

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 3, 1941

The Revisory Board met at 10:00 A.M. and adjourned at 12:00 Noon.  
Those present were: Mr. Smith, Mrs. Brady, and Mr. MacCarteney.

Total time consumed 120 mins.  
Unanimous decisions 15  
Divided opinions 2

1. Rasmussen, Esther (5019)--Class ? "Pa" and "Ma" (plaques). Request application describing work as "sculpture" and further description in line (7). Inquire whether two works or one are involved, calling attention to dividing line in the center.
2. Sage, George H. (69)--Class A. "Legal Problems Under the Anti-Trust Laws" in "The Chicago Purchaser", September, 1938, and 23 others. Each installment requires a separate registration in this Office since separate copyright terms exist in each installment--present Office practice. Write accordingly.
3. Lucke, Henry J. (2424)--Class B. "Modern Industry, Vol. 1, No. 1, February, 1941." Explain "prospectus" must be after title in order that work may be correctly described. Request new application and affidavit but return one currently filed for his information.
4. Wolfe, W. G. (6265)--Class KK. "Loyal Youth." Examiner sustained. Point out procedure for copyrighting a label, including publication with the copyright notice.
5. Barnard, Dodo (1660)--Class E. "Somebody's Missing Your Kind of Kissing." Enter. Application specifically states that British citizen (author) is not domiciled here, so do not write in respect to this.
6. Lewis, Elizabeth E. (7707)--Class E. "Gospel Gems." Several songs (each with own title) published as a unit under title of "Gospel Gems." Request application giving date of publication. One application sufficient for registration of the unit. *Also on MP-682 and 717*
7. Vinco Co. (7572)--Class A. "Instructions for Testing Heating Boiler Water" Inquire whether copies deposited are complete and actually published in form submitted. Note reference on chart to arrow and bead. Work is possibly a device. *Also on MP-698 & 696*
8. Kriensky, Morris E. (7062)--Class ? "Mellow Moon." Examiner sustained. Describe work as a "painting" since the deposit is not three dimensional. *First on MP-669*
9. Dutton, E. P., and Co., Inc. (Deposit Account)--Class A. "The Wounded Don't Cry." Register as applied for. Applicant explains that the copyright in the work has been assigned to Quentin Reynolds. Original notice crossed out and new notice with Mr. Reynolds name filed (new copies).  
*Affirmed 2-4-41 Recall copies from L. of C. originally filed for amendment of notice.*

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10. Von Bleicken, Bleick (2526)--Class A. "Double Your Pleasure."  
In view of discussion of Mr. Smith with the Register, write explaining that entry is being made because it is assumed that "bona fide" publication has taken place.
11. Printers' Ink Publications (No Fee)--Class A. "Transfer copies to Library of Congress. Examiner sustained. Write and explain that registration is not required since the separate articles were published and registered separately and work as a whole does not bear a collective notice.
12. Dvorine, Israel (8143)--Class A. "Dvorine Animated Fusion Training Charts." Write explaining that registration is not in order for the cards--devices. Registration may be made for the directions upon satisfactory explanation of variance in claim. *Also on MP-685.*
13. O'Brien, Clarence A. (Deposit Account)--Class A. "Table Manners....."  
Write again and explain that before final action can be taken the Office requires a statement of the extent of distribution since the copies do not appear to be in final form. *(First on MP-650)*
14. Conkey, W. B. Co. (3977)--Class A. "The Individual and the World, Vols. 1-3." Register but write pointing out that notice on future works should abide with the strict letter of Section 19 with respect to the position of the notice. *(First on MP-663)*
15. Mattison, S. S. (6478)--Class K? "C Dougherty New and Used Fire Arms." Letterhead illustrating a gun has been deposited. Register as K, not advertising a particular article of merchandise.
16. Seed Trade Reporting Bureau, Inc. (6490)--Class A. "1941 Seed Trade Buyers Guide and Directory, 24th Edition." Enter but write calling attention to the requirements of the statute with respect to the position of the notice, so that future publications may bear the notice in the prescribed position.
17. Lorenz Publishing Co. (Deposit Account)--Class E. "Be Glad You're An American." Division of opinion as to whether one or two registrations should be made for material deposited (words and music for both are identical--both editions published on same date). Appeal. *Request one application using 4th edition copies - H.A.H. (See "Music")*
18. Haile, Virginia A. (81659)--Class E. "America, Thy Temple." Division of opinion as to whether publication has taken place. Appeal. *Request application giving date of publication in 1940 - H.A.H. (See "PUBLICATION")*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 4, 1941

The Revisory Board met at 10:00 A.M. and adjourned at 11:30 A.M.  
Those present were: Mr. Smith, Mrs. Brady, and Mr. MacCarteney.

Total time consumed 90 mins.  
Unanimous decisions 8

1. Herbert, Jean (3872)--Class E. "Lullaby of the Prairie." Return copies in order that those words which properly belong to the music may be set to the musical notation. Suggest that the registration in verse may be separately registered under Class C.
2. Kramer, H., and Co. (2898)--Class A? "Kramer Alloy News." Register as A1 material. Work is intended for distribution to employees and not to public in general, hence not KK material.
3. Rooksby, Ada Holloway (22662)--Class A. "Grand Old Kentucky!" Reject. Name of copyright owner omitted from the notice.
4. Parker, Carlson, Pitzner and Hubbard (83934)--Class A. "Chips and Sawdust" in "Sunset Village Homes", December, 1940. Upon reconsideration write and ask for application in line (7) and explain that use of "©" rather than "Copyright" limits protection to pictorial matter. Suggest that he write Patent Office concerning trade mark protection.  
*Also on MP-651 & 669.*
5. Brown and Bigelow (78189)--Class KK? "Pioneers and Progress." and 11 others. The primary purpose of these blotters is to "sell" more products of Brown and Day--hence advertising prints. Request KK applications and additional fee.
6. Teletype Corp. (79727)--Class ? "Apparatus Cabinet." Write explaining that blue print drawing may be registered upon receipt of application for technical drawing (class I).
7. Ungard and Sherwood (6562)--Class B. "Yours Truly," June, 1941. Notice states that "Contents to be copyrighted by the Truly Publishing Co." Refund. Explain that when work is actually published correct notice should appear thereon. Return one copy.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 5, 1941

The Revisory Board met at 10:15 A.M. and adjourned at 11:30 A.M.  
Those present were: Mr. Smith, Mrs. Brady, and Mr. MacCarteney.

