. The recommendation of the Board, however, is that registration of the photographs as unpublished be suggested, coupled with the information that the published reproductions must bear the statutory copyright notice, and if they do may be registered as A-5 (K). Write accordingly.

9. Farwest Lithograph & Printing Co. (No Fee)--Class K. "We Want

Willkie." No application or fee has been filed in this case. The applicant desires to know whether the copyright notice on the sample copy submitted is in correct form. The notice reads--" C Litho. By Farwest Lithograph & Printing Co. Seattle, Washington." The Examiner thinks the initials or monogram should accompany the C in a circle, or that the name of the owner should appear in immediate connection with the symbol C. The Board is of the opinion that the interpolation of the abbreviation "Litho." between the C in a circle and the name of Farwest Lithograph & Printing Co., would not prevent the notice from being good, if in fact the copyright owner is the Company named. Send K application and explain.

10. Allen, Thornton W. Co. (48178)--Class E. "Songs of Old Wabash." This is a collection of college songs, five in number. All of them bear a copyright notice with the year date 1940, except one, which has a notice with the date 1915. Three of them have been previously copyrighted, two as published works and one as unpublished, but the earlier dates of copyright do not appear on any of the three. The Examiner rejects because there is no collective notice of copyright as a compilation, and because there is a doubt as to whether the individual numbers are entitled to a new copyright now. The Board sustains the Examiner in general, although feeling that the notice of copyright on the first page of music would be sufficient for the collection as a whole, even though it is applicable primarily to the number on which it appears. The notice is on the first page of music as provided in Sec. 19, but the Board feels there is much doubt as to the basis of the claims of copyright in each of the individual songs, all of which according to the application are supposed to be protected under this registration. Write for an explanation.

11. Lawson, Welcome H. (48729)--Class G. "Design of Round or Circular Silouett of American U. S. Citizen." The article shown in the photograph filed is a turned-wood object. The Examiner rejected this as not a work of art. While it may have some slight artistic character, it is probably intended for some sort of useful purpose. Write and inquire.

Divided Opinions.

12. Rice & Rice (46641)--Class K. "We are 100% American." This is one of the frequent cases of articles consisting chiefly of a representation of the flag or other United States insignia, and is made the subject of a divided opinion partly to aid in establishing a rule for treatment of such matter. The Examiner was in doubt about this case, feeling that it was hardly original enough and yet recognizing that as the Office had sent form K it was hard to reject it. The Board is divided. Mrs. Brady and Mr. Smith think there is not sufficient copyrightable matter. Mr. DeWolf thinks the treatment of the flag artistic and hence that it is entitled to registration. Enter as K since application was filed at our suggestion. - HAA (See "JLOGAN")

SUBJECT

13. Landsheft and Warman, Inc. (No Fee)--Class A. "Breeder Chart." The Examiner rejects this as a device. Mrs. Brady and Mr. Smith agree on what they believe to be the settled policy of the Office. Mr. DeWolf on the contrary feels that copyrightable matter is present and the mechanical feature is of trifling importance. He therefore would recommend entry. *Reject - C. L. Bouvé (See "DEVICE")*

14. Harrison & Smith Co. (48399)--Class A. "Estimated F.H.A. Loan Payments." This is another so-called "device," consisting of a card sliding inside of a container which has columns of figures to be read in conjunction with the text matter on the outside of the card. The Examiner suggests that entry might be made as this is not clearly a device. The Chief of the Examining Section recommends rejection. This is agreed to by Mrs. Brady and Mr. Smith, as a matter of settled Office policy, but Mr. DeWolf recommends entry, feeling that the mechanical aspects of the article are of trifling importance. *Reject - C. L. Bouvé (See "DEVICE")*

15. Lipow, Julius (No Fee)--Class A (?)--No application. "Speedy Calculator." This is an article consisting of two numbers, one made to revolve within the other so that a column of figures may be read in a slot in combination with a column of figures on the outside number. The outside number also contains text matter in the form of directions. The Examiner rejects this because it contains no notice, but implies that if it had a notice it would be registrable. Mr. Smith and Mrs. Brady reject it as a "device". Mr. DeWolf would enter because of the presence of copyrightable matter. *Reject - C. L. Bouvé (See "DEVICE")*

16. Insurance Research & Review Service (Trust)--Class A. "The Measure-Master." This is a "device," somewhat more complicated in its modus operandi than those previously referred to. There are several slots in which are buttons by means of which cards containing figures are made to move behind a frame through which they are seen or read. A considerable amount of text matter and compilations of figures, apparently the result of mathematical computation, is present. The Examiner is in some doubt, but the Chief of the Section recommended rejection as a "device". In this Mr. Smith and Mrs. Brady concur; Mr. DeWolf favors entry. *Reject - C. L. Bouvé (See "DEVICE")*

Referred to Prints & Label Section

17. Clay Adams Co., Inc. (49812)--Class A. "The Einhorn Bi Lumen Esophageal and Gastric Lavage Tube." The article is a circular explaining the surgical appliance named, and containing a picture of it. There is a good deal of text matter and not very much picture. Nevertheless it is the sort of thing which would be registered as a "print" advertising an article of manufacture, if submitted with an application on form KK and the proper fee. It is therefore recommended by the Board that it be transferred to the Print & Label Section for a letter

explaining the required action. The Examiner held it up merely because she thought the copies were proof, which does not seem to be the case. Enter as KK on receipt of proper application and fee.

R. C. DeWolf

R. C. DeWolf
Acting Chairman, Revisory Board

MINUTES OF THE REVISORY BOARD
Copyright Office
August 9, 1940

The Revisory Board met at 10:30 A.M. and adjourned at 12:00 Noon. Present: Mr. DeWolf, Acting Chairman, Mr. Smith and Mrs. Brady.

Number of Cases considered - 16
Total time consumed - 90 Mins.

Unanimous decisions - 14
Divided opinions - 3
Passed for entry - 1
Rejected - 9
Referred to Prints & Label
Section - 2
Held for further statement
by applicant - 1

Passed for Entry

1. Calavo Growers of California (50317)--Class A. "The Growers Manual of Calavo Facts." The notice reads "Copr. 1940 C. G. of C." The name "Calavo Growers of California" appears above a list of the Board of Directors of that organization, not far from the notice, and as they are the claimants of copyright and their initials appear in the notice, it was thought by the Board that entry could be made. Enter--but write warning as to future cases.

Rejected

2. Milson, Atha Prime (Mrs.) (No fee). The material inquired about by the writer consists of several little labels with slogans or phrases, "We're from Texas," "We're from Iowa," etc. One of them with representation of the U.S. flag and the word "America". They are rejected as not containing sufficient authorship.

