

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 2, 1940

The Revisory Board met at 2:45 P.M. and adjourned at 3:45 P.M. Those present were: Mr. Smith, Acting Chairman, Mrs. Brady, and Mr. McCarteney.

1. Edition Musicus New York (40910)--Class E. "Souvenir de Florence (Second Movement)." Statement of new matter on copy is erroneous. Refer to Register of Copyrights. Examiner sustained.
2. Leibe-Potter, Clara M. (41761)--Class E. "Sowing Sunshine." Copies filed have apparently been cut from larger sheets by hand. Write requesting copies of best edition distributed. Examiner sustained.
3. Galaxy Music Corp. (Trust)--Class E. "Glory to God, from The Messiah." Insufficient new matter to support a copyright claim. Refer to Register of Copyrights; examiner sustained.
4. Pitbladdo, Grant R., Memorials, Inc. (41490)--Class G. "Hanna Spence Niper--Cemetery Memorial." Request new application giving a description limited to the larger memorial (since smaller works are separately copyrightable works).
5. American Radio Hardware Co., Inc. (41347)--Class A. "American Radio Hardware Co., Inc., Catalog 41." and "Nine Ballers, An Association for Men (not Mice)." Reject Catalog. Notice misplaced. Ask explanation of variance in name of copyright owner in "Nine Ballers..."
6. Thornton, Rita Green (41463)--Class A. "Introduction to the Science of Voice Control." Notice of copyright lacks name of copyright owner. Reject. Examiner sustained.
7. Minturn and Minturn (36914)--Class A. "Horoscope of Jewels--Aries, March 21 to April 19" and eleven others. Work consists of mimeographed sheets for twelve horoscope periods of a year, bound together as a unit in a paper cover. Doubtful publication as a unit. Reject as deposited, but refer to Mr. Howell.
8. Jones, Edwin D. (41500)--Class A. "Indexed Shoppers Guide." Office has received two copies of what appears to be a handbill, with application on form A1, giving a sworn date of publication. Register. Do not write questioning publication.
9. Robbins, Edith Lucille (No Fee)--Class A. "The Robbins Joy Notes-Staff." Reject again. Work does not contain sufficient material to warrant registration as a "writing of an author," and applicant has not made a case.

Minutes of the Revisory Board, July 2, 1940, page 2.

10. Miami Beach Board of Realtors (1690)--Class A. "Miami Beach Realty Board Listing Bureau..." Office has now received letter from applicant asking statement of how many copies must be distributed to constitute publication. Revisory Board believes publication has taken place. Refer to Mr. Howell for final decision. *See HAH's letter of 7/8/40 explaining publication (first on MP-438)*
11. Goodyear Tire and Rubber Co. (Trust)--Class A. "Battery Capacity Analyzer." and others. Some copies deposited bear a notice of copyright affixed by means of a paper sticker and applicant states that copies distributed bore this notice. Request deposit of copies with notice of copyright (on stickers) affixed as first published. *First on MP-491*
12. Raines, M. W. (41391)--Class ? "Three Square Oblongs." Work consists of a number of three square drawings with circles in each square (from one to six) similar to those appearing on dominoes. Not sufficient evidence of original authorship to support a registration. Reject. Examiner sustained.
13. Herzel, Paul (30341)--Class G. "Bucephalus...a horses head." Applicant has now filed copies bearing statutory notice and letter of June 26th states that copies have now been sold. There has also been published in the "New York Times" an advertisement advertising these works. Register as applied for.
14. American College of Chest Physicians (41242)--Class A. "Pneumothorax Directory." Division of opinion as to adequacy of copyright notice. Appeal. *Enter but write - HAH (See "NOTICE")*
15. Goes Lithographing Co. (40868)--Class K. "Garden Beauties".et al. Division of opinion as to whether the Office should write requesting titles and whether forms K as presently employed are appropriate for reproductions of works of art. Appeal. *See also MP-581 Goes Lithographing Co established as author - (No memo) -*

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 3, 1940

The Revisory Board met at 9:30 A.M. and adjourned at 10:15 A.M.
Those present were: Mr. Wise, Mrs. Brady, and Mr. Smith.

1. Scribner's, Charles, Sons (Trust)--Class A. "Paris, France." Application for ad interim copyright may be withdrawn as requested.
2. Bell Syndicate, Inc. (Trust)--Class A. "Girl at the Front, Chapter 1," in "Wheeling News Register," April 21, 1940. Some chapters of the work were first published without the statutory notice of copyright. Registration is, therefore, not in order for subsequent reprintings with notice of those chapters first distributed without the notice.
3. McGrew, J. E., and McKinnon, A. H. (39914)--Class A. "Matchem." Work appears to be intended for use as a label for the box of a game. Refer to print and label examiner.
4. Elicker, Virginia Wilk (41232)--Class A. "A Handbook for Church Dramatics." Request A1 for "Handbook for Church Dramatics." Do not take up problem of registration of separate dramatic compositions in the book.
5. Homer, Annie (22243)--Class E. "Our England." Applicant explains that it is manuscript copy of his musical composition which has been registered in England and for which registration in the U.S. is desired. Request application on form E2.
6. Todd, Eathel (42338)--Class A. "Vito Veri-Old The Whiskey That Has It." Copy deposited consists of single heavy paper sheet with only the statement quoted as title and the copyright notice. Reject. Copy does not contain sufficient material to justify registration. Reject. Examiner sustained.
7. Inman, Edward R. (30600)--Class C. "Post-Graduate Course for Chiropractors." Work as submitted consists of lectures given at several intervals. Each separate subject forms a lecture in itself. Ask separate C applications for each unit as delivered.
8. Rudisill and Smith Co. (41692)--Class A. "Specifications for Installing Armstrong's Linowall." and 3 others. Send sample affidavit showing name of person signing the instrument in the averment.
9. Plain Dealer Publishing Co. (38969)--Class A. "Plain Dealer Bicycle Light Brigade." Applicant explains that copies as deposited were first distributed to school boards and school supervisors and later the work was published in the "Plain Dealer." Explain publication and ask an A5 application for each cartoon as published in a newspaper.
10. Grombach Productions, Inc. (39487)--Class A. "The War at a Glance." Syndicate matter. Not yet published in a newspaper or periodical. Suggest registration as A5 material after newspaper publication.