Total time consumed 75 mins.  
Unanimous decisions 5  
Divided opinions 1

1. Gunnell, Kathryn L. (54660)--Class ? "Visual State Advertising."  
"God Bless the Americas." Ask G2 application describing work as a  
"painting".
2. Gould, Jay Joseph (8517)--Class ? "The Early Bird Gets the Worm."  
Notice faulty. Idea not copyrightable. Reject, but do not question  
work as obscene.
3. Webb, Nella (No Fee)--Class A. "Taurus April 19th to May 20th."  
Examiner sustained. Text matter registrable as a "book" upon deposit  
of copies, application and fee. *Write answering letter - applicant  
explains jingles are to be presented to whiskey purveyors to use  
in advertising parties, cocktail napkins, etc. (See "COPYRIGHTABLE")*
4. Yale Cooperative Corp. (62368)--Class A. "Laboratory Directions in  
Quantitative Chemical Analysis." Write--explain entry cannot be made  
since no name forms a part of notice and several names appear on  
page with statement "Copyright 1940" so that copyright claimant is  
not readily discernible. *(First see MP-630).*
5. Junk, W. (Dr.) (No Fee)--Class A. "Enzymologia, Vols. 1-6." Reject.  
Examiner sustained. Copies contain considerable English text necessitating  
ad interim registration. Copies too late for ad interim and no  
registration is therefore in order.--copies published abroad.
6. Wallace, Leta (1724)--Class ? "The Duplex Slide Rule." Division of  
opinion as to whether text matter accompanying device may be registered.  
Appeal. *Suggest registration of text matter (2 sheets) bearing  
notice - Remainder reject as device (See "DEVICE")*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 6, 1941

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

Total time consumed 60 mins.  
Unanimous decisions 10  
Divided opinions 1

1. Richardson and Auer (7085)--Class G. "Long May It Wave." Enter as applied for. Examiner sustained. Copy does not represent American flag alone but includes pictorial matter therewith.
2. Johnson, Arthur H. (8469)--Class ? "Simplex Bowling Record." Examiner sustained. Blank form not copyrightable.
3. Levine and O'Brien (62990)--Class A. "Time Saver, American Standard Tolerances." Rejection affirmed. Work is a device. *(First on MP-636)*
4. Wilson, Wilburn C. (8362)--Class A. "City Government in Fort Wayne." Examiner sustained. Notice not on title-page or page immediately following, but appears on the fifth page from the title-page of a fifty page pamphlet.
5. Raies, Norman (No Fee) -Class KK? "Koppers Shopper." Examiner sustained. Each shopping guide registrable as KK after publication with the copyright notice. Explain that titles and ideas are not copyrightable.
6. Daly, Thomas F. (7818)--Class ? "American Republics Magazine, a monthly magazine of fascinating interest." Question publication. Explain that complete magazine may be registered after publication with copyright notice, but prints of national flags in their conventional form included in the magazine are not copyrightable, as is also true of the title.
7. Toepfer-Anderson Promotion Service, Inc. (7558)--Class A? "New Year's Greeting." Reject. Complete work falls under class A, and notice is inadequate for a "book" lacking the year date.
8. Mosby, C. V., Co. (36945)--Class A. "Methods of Treatment." Register as applied for since applicant explains in letter of December 30, that work bearing 1941 copyright notice would not be published until January, 1941 and subsequent letter affirms that fact.
9. Black, Jeff (8963)--Class A. "Farmers' Memo Book No. 100." Register as applied for accepting copies deposited.
10. Kranz, G. Fred Music Co. (69560)--Class E. "Practical Drill in Keyboard Harmony, Book 1." Register as applied for. Work is primarily music and notice is on page preceding music in a prominent position.

Minutes of the Revisory Board, February 6, 1941, page 2

11. Nippu Jiji Co., Ltd. (AA-355013)--"Territory of Hawaii, Japanese Telephone Directory." Division of opinion as to whether work should be rejected because the notice of copyright contains no year date of publication or because incorrect year date appears therein. Appeal. *written by HAH Feb 12, 1941 that if published in 1940 work must be rejected for advanced year date*  
(All agree that work should be rejected. Special letter written to incorporate both views as to reason for rejection) *(Also on M.P. 680)*

*(SEE "NOTICE")*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 7, 1941

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

Unanimous decisions 8  
Total time consumed 60 mins.