3. California Blueprint & Map Co. (49849)--Class F. "Topographical Map of Bridger Basin, Unita County, Wyo." The original deposit had a copyright notice without the owner's name, although the words "Compiled by Frank E. Hilton," the claimant, appeared in the legend not far from the notice. After initial rejection, new copies were filed with the complete notice, but the application was again rejected because of the

initial publication without the name. Applicant now files a lengthy argument that the name in the legend above referred to should be read as part of the notice, but the Board is of the opinion that this cannot be done. Reject.

4. The Tablet & Ticket Co. (No Fee)--Class K (?). "Certified Gretsch School of Music." The article is a gummed label or sticker with the words used as the title and a staff of music printed as a background, the whole on blue and gold enamelled paper. There does not seem to be sufficient copyrightable matter, and the work has been published without the copyright notice. Reject.

5. Stevens, Julian M. (49770)--Class G. "I Am a Democrat for Willkie." The article is a circular figure with the words mentioned, and seems to be a design for a button. It contains no copyrightable element. Reject.

6. Macklin, Charles (50228)--Class A (?). Parabolic formula. The writer submits two copies of the formula, one in pencil, the other a photostat, and no evidence that publication has taken place. It is believed that a mathematical equation worked out like this, with addition of some graphic figures, might be registered as a "book" upon publication, but the article must be rejected as an unpublished work. Reject.

7. Mock & Blum (50587)--Class G. "God Bless America. We Are Proud to be Americans." The article is a rectangular figure, filed in a photostat copy, bearing conventional representations of the flag and United States shield, with the words "God Bless America--We Are Proud to be Americans." Indications are this is a design for an auto tag. A merely conventional representation of the flag cannot be copyrighted, and the words referred to, constituting slogans, do not contain sufficiently original authorship. Reject.

8. Singer, Julius (50264)--Class A. "Don't Vote for Roosevelt and Wallace Deal." The words are so printed that certain letters stand out, and the legend may read "Don't Vote for Raw Deal". There is insufficient text matter for a "book," and the article is not registrable in any other class. Reject.

9. Thiery, Paul K. (49950)--Class I. "TNT No Third Term." The article is a drawing in red and blue on a white background, evidently intended as a design for a button, bearing the letters and words of the title. It is rejected both as a design for an article of manufacture and as containing insufficient copyrightable matter. Reject.

10. Hauser, Samuel (49598)--Class A.(G). "Afloat Forever. My Flag..." The copies filed are photographs of a drawing of a ship, the words of the title appearing on a cloud overhead. In addition, there is a verse of poetry, entitled "My Flag," which, however, occupies only a small space

on the copies. The Examiner rejected this as not published; hence not registrable in Class A. The Board agrees, but is of the opinion that the drawing could be registered in Class G upon the filing of a suitable application.

Referred to Print & Label Section

11. Cohn, Joseph M. (49330)--Class A. "A Button Hobby Envelope." The copies are cellophane envelopes to hold assorted buttons for sale to persons who collect such things as a hobby. The text matter on the envelope is insufficient in quantity to constitute a "book," but the Board refers the matter to the Print & Label Section to see whether action there will be possible. As originally submitted the article bore no copyright notice, and of course if so published on June 19 as the first application alleged, it could not be entered.

12. Downing, Samuel Joseph (47612)--Class A. "Daily Chart for Extra Telephone Charges--Check-A-Phone. The article is a blank form for keeping a record of extra telephone charges, but on the back of it is a picture of the Check-A-Phone with some text matter. The Examiner rejected the application originally because of defective copyright notice, and rejects it again upon correction of the notice in view of prior publication. The original notice would be adequate for a "print," and the Board votes to refer the matter to the Print & Label Section to see whether it can be so registered.

Held for Further Information

13. Landis Machine Company, Inc. (45481--refunded)--Class A. "Landis Hand Book. Sixth Edition." Rejected because of misplaced notice. Applicant's representative, however, in a personal interview with Mrs. Brady stated that no copies had been sent out, a statement borne out by his letter of July 30, in which he refers to them as still in the hands of the printer. He proposes therefore to print a new notice on a sticker and apply it in the correct place and then publish. He was asked at the interview to verify his statement that no copies had gone out, and promised to investigate the matter further and write again. The application should therefore be held pending receipt of further information from him, but entry may be made of course on the filing of new copies with the notice in the correct place and a new application correctly stating the date of publication with such notice, if and when this action takes place.

Divided Opinions

14. Pippel, Paul O. (49386)--Class K. "Comic Animals." The copies are large sheets of cardboard with a number of repeated representations of heads of animals, with considerable amount of text matter. The

initial action consisted of a qualified rejection by the Examiner who stated that the article might be registered as a "book" if published in the form deposited. Applicant files an application on form A, stating that the sheet of pictures is used on a rotatable drum as an amusement apparatus, each strip separately appearing behind its own window. The Examiner rejects it because "not published in this form; is used as a part of a device". On this situation, the Board divides: Mr. DeWolf and Mr. Smith feel that the matter is copyrightable, and that the sheets are presumably sold to the persons who use the apparatus, separate therefrom. They therefore recommend entry. Mrs. Brady sustains the Examiner. *Enter as now applied for on A1 - HAH (See "Book")*

15. Universal Zonolite Insulation Co. (No Fee)--Class A. "Zonolite Cold Storage Insulation." There is some question what is the title page of this article, but it seems to be the cover on which the words above referred to as the title appear. The word "Zonolite" appears on a number of pages in the article. The first page contains the preface, the third page the table of contents, and on the back of this page the notice is found. Mrs. Brady and Mr. Smith think this is sufficient and would enter. Mr. DeWolf thinks the notice is misplaced and rejects. *Enter but write warning letter - HAH (See "NOTICE")*

16. General Mills, Inc. (44629)--Class A. "New Progress in Bread Nutrition ...through Research." The Examiner rejects this because of a misplaced notice. The title quoted appears on the outside cover of the copies. The inside cover page is composed of illustrations. The following page contains a letter, "To the Baking Industry." On the back of that again are illustrations. The copyright notice appears at the bottom of the next page. This is headed, "Progress in Bread Science." Mrs. Brady and Mr. Smith think the notice is in a sufficiently conspicuous place and would enter. Mr. DeWolf votes for rejection. *Written concerning Statutory provisions re notice - HAH (See "NOTICE")*

R. C. DeWolf

R. C. DeWolf
Acting Chairman, Revisory Board

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
August 14, 1940

The Revisory Board met at 10:45 A.M. and adjourned at 12:30 P.M.
Present: Mr. DeWolf, Acting Chairman, Mr. Smith, Mrs. Brady and Mr. Pierce.