Minutes of the Revisory Board, July 3, 1940, page 2.

11. Browne and Phelps (Trust)--Class A. "Berta and Beth." Upon correspondence with applicant concerning variance in name of copyright owner it is explained that the book was assigned from Matre and Co. to Sister Mary Edward in 1927. Enter book as applied for and write suggesting recordation of assignment.
12. Phillips and Nizer (30805)--Class A. "New Courts of Industry..." Applicant encloses an assignment from Longacre Press, Inc. to Louis Nizer. Record assignment, then entry can be made in name of Mr. Nizer.
13. Harper and Brox. (42484)--Class A. "Daily Readings from the Moffatt Translation of the Bible." Application for ad interim copyright received together with unbound copy of book. Hold unbound copy until bound copy is received.
14. Robb and Robby, Attys. (34247)--Class A. "Want to Save Money." Applicant explains that he understands registration of the work (Match books) will cover only the text matter appearing thereon. Enter since applicant understands limit of claim.

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 5, 1940

The Revisory Board met at 3:00 P.M. and adjourned at 3:45 P.M.
Those present were: Mr. Wise, Mr. Smith, and Mr. Pierce.

1. Riley, George V. (32915)--Class A. "Courage." Notice of copyright appears on first page of text following cover, which is an advertisement for Seagram whiskies and also on the page bearing the table of contents. Register as applied for.
2. Muzzy, Adrienne Florence (30798)--Class A. "Beyond the Sunset." Work deposited in conformity with circular 72 request, but application gives daughter of author as copyright owner, whereas notice contains that of publisher, who cannot be located. File copies and refund fee.
3. Mueller, Albert, Verlag (39143)--Class A. "Der Arzt als Schicksal (and 40 others). In view of world conditions transfer information from informal applications on A3 forms, and staple informal application to the form in each case.
4. Waverly Press, Inc. (40246)--Class A. "Cosmology in the 'Annotations in Marcianum'." Place of domicile given as "Vassar College." Register as applied for.
5. Simon and Schuster, Inc. (Trust)--Class A. "American White Paper." Statement of new matter given as "Postscript--June 6, 1940;" This "Postscript" consists of several pages of text matter. Register as applied for.
6. Riccio, Carmine C. (28565)--Class A. "Calculator (to show rating of horse races, etc." Work consists of two discs superimposed one upon the other with certain openings in the upper disc through which figures printed on the lower disc appear as the upper disc is turned. Reject as a device. Examiner sustained.
7. Dickson, John A., Pub. Co. (40881)--Class A. "Through the Bible in One Year (A Home Study Course)..." Register as applied for. No need to question statement that course is published as one work.
8. McProud, C. G. (40205)--Class A. "Equalizer Design Quadget." Reject. Gadget not copyrightable.
9. Greenberg and Sacks (41640)--Class ? "Take a Letter Miss Brown." Applicant has submitted script which is to accompany an illustrated talk advertising the Stenotype. Request application on form C for work as submitted. Suggest M registration for completed motion picture.
10. Liardi, Pat (42470)--Class E. "A Dreamer," "Your Last Nights Caress," and others. Applicant has filed two copies of each work, the two copies being on the same folded sheet. On one side the music is given with the words written above the melody notes and on the other side the words are written separate from the music. Register as applied for.

Minutes of the Revisory Board, July 5, 1940, page 2.

11. Schonwald, Else (41789)--Class E. "Slowfox." Applicant gives word "Slowfox" in large letters on left side of copy and same word in title line of application. Register as applied for.
12. Museum of Fine Arts, Boston Museum (42748)--Class A. "The French Renaissance" Illustrative Set No. 3. Enter as applied for. Notice of copyright appears on folder containing the material on one of the flaps necessary to keep the pictures in place in such a position as to be on page immediately following title-page when folder is closed.

SUBJECT

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 9, 1940

The Revisory Board met at 3:15 P.M. and adjourned at 4:15 P.M. Those present were: Mr. Smith, Acting Chairman, Mrs. Brady, and Mr. Pierce.

1. No O. Sales Agency (No Fee)--Class ? "Sex Indicator." Work consists of a small pointed piece of metal and a sheet of instructions. Write. Registration may be made for the text matter if publication in the United States first took place with a copyright notice. Also explain ad interim protection. Registration is not in order for the piece of metal which is accompanied by the text matter.
2. Davis, George T. (43149)--Class A. "Davis Ti-Meter." Reject as a device but do not refer to Patent Office. Work consists of two discs one super-imposed upon the other, together with usual indicators necessary in the use of the device.
3. Levine, Alfred E. (No Fee)--Class ? "I Am an American, Thank God." Work consists of the statement "I Am An American Thank God--Prepare--Eternal Vigilance." In the center of the work appears a modification of the coat of arms of the United States. Not sufficient copyrightable material to support a copyright claim. Reject. *See also case of Borrelli Co. (No Fee) - "I'm an American! What Are You?" MP-507.*
4. Union Benefit Society of Delaware (42683)--Class A. "The Union Plan to Pay Your Hospital, Surgical Bills." Name of copyright owner appears a short distance above statement "Copyright 1940" and is only name appearing on the page. Register upon receipt of application bearing identifying title, but write pointing out better position for notice on future works and call attention to fact that three elements constituting notice should be more closely associated on future works.
5. Browne and Phelps (Trust)--Class A. "Berta and Beth." If the order of Sisters of Mercy of the Union in the United States of America, Province of Chicago, Illinois is to be the copyright owner, request an assignment from Sister May Edward to the Order to be recorded.
6. Lang, Frank A. (36631)--Class E. "Honolulu Moon and the Girl." Reject again. Not a musical composition. Suggest that applicant employ the services of a competent arranger to assist him.
7. Hoffmen, Ralph (35597)--Class A. "Shur Time Music Chart." Applicant explains that the separate sheets break up into individual pieces similar to crossword puzzles. Doubtful if published as deposited. If published as a single work, ask copies as actually distributed (such as in a wrapper or the like) with instructions, if any, so further examination can be made. Explain publication. Request correct affidavit later.