1. Kinsey, H. C. & Co., Inc. (687)--Class A. "Laughing Girl." Ask new application giving new matter as "changes, revision and additions for full book length version." New affidavit is not necessary.
2. Elkins, Beatrice (8920)--Class E. "Once Too Often." Enter as applied for using form E2 filed. No record found of a previous registration.
3. Binghamton Press Co. (5394)--Class B. "Binghamton Press Vol. 62, No. 237, Jan. 18, 1941." and others. Enter as periodical contributions as applied for. It is the articles in the newspaper for which registration is desired. No need to question authorship of material in the articles.
4. Fibre Products Mfg. Co. (81784)--Class A. "Catalog 131--Salesmen's Sample Cards." Enter. Affidavit was executed January 29, 1941 after Office's correspondence requesting new instrument.
5. Ross, Walter C. (9436)--Class A. "The American's Creed on Book Cover." Reject as a "book." No copyright is obtainable for the creed. Not sufficient "book" material for registration in this category.
6. Post Signal Fund (8300)--Class A. "Telephone Directory, Ft. Benning Georgia." Question copyright under section 7 as Government publication.
7. Langsam, Harry (Trust)--Class A. "A Molly's Doll." No further action at this time in order. Notice is incomplete. Reject.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 8, 1941

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

Total time consumed 60 mins.  
Unanimous decisions 10  
Divided opinion 1

1. Magazine Printing Co. (66301)--Class A. "Sentiment Against a Third Term is Constitutional in Origin and Fact, Not Merely Tradition." Explain that if copies were published with notice copies should be deposited. *(First on MP-656)*
2. Snow, C. A. & Co. (7968)--Class KK. "Plates." Examiner sustained. Request KK application and additional fee.
3. Elder, John S. (8681)--Class ? "The Trisection of the Arbitrary Angle AOB." Enter as applied for. Registration is in order to cover the drawing.
4. Bartlett, Eyre, Keel and Weymouth (7914)--Class KK? "Beech-Nut Candy Drops." Return to Examiner for more complete recommendation upon which Revisory Board may act. *Also on MP-681*
5. Waite, Donald B. (8753)--Class A. "Western Union Messenger Service. The Packard Sedan on our Showroom Floor is Yours." Examiner sustained. Request application giving more adequate title.
6. Myers, Arthur (80144)--Class A. "Monocraf." Refund fee as requested because there is doubtful publication and material is of a nature which presupposes fraud.
7. Observer Printing House, Inc. (7847)--Class A. "Wood Working Cutters." Enter, but write pointing out that name of copyright owner should be more closely associated with other elements of the notice on future works of this character.
8. Kotoff, Peter M. (3926)--Class E. "A Little Love, a Little Trust." Register as applied for. Do not return copy for addition of author's name since there is no variance between application and copy.
9. Alberts, Harry C. (3366)--Class A. "Conception Calculator." Reject. Work is a device. Examiner sustained.



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10. Atlanta Constitution (9969)--Class A. "Lane Keeps Step With Progress But Holds Fast to Tradition" in "The Atlanta Constitution."  
KK material. Refer to Print and Label Section. One page advertisement of various articles of merchandise has been deposited.
11. Union Carbide Co. (Deposit Account)--Class KK? "Tergitol Penetrants-- Speed the Penetrating Ability of Aqueous Solutions." Division of opinion as to whether slight pictorial matter is sufficient to require registration as a commercial print. Appeal. *Upon further consideration and discussion with the Register of Copyrights, Mr. Smith agrees with other members of Board that registration should be made as KK.*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 10, 1941

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

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Total time consumed 15 mins  
1 unanimous decision  
1 divided opinion

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1. Nippu Jiji Co., Ltd. (AA-355013). "Territory of Hawaii Japanese Telephone Directory." Letter of LCS approved, in rejecting the Directory because of inadequate notice. *(First on MP-676)*.
2. Kramer, H., and Co. (2898)--Class KK. "Kramer Alloy News." Division of opinion as to whether work is classifiable as a book or a commercial print. Appeal. *Write again for KK:(H.A.H.)*  
*(See "PRINT OR LABEL")*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 11, 1941

The Revisory Board met at 10:00 A.M. and adjourned at 11:15 A.M.  
Those present were: Mr. Smith, Mrs. Brady and Mr. MacCarteney.

Total time consumed 75 mins.  
Unanimous decisions 9  
Divided opinions 2

1. Evans, Victor J. & Co. (9327)--Class A. "Vitaguide." Previous decision sustained. Work is a device. Reject. *First on MP-580*
2. Landenberger, Ralph (80623)--Class A. "Landenberger's Paper Equivalentor, Special Paper Bag Model." Examiner sustained. Work is a device. Reject again.
3. Bartlett, Eyre, Keel and Weymouth (7914)--Class KK? "Beech-Nut Candy Drops." Examiner sustained. Each complete separate copy requires a separate registration. *First on MP-678.*
4. Schwed, Milton (9333)--Class A. "Children's Shoe Chart." Examiner sustained--advanced year date in notice. Explain publication. It is doubtful that distribution has as yet taken place.
5. Wild, George F. (69114)--Class KK. "Price List No. 68" and ten others. Examiner sustained. Request KK application and additional fee. *First on MP-658.*
6. Edmonds, Lillian Wires (9982)--Class ? "Florestan." Register as applied for. Work is in dramatic form acceptable for registration. Do not inquire as to whether it is intended for enactment upon the stage.
7. Milk Foundation, Inc. (9060)--Class KK? "Your Family Food Chart." Register as applied for. Not a print or label advertising an article of merchandise, since it is milk in general rather than a specific brand of milk that is being advertised.
8. Decca Records, Inc. (Deposit Account)--Class KK? "For Dancers Only" and 2 others. Examiner sustained. Request KK applications, since works contain pictorial matter and advertises articles of merchandise, i.e., records. *Also MP-874*
9. Potts, Joshua R. H. (458)--Class ? "Free Treasury Awards." Reject. Examiner sustained. Work is a gameboard and not subject matter for registration.
10. Robinson, Carl R. (7256)--Class E. "Sketches in Black and White." Division of opinion as to whether registration can be made as an unpublished musical composition for copies which include music and words which are not to be sung to the music filed. Appeal. *Enter - A.A.H. - Approved C.L. Douvé. - (See "Music")*

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11. Lewis, Elizabeth E. (7707)--Class E. "Gospel Gems." Division of opinion as to whether three songs included on a leaflet, each bearing a copyright notice, may be registered upon one application and fee. Appeal.

