

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 1, 1941

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

Total time consumed 75 mins.  
Unanimous decisions ~~11~~ 9

1. Ricordi, G., & Co., Inc. (Deposit Account)--Class E. "Enseña Elemental del Piano 1er Tomo." Examiner sustained. Accept notice which appears on page 8 and might be considered as being on first page of music. Before registration can be completed new application should be filed giving in line (3) the "composer of new music, compiler and arranger."
2. Munk, William Paul (30385)--Class A. "Inclined Well Pumps." Accept "A" classification since man is not selling pumps but is selling method of sinking wells which he has established. Not a commercial print.
3. Ritcha, P. E. (13059)--Class A. "Along the Horse Trails" in "Alhambra-Post-Advocate, February 12, 1941." Correspondence established that Quay House, the author, is the copyright owner. Accept copy bearing the notice which includes his name in notice. Reject application for work which gives only Alhambra Post Advocate as copyright owner.
4. Pfeiffer, Ehrenfried (31736)--Class A. "Der erfreuliche Pflanzen." Copyright claimant while abroad published a work without a copyright notice. This foreign claimant is now domiciled in this country. Suggest that he reprint in this country and publish with copyright notice. Registration can then be made as a book. *Also on MP-775*
5. Wilding Picture Sales Corporation (25861)--Class D. "Wayside Wonders" and one other. Request applications on forms D2 since works contains dialogue and definite plot. "How to Do It" is classifiable as a lecture since it is a monologue without plot, intended for use with a sound film.
6. King Features Syndicate, Inc. (Deposit Account)--Class H & J. "Cecile Dionne" and many others. Accept applicant's statement of publication of the photographs. *First on MP-728*
7. Quinke, Walter A. (31443)--Class A. "Supplement II to Mechanics Builder Guide." Work deposited is a cardboard sheet nine by two and one-fourth inches with certain ruled lines to show bevel cuts, hip backing, etc. Work is in the nature of an instrument or tool. Reject.
8. American Foundation for the Blind, Inc. (28559)--Class A. "Learning by Listening." Request line (5) be filled in, giving the author's place of domicile. Do not write concerning publication and citizenship.

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9. Romaine, Elizabeth (30841)--Class E. "Home in the Hills." Inside page of musical composition and application are in agreement as to the author and composer of the work. Register as applied for, disregarding cover of music which contains a different statement.

MINUTES OF THE REVISORY BOARD  
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May 2, 1941

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

Total time consumed 40 mins.  
Unanimous decisions 8

1. Scussel, John A. (30969)--Class E. "Why Do You Pretend." Register as applied for accepting citizenship of author as "Forno di Zoldo Italy."
2. Bullard Co. (70786)--Class ? "42" Cut Master Vertical Turret Lathe Bullard 404." In view of representative of the company explaining on his visit that the work is not a part of a machine, but only screwed on it in order to be in an easy place for operator to see, register as a published technical drawing upon receipt of appropriate application.
3. West Publishing Co. (Deposit)--Class A. "The Code of Alabama Approved July 2, 1940, Vol. 1, Titles 1 to 6." and 21 others. Applicant has added after name of copyright owner in line (1) the words "Statutory arrangements." Explain registration is made for the compilation, but not for the system or plan of arrangement. *A150 on MP-76K*
4. Moore, Earl E. (15529)--Class A. "Dude Kimball the Country Plumber." Applicant states copies of work have been distributed. Inquire manner in which public distribution took place, in view of applicant's statement that publication took place by other processes than by type setting machines and "registration of applicant's work is at least recorded evidence and may be of some aid in re to priority rights later on."
5. Bruner, C. M. (No Fee)--Class A. "A Boomer Hoghead's Farewell to Haydn Jct. Ariz." Accept notice with initials of copyright owner since full name appears a short distance from the other elements of the notice. Accept for registration upon receipt of application, fee and two copies. Write pointing out better form for notice on future works of this character.
6. Greene, Phillip L. (26546)--Class KK? "20 Volumes--Yours Almost as a Gift" in "Ten Story Love Magazine" May, 1941. Print advertising encyclopedia. Register as applied for on KK application filed.
7. Brown and Bigelow (78189)--Class KK. "Pioneers and Progress." A series blotters advertising instruments for medical profession. Works consist of prints from old paintings, together with text matter advertising the instruments. Request KK applications and additional fees.
8. Dodge, F. W. Corp. (30535)--Class A. "Gold Bond Handbook." Register as applied for. Statement "prepared by Sweet's Catalog Service" indicates that the National Gypsum Company (given as author in application) hired a catalog service company to prepare the catalogue for them.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 5, 1941