Minutes of the Revisory Board, July 9, 1940, page 2.

8. Hemet News (42506)--Class A. "Riverside County." Division of opinion as to adequacy of copyright notice. Appeal. *Enter - (See "Notice") HAH.*
9. Rollandet, McGrew and Campbell (43804)--Class A. "Vote for Wilkie..." Division of opinion as to whether material contains sufficient copy-rightable elements to permit registration. Appeal. *Mrs. Brady reversed her view Ask for copies as actually distributed - Copies in hand are proofs.*
10. Kerr Glass Mfg. Corp. (42007)--Class A. "How to Use Kerr Caps and Lids." Division of opinion as to adequacy of copyright notice. Appeal. *Reject, but write - HAH (See "NOTICE")*
11. Rotstein, Charles (36887)--Class A. "A Novel Method of Sales and Business Promotion and Advertising." Division of opinion as to whether further correspondence should be conducted concerning publication. Appeal. *write first concerning publication - HAH (See "PUBLISHED")*
12. O'Brien, Clarence A. (Trust)--Class A. "Dimo et Autres Histoires de Bêtes" Work appears to consist of a Canadian and a United States edition. The U.S. edition appears to be a reprint of the Canadian edition from the same plates. Division of opinion as to whether registration can be made as a United States edition upon the copies filed. Appeal. *Write first for facts - HAH 7/11/40 (See "BOOK")*

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 12, 1940

The Revisory Board met at 11:00 A.M. and adjourned at 12:00 noon.
Those present were: Mr. Smith, Acting Chairman, Mrs. Brady, and Mr. Pierce.

1. Beck, E. R. (42500)--Class KK? "Plast-O-Craft King Construction Set." Work consists of a box with illustrations of rings, together with instructions. Box is a "label." Ask KK application. Notice is on box and not instructions.
2. Scott, Walter T. (44439)--Class ? "General Foods Profit Calculator." Reject. Work is a device. Since previous registrations have been made for similar works write letter explaining present Office policy.
3. DeVorss, Douglas K. (43288)--Class A. "Aeronautical Dictionary and Reference Library...1940 Edition." The year date in the notice is 1939. Both the application and affidavit of manufacture give the date of publication as May 28, 1940. In view of sworn affidavit register as applied for.
4. Cosmos Press, Inc. (43894)--Class A. "Smith College, Class of 1915, 25th Reunion Report." The notice of copyright gives the claimant as Elizabeth Dewey Perry, Smith College Class 1915. Application gives Elizabeth Dewey Perry, and line (3) of the form indicates she is the editor. Register as applied for.
5. Multiplex Display Fixture Co. (36644)--Class ? "Multiplex Quick-Score Check Sheet." Work consists of columns of figures. Reject. No copyrightable matter apparent. Explain that ideas, and blank forms are not copyrightable.
6. Maule, Stuart M. (38778)--Class A. "Wray Ward Hollywood Letter Chat" and "Write Your Own Happy Ending, Hollywood Letter Club." With reference to latter work, register as applied for. Work consists of two sheets clipped together. Notice appears on the back of the second sheet.
7. Vogel, Jerry, Music Co., Inc. (Trust)--Class E. "I Don't Want to Play in Your Yard, Bully Song." applicant claims copyright on new arrangement with guitar chords. Not sufficient evidence of new musical composition to support a copyright claim. Refer to Col. Bouvé. Examiner sustained.
8. Schirmer, G., Inc. (Trust)--Class E. "Theme and Variations," and "Concerto in G for Violin and Piano." First named work contains insufficient new matter to support a copyright claim. Reject. Second work-- Request a detailed statement of the new matter upon which the present claim is based.
9. Pohlman, Herman A. (44649)--Class A. "Related Information for the Industrial Arts Laboratory." Affidavit contains sworn date of publication as Dec. 28, 1935. Accompanying letter states that copies have never been published. Apparently applicant does not understand publication. Explain.

Minutes of the Revisory Board, July 12, 1940, page 2.