*Register as one work upon return of app. with date of publication - H.A.A. - (See "MUSIC") First on MP-691  
Also on MP-717.*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 12, 1941

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

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Total time consumed 40 mins.  
Unanimous decisions 5

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1. Research Institute of America Inc. (10043)--Class A. "Business and Defense Coordination." Examiner sustained. Inquire whether two volumes are published as a unit. Separate registration is required for the two volumes if they are separately distributed.
  2. Threedy, Clarence E. (10489)--Class G. "Arabian Boy." Notice acceptable. Request one additional copy of the best edition.
  3. Russell, Barney G. (8803)--Class ? "A Needed Service." Reject. Examiner sustained. Idea not copyrightable. Copy deposited does not appear to be in form prepared for oral delivery.
  4. Rose, C. B. (10021)--Class A. "Digest and Analysis of Bills Introduced Legislative Session, 1941." Examiner sustained. Request applicant to give a more identifying title in the application.
  5. Amerika Institute (Deposit Account)--Class A. "Auf halbem Wege." Register as applied for. Do not write concerning variance in date of publication between application and copy. (Notice gives 1939--application 1940). World conditions make correspondence difficult and variance in year date is not to the detriment of the public.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 13, 1941

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

Total time consumed 60 mins.  
Unanimous decisions 5  
Divided opinions 2

1. Collins, Ashton B. (9971)--Class A. "Reddy Kilowatt Mat Service Sheet 76A." Material as deposited in the form of sheets resembling King Features material. Suggest separate A5 registrations.
2. Brown and Bigelow (10782)--Class A. "Blackfeet Indians of Glacier National Park." Enter as applied for. Cover contains sufficient copyrightable material to warrant registration as a revised edition.
3. Gattrell, Robert M. (8880)--Class ? "Split-Split-Strike." Register as a drawing. Request new application giving description "drawing" in the first space.
4. Kirk, George E. (1460)--Class KK. "Pressure Processed." Register as KK. Work is a leaflet advertising Blue Band Lime, and contains pictorial matter in addition to the text matter.
5. Osborne, Romona M. (6529)--Class E. "Adios, My Soldier Boy." Register upon receipt of new application eliminating statement that copyright is claimed on new title from line (7).
6. Grizzard Advertising (9176)--Class A. "Personal Loan Prospects and the Bank's Way to Reach Them." Division of opinion as to whether letter should be written to determine whether copies are printed from type set. Appeal. *Upon further consideration all agree to enter as applied for-*
7. Von Bleicken, Bleick (2526)--Class A. "Double Your Pleasure." Division of opinion as to whether publication of the material as deposited should be questioned. Appeal. *Enter - no need to write - HAH (See "BOOK")*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 14, 1941

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

Total time consumed 60 mins.  
Unanimous decisions 12

1. General Motors Corp--Yellow Truck and Coach Manufacturing Co. (10826)--  
Class A. "Maintenance Manual--GMC Model AFWX 354 Built for U.S.Army"  
and one other. Notice on title-page reads:  
Copyrighted 1940

GENERAL MOTORS TRUCK AND COACH  
Division of  
Yellow Truck & Coach Manufacturing Co.  
Pontiac, Michigan

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

2. Fuller, Frederic L. (1900)--Class ? "Master Circles." Register as applied  
for. Applicant informs Office that sheets of drawings of circles drawn  
with a high degree of accuracy are in the form actually distributed to  
the public. Accept statement and register as applied for.
3. Dolgorukov, Gregory S. (9954)--Class E. "Svernaya Svezda (Northern  
Star) Arr. for 'Choir of Men's Voices'." Original work in public  
domain. Therefore register this arrangement as applied for.
4. Knopf, Alfred A., Inc. (Deposit Account)--Class A. "Read at a Luncheon."  
Thomas Mann is known to be a Czecho-slovakian citizen. If State Dept.  
cannot supply Office with present status of Mr. Mann's citizenship,  
request new application giving correct statement in line (4).
5. Dvorine, Israel (8143)--Class A. "Dvorine Animated Fusion Training Charts."  
Ask application giving correct title taken from copies. *First on MP-672*
6. Remington Rand, Inc. (W.R.37022)--Class A. "Graph-a-matic Inventory  
Analysis for Profit Control." Reject. Work is a device. Special memorandum  
is being prepared since work is possibly a borderline case. *RCD upon  
order of Register and Asst. Register rejected as device with opening for  
making case. No reply has been received - (SEE DEVICE) - M.P. 918*
7. Merrill Publishing Co. (1847)--Class A. "Alice Faye Movie Star Dolls,"  
"Blue Ribbon Coloring Book" and 17 others. Latest statement of copyright  
owner is that works were published in 1941 (with 1941 copyright notices).  
Enter upon receipt of new applications giving correct 1941 date of pub-  
lication.

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8. Mason and Parrish, Engrs. (No Fee)--Class ? "(no title)". Reject.  
Work is a part of a device. Examiner sustained.
9. Design Copyright Service Bureau (9578)--Class ? "Designed for Living  
in Our Town." Examiner sustained. Reject as unpublished drawing. Not  
sufficient evidence of copyrightable elements.
10. Hagstrom Co., Inc. (9591)--Class A. "New Jersey Mileage Table."  
Examiner sustained. Work is not a "map" but a "book". Notice lacks  
year date of publication. Reject.
11. Willis Music Co. (Deposit Account)--Class ? "The Wheel of Musical  
Knowledge." Reject again. Work is a device. *Also on MP, 731*
12. Chek-Chart Corp. (W.R.37019)--Class A. "Lubricate for Safety Every  
1000 Miles." Reject. Work is a device. Examiner sustained.



MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 15, 1941

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

Total time consumed 60 mins.  
Unanimous decisions 9

1. Dean, Abner (11506)--Class G? "Camouflage, Your First Line of Defense." Work is a design and merchandising idea for a lipstick. Reject, suggesting design patent.
2. Murchison, Loren and Co., Inc. (11455)--Class G? "Manhattan, 1942." Reject. Design for a college class ring. Reject suggesting possibility of a design patent.
3. Professional Publishers, Inc. (58334)--Class A. "Cardtooner." Register as applied for, accepting application giving name of present copyright owner. Office has received no reply to its previous letter suggesting the recordation of the assignment. *Also on MP, 688*
4. Walker, F. Llewellyn (42201)--Class A. "The Great Game of Fox and Goose." Refund. Rules form an integral part of the gameboard and application should, therefore, be rejected.
5. Callender, George S. (11667)--Class E. "Bo Go Jo." Register as applied for, accepting copy as complete both as to words and music.
6. Alpern, Gertrude Gilbert (83775)--Class A. "Autumn Had Wept." Register as applied for accepting copies with notice affixed by means of rubber stamp and sworn date of publication. Write and explain that entry is being made but that copyright was secured upon date of publication with the copyright notice.
7. Steel, Thomas D. (9580)--Class A. "Make Money Raising Squabs." Register as applied for, accepting application giving later date of publication and copies bearing statutory notice.
8. Kimmel and Crowell (4214)--Class A. "Cigarette Coupon" and 2 others. Reject "Free Gifts" since it does not contain sufficient copyrightable elements to warrant registration "Be Thrifty--Save Our Match Covers" is registrable as a commercial print since it contains some pictorial matter and advertises an article of merchandise. Reject "Cigarette Coupon." Insufficient copyrightable material to support a registration. *Also on MP-697*
9. Desmond, William J. (11507)--Class E. "On the Loose," "Cutie Pie," and "Can't You See I'm Lonely." Register as applied for but write answering questions in letter.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 18, 1941

The Revisory Board met at 10:00 A.M. and adjourned at 11:20 A.M.  
Those present were: Mr. Wise, Mr. Smith, and Mrs. Brady.

Total time consumed 80 mins.  
Unanimous decisions ~~10~~ 11  
Divided opinions 3

1. Thiess, Olson and Mecklenburger (W.R. 36730)--Class A? "Government Air Travel." Work is a device. Reject again.
2. Kelly, Marie L. (2798)--Class A. "The Care and Preservation of Cut Flowers." Reject. Kelly's name not in notice. Applicant states that Marie L. Kelly is copyright claimant. *First on MP-666*
3. Brown, Glen (8422)--Class A. "Amateur of America ADA No. 1." Question publication. If published class A is appropriate. Refund for the present.
4. Science Press Ptg. Co. (2173)--Class B. "Journal of Applied Psychology, December, 1940." Write concerning variance in claim and explain provisions of Section 18 with respect to year date which should appear in copyright notice. Also point out that copies should be deposited promptly after publication. *First on MP-653*
5. Allen, Charles R. (71282)--Class D. "The Radio Rogues." Register as applied for accepting applicant's statement as to oral delivery.
6. Union Carbide Co. (Deposit Account)--Class A. "Working Drawings for Constructing a Flame Hardening Rig." Examiner sustained. Registration may be made as a "book" since notice is in form and position for a "book". Registration under class I as applied for is not in order since notice does not appear upon the "drawing".
7. Disney, Walt, Productions (11521)--Class E. "The Nifty Nineties." Examiner sustained. Request new application so amended as to give composer of new music and arranger of old music and to omit "None" in authorship line and substitute "various" since words are included with the music and are by various authors.
8. Professional Publishers, Inc. (58334)--Class A. "Cardtooner." Request new affidavit of manufacture, including notarial seal. *First on MP-687*
9. Mack Printing Co. (11677)--Class B. "Gourmet, February, 1941." Returned to examiner for information as to action taken on previous case when copies bore questionable notice. *Also on MP-690*

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10. Range Data, Inc. (70907)--Class A. "Practical Radio Range Data, Revisions and New Sheets Issues of September 15, 1940, October 1, 1940, and October 15, 1940." Question publication as a single unit. Copies appear to represent three separate publications.
11. Porter, Wellington (9022)--Class A. "Excerpts from Life, Poetry." Notice acceptable, but write inquiring whether the two authors are the two copyright owners.
12. Lee, Howard Randall (73942)--Class A. "Rules for Blitzkrieg." Division of opinion as to whether publication has taken place. Appeal. *(First on MP-600) - Register - H.A.H (See "PUBLICATION")*
13. Leonard, Arthur (11703)--Class G. "Not to be Opened Until After the Ceremony!" Division of opinion as to whether "Not to be Opened Until After the Ceremony" contains sufficient original material to justify registration as a "drawing". Appeal. *Do not encourage drawing (unpub) regn. - obviously intended for publication - H.A.H (See "CLASSIFICATION")*
14. Olsen, Harold (3900)--Class A. "American Linen Companies Color Harmony Guide." Division of opinion as to whether work should be rejected because of misplaced notice or because it is a device. Appeal. *Reject. Suggest registration of text if separately published - RD - (See "DEVICE") Also on MP-739 and MR 749. Later decision - Registered text since notice appeared in juxtaposition thereto and attorney limits claim to text*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 19, 1941

The Revisory Board met at 10:05 A.M. and adjourned at 10:40 A.M.  
Those present were: Mr. Wise, Mrs. Brady, and Mr. MacCarteney.