Number of cases considered -	20
Time consumed:	105 mins.
Unanimous decision -	17
Passed for entry -	5
Rejected -	8
Further correspondence -	4
Divided opinions -	3

Passed for Entry

1. Sherlock & Arnold, Inc. (48076)--Class A. "New Passenger Car Sales Analysis." This case was previously considered by the Board but referred to the Search Section to see if previous action had been taken on the question of whether the material is published as a unit; that is, whether the several sets of multigraphed sheets arranged by counties and simply stapled together are actually sold or distributed in this form and no other. It was found that in 1937 the question had been presented to the applicant and that the answer was this is a single publication and that the sheets for the various counties are all issued as one work. In view of this information, the Board voted unanimously to enter. The fact that the "0" is omitted from the year date in the notice on one or two sheets is not regarded as an obstacle to registration, since each sheet bears the general title and the notice, which is in most cases complete, and since the year date of the issue is given as 1940 in close proximity to the notice. Enter.

2. Scudder, Stanley & Vida. (51301)--Class E. "Lullaby Baby Go-To-Sleepy-Go." The application gives the names of the composers and authors as Vida & Stanley Scudder. The copy contains the notation "By Vida-Stan Scudder." The Board does not believe it necessary to write a letter requesting a new application in a case of this kind. The application should be followed as to the names of the authors in making the entry. Enter.

3. Atlantic Refining Co. (The) (50767)--Class A. "Oxidation of Paraffin Wax." The application is filed on form A-7. The copy appears to be printed by some process other than type setting, and is possibly a gelatin print made from typewriting. The Examiner rejects this appli-

cation and suggests the use of form A-1. However, the affidavit in form A-7 definitely specifies that the work has been manufactured "by a process other than those enumerated in Section 15" of the Copyright Act, and while A-7 is no longer sent out by the Office, it may be used in all cases in which the printing has not been done by any of the processes named in the Act. The use of this form is not restricted to cases of mimeographed material. Enter.

4. Price & Lee Co. (The) (50906)--Class F. "New Map of Hartford & West Hartford, Conn. - New Map of East Hartford, Conn." The two maps are printed on opposite sides of the same sheet. There is a notice on the New Map of Hartford and West Hartford but not on the map of East Hartford. Two applications were filed, one for each map, indicating that copyright is being claimed separately for the two maps. Under these circumstances it is difficult to see how registration can be made of the claim of copyright to the map which does not bear a notice. The Board therefore votes to enter the map of Hartford and West Hartford, and reject the application for the map of East Hartford.

5. Colonial Press, Inc. (51676)--Class A. "Literatura Universal". This is a work in six volumes, and when they were first received on March 14, without an application, and no response to a request on Cir. 81, the Examiner recommended sending forms A-1 and A-2, explaining their use and requesting the filing of the appropriate form. A letter was written accordingly, on July 3, explaining that form A-1 was for use in registering works published for the first time, and form A-2 for revised editions containing substantial changes, and instructing the applicant to fill out whichever was appropriate. The applicant filled out form A-1, and while the application bears the notation "(6 vols. of this set are now ready as a unit)", it is not believed that this implies a republication. Enter as applied for.

Rejected

6. Coffin, Harry B. and Beattie, Byron J. (33566)--Class A. "Artscaler." This case was before the Board on May 29, upon the question of whether the copies were of the best edition or merely proofs. The answer of the applicant to this question shows that the actual copies as sold are printed on celluloid with an arm attached which operates upon a pivot, and that the "form in which the device is sold is actually three dimensional". An illustration enclosed with the letter shows the nature and mode of operation of the article. Notwithstanding the presence of text matter in the form of directions, and the rows of figures on the copies filed, it is clear that this is a device within the meaning of the ruling made by the Register of Copyrights in his memorandum of August 13, namely, "some form of apparatus which requires manipulation for the purpose of obtaining the desired result". The Board accordingly rejects the application.

7. Augener, Ltd. (Trust)--Class E for. "Dance of the Sugar-plum Fairy." The claim of copyright upon this version of a work by Tchaikovsky, which is in the public domain, is phrased as "Adapting for class use in condensed full score." The Examiner points out that this does not indicate the necessary new musical composition required for a new registration of a work in the public domain. The Board sustains the Examiner and votes to reject.

8. Theodore Presser Co. (Trust)--Class E. "Schumann's Symphony No. 4 (in D minor)." Copyright was claimed in the application filed Feb. 17, 1940, on behalf of Oliver Ditson Co., for "New arrangement for Piano, Two Hands." As indicated in the correspondence in this case, the work is not a new arrangement but a version based upon a public domain edition published by Peters. Applicant has listed the changes made in this edition, which in fact consist of nothing more than revision. There are in addition, critical notes, but there is no new musical composition, and consequently no basis for registration in Class E. Reject.

9. Walton, Charles S. (51354)--Class G. "Semper Fidelis - America" - Head of Roosevelt on eagle above shield. The photograph, two copies of which are presented for registration of this so-called "work of art," shows the shield of the United States with the word "America," on a scroll, the shield being surmounted by the representation of an eagle with the head of President Roosevelt, back of which is another scroll bearing the words "Semper Fidelis." The article is described as "Design for Decalcomania or Sticker for use on Windows or automobile Windshields as campaign matter." The Examiner finds no original artistic material in this work, and this decision is sustained by the Board which votes to reject.

10. National Greeting Card Co. (49258)--Class K. "Merry Christmas" (Mr. and Mrs. William J. Cameron), and "May the Joys of Christmas linger throughout a Year of Happy Days" (Mr. and Mrs. Gerald T. Edwards). The copies are colored prints, loosely attached by paste to the outside of a four-leaf folder. The copyright notice is on the back of this folder in both cases. Thus, the applications in Class K must be rejected because the notices are not on the face of the prints; nor is this a case where the notice can be construed as correctly placed for a book by opening the folder and treating it as one sheet, because the print is not an integral part of the folder at all but is simply attached to it. Reject.

11. Kolb (N. K.) (48389)--Drawing (no application). "This will be My Key for Peace in America; Willkie for President." The copies are on heavy bristolboard, bearing a representation of a key with the words of the title in red and blue color. The article does not belong in any class of copyrightable matter and presents insufficient artistic authorship. Reject.

12. Gulliford, L. E. (No Fee)--Drawing (no application). This is another attempt to pun upon the name "Willkie" by means of a representation of a key. No proper title is given. The copy shows the representation of an

ordinary key with the syllable "Will" above and below. It has no sufficient original authorship to be registered in any class. Reject.