10. Learman, Frank C. (44074)--Class A. "Vacationland." Reject. Notice of copyright which is on the fourth page from the title-page reads: "Published by East Michigan Tourist Association--Printed by Barnes Press, Flint, Mich., Copyright, 1940." Notice not on title-page or page immediately following, and it is difficult to determine who is the copyright claimant.
11. National Association of Real Estate Boards (33501)--Class A. "Fundamentals of Real Estate Practice: The Nature of Real Estate, etc." Division of opinion as to whether copies deposited are in the form as first published, and whether one registration or eighteen should be requested. Appeal. *Write re Publication - HAH (See "Book")*
12. Wade, Louis E., Inc. (44077)--Class A. "Mrs. Luther Opell Shows How to Increase Turkey Profits" in "Turkey World," July, 1940." Division of opinion as to adequacy of copyright notice. Appeal. *Enter as K5-HAH 7/16/40 (See "NOTICE")*
13. Shimon, Louis C. (34172)--Class A. "I Know Something Good About You." Division of opinion as to whether copies deposited represent the edition distributed in 1920. Appeal. *Enter as applied for - HAH 7/16/40 (See "Book")*
14. Boosey, Hawkes, Belwin, Inc. (Trust)--Class E. "A Morning Song." Division of opinion as to whether application in hand giving title "A Morning Song" is acceptable or whether "and parts" should be added in the title-space. Appeal. *Enter - HAH (See "MUSIC")*

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 16, 1940

The Revisory Board met at 10:00 A.M. and adjourned at 11:00 A.M. Those present were: Mr. Smith, Acting Chairman, Mrs. Brady, and Mr. Pierce.

1. Railley Corp. (43973)--Class ? "This is a Genuine Pin-It-Up Lamp." Work is a label advertising an article of merchandise. Request print and label application on form KK. Examiner sustained.
2. Zwart, Gerrit C. (42434)--Class A. "Visual Sciences Woodworkers' Tools," "Visual Sciences History of the Typewriter." The films deposited are accompanied by applications on forms A1. The films are still picture films similar to those shown by slides and contain considerable text as well as pictorial matter. In view of the nature of the material the classification "book" is acceptable. Register as applied for.
3. Schusterman, Sidney S. (45200)--Class ? "The Graphic Arts Laboratory Chart with Educational Implications." Work consists of two large circles one within the other, two double-line circles in the center of the larger circles, in between and around which are smaller circulars containing considerable text matter. Application has been filed on form I1. Request application on form A1 and one dollar additional fee.
4. Posner, Louis S. (44212)--Class A. "And Touch Clean Earth, Vols. 1 and 2." Copies bear a notice of copyright affixed by means of a rubber stamp. Notice is in statutory form and position. Register as applied for.
5. Societe des Auteurs, Compositeurs, et Editeurs de Musique (Trust) Class E. "Petites Souris," and "Au Printemps." Previous correspondence indicates that Roesgen-Champion is the surname of an individual. Register as applied for with applications giving only surname in line (1) in view of world situation.
6. Rex, A.M. (44351)--Class A. "Dial Your Station. Directory or Reference Chart." Reject. Work is a device. Suggest registration at Patent Office.
7. Grogan Photo Service, Inc. (45577)--Class A. "Giant Panda" and "The Chicago Zoological Park, Brookfield, Illinois." Enter each as a "book" upon receipt of applications properly filled in. Works consist of folders containing twelve small photographs perforated for tearing out individually or in units of six. The notice of copyright appears on the outside of the folder. No separate notices are found on the individual photographs.
8. Stevens, Byron F. (44835)--Class ? "Moth Proof Bags Free of Extra Charge" in "Downtown Shopping News" June 27, 1940. Division of opinion as to adequacy of copyright notice. Appeal. *Ask as with description as 'Print' -HAM*
(See "NOTICE")
9. Cameron, Kerkam and Sutton (AA-339936)--Class A? "Fulton Sylphon Co.--Liquid Valve Chart and Steam Valve Chart." Division of opinion as to whether material is a device not permitting of registration or whether entry can be made as a "book." Appeal. *Enter as applied for but point out limitations -HAM 7/18/40 (See "Books")*

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 18, 1940

The Revisory Board met at 11:00 A.M. and adjourned at 11:50 A.M. Those present were: Mr. Wise, Mr. Smith, Mrs. Brady, and Mr. Pierce.

1. Marshall, E. A. (42002)--Class A & I. "Fifteen Short Talks on the Shepherd." Enter as applied for. The separate charts bearing inadequate notice are a part of the booklet and are never distributed separately. *(See later decision - MP-664 + also MP-718)*
2. Saalfield Publishing Co. (38525)--Class A. "The Spirit of the Border." Register as applied for upon application on form A1 received July 10. It gives all of the information with respect to the authorship of the abridgment and illustrations required to make the entry.
3. Gray, H. W. Co., Inc. (47472)--Class E. "Coleridge-Taylor Selection (Piano Conductor Score)." Comply with applicant's second request to refund. Obviously he is not justified to claim copyright.
4. Loblor, Bela (41771)--Class E. "The Mississippi Boatman." Ask for copies of work as published bearing the correct notice, and an application form E with correct date of publication--not the date when 25 copies were distributed to band leaders.
5. N.E.A. Service, Inc. (39781)--Class A. "Steamboat Humor--Chapters 1, 2, and 3. Refund as requested. Material comparable to King Features.
6. Call Printing Co. (41378)--Class A. "Ancestral Charts of George Addison Throop, Deborah Goldsmith..." Reject. Name of copyright owner does not appear in notice.
7. Berry, R. S. (23866)--Class A. "The Delinquent Account Control System." et al. Register as applied for. No variance or other informality exists sufficient to reject applications.
8. Binheim, Max (39617)--Class A. "The Navy's Best Stories." Enter. Affidavit was corrected by notary.
9. McKimney, Daniel Roy (43745)--Class A. "Fort Augusta Dedication." Application may be filed on form A1 for the compilation. Citizenship and name of author must be given in spaces (3) and (4).
10. Galbreath, R. H. (44220)--Class ? "The Expert Testifies." Write and inquire whether the copies filed are of the best edition and point out that systems, plans, phrases and methods are not copyrightable.
11. Ricordi, G., & Co., Inc. (Trust)--Class A. "The Ladybook." Applicant has not made case showing publication of book containing hand drawn illustrations as understood by Copyright Office. Reject as filed.
12. Miami Post Publishing Co. (42332)--Class A. "Little Rainbows in Rhyme." Division of opinion as to registrability of material. Appeal. *Enter as applied for on form A1 - HAH (See "Book") but write first and suggest X-*

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 19, 1940

The Revisory Board met at 3:30 P.M. and adjourned at 4:25 P.M. Those present were: Mr. Smith, Acting Chairman, Mrs. Brady, and Mr. Pierce.