Total time consumed 35 mins.  
Unanimous decisions 10

1. Kalish, Ralph (9626)--Class KK? "Skrainka Construction Co." and "Delnor Hospital." Reject "Delnor Hospital" for lack of pictorial element to warrant registration as a print or label. Write and inquire whether copies of remaining work distributed to the public bore the statutory notice. *(See Register's decision under "PRINTS AND LABELS")*  
*Similar case of this matter on MP-486*
2. Wolff, S. J., and Co., Inc. (4159)--Class K. "Ice Cream Dish Sheet." Request application on form K. Work does not describe a particular brand of ice cream. It is a print or pictorial illustration of ice cream in general.
3. Steven-Davis Co. (8546)--Class A. "Voice of the Salesmen, No. 318." Register as applied for. The 1936 year date does not refer to the work as a whole but only to the particular sheet on which it is affixed.
4. Buffalo Evening News (4803)--Class A. "Buffalo Evening News Almanac and 1941 Fact Book." Register as applied for. Buffalo Evening News and Edward H. Butler represent the same organization, since Mr. Butler is Editor and owner of the Buffalo Evening News.
5. Wisdom House (10082)--Class A. "Confucius Comes to Broadway." Register as applied for. Work is not obscene.
6. Dell Publishing Co. (Deposit Account)--Class B? "1000 Jokes, Winter 1941." Do not reject as obscene. Write requesting application on form A1.
7. Mack Printing Co. (11677)--Class B. "Gourmet, February, 1941." Register but write pointing out statutory form of notice which should appear upon future issues of this periodical. *Also on MP-688*
8. Birchard, C. C., and Co. (12698)--Class E. "Symphony No. III Score." Write concerning variance in name of copyright owner, but do not question amended year date of publication.
9. Terre Haute Advertising Co., Inc. (535)--Class A. "Mine Safety Sheet Calendar." Request K applications for the prints. One application is sufficient for the two prints. *Also on MP-698.*
10. Green, Harrie C. (11794)--Class K. "Soldier Boy Series." Notice inadequate for A1 registration. Each card in series bears its own notice. Separate K applications required for each card since each bears an abbreviated notice and consists wholly of pictorial matter.

MEMORANDUM

Mins. Oct. 15, 1940 &  
Feb. 19, 1941

Remitter: Ralph Kalish (65521)--Class KK

Title: "The Camellia House, the Drake, Chicago" (Match packet)  
and others

Referring to packets of matches.

1. A packet of matches is an article of utility per se--a holder for matches--designed to advertise matches.
2. A packet of matches without any artistic embellishment is not copyrightable.
3. A packet of matches containing artistic material may be registered for copyright as a label for matches.
4. A packet of matches containing on its cover pictorial matter designed to advertise some commodity other than matches presents a work with a two-fold purpose: (1) the primary purpose is to advertise the commodity described on the packet of matches; (2) the secondary purpose is to serve as a label for matches. The applicant may apply for registration as a commercial print for the commodity referred to on the cover<sup>or</sup><sub>^</sub> as a label for matches.

Note--it should be observed that in all cases presented to date the packets of matches have borne the name of the match company.

Associate Attorney

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 21, 1941

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

Total time consumed 60 mins.  
Unanimous decisions 4  
Divided opinions 2

1. Nally, Danny (12884)--Class I. "Airplane Twin Destroyer." Enter as applied for accepting address given in space (2) and application on form I2.
2. Cleminshaw, J. M. Co. (13451)--Class A. "State Savings Association Grand Rapids, Michigan, Form." Ask A1 application. Sufficient copyrightable material in addition to blank form to support a registration. *A/so on MP-740.*
3. Cook, Sarah (12118)--Class A. "Nursery Jingles." Inquire how the work is published and whether the deposits (consisting of several sheets in large type stapled together, each bearing its own copyright notice) are copies of the best edition distributed. From copies deposited it appears that each nursery jingle is intended for separate publication.
4. Corbett, Jay J. (13284)--Class B. "Hollywood Star, March, 1941." Reject. Notice does not give name of copyright owner and is in a doubtful position.
5. Cooperative Publishing Assn. (11107)--Class A. "Fundamentals of Consumer Cooperation by V.S. Alanne." Division of opinion as to whether notice of copyright (at time of publication) contained name of copyright owner. Appeal. *Upon further consideration all agree to write, requiring name in notice (at time of publication) was that of the copyright owner.*
6. Galbraith, Earl Wilfred (12249)--Class E. "I Like to Make Music." Division of opinion as to whether statement on copy that Edwin Nolan scored music requires an explanation before entry can be made. Appeal. *Request explanation - NAA (See "MUSIC")*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 24, 1941

The Revisory Board met at 10:20 A.M. and adjourned at 11:15 A.M.  
Those present were: Mr. Smith, Mrs. Brady, and Mr. MacCarteney.

Total time consumed 55 mins.  
Unanimous decisions 8

1. Standard Stoker Co., Inc. (13149)--Class A. "Plant Brochure." Examiner sustained. Name of copyright owner does not appear in the copyright notice. Reject. *Also on MP-734.*
2. Brattlof, Margaret (81848)--Class A. "The Littlest Angel." Explain publication since affidavit refers to "private" distribution. Inquire extent of this distribution.
3. Del Campo, Carlos (13630)--Class H. "La Sentada P 2." Foreign works published without notice. Suggest publication with statutory notice. Send a supply of application forms H foreign.
4. Zimmerman, Otto, and Son, Co. (10636)--Class E. "Crusaders Battle Hymn." Enter as applied for. Applicant indicates by "o.k." in application that statement therein is correct.
5. Kimmell, Jessie (5909)--Class E. "Stars and Stripes and Yankee Doo." Inquire as to correct spelling of author's name and inquire also upon what copyright claim is based (note statement in applicant's letter that "this is a recopyright of the song copyrighted in 1909").
6. House of Stratman (7699)--Class A. "Trust Indenture..." Do not write questioning publication. Printed copies are intended for distribution to whomever requires information concerning the trusteeship of the bankrupt firm involved.
7. Relief Printing Co. (83365)--Class A. "Please Permit Us to be Blunt, etc." Applicant indicates copyright is desired before distribution. Explain publication and request deposit of copies of best edition after publication.
8. Freydeck, Max Frederick (8997)--Class J. "Medical College of Virginia, Hospital," and one other. Examiner sustained. Reject. Notices on photographs are on back.
9. Walker, F. Llewellyn (42201)--Class A. "The Great Game of Fox and Goose." Application has been pending since July, 1939, and Office has insisted that application be filed limiting claim to rules appearing on the gameboard. Now policy is to reject text matter appearing upon patentable article. In view of circumstances of case, register as applied for using application limiting claim to rules. Refer to Mr. Howell. *Board decided to enter without confirmation of action (See MP-693)*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 26, 1941

The Revisory Board met at 10:00 A.M. and adjourned at 11:15 A.M.  
Those present were: Mr. Wise, Mr. Smith, and Mrs. Brady.