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

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Total time consumed 30 mins.  
Unanimous decisions 2

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1. Olsen, Harold (3900)--Class A. "American Linen Companies Color Harmony Guide." Applicant through attorney who called at Office has filed an application for the text matter only, and gives the title of the text in the application. Register. Work as deposited is complete.  
*First on MP-689 and 739.*
2. Kircher, Ralf Co. (78921)--Class D. "Great Days in Dayton, Script No. 1:--'A City is Born'." Applicant has filed applications on forms D2 for works already published, through a misunderstanding on its part. Refund unused fee of \$48.00 and advise that fees for material already recorded may not be refunded. Registration as published works is not in order since publication first took place with inadequate notice.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 6, 1941

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

Total time consumed 60 mins.  
Unanimous decisions 9  
Divided opinion 1

1. Jackson, Webster and Read (10498)--Class A. "Oliver Mileage Meter." Reject. Work is a device. It consists of a folded cardboard sheet with considerable text matter and a moving arrow over a chart showing three oil levels. The notice of copyright appears in conjunction with the chart and arrow. Examiner sustained. *Also on MP-755, 918.*
2. Welfare Council of New York City (32305)--Class A. "Housing Study Course, 1940." At request of Office applicant has now filed third application on form A2, giving in the latest application as the statement of new matter "Revised edition of the Housing Study Course." Register.
3. Kallus, Joseph L. (27492)--Class G. "Bottle in Crown." Bottle has been placed in a crown so that the crown appears to be a bottle holder. The bottle appears to be the usually molded glass form rather than a sculptured work. Reject. Suggest possible design patent. *First on MP-738. Also on MP-754.*
4. Richards, J. D. (No Fee)--Class ? "Map, Movie, Radio and Advertising." Work consists of several cards with advertisements of cigarettes on the back and indication of playing cards with photographs and maps on the face. Refer to Print and Label Section for consideration.
5. McNeil, Inez L. (28391)--Class I. "Design for a Music Guide, Figs.1-3." Register as applied for accepting address of copyright owner given in application.
6. Thomsen-Ellis-Hutton Co. (No Fee)--class A. "Quotation on the Hooper Combined Corrugator and Double Facer." Accept A1 classification for this work since there is sufficient text and pictorial matter in addition to the blank form feature to support a copyright claim.
7. Anderson, Jean Caddell (No Fee)--Class ? (American Flag). Copyright cannot be secured for the flag as such, but the drawing of the flag may be registered as an unpublished work of art. Explain.
8. Valliere, Laurence Damause (28925)--Class E. "On My Vacation." Copy and application do not agree as to name of copyright owner (legal name). Request application and copy in agreement as to the correct legal name of the claimant.

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9. Evensville Printing Corp. (No Fee)--Class G or K? "Blue Ribbon Business Leaders." Copy consists of conventional drawing of a ribbon with name (title) appearing thereon. Name as such not copyrightable and drawing is not original. Reject. *Also on MP-753*
10. Green, Gould (W.R.37169)--Class A. "Mah Jong Sample Card." Division of opinion as to whether material is classifiable as a print or label or as a "book". Appeal. *No copyrightable elements in samples-H.A.H.*  
*(See "PRINT OR LABEL")*

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 7, 1941

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

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Total time consumed 45 mins.  
Unanimous decisions 4

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1. Ward's Natural Science Establishment, Inc. (16008)--Class I. "Mueller Ward Models of Frog Embryology." and one other. Inquire how the material is published, i.e., are each of the 30 models in the one work and 12 in the other distributed as a unit or separately? The Office will accept separate applications if they identify the particular models to which they refer. *Also on MP-762*
  2. Barnwell, Manya Konolei (29751)--Class D. "Pagli the Clown." Copy consists of dialogue, directions, etc., together with certain narrative or descriptive passages. Office first rejected the work and applicant now requests return of copy. Send back the copy as requested.
  3. Rhodeheaver Co. (32309)--Class R. "My Counselor." Some change in music. Give applicant benefit of doubt and register.
  4. Liturgical Art Sales Co. (24181)--Class K? "6 Berta Hummel Pictures; various scenes of little girl and angel." Prior to publication each work may be registered as an unpublished work of art. The published photographs should be registered under Class J1. The circular advertising the works of art is classifiable as KK material. Write accordingly.