1. Almanac Publishing Co. (38003)--Class A. "Farmers' Almanac for the Year of Our Lord, 1940." Reject. Advance year date in copyright notice.
2. Hamilton, Henry M. (37583)--Class G. "Waiting for the Herd to Cross, water color of Buffalo crossing Missouri River 1868." While applicant has not proven his ownership of copyright, it is a substantive right question. Enter. Question is one for determination of courts in the event of infringement.
3. Southwest Insurer (41750)--Class A. "Texas Statewide Mutual Assessment Companies (Chater 8A or 303 Organizations). Each article published in the June 13, 1940 issue of "The Southwest Insurer" published with a separate copyright notice requires a separate registration.
4. Kanner, Jerry (2713)--Class E. "What Will I Do With My Dear." Professional copies have been deposited. Enter as unpublished musical composition as applied for, but write explaining that after publication another registration is in order.
5. Kronewitter, Esther Marie (78929)--Class E. "On Calvary's Hill" and "The Sweetest Story." Examiner sustained. Write explaining publication in view of statement of price on the back, and copies are mimeographed.
6. Thomas, R. M. (14236)--Class A. "The E-Z Way Rapid Record Baseball Book." Copyright owner given in line (1) is Spence & Dowell. The affiant is given as Willard C. Spence and he is indicated as person claiming copyright. Correspondent has not answered Office's request for new application. Enter. Doubtless Willard C. Spence is one of copyright owners, *as indicated in averment.*
7. Lord's Day Alliance of the U.S. (No Fee)--Class G. "Observe the Sabbath--Attend Church..." Prior to publication registration may be made as a drawing under class G. When made into a metal design for attachment to automobile license plates matter of registration as published work can then be taken up.
8. General Motors Truck and Coack (45381)--Class A. "Preventive Maintenance Work Sheet, Diesel Heavy Duty 'A' Service." & one other. The name of the copyright owner appears a short distance from the statement "Copyright 1940." Register but write suggesting closer association of elements in notice and that in future the application and copies give the true legal name of copyright owner. Present application includes a name at slight variance with that on copies.
9. Schram, Fred C. (45927)--Class A. "Good-Fellowship Roster of the Odd Fellows and Rebekah Lodges--Greater Cincimati." Division of opinion as to adequacy of copyright notice. Appeal. *Reject-HAH - Notice not in Statutory form - (See "NOTICE") - See HAH's letter of Aug 7 giving applicant benefit of doubt*

Minutes of the Revisory Board, July 19, 1940, page 2.

10. Rogers, Edmund C. (31028)--Class ? "Live American Vote Get On Payrolls" and "Live American Guard Our Peace." Division of opinion as to whether publication has taken place. Appeal. Enter as K-HAH (See "PRINT")
First on MP-378

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 23, 1940

The Revisory Board met at 11:15 A.M. and adjourned at 11:40 A.M.
Those present were: Mr. Wise, Mrs. Brady, and Mr. Pierce.

1. Ford, Franklin (36039)--Class KK. "The Strate-Leff Golfer's Elbow Supporter." Suggest registration as print or label under class KK.
2. Ravell, Yvonne (D-unp. 39850-39856). "The Gingerbread Boy" and 6 others Examiner sustained. Present pseudonym apparently at variance with previous registration.
3. Logan, Ben (40665)--Class A. "Blowing Dust." No essential variance. State Teachers College is the address of the copyright owner, Scrollers Club. Enter.
4. Lincoln Printing Co. (46772)--Class A. "Win With Wilkie....." Examiner sustained. Only one registration required where a given print is issued under several titles.
5. Borrelli Co. (No Fee)--Class ? "I'm An American! What Are You?" Copy consists of two United States flags mounted on poles which have been crossed, underneath of which is the statement "I'm An American, What Are You?" Reject. Case is on all fours with subject matter of Alfred E. Levine (No Fee). *In an American, Thank God. - MP. 499 - Misc. slogan matter, etc., or conventional representation of flag not copyrightable alone or in combination - HAH*
6. Mielke, Charles H. (45622)--Class A. "Point Lorna Love Song." Division of opinion as to whether statement of publication in mimeographed form of song poem should be requested. Appeal. *Enter - HAH ("See "PUBLISHED")*
7. Publishers Service Co., Inc. (Trust)--Class A. "The Find Your Name Puzzle" Division of opinion as to whether material filed is material susceptible of publication. Appeal. *Enter HAH (See "Book")*

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 25, 1940

The Revisory Board met at 10:15 A.M. and adjourned at 11:15 A.M.
Those present were: Mr. Wise, Mrs. Brady, and Mr. Pierce.

1. Lindsey, Stella (45830)--Class E. "The Difference is You." Register on application received on August 14, 1939 in absence of reply to Copyright Office's communications.
2. Locher, Felix M. (50291)--Class A. "Life Insurance Estate Chart." Register as applied for. Index title as indicated. Additional correspondence for better identifying title should not be conducted.
3. Lindeberg, Sigrid (22364)--Class A. "Palate Prime Crust." Correspondence originally conducted on two grounds: (1) copyright owner's nationality is given as Sweden, whereas his address as copyright owner is in New York; and (2) the omission of a description of the material in the affidavit was requested. In absence of reply register as applied for.
4. Schley and Trask (45490)--Class A. "Reilly Coal Tar Products." The notice of copyright is in the following form:

Copyright, 1940

REILLY Coal Tar Products

For ready reference

A list of coal tar products
and their derivatives that
are manufactured by the
REILLY TAR & Chemical
Corporation

Register but write suggesting closer association of elements comprising notice in the future.