13. Franklin Printing Co. (51355)--Class A. "The Hot Water Service Calculator." The copies consist of cards with sliding and rotating parts for calculating the cost of hot water service under different circumstances. This is a device within the meaning of the memorandum of the Register of Copyrights of August 13. Reject.

Further Correspondence.

14. Freed, Edwin (No Fee). No classification. "Window Display Service." The applicant presents a photograph showing the items in a window display service for jewelers. The photograph shows a large number of printed matter of various sizes; some of them are price tags; some are brief advertising statements, such as "Free Watch Regulation", "Window Specials - Pay a Little Weekly"; and two or three are cards with both text and illustrations. The service is sold as a set, according to a letter which accompanied the copy, and the writer wishes to know whether the entire set can be copyrighted as a unit. The Examiner suggests that upon the deposit of two complete copies, a further examination and expression of opinion would be possible. It seems clear, however, that the service could not be registered as a unit, since it will be broken up into its various parts and used in that way. Possibly some of the larger display cards with pictures could be registered in Class K upon publication with the copyright notice. The magazine called "Ideas," mentioned in the applicant's letter might also be copyrighted in the same way; i.e., upon publication with the notice, followed by an application on form B. Write accordingly.

15. Goes Lithographing Co. (40868)--Class K. "Crater Lake" & 4 others. This case has already been before the Board, which recommended registration of five of the pictures involved as "prints". The Examiner, however, has suggested that further explanation as to the authorship of these five works is required, because on the applications K which have been filed the name of the author is given as H. Lee, while in the statement of the title the words "by John Kabel" are included, and on the copy is a legend indicating "Manufactured by Goes Lithographing Co.," which is confirmed by the statements of the applications that this concern lithographed or otherwise produced the pictures. It seems necessary to write again to straighten out this matter of authorship. In all probability the authorship of the colored prints resides in Goes Lithographing Co., as employers for hire of the artisans who did the work. John Kabel doubtless was the author of the original photographs. The attribution of authorship to the claimant, H. Lee, is not understood. Write and inquire who is the actual author, i.e., who made the prints. *First on MP-494 - Goes Lithographing Co. established as author (see Wernick) (No memo)*

16. Moderne Publications (37669)--Class E. "The Merry Farmer" & 5 others. These are new editions of old musical compositions. In only one case

is the copy available for comparison, that is, for "The Merry Farmer" by Schumann. No new musical composition is found in this work, the only changes from the 1897 edition examined being a few finger marks. In three cases a slight amount of new matter was found, but sufficient to warrant registration. These are, "Artist's Life," "Beautiful Blue Danube," and "Valse Bluettes". In two other cases, "Golden Stars Waltz" and "Cuckoo Waltz," there is still a question, and a letter was written inquiring what new matter existed, if any. In response, applicant requested return of the remittance and the copies. The Examiner inquires what action should be taken. In the opinion of the Board, the entry should be promptly made for the three containing new matter, and the application for "The Merry Farmer" should be rejected. The remittance to pay the fees for this work and the two others, upon which no comparison has been possible, may be returned in accordance with the request, but the copies of all should be held for possible future reference, or transferred to the Music Division where feasible. Write accordingly.

17. Bandas, Morris (51138)--Class D-4. "The Devil's Challenge on the Roads of the World." The copy is in two bound volumes, one containing 454 pages of text, and the other 100 pages of music. There are 35 separate songs in this music. In the book of text is a list of "music to accompany the drama" and "additional music available for the drama," which may or may not include some of the songs in the copy of the musical matter. The Examiner says "Complete musical score required or a statement of limitation showing claim based on 35 new musical compositions." The Examiner's statement is not sufficiently comprehensive to enable the Board to come to a decision, and the material is returned for a fuller statement.

Divided Opinions

18. American Institute of Laundering, Inc. (51335)--Class A. "Manual for Determining Costs of Laundry Services." The question here is whether there is a sufficient notice of copyright. The name of the claimant appears in the middle of the title page; the words "Copyright 1940" appear at the foot of the page in connection with other matter. Mrs. Brady and Messrs. Pierce and Smith would enter, but write a warning letter as to the future use of the notice. Mr. DeWolf thinks the notice insufficient and would reject. *Enter but write re doubt - HAH (See "NOTICE")*

19. Kehlman, Al. L. (51190)--Class K. "Mexican Fruit Girl" & 1 other. The notice on the copies consists of the letter C in a circle, followed by the word "Kehlman". This is in the lower left hand corner. In the lower right hand corner is the word "Alruto". The applications give the copyright owner as "Al L. Kehlman", and the name of the author of the print "Al 'Alruto' Kehlman", with the words "(trade name)" below "Alruto".

The Examiner states that the copies lack the full name of the copyright owner. The question is raised whether the letter C within a circle, followed by the surname only of the owner is sufficient under Sec. 18 of the Act, and further whether if "Alruto" is a trade name it ought not to be so stated in the application. Mr. DeWolf and Mr. Pierce would enter, merely suggesting a cross index card under "Alruto". Mr. Smith and Mrs. Brady on the other hand think an application should be obtained with a statement that the author is Al L. Kehlman, doing business as "Alruto", if that is a fact, and warning as to the correct form of notice to use in future cases. *Enter - HAH (See "NOTICE")*

20. International Latex Corp. (51486)--Class A. "Kooleez Those Durable Baby Pants" etc. The Examiner held this because of the absence of the title in the affidavit. This is not regarded as a serious difficulty, but the Board observed that the copies contain several prints advertising an article of merchandise, and for this reason Messrs. DeWolf and Smith would refer the matter to the Print & Label Section. Mrs. Brady and Mr. Pierce on the other hand feel that the copies do not present a single print in the meaning of the Print and Label amendment, approved July 31, 1939, but rather an advertisement of mats for producing several prints, together with a considerable amount of text matter. They therefore do not see any good reason why registration cannot be made in Class A, upon the receipt of a corrected affidavit. *Refer to Print & Label Section and enter in accordance with action on similar material. HAH (No memo.)*

In addition to the cases which are the subjects of the above minutes, the following two cases are included, although they were not the subject of examination by the Board at the meeting August 14. One of them was examined at the meeting of August 6; the other one by individual inspection. Both relate to mannequins, and were the subject of a conference with the Register of Copyrights on August 13--

21. Vazah, Inc. (49737)--Class G. "Sculpture of Sitting Man - No. M-70" & 4 others. These are mannequins for the display of garments. The Examiner had passed them for entry on the basis of a precedent established by registrations which were made in 1938 for similar material. After initial rejections, the registrations were made apparently as the result of representations in a personal visit from Mr. Kane, a member of the firm of Munn, Anderson & Liddy, attorneys for the applicant, but no record has been preserved for the reasons which prompted the action. Notwithstanding this case, it was the opinion of the Board that mannequins are articles of utility and as such should be rejected in spite of their artistic execution. In this opinion the Board was sustained by the Register of Copyrights. The applications are therefore being rejected.