## MINORITY MEMORANDUM

May 7, 1941

Remitter: Gould Green

Title: Mah Jong Sample Card

Question: Whether the work is registrable as a book (as applied for) or as a commercial print.

It is the opinion of Mr. Wise and Mr. Smith that the work in question would be registrable properly as a commercial print, since it is used to display an article of merchandise, i. e., Chinese mah jong tiles and other accessories to the game. In the view of Mr. MacCartney, however, the work could not be accepted for registration as a commercial print for the reason that it does not contain any pictorial or decorative matter, the presence of which is a condition for registration as a commercial print under the Act.

On the other hand, applicant himself, in his letter of April 28, states: "In my application, I took for granted that only the descriptive matter--on which some time and thought was expended by me--was copyrightable." This descriptive matter consists of an arrangement of text which, while it may not be a work of pretentious merit, nevertheless evidences some original intellectual merit as to conception, composition and arrangement. In the applicant's own words, it represents the result of "some time and thought expended." In the case of ordinary doubt, the policy of the Copyright Office is to give the applicant the benefit thereof because no absolute right of property is conferred by the grant of the registration, the registrant merely being put in a position to assert his prima facie right against infringement. Since, in the view of Mr. MacCartney, there is a reasonable doubt as to whether the arrangement of text on the card could not be considered as "an original writing of an author," and it is the established policy of the Office to resolve such doubt in favor of the applicant, he is for registration of the card as applied for, namely, as a book.

Respectfully,

Member of the Board

"I fail to see any copyrightable element with or without the samples"--  
H.A. Howell 5/16/41



MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 8, 1941

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

Total time consumed 45 mins.  
Unanimous decisions 4

1. Doubleday, Doran and Co., Inc. (Deposit)--Class A. "The Pocket University (13 volumes). Enter as applied for accepting application giving the author as Doubleday, Doran and Co., Inc., since as indicated by the application the people working on the books are employees for hire of the firm.
2. Franciscan Missionaries of Mary (24709)--Class A. "About Saint Francis or Saint Francis of Assisi." Variance between application and affidavit as to date of publication. Accept date appearing in sworn affidavit and register.
3. Disney, Walt Productions (15266)--Class A. "Retrospective Exhibition of the Walt Disney Medium." New application indicates that Roberta Lanouette and Dick Creedon (employees and assignors of Walt Disney Productions). Accept authorship and register. (\*\*)
4. Ringeisen, Clara Edith (33140)--Class A. "Prosperity Fair" in "The Detroit Legal News," May 1, 1941. Work consists of six lines of text matter, most of which is devoted to the notice of copyright. The text explains that the organization Prosperity Fair is sponsored for the unemployed by an unemployed organization. Write that ideas, plans, and methods are not copyrightable. Reject application for registration of copyright claim to advertisement.

\*\*upon further consideration Mrs. Brady decides to sustain the examiner. Division of opinion as to acceptability of statement of authorship. Appeal. HAH wrote returning application for amendment - (See "AUTHORSHIP")

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 12, 1941

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

Total time consumed 65 mins.  
Unanimous decisions 13  
Divided opinions 2

1. Kallus, Joseph L. (27492)--Class G. "Bottle in Crown." Work as deposited could be considered "Modernistic" art. Register but write that copyright protection does not extend to an article of utility.  
*First on MP-738 and MP-750*
2. Mason, Fenwick, and Lawrence (Deposit)--Class A. "Distribution of Securities." Blank forms. Reject. Examiner sustained.
3. Eshbaugh, Ted. (33938)--Class D. "Cap'n Cub" and "The Prodigal Pony." Register as applied for. Works filed are instructions with full directions for pantomimes, preceded by a synopsis. Work as deposited complete for producing animated cartoon.
4. Fowler, Will (27341)--Class E. "Nocturne (Op. IV, No. 1)" After copy and application for above title deposited applicant submits same work with a different title. Return all material so that copy and application which agree may be filed.
5. Merrimade, Inc. (33553)--Class K. "Via Airpost; Par Avion; Correo Aereo." Design for envelope not copyrightable. Suggest possibility of a design patent. ~~File~~ *on MP-783, 783*
6. Sylvester Music Co., Ltd. (13039)--Class E. "Dialogue." Letter sent to England in March for information concerning reason for two notices, one in 1931 and one in 1940 in different names, on the copies, and also to inquire if revised work contained new matter. No reply has been received. Write second letter. *Also - M-P. 892, 923*
7. Phillips, Charles H., and Co., Inc. (30920)--Class G. "The Four Wise Monkeys." Register as applied for accepting applicant's explanation that a part of the artist's work is done by Mr. Phillips and a part by Mr. Legnaioli who was hired by Mr. Phillips for that purpose.
8. Phibbs, Harry C., Adv. Co. (30228)--Class A. "Classification of Arthritis." Register as applied for accepting statement that S.N. Blackberg is the author of the work, though others assisted him on certain portions of the copy.