5. Raymaker, Frank (24045)--Class ? "Fanfoto Frame and Layout for Miniature Pictures for Engraving and Printing." In view of registration of work as unpublished technical drawing, request resubmission of fee and copies of work exactly as published.
6. Cohane, David B. (46693)--Class A. "The Original Spot-Play Card, Mutuel Spot-Plays." Reject. System, plan, method, or idea, etc., not copyrightable. Doubtful authorship.
7. Consolo, Carmelia (19203)--Class J. "The Fathers of the United States." Registration can be made for the photograph. Too late to make registration for article published in the newspaper.

Minutes of the Revisory Board, July 25, 1940, page 2.

8. Bingham, H.W. (46368)--Class A. "Bingham's Position Checker Board."
Reject. Gameboard.
9. Kent-Johnson, Inc. (35924)--Class A. "W.N.E.W. Jingle With Music."
Division of opinion as to whether statement of publication should be
accepted. Appeal. *Enter - HAH (See "PUBLICATION")*
10. Whitman Publishing Co. (45669)--Class A. "The teddy Bear Book."
Division of opinion as to whether registration may be made for book,
the illustrations in which compris^{ing} the larger portion having been
manufactured without the limits of the United States. The application
clearly states the limitation of the claim to copyright. Appeal. *Enter - HAH*
(See "Book")

MINUTES OF THE REVISORY BOARD
COPYRIGHT OFFICE
July 31, 1940

The Revisory Board met at 2:50 P.M., July 30, and adjourned at 4:20 to July 31, when it met again at 10 A.M. and adjourned at 10:45 A.M. Those present were: Mr. DeWolf, Acting Chairman, Mr. Smith and Mrs. Brady.

Number of cases considered - 22.
Total time consumed - 2¹/₄ hrs. (135 mins.)

Unanimous decisions - 16
Divided opinions - 6
Passed for entry - 7
Rejected - 3
Further correspondence
required - 12

Passed for Entry.

1. J. N. Future, pseudonym of Edwin St. John Greble, Jr. (39003)--
Class A. "In Absentia by U.S.A. Ns." Irregularities in the first application as to the name of the author and claimant led to correspondence which resulted in the filing of an acceptable application. However, the applicant stated that the copies distributed, some of which were actually sold, had all been recalled. The Examiner was therefore of the opinion that publication had not taken place. The Board held by unanimous decision that after copies had once been sold, placed on sale, or publicly distributed, thereby initiating copyright, the subsequent recall of the copies by the claimant does not destroy the copyright. Enter.
2. Italian Book Co. (33506)--Class A. "John Huss, The Veracious." The Examiner believes there is a defect in the affidavit consisting of a variance in the venue, given at the top as County of Manhattan and in the seal as the Bronx. None of the members of the Board could find Bronx in the seal. Moreover, even if it were there it is not certain that the Notary's commission would not permit him to act in the Borough of the Bronx as well as in the Borough of Manhattan. Enter.
3. Goes Lithographing Co. (40868)--Classes K and H. "Garden Beauties," "When Shadows Fall," etc. 51 applications were filed for pictures under Class K. On submission to the Board to determine whether the classification should not be H, a division of opinion was found and the matter went to Mr. Howell who wrote a letter suggesting that all of the pictures be entered in Class H. Applications were filed on form H accordingly, but upon re-examination it appears that five of the pictures are ^{not} reproductions of works of art but of colored photographs. Hence, Class H is clearly inappropriate. One picture in addition contains a variance in the spelling of the name of the original artist. On the filing of the applications on form H, 36 entries were made. The Board now recommends the making of 9 additional entries in Class H, 5 entries in Class K (for the reproductions of photographs), and writing a letter as to the variance in the artist's name above referred to, which should also explain the reasons why Class K is reverted to in place

of Class H suggested for the five.

4. Eleanor Van Fleet (47038)--Class E. "Adaptation of the 13th Chapter of Corinthians." The Examiner felt that there should have been a statement on the form E-2 in the space for authorship that the words are Biblical; also a statement on the copy to indicate that the music is by Eleanor Van Fleet. It appears to the Board, however, that the title of the work sufficiently indicates the source of the words, and also that the notation "By Eleanor Van Fleet" on the copy, coupled with the same name given as composer of the music in the application, indicates with certainty the authorship of both words and music. Enter.

5. Harvard Law Review Association (66187)--Class A. "A Uniform System of Citation." The notice gives the names of the joint claimants as "Columbia Law Review, Harvard Law Review, University of Pennsylvania Law Review, Yale Law Journal", whereas the application received Oct. 30, 1939, gives "Trustees for Columbia Law Review, Harvard Law Review Ass'n, Univ. of Penn. Law Review, Yale Law Journal Co., Inc." A letter was written suggesting that a new application be filed giving the names of both the law journals and their respective copyright owners. In response to that letter a new application was received which, however, gave only the names of the law journals as they appear in the notice. The Board is of the opinion that the application originally filed correctly states the names of the copyright owners and that the use of the names of the respective law reviews in the notice does not constitute a real variance. Enter on the application first received, and write in a tone of apology explaining as far as possible the delay and the reasons for the action now taken.