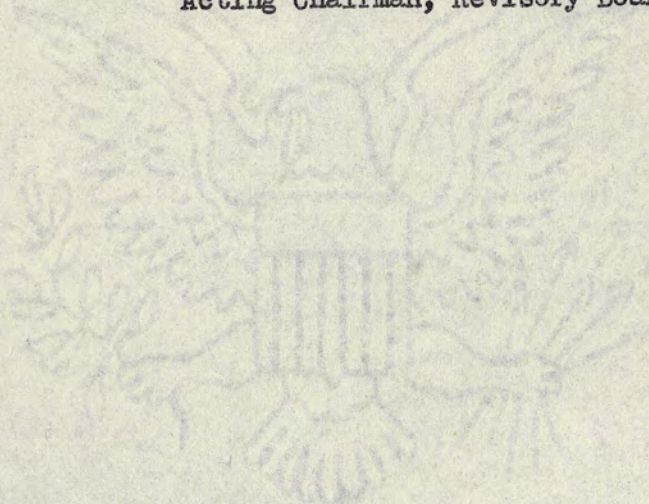
22. Carrata Co. (47204)--Class G. "Bonita" & 4 others. These are mannequins, and thus articles of utility and should be rejected as such, regardless of the fact that they may be artistically made. This is of course true of any artistic article of manufacture, such as a candlestick,

ornamental clock, etc., etc. Representations of the human figure intended to be used for display purposes are not works of art any more than any other artistic article of utility.

R. C. DeWolf

R. C. DeWolf

Acting Chairman, Revisory Board



MINUTES OF THE REVISORY BOARD

COPYRIGHT OFFICE

August 17, 1940.

The Revisory Board met at 10:45 A. M. and adjourned at 12:45 P. M. Present: Mr. DeWolf, Acting Chairman, Mr. Smith and Mrs. Brady.

Number of cases considered -	25
Time consumed -	120 mins.
Unanimous decisions -	23
Passed for entry -	9
Rejected -	8
Further correspondence -	5
Referred to Print & Label Sec. -	1
Divided opinions -	2

Passed for Entry

1. Nunn, Earl (42540)--Class A. "Miss Billie Walker and Her Hill-Billy Girls". The application gives the names of the copyright owners as William Earl Nunn and Harold Frank Burns. The notice gives only the name of Nunn. A letter received August 7 states that an agreement by which Nunn and Burns were each to own one-half interest in the copyright, was made "after this book was compiled". The date of publication was June 24, 1940, while the application was not received until July 9. It seems reasonable to believe that the agreement was made after publication, and hence that registration should be made in the names of both owners as applied for. Enter.
2. Fallon, Henry A. (42433)--Class A. "Rhythm-Cal". The application last received gives the name of the copyright owner as "Rhythm-Cal (Henry A. Fallon, sole owner)," while the notice gives simply "Rhythm-Cal". The facts of ownership seem sufficiently clear, and it is not necessary to write to have the applicant make the same statement in another form, i.e., that "Rhythm-Cal is the trade name of Henry A. Fallon." Entry may be made in that form if preferred. Enter.
3. Lincoln Printing Co. (46772)--Class A. "Win With Willkie" & 2 others. One of these has already been registered. The Office in its letter of July 24 suggested that one or the other of the remaining two might be registered as a print, but that as the pictorial element, a portrait of

Willkie, was identical on both the articles, only one registration would be required. The applicant thereupon requested the cancellation of both applications. The Board is of the opinion that as either one of the two is regarded as registrable, and that as the dates of publication are the same, the Office should not decline to register both. Registration in Class A covering both text and pictures seems under the circumstances permissible. Enter and advise applicant of this decision.

4. Hawley, Emerson E. (48273)--Class F. "What and Where. A Selected Group of Stores, Speciality Shops and Services" etc. The copies in this case are somewhat pictorial in their nature, showing business blocks in Chicago. Nevertheless, the work is really a map and could be used as such to find the places named. It seems proper to enter as applied for.

5. ODea, Sheldon & Canaday, Inc. (51324)--Class A. "Adlandia". The Examiner questions publication in this case, because the Foreword refers to the book as "in its manuscript form", and it is printed by some duplicating process other than type or plates. There seems, however, no sufficient reason for questioning the statement of publication. The copies are reproductions of the original typewritten work, but the process by which they are made is commonly used for issuing very considerable editions of books preliminary to their final form. Enter.

6. Hunting, William S. (51741)--Class E. "I Remember Too Well". The application gives the name of the composer and author as William Stanley Hunting. On the outside of the copy it is William S. Hunting, but on the first page of music Bill Hunting. The Examiner suggests writing for a statement that Bill Hunting is a pen name. This seems unnecessary. Enter.

7. Boneau, Richard A. (51590)--Class E. "Memory Waltz". The application states that Richard Allan Boneau is the composer, and the copy gives Dick Boneau. It seems clear that one and the same person is meant, and that the application gives his full name. Enter.

8. Moses, Abram (51899)--Class E. "The Fishes In My Pond" and "In The Shadow of a Villa". There are two questions. First, are these proof copies; second, is the notice correctly placed on "The Fishes In My Pond," which is printed on one side of the sheet, on the reverse of which is another composition, "The Frogs," also covered by the application. As to the first question, it is clear that the copies are such as are frequently circulated professionally, and this the Office accepts as publication if the application so states. As to the notice, it may be regarded as placed on the title page, or the first page of music of the copies, regardless of the fact that there are two compositions covered by the application. Enter.

9. General Tire & Rubber Co. (51925)--Class A-5. "The Biggest Selling Feature in Shoes Today". This is an advertisement in the Boot and Shoe

Recorder for July 27, 1940, relating to "Corulyte - The Universal Bottom Filler." About half the page is taken up with pictorial matter, and the rest is text. The question raised by the Examiner is whether the notice, "Copyright The General Tire and Rubber Company, Akron, Ohio," not containing a year date is good for an advertisement of this character. If the ad were presented in separate form, it would be registrable as a commercial print in Class KK, and the notice would be good for that class of material. It seems inconsistent therefore to reject it as a contribution, because acceptance or rejection should not depend upon the manner of publication. It is understood, moreover, that instructions have been given that in all cases of advertising prints in periodicals which would come within the print and label amendment if separately published, a notice satisfying the requirements as to such articles is acceptable. Enter.