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9. Meenan, James (30174)--Class G. "Thumbs Up! Beverage..." Register as applied for accepting new application which gives two copyright owners, i.e., James Meenan and Thomas L. Bulger (copies and previous application gave only James Meenan).
10. Shue, George L. (33131)--Class I. "Dew Point Nomograph. Examiner sustained in rejection of work published with notice lacking name of copyright owner. Do not suggest possible I2 registration for the unpublished drawings.
11. Commerce Clearing House, Inc. (33120)--Class A. "Loose Leaf Law Reporting Services." Copies deposited represent an issue of a loose leaf service showing current changes in the law. Not a revised edition of a previously published work. Register on form A1 as applied for.
12. Colin, Charles (31838)--Class E. "Lip Flexibilities." Register as a "book" as applied for. Work is an instruction book. Notice appears on page immediately following that bearing the title, which page happens to be the first page of music.
13. Arellano, Luis (27302)--Class A. "The Arellano Graphic System of Writing Music." Cancel I Unp. 28279 and explain that an unpublished book is not copyrightable. Explain publication with copyright notice required before registration of a book is in order. Point out that ideas, systems, etc., are not copyrightable.
14. Evansville Printing Corp. (No Fee)--Class G or K. "Blue Ribbon Business Ledger." In view of Examiner's recommendation of April 8th and Office's letter of April 11 register material as unpublished drawing under Class G. *First on MP- 751*
15. Mayfair Music Corporation (76919)--Class E. "A Dream Dropped In." Through a misunderstanding registration was made in March, 1941 as an unpublished musical composition for a published work. Do not cancel E2 registration. Registration can<sup>not</sup> be made for this musical composition in published form since at the time of first publication the notice of copyright was inadequate.
16. Jackson, Webster and Read (10498)--Class A. "Oliver Mileage Meter." Division of opinion as to whether work is a device or a commercial print. Appeal. *(First on MP 750), 918.* ✓
17. Shartenberg's, Inc. (32860)--Class A. "Budget Coupons are Spent Like Cash at Shartenberg's" in "The Pawtucket Times," April 29, 1941. Division of opinion as to whether contribution is a print advertising articles of merchandise. Appeal. *Enter as A<sup>5</sup>-HAH (See "PRINT OR LABEL?")*
18. O'Brien, Clarence A. (Trust)--Class KK? "Eddy's Restaurant and Drive In" and one other. Accept photographs of the billboards in view of size of original work. This requires an exception to the general rule.

FLT  
MEMORANDUM

May 12, 1941

Remitter: Shartenberg's, Inc. (32860)--Class A.

Title: "Budget Coupons Are Spent Like Cash at Shartenberg's"  
in "The Pawtucket Times" April 29, 1941

Question: Is the deposit EE material?

Mr. Wise and Mr. MacCartney are of the opinion that the advertisement does not refer to any particular article of merchandise and that its purpose is to advise the public of a credit service. They recommend registration as applied for in Class A5.

Mr. Smith, however, is of the opinion that the deposit can be considered under Class EE in view of the fact that the real purpose of the ad is to sell articles of merchandise by use of the special credit plan outlined in the advertisement. Surrounding the advertisement are other ads of the same copyright claimant in which are listed numerous articles of merchandise which would be sold under the budget credit plan.

Respectfully submitted,

Member of Revisory Board

Enter as A5--order of Mr. Howell. Notice is restricted to the credit advertisement.