6. University of Chicago, Home Study Department (39753)--Class A. "Latin 381 (Latin Prose of the Republic and of the Augustan Age) Cicero: Selected Letters." In the course of correspondence the applicant states that the date of publication used is the date when bound copies came from the University of Chicago Press "because on that date the course is effectively on sale and ready for distribution." The Examiner is of the opinion that this statement does not sufficiently show publication, but the Board is of the opinion that it does. The date of publication is defined in the statute as the date when copies are sold, placed on sale, or publicly distributed." Enter.

7. Ulmer, Berne & Gordon (48193)--Class A. "Song Poems." These song poems are issued in the form of a printed pamphlet, but the Examiner thinks publication doubtful in this form, suggesting further that the title "Song Poems" is inadequate and should be supplemented by the use of one or more titles of the poems contained in the work. The Board sees no reason to doubt that publication has taken place, as song poems are frequently published in similar collections. If it be necessary to elaborate upon the title, it is competent for the Index Division to make such additions from the copies as it desires. Enter.

Rejected Finally or Subject to Correspondence.

8. McCollum, L. C. (26920)--Class A. "Sons at War." The copies are proof or dummies, printed only on one side of the paper and imperfect in

SUBJECT

certain respects. The cover is printed by photostat. The Examiner doubts that these are final copies of the best edition. The Board agrees, and also raises a doubt as to whether publication has taken place at all. Reject and refund.

9. Storey, Daniel H. (46716)--Class A. "The Complete Plans and Instructions for Building the Jim Dandy Streamliner Model "A". The Examiner rejected these pamphlets because of defective notice. On the left hand side of the page in a box containing the title are the words "Copyright 1939". In a corresponding space on the right hand side are the words "Price-One Dollar". In the center of the page, at the bottom of the box, appears the notation "Designed by Jim Dandy, Box 125, Wausau, Wis". The Board is of the opinion that this does not constitute a legally sufficient notice. The applicant's reference in correspondence to a previous case of a similar kind in which entry was made cannot be verified because the copies have gone back; moreover it would not constitute a binding precedent. The Examiner is sustained; reject again; refund; and answer the applicant's letter.

10. Grosskopf, Wm. (56607--refunded)--Class G(claimed as K). "The Key to Democracy (is Tolerance)." The copies filed contain more than a page of text matter and three colored drawings representing the American flag, and intended to be used as designs for buttons, badges, and the like. When originally filed, the applications were rejected as not K material, with the added statement than plans and ideas cannot be copyrighted. The applicant has reopened the matter by a letter dated July 11. He should be informed again that the articles are not in Class K; that the manufactured badges, buttons and the like cannot be protected by any procedure in this Office, but that the drawings themselves may be registered upon the filing of applications on forms G-2 and the payment of fees. The limitations of protection which may be thus secured should also be explained.

11. Rosenfeld, Morris (46782)--Class A-5. "Vanderbilt Yacht Losing Spinnaker." Applicant files a copy of LIFE magazine for July 20, 1940, containing at pages 47-49 a brief illustrated article entitled "Vanderbilt's Spinnaker is Ripped by a Blustery 30-Knot Sou'wester." Five reproductions of photographs illustrate the article. Only one of these reproductions bear a notice, and this notice reads as follows: "All photos © Morris Rosenfeld." This notice is neither on the first nor the last page of the illustrated contribution, but beneath the 4th of the five reproductions referred to. The Examiner states that the notice is inadequate and that each print requires a separate notice. This decision is sustained by the Board and to the inadequacy of the notice for the contribution as a whole. The application A-5 must consequently be rejected. The applicant also files the five original photographs from which the reproductions were made, and as he deposits a fee of \$5.00, it seems not unlikely that he desires to copyright the photographs as such. A letter should be written explaining the procedure required, depending on whether the photographs have been published or not; also the reasons for rejection of the contribution.

12. Wollman, William (47973)--Class A. "Proven by Test." This article is a large card with a little text and pictures of Roosevelt and Wallace

within an ornamental background of United States insignia, flags and eagle. The pictures are cut out of some other publication and pasted on the copies, as are the notations beneath them, "For President Franklin D. Roosevelt of New York - For Vice-President Henry A. Wallace of Iowa." The Examiner rejects the article as a "book" because there is no year date in the copy-right notice. Conceivably it might be registrable as a "print," but the character of the copies implies a strong doubt as to whether publication has taken place in this form, besides which the application and affidavit fail to give any date of publication. Write suggesting that if the article has not been published, it may be copyrighted as a "book" upon publication with adequate notice, followed by the deposit of complete copies of the best edition.

13. Lord & Thomas (47826)--Class A. "Gallup Method Proves Effectiveness of Roto." While a D-2 application is filed, the article is obviously not a dramatic composition but a "book," and since the notice uses the symbol C in a circle instead of the word "Copyright," or the abbreviation "Copr.," the Examiner rejects the application, which action is confirmed by the Board.

14. Parkinson, Fred F. (47572)--Class E. "Himno a la Raza." The copy is printed but bears no copyright notice, and the application is filed on form E-2. The Examiner recommends rejection and refund, apparently in the opinion that the work has been published without notice. This does not seem entirely clear, and the Board recommends that a letter be written to ascertain the facts and explain the procedure required upon publication.

15. Zondervan Publishing House (47838)--Class A. "Songs About Jesus." This is a compilation of Gospel hymns, containing according to the preface 25 entirely new songs in addition to a number of old songs. The application was filed on form A-2, claiming copyright only on the preface. The Examiner recommends the use of form A-1, giving the name and citizenship of the compiler. The Board recommends the filing of an application on form E in view of the large amount of new matter in the work. The name of the compiler may be given, but perhaps should be supplemented by the names of one or two of the composers, other than the compiler, of the newly published Gospel hymns.