Total time consumed 75 mins.  
Unanimous decisions 11  
Divided opinions 2

1. Walker, F. Llewellyn (42201)--Class A. "The Great Game of Fox and Goose." In view of fact that Mr. Howell does not care to pass on case and since Revisory Board is unanimous, register. Prolonged correspondence in which applicant has now conformed with requests of the Office requires registration.
2. Kaiser, Oliver B. (14764)--Class A. "Edna Types '1914' and '1918'." and one other. Request KK applications. Loose-leaf sheets with pictorial matter advertising articles of merchandise, i.e., hydrostatic lubricators.
3. Porretta, Joe (75512)--Class E. "Lolita" and "Be Careful, Don't You Fall in Love." Explain publication and point out that copyright is lost if year date of publication in notice is an advanced year.
4. Columbia Statuary Co. (8398)--Class G? "Chinese Man" and one other. Cancel unpublished drawing registrations, since they were deposited subsequent to publication of the works.
5. Jacobi and Jacobi (8589)--Class A? "Steinthal Label Designs, No. 1." In view of applicant's explanation that sheets as printed are distributed to customers who choose the label desired, accept application on form A1.
6. Molz, Henry (11753)--Class G? "God Bless America, Decorative Picture Frame." and one other. Reject. Design patent material. Photographs show finished articles, i.e., picture frames or plaques.
7. Science Press Printing Co. (2173)--Class B. "Journal of Applied Psychology." Write with respect to variance in claim. Point out that year in which publication took place should appear in notice and that copies should be deposited promptly after publication.
8. Economy Sales Co. (No Fee)--Class ? "The Beautiful Scout Watch" and 2 others. Material advertises watches and consists of a single sheet. Request applications on forms KK and additional fees.
9. Gardner Displays Co. (No Fee)--Class KK? "Nautical Notions...Giant Fish." The fish are the articles of merchandise, i.e., display boards for store windows. Illustrated sheet advertising these articles of merchandise is classifiable as KK. Request KK application and additional fee.



Minutes of the Revisory Board, February 26, 1941, page 2

10. Goodman, Frank (9888)--Class A. "Championship Fight Game."  
Work is a "box" on the exterior of which appears an illustration and the title, together with the copyright notice. On the inside of the lid are the rules of the game and on the bottom of the box is a typical gameboard (with spaces to move indicated). Registration is not in order as a "book" because the notice is not in juxtaposition to the rules. Refer to Print and Label Section for possible "print or label" registration.
11. Walker's Manual, Inc. (12709)--Class A. "Walker's Directory of California Directors and Corporations, Vol. 2, Directors." Register but write calling attention to the provisions of Section 19 with respect to the position of the notice.
12. Thomas, Powell (W.R.37021)--Class ? "Lucid Ledger" and 3 others.  
Division of opinion as to whether as to whether "Powell Thomas" is registrable as a technical drawing. Appeal. Register as I 2 (SEE "D.V.C.?" )
13. Encyclopaedia Britannica, Inc. (8474)--Class A. "Britannica Junior [Prospectus]." Division of opinion as to whether publication should be questioned. Appeal. After further consideration all agree to reject on inadequate notice without reference to question of publication.

## MEMORANDUM

February 26, 1941

Remitter: Earl Wilfred Galbraith (12249)---Class B

Title: "I Like to Make Music"

Question: Explanation required of "Edwin Nolan scored music"  
appearing upon copy.

The copy deposited bears the name of Earl Galbraith as author of the words and music in the left hand corner. In the right hand corner is the statement, "Edwin Nolan scored music." Miss Gatchell, the examiner, is of the opinion that this statement should be questioned and inquiry made as to the extent of Mr. Nolan's work, in that it is possible he may have composed part of the music and not just have written down the melody for Galbraith. Mrs. Brady and Mr. MacCartney are of the opinion that Edwin Nolan did no more than mechanically transcribe the melody which Mr. Galbraith hummed or played for him. Mr. Smith, however, holds that the examiner should be sustained and the doubt erased by an explanation on the part of Galbraith.

Respectfully submitted,

Member, Revisionary Board

Examiner sustained, write for explanation.--H.A. Sewell.

MEMORANDUM

February 27, 1941

Remitter: Cercle de la Librairie (Trust)--Class A.

Title: "Tableau Synoptique de l'Histoire des Peuples"

Question: Power of Office to prepare application.

The war conditions have brought about a situation whereby communication with publishers in France is very difficult. There are a number of cases in the Office such as those presented by the Cercle de la Librairie in which all that is required is the correct application form. The information for the preparation of such a form is in hand.

Mr. Wise and Mrs. Brady are of the opinion that the Office should on its own initiative prepare the correct form and enter the works in the proper classification. Mr. Smith, however, feels that in the case before the Advisory Board at this time the preparation of the application on the part of the Office would mean that the class selected by the applicant originally would have to be changed. He does not feel that the Office can act as agent in the preparation of such an application in the class selected by the Office, especially when such agency has not been delegated to the Office. He feels that the material should be filed until it is possible to secure from the French publisher the proper application.