MINUTES OF THE REVISORY BOARD  
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May 13, 1941

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

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Total time consumed 30 mins.  
Unanimous decisions 4

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1. Doubleday, Doran and Co., Inc. (Deposit)--Class A. "Country Notes in Wartime." Register as applied for. No known false statements appearing in application and letter of transmittal, which state that "ad interim deposits failed to arrive but no unauthorized publication to prevent U.S. copyright."
2. Petrie, Charles E. (50678)--Class B. "Escort, August 15, 1940." No reply has been received to Office's circular 53 pointing out doubtful notice. Write letter and explain fully that the name of the copyright owner should appear in the notice and this same name should be given in the application.
3. Soc. of European Stage Authors and Composers, Inc. (42707)--Class E. "Nasz Sztandar, Urvertura Polsha," "Smutny Wedrowiec," "Krakowiak," and "Overture Polonaise." Office wrote October 2, 1939 calling attention to notices of copyright which bear doubtful name of copyright owner. Certificates had been issued before defect in notice was noted. No reply has been received to the Office's letter. Under the circumstances complete the registration.
4. Dodge, Mary (28247)--Class KK. "Confetti Crunch." Reject. Name not in copyright notice. The name appears in connection with the name of the confection half the distance of the length of the copy from the elements "Copyright 1941" and is separated by text matter.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 14, 1941

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

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Total time consumed 30 mins.  
Unanimous decisions 5

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1. Sloan, Helen P. (34297)--Class E. "I'm Going to Ask the Girl."  
Register as applied for. Copies deposited have been reproduced by a multiple process. Do not question whether they represent best edition distributed.
2. Shaw, Charlie (33770)--Class A. "Little Stories of Big Successes."  
Accept copies bearing notice affixed in part by means of rubber stamp, but before registration is made satisfactory explanation of variance in claim is required.
3. Anderson, Jean Caddell (No Fee)--Class ? (American Flag). Previous recommendation sustained. Flag as such not copyrightable. Present deposit which is a tracing of another's work is not acceptable. Work deposited for registration must be an original drawing.
4. Thiess, Olson and Mecklenburger(W.R.37218)--Class A. "Calculator for Adjusting 305 day milk records to twice daily milking, mature basis."  
Flat sheets showing drawing with statistics (without device or apertures of computing instruments)is acceptable deposit. Upon receipt of an appropriate application (if one in hand not acceptable) registration should be made.
5. Alberts, Harry C. (W.R.37233)--Class A. "Conception Calculator."  
Accept photostat copies of the parts of the device not assembled to form a mechanical instrument or measuring device upon receipt of appropriate applications. Referred to Col. Bouvé for correspondence.

FLT

MINORITY MEMORANDUM

Remitter: Florence Nelson (No. 31259)

Title: "Lincoln's Gettysburg Address - with shadow portrait of Lincoln, etc."

Questions: Necessity for statement in application for basis of claim.

The undersigned is in agreement with the examiner that the application filed with this print, entitled "Lincoln's Gettysburg Address," should contain a specific statement of the copyrightable content in the deposit, such as "Copyright is claimed in the pictorial illustrations," or "Shadow portrait of Abraham Lincoln and other pictorial matter."

The deposit is a reprint of Lincoln's Gettysburg address, with sufficient pictorial matter added to permit registration under the classification "K". But as the several records of the Copyright Office use the title borne by the deposit, i.e., "Lincoln's Gettysburg Address," the undersigned considers it essential for the clarity of these records to require such statement in the application of copyrightable content as suggested. In her opinion, it would not suffice to rely upon the inference drawn from the classification "K, Print or Pictorial Illustration," that a registration bearing this title is made because of unidentified pictorial matter contained in the deposit.

M. C. BRADY

Enter upon application received May 14, 1941. She has already limited claim to pictorial matter by designating the subject matter of copyright as a "print or pictorial illustration"--E.A. Howell.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 15, 1941

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

Total time consumed 30 mins.  
Unanimous decisions 5

1. Aitken, Beekman, Esq. (33302)--Class KK? "Aerotank." Reject.  
Notice of copyright contains only the words "Copyright 1941." Above these elements of the notice appear two lines stating "Designed by Armored Tank Corporation, Built by Pressed Steel Car Company, Inc." Copyright is claimed in application by Armored Tank Corporation. Name not in notice. *Also on MP, 804.*
2. S.E.S.A.C., Inc. (34142)--Class E. "Min Soldat." Work deposited is a new work, not a copy of the work assigned November 20, 1940 to S.E.S.A.C., Inc. Register as applied for in name of Carl Gehrman's Musikförlag.
3. Sinchak, Michael (27532)--Class E. "Songs and Dances." Inquire of examiner as to whether statement on title-page that the work was composed, compiled and arranged by Michael Sinchak is sufficient explanation of authorship to warrant registration.
4. Richardson, Lillus Middagh (33688)--Class E. "Varsoviana (Warsaw Lady)." Request new application and explain that the directions for the dance accompanying the musical composition are not registrable in unpublished form.
5. Mitchell, Cliff (33968)--Class E. "The Drummer from Seventh Street." Applicant indicates better piano arrangement will be available later. Accept and register copy deposited. Do not withhold registration awaiting possible deposit of the contemplated piano arrangement.



MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 16, 1941

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The Revisory Board met at 10:00 A.M. and adjourned at 10:25 A.M.  
Those present were: Mr. Wise, Mr. Smith, and Mr. MacCarteney.

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Total time consumed 25 mins.  
Unanimous decisions 3

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1. Khalifa, A.R. Amer (21265)--Class I. "The Bending Moment of Locomotive Slide Bars." At time that registration was made the author was a citizen of Egypt not domiciled in the United States. Request return of certificate for cancellation of Record.
2. Harvard University, Graduate School of Business Administration (34523)--Class A. "Sales Management II, February 1941." Examiner sustained. Notice not on title-page or page immediately following. Reject.
3. Endo Products, Inc. (34582)--Class A. "Endo Products Ampoule Catalog." Applicant gives as author Endo Products, Inc. In line (4) the citizenship is stated to be "corporation of New York State". Accept and register upon application filed.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 20, 1941

The Revisory Board met at 11:00 A.M. and adjourned at 12:00 Noon. The Board reconvened at 2:00 P.M. and adjourned at 2:30 P.M. Those present were: Mr. Smith, Mrs. Brady, and Mr. MacCarteney.

Total time consumed 90 mins.  
Unanimous decisions 15  
Divided opinions 1

1. Washington Institute of Technology, Inc. (32816)--Class A. "Are You Mixing Too Many \$ in Your Concrete?" Notice of copyright appears on page 7 (inside back cover) of an 8 page illustrated booklet. Reject. Notice not on title-page or page immediately following.
2. Eskridge, Willard (No Fee)--Class ? [Uncle Sam] Work consists of an envelope with a picture of Uncle Sam on a map of the United States, holding in his arm a blank sheet for the return address. Limit rejection to lack of copyright notice, without reference to a design patent.
3. Musical Notations, Inc. (32338)--Class A. "Keynote System of Music Piano Lessons 5,6,7,9,10,11." Accept affidavits which indicate status of affiant by addition after his name of "President" followed by the name of the company.
4. Gilbert, Lulu Evarts (No Fee)--Class ? (Right Profile Heads). Accept copies on tissue paper filed as unpublished works of art upon receipt of applications and fees. Also M-P. 848, 934, 947.
5. Queen's Work (10629)--Class A. "Our Lady in the Modern World." Request additional copy as published (presumably without sticker pasted over name of author). Request explanation of pasted strip on copies thus far deposited. Examiner sustained.
6. Drive-in-Theatre Corp. (No Fee)--Class A. "Drive-in-Theatre Saugus, Weymouth, Shrewsbury." Applicant indicates that cut of automobile was copyrighted in 1939. New registration not required now unless work containing new copyrightable matter has been published with a copyright notice to cover the new material. 1939 notice is applicable to the original work.
7. Neham, Elias Albert (35372)--Class I. "Design for Alphabet Ruler." Examiner sustained. Registration may be made for unpublished drawings deposited. If and when instrument is made protection should be sought by means of a design patent. A device.
8. Schillemore, Edward H. (75080)--Class E. "Mother". Explain publication and inquire whether publication took place bearing notice in name of Trutest Studios, and if so, if he has an assignment and information as to its date of execution.