Rejected

10. Unger, Theo. (40030)--Class K. "Philatelic Envelope". The article is an envelope with a border design consisting of scallops in red and blue, and nothing else except the words "Philatelic Mail Please Cancel Lightly," and the copyright notice. The Examiner unexplainably passed this article for registration subject to the filing of an application on form K with a specific title and confirmation of the date of publication, but it seems quite obvious on casual inspection that the article does not exhibit sufficient authorship to justify registration in any class. This will have to be explained to the applicant. Reject.
11. Seidman, Irving (41448)--Class A or K (?). "Screen Stars Nite-Lucky Spin Board". The copies filed contain copyrightable matter in the form of pictures of movie stars, but it is clear from the applicant's letter of August 7, as well as from the source of the copies that the ultimate form will be that of a device consisting of a board with a spinner arrow; hence it is necessary to reject.
12. Bingham, H. W. (36708)--Class A. "Bingham's Position Checker Board." The copies constitute a check board upon each alternative square of which is printed a checker problem; that is, an indication of certain positions of black and white pieces with a notation of the solution to be sought. Around the borders of the board, the moves to achieve this solution are given. The applicant filed a letter limiting his claim to the instructions and illustrations, and the Examiner thought entry might be made, but the Board is of the opinion that game boards must be uniformly rejected regardless of whether they have copyrightable matter or not, this being the rule laid down by the Register of Copyrights. Inasmuch as the applicant had a personal interview with the Assistant Register of Copyright, however, this case is being referred to him notwithstanding the unanimous opinion of the Board.
13. O'Brien, Clarence A. (Trust)--Class A. "Noah's Ark" & 1 other. The case considered by the Board is that of the article entitled "Game

SUBJECT

Apparatus". The copy contains two pages, on one of which is a representation of a gameboard for playing "Noah's Ark," and on the other a quantity of text matter in the form of patent specifications, describing the game. The notice of copyright is on the representation of the game board and not on the text. This is therefore not a case of attempting copyright for rules for playing a game, but a case where the attempt is being made to copyright the game board itself. Under the rules it is necessary to reject.

14. Keller, Jacob (50476)--Class G. "Designs for Pins, Laveliers, and the Like". The article is a photostat containing a reproduction of five sketches of badges intended to indicate that the wearer has a relative or friend serving in the Army or Navy. The idea cannot be protected. The badges themselves are not subject matter of copyright, and the sketches are too rudimentary to be entitled to registration. Reject.

15. Bobbe, A., Co., Inc. (51062)--Class A. "Aybee Tax Calculator," etc. The article contains a mechanical feature and is rejected as a device regardless of the presence of a considerable amount of text and figures.

16. Hotel Robidoux (50234)--Class G. "Map of Pony Express" (mural). It is indicated by the application and photograph filed that the original work for which copyright is requested is a map painted on the wall of the hotel named, as one of a series of murals. Regardless of its location and presumably artistic execution, it is nonetheless a map, and as it has not been published with the copyright notice it is not registrable in that class. The reproductions filed with the photograph do not contain a copyright notice, and if published in this way are in the public domain. However, inquiry might be made on this point. Also, in the same way as to the index of the Pony Express Map which is filed with the other material. Reject the mural but write as to the reproduction.

17. Stratton, Carlos G. (51468)--Class G. American Flag Flying and "100°/o". The copies are plates with the representation of the flag and the notation "100°/o". There is no element of artistic authorship. Reject.

Further Correspondence

18. Meyer, Chester J. (42335)--Class G. "Singing Monk". Correspondence has taken place relative to the question whether the statuette of a "Singing Monk" which the applicant desires to register was published by the display for a limited time of a single copy in a dealer's store, such copy being subsequently withdrawn. It is acknowledged that no copyright notice appeared on the copy. There is a considerable doubt whether such a brief and limited exhibition of a copy, even for sale, amounts to a complete dedication and forfeits the common law right. The Board is of the opinion that the article may still be registered

as an unpublished work of art, and suggests the filing of a G-2 application with an identifying reproduction, not an actual specimen.

19. Robbins Music Corp. (E pub. 86512). "Americonga". Upon a request for a statement of the nationality of one of the composers of this composition, Fausto Curbelo, applicant writes that while Curbelo believes that he is a citizen of the United States there is some question as to this. The Copyright Office cannot be expected to take chances, and the applicant should make a positive statement on his own responsibility as to Mr. Curbelo's citizenship. The latest application upon which a work was passed for entry states that Curbelo was a citizen of Cuba domiciled in the United States. If he is a citizen of the United States a new application should be filed.

20. Universology Publishing Co. (51021)--Class A. "The Last Days and the New Age." The copies are mimeographed, and the statement of publication might be accepted, except for the fact that the title page bears the notation "Printed in manuscript form", and the further statement, "This special private edition reproduced by Universology Publishing Co." Moreover, the affidavit indicates that printing took place by type set (it was made on one of the old forms, and accordingly is not appropriate). Write and ascertain the facts and get a new affidavit if publication has taken place.

21. General Mills, Inc. (44630)--Labels and two A-5 applications for "Chocolate Chip Cookies" and "Oomph". Applicant files copies of the Saturday Evening Post and The Ladies' Home Journal, respectively, containing the contributions referred to, but it also files separate prints of the same subjects, evidently intended for distribution by themselves. It seems necessary to inquire which are published first, the contributions or the separate prints. In the former case, registration can be made as applied for; in the latter, Class KK is indicated.

22. Robinson, James J. (51264)--Class A. "Abstract of a Judicial Decision". The article is largely a blank form, but does contain some lines of text matter, including a new paragraph which is the subject of the present application. A new application should be filed limiting the statement of new matter to what is actually copyrightable, and omitting the reference contained in the present application to "distinctive title and trade name and design," which are not within the scope of copyright.

Referred to Print & Label Section

23. Brunswick-Balke-Collender Co. (51620)--Class A. "How to Become a Better Billiard Player" & 2 others. The articles contain pictures and diagrams explaining how to make shots at billiards, and having a con-

considerable amount of text matter. They would be passed without objection in Class A, but the notice is defective in that it has only a C in a circle and not the word "Copyright". At the bottom of each article is a statement referring to "Brunswick Playing Equipment," and this may possibly bring the works within Class KK, in which case the notice might be accepted and registrations made. The matter is accordingly referred to the Print & Label Section for consideration.