Respectfully,

Member of Advisory Board

Enter upon the II application filed--H.A.Howell.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 27, 1941

The Revisory Board met at 10:00 A.M. and adjourned at 11:15 A.M.  
Those present were: Mr. Wise, Mr. Smith, and Mrs. Brady.

Total time consumed 75 mins.  
Unanimous decisions 12  
Divided opinions 3

1. Art Publication Society (11562)--Class A. "Sonata in C Major--Haydn (Text Matter)." Register as applied for accepting application giving author as L. M. Dodd.
2. Telefactores, Inc. (14296)--Class A. "Magic in History." Question published in form of copies deposited since instructions refer to colored spaces on chart. *First on MP 667*
3. Schwartz, Adolph (79580)--Class ? "Fit All Men's Insole" and one other. Reject. Advanced year date of publication in notice. *First on MP 634*
4. Beaumont, Miller (14745)--Class A. "Shuffl Baseball Card Game." Cards of the game deposited. Ask for complete copies as actually published, including rules, before further examination can be made.
5. Amerika-Institut (Deposit)--Class A. "Velhagen and Klasings Monats Hefte, September, 1939." Office has written twice concerning variance in date of publication with respect to dates given for previous issues. Register accepting application giving date of publication as November 22, 1939, for September, 1939, issue in view of world conditions.
6. Brown, Thelma Mary (14659)--Class E. "Sweet Blue Velvet Rhythm." Register as applied for upon one application. Copy contains two parts of same work (1) words and piano accompaniment, and (2) "piano chorus".
7. Whitney-Graham Co., Inc. (11551)--Class B. "Drawing Teacher, Jan-Feb., 1941." Write requesting applicant to return original copy and to confirm date of publication given in second application filed.
8. Merchant and Merchant (14204)--Class A. "Pot O'Gold." Reject. Work is a blank form.
9. Probert, Edward (14671)--Class E. "Echoes." Register as applied for accepting musical composition as deposited as a complete copy.
10. Wagner, Enos, Rev. (7664)--Class E. "Stand By Me" and one other. Register as applied for. Accept copies as of best edition. Notice contains three elements (including year date).

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11. Oxford University Press, New York, Inc. (3604)--Class A. "The Dual State." Citizenship of Ernst Fraenkel, together with translators, given as United States. Question citizenship of Fraenkel and inquire whether he assisted translators (copyright in present instance being claimed on the translation).
12. Vinco Co. (7572)--Class A. "Instructions for Testing Heating Boiler Water With Vinco Field Test Kit No. 10." Ask A1 application since pictorial leaflet advertising an article of merchandise is accompanied by additional material. *First on MP-671 - Also on MP-671/8 698.*
13. Zimmerman, Arnold William (14434)--Class ? Division of opinion as to whether applicant's statement that work filed ("Circle Bridge") is a lecture can be accepted. Appeal. *Write distinguishing requirements for registration of "Book" and "Lecture" material. (See "LECTURE")*
14. Cercle de la Librairie (Deposit)--Class A. "Tableau Synoptique de L'histoire des Peuples." Division of opinion as to whether Copyright Office, in view of world war conditions, may fill out a correct application and register using data supplied by applicant. Appeal. *Enter upon II application filed. - HAH (See "APPLICATION")*
15. Mueller and Ruhl (4212)--Class ? "The Evening Campfire." Division of opinion as to whether classification KK "Commercial print or label" or A1, "Book", is applicable to the "Evening Campfire." Appeal. *Register as A1 - HAH (See "CLASSIFICATION")*

MEMORANDUM

February 27, 1941

Remitter: Mueller and Nahl (4212)--Class EE?

Title: "The Evening Campfire"

Question: Does the material fall under class EE?

The copy consists of four parts, each joined to the other by thread lacing. The first segment consists of a colored print bearing the title "The Evening Campfire" and a full copyright notice. In addition to this lettering there also appears in even larger print in the left-hand corner the name of the copyright claimant and the two cities in which it is located. The remaining three parts have fastened to them pads of certain monthly calendars containing in some instances not only the calendar but text and pictorial matter which advertises the products manufactured by the copyright claimant.

Mr. Wise and Mrs. Brady are of the opinion that the work constitutes material falling under class EE and should be so registered. Mr. Smith, however, while agreeing that the calendar does advertise the products of the copyright claimant, nevertheless the copy does not consist of a single sheet, but rather of many parts and hence under the rules of the cannot constitute the proper deposit for material falling under class EE. He, therefore, requests that a proper "A" application be filed.

Respectfully submitted,

Member of Advisory Board

Register both "A Word from Merkel" and "The Evening Campfire" as A1. While both subjects are used in connection with articles of merchandise, it should be explained to the attorney that, following the long established practice of the Patent Office, the Copyright Office regards this type of material consisting of several sheets stitched or bound together as booklets registrable in Class A.--H.A.Howell.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
February 28, 1941

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The Revisory Board met at 10:05 A.M. and adjourned at 10:15 A.M.  
Those present were: Mr. Wise, Mr. Smith, and Mrs. Brady.

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Total time consumed 10 mins.  
Unanimous decisions 3

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1. Kimmel and Crowell (4214)--Class A. "Cigarette Coupon." Note ruling of Mr. Howell which reversed Patent Office practice that product must be identified if registration as a print or label is to be made. No specific product identified in present instance. *First on MP-687.*
  2. Fitz Water Wheel Co. (14282)--Class A. "Water Power Equipment Bulletin No. 100." Register as applied for. Name of copyright owner is only name appearing on the page bearing other elements of notice.
  3. Cox, Moore and Olsen (14946)--Class A. "Circular Slide Rule." Request applicant to include after title "Directions" and then entry can be made. *Also on MP-705*