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9. Rohn, Herbert G. (No Fee)--Class E. "I Can't Figure You Out At all." Copies deposited have been produced by some multiple process. Inquire whether publication has taken place with proper notice and explain procedure.
10. L'Abbé, Grace (32412)--Class E. "Liberty Belle." Register as applied for in view of Office's letter of April 28, 1941, suggesting registration of a new arrangement.
11. Mann, Brown and Cox (24297) and (22148)--Class KK? "Aireo" and "Lucky Chess Cross." Inquire whether works have been published. Photostat copies deposited with gramatical and spelling mistakes doubtful copies of best edition. When publication with notice takes place form KK is appropriate.
12. Smith, Sidney V. (35115)--Class KK. "UAW-CIO Union Made." Copies deposited are in the form used to make the steel die which is used to stamp the union's mark on automobile and airplane parts and tools. Reject. Not KK material.
13. Hegland, Edwina K. (34739)--Class G. "Selectee Selector." Examiner sustained in that notice of copyright lacks name of copyright owner. Reject. Work is classifiable as A5 not a "work of art".
14. Zowski, Felicia (35607)--Class A. "Historja Polska w Ameryce." Enter as applied for. Statement "Copyright by the Kuryer Publishing Co." just beneath year date 1937. Applicant explains that the book was printed in 1937 but was not bound and published at that time because of author's death. Register as applied for. (Publication took place in 1941).
15. American Type Founders, Inc. (34995)--Class A. "Facts About the Printing Industry for Schools." Examiner sustained. Notice lacks name of copyright owner. Two names appear above the statement "Copyright 1940" and one name below these elements. Reject.
16. Nelson, Florence (31259)--Class K. "Lincoln's Gettysburg Address" with Shadow portrait of Lincoln, etc. Division of opinion as whether new application limiting claim to pictorial matter is required before registration can be made. Appeal. Register - *K* application limits claim to pictorial matter. - H.A.H. (See "PRINT")

MINORITY MEMORANDUM

Remitter: Walt Disney Productions (No. 15266)

Title: Retrospective Exhibition of the Walt Disney Medium.

Questions: Statement of authorship in application filed May 5, 1941.

The undersigned is in agreement with the examiner in her request that a third application be filed giving a correct statement of authorship. The Code of Federal Regulations of the Copyright Office, states in Sec. 201.11, Application for Registration, "In addition it is desirable that the application should state for the record the name of the author." The statement of authorship to be used in the records of the Copyright Office, and derived only from the application, that is, not found in the deposit, must necessarily be an exact and clear statement. In this case, the first application filed gave Walt Disney as the author. The examiner quite properly questioned such statement, as Walt Disney is obviously not the author of this writing but its subject matter, as it is concerned with a description of his animated cartoons and contains illustrations from them.

The new application requested was filed on May 5, and gives the authorship as follows--"Roberta Lanouette & Dick Creedon (employees and assignors of Walt Disney Productions)." Such a statement could hardly be used in the records as it is not clear. In my opinion the proper statement might be--"Walt Disney Productions, as employers for hire." The fact that the two individuals named are assignors of Walt Disney Productions has no bearing on the authorship as it should be recorded for this work, and is too confusing to be made a part of the records of the Copyright Office.

M. C. BRADY

Mr. Howell wrote letter returning application for amendment to indicate "Walt Disney Productions" is employer for hire.--5/20/41

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 22, 1941

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

Total time consumed 70 mins.  
Unanimous decisions 9

1. Hill, Wycliffe A. (34869)--Class ? "Race Players Little Robot."  
Work is a photostat of a spinning gadget. Explain that devices and games are not copyrightable. Examiner sustained. *Also on MP-789*
2. Leech and Radue (30916)--Class ? [Symbolism] Examiner sustained.  
Work deposited consists of a cardboard sheet similar in size to a checkerboard and designed to fold in the center. On the board in each corner are squares. The remainder of the Board is made up of circles of four different colors divided from one another by white circles. Ask how the work is used. Work appears to be a gameboard.
3. Wickman, Blanche Vivian (27546)--Class G. "Washington Island, Wisconsin."  
Enter upon photographic copy received May 7, 1941. Applicant indicates by letter that this is a representative copy of the unpublished work.  
*Also on MP-738, 742 and 764*
4. Ward's Natural Science Establishment, Inc. (16008)--Class I. "Mueller-Ward Models of Frog Embryology" and ditto for "Vertebrate Blood".  
Separate application and fee required for each section of frog models. Each set of blood cells published as a unit is registrable upon one application. Applicant explains that the blood models are sold and advertised only as complete units, while the frog models though so far sold as complete units are advertised separately. *First on MP-752*
5. Brown and Bigelow (36165)--Class KK? "Look, Bear!" & 5 others. Examiner sustained. Request KK applications and additional fee. Works consist of leaflets advertising articles of merchandise.
6. Owens-Illinois Glass Co. (35923)--Class A. "Owens-Illinois Dairy Containers." Examiner sustained. Request applications giving name of authors by giving first of the several authors followed by "and others."  
*Also on MP-766*
7. Difonzo, Aida Filomena Laura (36382)--Class E. "Hush My Baby Don't You Cry." Enter as applied for accepting copy in key of C without inquiring whether work was originally registered in key of B.
8. Ziv, Loomis & Ziv, (36079)--Class A. "Another Great Series of Kleinzway." Reject as "book", since a collective notice has not been given. Request separate K applications for each separate print, giving differentiating titles.
9. Melton, Ruth (34284)--Class A. "Beautiful Character." Applicant explains only few "feeler" copies distributed with defective notice. Ask how many and whether "feeler" copies were out of her control upon their distribution.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 23, 1941