Divided Opinions

24. Nelson, Charles Lee (51497)--Class A. "Cross of Christ Scripture Memory System". The copies are a series of cards, each containing a number of citations of scripture texts and a notation of the subject heading. The cover contains a representation of a cross with perforations through which the several cards may be punched to show memorization of the texts. Mr. DeWolf and Mrs. Brady think the articles are essentially compilations of texts and would enter. Mr. Smith thinks this a device and would reject. *Enter as a "BOOK" - HAH (See "DEVICE")*

25. Heat Exchange Institute (52371)--Class A. "Typical Specifications for Surface Condenser and auxiliaries for Turbine Service". The notice of copyright is at the bottom of the inside cover page, and consists of the words "Copyright 1940." From an inch to an inch and a half above this notice is the imprint reading, "Heat Exchange Institute, 90 West Street, New York, N. Y. C. C. Rohrbach, Secretary." Mr. Smith and Mrs. Brady regard this as an acceptable notice, and would enter. Mr. DeWolf thinks that the imprint is not intended as a part of the notice and should not be read with it. Moreover, it contains two names: that of the Institute and that of the Secretary, thereby creating a certain amount of ambiguity. Mr. DeWolf would reject. *Enter but write - HAH - (See "NOTICE")*

Supplementary Item

26. O'Brien, Clarence A. (Trust)--Class A-3. "Dimo et Autres Histoires de Bêtes". This is a reprint by some form of lithographic process apparently, of a work originally published in the Canadian edition and rejected upon an application for registration as A-for. The Examiner finds the affidavit defective in failing to state the process by which printing took place, but an accompanying letter says that it was a lithographic process performed by Robert Teller Sons. Some discussion took place in the Board, whether the work produced by lithographic process in the United States could be registered where it was made from a copy printed from type set or plates made in a foreign country. It was concluded that in view of the language of Sec. 15, "if the text be produced by lithographic process, or photo-engraving process, then by a process wholly performed within the limits of the United States," such copies may be accepted. Enter upon receipt of the proper affidavit.

R. C. DeWolf

R. C. DeWolf
Acting Chairman, Revisory Board

MINUTES OF THE REVISORY BOARD
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August 20, 1940

The Revisory Board met at 10:15 A.M. and adjourned at 10:45 A.M. Those present were: Mr. Wise, Mr. Smith, Mrs. Brady, and Mr. Pierce.

1. Henschel, Chester J. (43756)--Class A. "Studies in the Relationship between Pain and Thermal Variations in Operative Dentistry." Work deposited is manuscript book, which is not registrable in unpublished form. Registration may be made for the work as a lecture upon the deposit of the lecture as orally delivered.
2. Mason, Fenwick and Lawrence (Trust)--Class A. "The Purchase of Alaska." Work as first deposited bore a 1940 year date in the copyright notice, and was accompanied by an application giving a date of publication in 1939. Subsequent to correspondence applicant has deposited copies bearing a 1939 notice. Inquire as to form of notice on the date of first publication.
3. Davenport Canderacts (52720)--Class F? or K? "A Hysterical Map of Alaska" and "How to See Things Without Going Places, Montana, Idaho, Wyoming." Works are labels for candy boxes. Refer to print and label examiner.
4. Ross, Mary (No Fee)--Class ? "Fortune Solitaire." Reject. Game as such not copyrightable.

MINUTES OF THE REVISORY BOARD
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August 22, 1940

The Revisory Board met at 11:15 A.M. and adjourned at 11:25 A.M.
Those present were: Mr. Wise, Mr. Smith, and Mrs. Brady.

Time consumed 10 minutes
Unanimous decisions 2
Divided opinions 0

1. Scott, Wood and Pace (52620)--Class K. "Let's Bring Back America--
Preserve Our Constitution--Win With Wilkie." Copy consists of a
bell suspended from a large block with text matter on both the block
and bell in varying colors of red, white, and blue, on contrasting
backgrounds of red, white, and blue. Material is registrable as K
after publication with the copyright notice.
2. Agrons, George (45258)--Class G. "Dr. Serge Koussevitzky." Appli-
cant's statement of publication should be accepted. Register as
applied for.

MINUTES OF THE REVISORY BOARD
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August 23, 1940

The Revisory Board met at 10:00 A.M. and adjourned at 10:05 A.M.
Those present were: Mr. Wise, Mrs. Brady, and Mr. Pierce.

Time consumed 5 minutes
Unanimous decisions 1
Divided opinions 0

1. Pennzoil Co. (The) (45517)--Class A. "Record Card Form 422 (& 13 others)
Refund fee as requested for Record Card Forms Nos. 422 and 422-A and
Kontax Record Cards Forms Nos. 97 and 97-A. Copies show insufficient
text matter to support registration.

MINUTES OF THE REVISORY BOARD
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August 24, 1940

The Revisory Board met at 9:20 A.M. and adjourned at 9:23 A.M.
Those present were: Mr. Wise, Mrs. Brady, and Mr. Pierce.

1. Tolle, Norman W. and Associates (36732)--Class? "Flypaper." Reject.
Year date not in notice. Year date is part of the issue date and
completely disassociated from the word "Copyright" and the name of
the copyright owner.

Cases considered 1
Unanimous decision 1
Divided opinions 0

MINUTES OF THE REVISORY BOARD
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August 26, 1940

The Revisory Board met at 10:00 A.M. and adjourned at 10:35 A.M.
Those present were: Mr. Wise, Mrs. Brady, and Mr. Pierce.

Cases considered 9
Unanimous decisions 9
Divided opinions 0

1. Killner, Hilda E. (8467)--Class E? "Molly's First Letter." In absence of reply to letter of February 21, refund has been ordered to England. In view of unsettled world conditions hold money until reply is received.
2. Khalifa, A. R. Amer (21265)--Class I. "The Bending Moment of Locomotive Slide Bars." In absence of reply to letter of April 9, refund has been ordered to Egypt. In view of unsettled world conditions hold money until reply is received.
3. Arco Publishing Co. (53369)--Class A. "Maintainer's Helper."--Reject. No copyright notice. "Clerk-Typist-Stenographer."--Write re variance in claim.
4. Totten, H. G. (No Fee)--Class K. "Junior Defense Card." May register "print" after publication with full form of notice under picture.
5. Webb Printing and Lithographing, Inc. (49631)--Class ? "100 Per Cent American." Copy consists of U.S. flag with statement "100 Per Cent American." No copyright in flag. Reject.
6. Ross, Walter C. (53510)--Class ? "Greeting Card." Copy consists of a card in which has been inserted certain small plants. There also exists several lines of explanatory text with respect to the application of water to the plants. Reject. The work as a whole does not represent the writing of an author.
7. Taylor Instrument Companies (45841)--Class I. "Taylor Baroguide Dial." Copy consists of metal disc with various scales and gradations. Clearly a part of some device. Reject.
8. Palen, Vernon W. (36734)--Class ? "KVA-KW-HP Calculator." Copy consists of one paper disc with apertures at intervals, superimposed on a larger disc in such a manner that as the smaller one is turned mathematical computations are reached.
9. Ellis, Sherman K., & Co. (33908)--Class A. "Here's To Memphis." Applicant after diligent effort can only supply photostat of contribution in response to demand of Office. ~~Register~~ ^{Reject} following precedent. ~~in~~ ^{Cannot} register until deposit of complete copies as published.