16. Fisher's Probate Law Directory (32017)--Class A. "Fisher's Probate Law Directory 1940." The copies bear the notice, "Copyright 1940 Fisher's Probate Law Directory." In a letter dated June 1, signed "Fisher's Probate Law Directory," over the signature of "Louis H. Steffen," the statement is made, "I have purchased Fisher's Probate Law Directory." The Examiner thinks this means that Louis F. Steffen is the copyright owner and registration should be made in his name after recordation of an assignment to him. The Board is of the opinion that "Fisher's Probate Law Directory" may be the trade name under which the business is carried on and that although Steffen has bought this business the name continues to the legal name of the copyright owner. Write to clarify the situation; also to obtain the name of the author of the new matter in this edition of the

directory, who is apparently Louis F. Steffen only.

Divided Opinions.

17. McGraw, Arno W. (23416)--Class A. "An Opportunity is Offered." The copies consist of two pages of hectographed or "ditto" text matter, setting forth a sales plan for books. Application filed April 10, 1939. The Examiner rejected it on the ground that the copies were probably incomplete and that a doubt existed as to whether publication had taken place. Two letters have been written to the applicant setting forth these rejections, without reply. The Board divides. Mr. DeWolf and Mrs. Brady feel that the absence of a reply justifies final rejection and refund. Mr. Smith thinks that there was not sufficient justification for rejection in the first place and that registration should now be made. *Enter-HAH (See "BOOK")*

18. Interstate Printers and Publishers (47962)--Class A. "Farm Mechanics Job Sheets" and "Farm Management Job Sheets". The notice consists merely of the words "Copyright 1940" about three-quarters of the way down the title page. At the bottom of the title page in the position customarily used for the publisher's imprint, appears the name of the claimant: "The Interstate Printers and Publishers Danville, Illinois". The Board divides, Mr. DeWolf and Mrs. Brady feeling that this notice is inadequate, while Mr. Smith holds that entry should be made. *Enter-HAH (See "NOTICE")*

19. Lamb, Georgia Wharton (46270)--Class A. "Following the Trail." The copies when first filed in the Copyright Office contained a notice of doubtful validity, namely, "Copyright 1939 by Georgia Wharton Lamb-Published by the Manassas Journal Press, Manassas, Virginia-Printed in U. S. A.-Revised Edition, Copyright 1940." It was pointed out to the applicant in a personal interview that this notice was probably insufficient. Applicant thereupon submitted two new copies with an adequate notice printed below the original notice. The original application containing the date of publication of the edition with the insufficient notice was presumably withdrawn by the applicant; at any rate it is not in our file. All we have now is a statement that the work was published July 16, which has reference no doubt to publication with the correct notice. Nevertheless, it must be supposed that there was a publication with the incorrect notice, and the question is therefore whether it is too late for a correction. Mr. DeWolf and Mrs. Brady recommend writing to inquire whether publication ever took place with the incorrect notice, and stating that if so it is too late for entry. Mr. Smith merely wishes to ask for the correct date of publication, and is inclined to believe that even the original notice is not fatally defective, so that entry can be made in any case. *Enter-HAH (See "NOTICE")*

20. Union Oil Co. of California (48177)--Class F. "Topographic Map of Southern California Oil and Gas Fields and Connecting Highways." While there is a little doubt as to whether the copies are not proofs, the chief question is whether the notice is adequate. It reads as follows:

Union Oil Co. of California
Geological Department
Drawn by John Wise
September 1939

Copyright "

Enter-HAH (See "NOTICE")

the claimant being the Union Oil Co. of California. Mr. DeWolf and Mrs. Brady feel that the name of the owner is sufficiently close to the word "Copyright" to satisfy the requirement of the statute. Mr. Smith thinks that it is not.

21. Maine Appalachian Trail Club, Inc. (46132)--Class F. "Katahdin Region Map." Here again the question of the adequacy of the notice is involved and this case is very much like the preceding one. The name of the "Maine Appalachian Trail Club, Inc." appears in rather large type, followed by the statement that the map is "obtainable from The Appalachian Trail Conference, Inc." in smaller type. Below the office address of The Appalachian Trail Conference, Inc., appear the words "Copyright 1940." The applicant indicates in response to a question as to which of the two organizations named is the copyright owner, that the Maine Appalachian Trail Club, Inc. is the one for which the material was compiled, but that as the two clubs are affiliated it would not be impossible to accept registration in the name of The Appalachian Trail Conference, Inc. Mr. DeWolf and Mr. Smith feel that the notice is adequate; Mrs. Brady feels that as the name of The Appalachian Trail Conference, Inc. appears in closer proximity to the words "Copyright 1940," an application should be filed in the name of that organization. *Enter on application filed - HAH (See "NOTICE")*

22. Redwood Empire Association (48418)--Class A. "Redwood Empire Golden Gate Bridge," and 3 others. The objection raised by the Examiner in this case was that the application gives the name "Redwood Empire Association" as claimant, whereas the copies in three cases bear a notice reading: "Copyright 1940, by C. E. for Redwood Empire Association." When the Board took the matter up it was discovered that three of the affidavits are defective for want of a sufficient statement as to the character of the affiant, and in one case because made by a company and not an individual. In addition, one of the article, "Redwood Empire Hotels, Resorts, Motor Courts, Restaurants, Garages, Service Stations," contains no notice whatever. These defects of course will have to be written about. In addition, Mr. Smith and Mrs. Brady think that the copyright notice should contain only the full name of the copyright owner, i.e., that the present notices are inadequate. Mr. DeWolf will accept these notices as a sufficient claim of copyright in the name of the Redwood Empire Association. *Enter 2 as applied for. Enter maps in other 2. - HAH. (See "NOTICE")*

R. L. De Wolf
Acting Chairman, Revisory Board