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
August 27, 1940

The Revisory Board met at 10:00 A.M. and adjourned at 10:20 A.M.
Those present were: Mr. Wise, Mrs. Brady, and Mr. Pierce.

No. of cases considered 4
Unanimous decisions 2
Divided opinions 2

1. Inget, Rose (53701)--Class D. "The Pickwick Club" and "The Negro Boy and the Monkey." Careful examination of copies confirms the notation of the examiner. Request applications as unpublished dramatic compositions.
2. Braddock, John S. (54251)--Class G. "Ruffed Grouse," and "Male Pheasant." Notice of copyright has been placed in acceptable position--on the side of the base--and registration should be made as applied for. Do not conduct correspondence inquiring whether all copies distributed bore this notice.
3. Fry, H. Leslie (53842)--Class E. "Theme Song." Division of opinion as to adequacy of title "Theme Song." Appeal. *Write first-- HAH (See "Music")*
4. Mansfield, Elizabeth L. (55264)--Class D. "Dizzie Lines and Laughs, Inc." Division of opinion as to whether "preface and production directions" must be removed after the title in the application. Appeal. *Enter as applied for-- HAH (See "DRAMA").*

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
August 28, 1940

The Revisory Board met at 10:00 A.M. and adjourned at 10:30 A.M.
Those present were: Mr. Wise, Mrs. Brady, Mr. Smith, and Mr. Pierce.

Number of cases considered 5
Unanimous decisions 4
Divided opinions 1

1. Thompson, Anson W., Co. (54160)--Class K. "Oklahoma Conoco Travel Club" and "Washington Conoco Travel Club." Register under class K. The only thing to connect the prints referring to the travel clubs with an article of merchandise is the word "Conoco" which forms part of the title. *Approved-HAM (See "PRINT")*
2. Hillman Periodicals, Inc. (51405)--Class B. "Show, September, 1940." Reject. Obscene. Write same letter as that sent in the case of Hoey Annual to Country Press, Inc.
3. Leavitt, Hazel Ann (54268)--Class A. "Social Science Bulletin Board File." Write inquiring how material is to be published.
4. Graphic Printers (53299)--Class K. "Oakley Kansas (at the Intersection of U.S. 40 and U.S. 83)." Enter as K, print or pictorial illustration. The print is not used for an article of merchandise.
5. Tolle, Norman W. and Associates (36732)--Class B. "Flypaper." Division of opinion as to adequacy of copyright notice. Appeal. *Register but write warning letter. (See "NOTICE")*

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
August 29, 1940

The Revisory Board met at 10:00 A.M. and adjourned at 10:40 A.M. Those present were: Mr. Wise, Mr. Smith, and Mr. Pierce.

Time consumed	40 mins.
Unanimous decisions	9
Divided opinions	0

1. Ziff-Davis Publishing Co. (54544)--Class A. "Photography Vol. D, No. 1, June, 1940." Application gives the name of the author as C. R. Tighe, Managing Editor. No reason to justify correspondence requesting that name of editor should also be given in the application. Register.
2. Wiles, Pansy M. (52557)--Class A. "Hope of Our Country." Copies are printed. Register after publication as book upon receipt of application on form A1 and supplemental fee of one dollar. Statement that composition is being sold on records is no reason to question publication in pamphlet form.
3. Lair, Abraham W. (Dr.) (51607)--Class G. "Humidity Indicator." Not a device. Examiner sustained in recommendation that registration may be made as a "book" after publication with notice.
4. National Process Company, Inc. (54976)--Class A. "Direct Mail as a Management Tool." Register as applied for. No reason to question date of publication merely because it is one day prior to time material was orally delivered at a convention.
5. Seid, Frederick (54908)--Class G. "Big Eye" and (54681)--Class G. "Tomato Girl." Works filed appear to be in the nature of designs for articles of manufacture, i. e., bottle tops, one for beer bottle and one for catsup bottle. Reject and write.
6. Ocala Banner, Inc. (No Fee)--Class A. "Mug-Wump" and "Portable Lizard House." The "tags" contain sufficient text matter to justify registration as a book. There is not sufficient artistic material to justify registration under class KK.
7. Clever, Carl E. (52677)--Class J. "The Constitution by Howard Chandler Christy." Accept classification (published photograph) chosen by applicant. Request that title be given in space (6) of the application.
Approved - HAH (See "PHOTOGRAPH")
8. German Library of Information (49773)--Class A. "German Library of Information, a Clearing House of Knowledge." Register as applied for. No reason to question statement of citizenship and domicile which are given as Germany and New York City, respectively.

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9. McCanna, Wintercorn and Morsbach (31521)--Class G? "Memorials Nos. 5015-5022."
Drawing or design for a memorial in blue print form may be registered as a design for a work of art. The identifying reproduction called for by the law may take this form as well as that of photograph. In fact this particular form would be of greater value to the technician to whom the execution of the memorial is entrusted. *Approved - HAH*

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
August 30, 1940

The Revisory Board met at 10:00 A.M. and adjourned at 10:30 A.M. Those present were: Mr. Wise, Mr. Smith, Mrs. Brady, and Mr. Pierce.

Total time consumed	30 mins.
Unanimous decisions	5
Divided opinions	0

1. Raynor, Fannie Knapp (39316)--Class G. "Fannies' Fruit Orchard; Billy Bananne, Stella Strawberry, etc." Register but write advising that copyright registration of the unpublished drawing does not cover the drawing or design when actually embodied in manufactured articles, i.e., lamps, etc.
2. Rubenstein, Harry H. (54587)--Class A. "McGruder and Company Advertising and Marketing Counselors." Register as applied for. Sufficient text and pictorial matter on letterhead to justify registration as a book.
3. Friel, Leonard G. (55055)--Class A. "Checkers An Introduction to Scientific Play." Register but write that in future the name should be more closely associated with the word "Copyright" and the year date, such as "Copyright 1940 by Leonard G. Friel."
4. Aikman, C. A., and Sons (54669)--Class A. "Poems." Register upon receipt of an application on form A1 for the collection of Poems; also advise that the notice of copyright in the future should be placed upon the title-page or the page immediately following.
5. Art Theatre Co. (36743)--Class B. "D\$uble M\$ney." Register but write advising as to the limitation of copyright protection.