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

Total time consumed 35 mins.  
Unanimous decisions 7

1. Costa, Joseph Frank (12417)--Class I. "Place-Show Rapid Calculator." Register directions for device under class A. Reject drawing accompanying directions as part of a device.
2. Berry, Ruth E. (30367)--Class A. "The Cheerful Chimps." Register as applied for in name of authors in view of doubt as to whether authors or publishers are copyright owners (see photostat of contract with publisher enclosed).
3. Colonial Music Publishing Co. (34947)--Class E. "Jeg Lagde Mig Saa Sildig" and 3 others. Copyright can not be secured for melody of old folk tunes. Copies as deposited do not appear to be arrangements. Ask basis for applicant's claim to copyright.
4. Regimental Fund (36696)--Class E. "The Iron Horse Artillery." Register as applied for, accepting name of copyright owner in E2 application as Commanding Officer, 52nd Coast Artillery (Ry). The claimant is identified.
5. Riss, Arthur A. (25239)--Class A. "Ad Melins Informandos." Refund in view of applicant's letter that he cannot conform with requirements of copyright (Office had requested whether copies were first published with notice).
6. Stryker and Stryker (14709)--Class KK?" "Speedway Charger." Reject. Work is part of a device--face of instrument. Examiner sustained.
7. Locher, Felix (34343)--Class A. "Teleport." Work consists of a folder containing primarily text matter, together with a paper similar to a ruler <sup>affixed over a map</sup> for measuring difference in time between leading countries of the world. Register--a copyrightable work.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 26, 1941

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

Total time consumed 70 mins.  
Unanimous decisions 11  
Divided opinions 2

1. McCanna, Wintercorn and Mersbach (37399)--Class A. "Roper Scientific Cooking Chart." Examiner sustained. Work is an article of merchandise. Write explaining previous registrations of "Roper Charts" were in error (provided previous correspondence, copies, etc., show this to be a fact). Work consists of a portion of the oven with the chart showing heat of oven required for foods to be cooked therein.
2. Johnstown Public Schools (31796)--Class A. "Salutations Gathered from Various Sources and Authorities." Examiner sustained. Ask explanation of variance in name of author--Commercial Department on copy, Clarissa Hills in application.
3. West Publishing Co. (Deposit)--Class A. "The Code of Alabama, Cumulative Pocket Part, 1941" and others. Enter following procedure outlined in Office's letter of October 30, 1940, with reference to registrations for similar works. Two registrations may be made for each work if so desired. *First on MP-748*
4. Young, Cornelius Wells (36182)--Class A. "Fifths and Quarts in Case Bottle and Ounce Units..." Notice on second page from title-page. Register but write with respect to notice on future works of this character.
5. Stern, Malvine (36407)--Class ? "Feather Palm Tree." Register as unpublished work of art as applied for. Work consists of two palm trees made from feathers, wire, wood, etc., apparently for decorative purposes.
6. Pulsifer, Alden W. (48868)--Class A. "The Philosophy of the New Deal in Thirteen Words." Work consists of a 2"x $\frac{3}{2}$ " card which in addition to title and name of author consists of the statement "When the Outgo is More than the Income the Upkeep is the Downfall" and the copyright notice. In view of doubtful nature of deposit refund as requested. *First on MP-516*
7. Wickman, Blanche Vivian (27546)--Class G. "Washington, Island, Wis." Upon further reconsideration ask for a clear copy. Photographic copy deposited is so small that text and drawing elements are illegible. Inquire whether original authorship upon which copyright claim is based is "drawing". *First on MP-738, 742 and 762*
8. Dick, Talbert (36506)--Class A. "Polly-Mates." Examiner sustained. Work is part of a game and not subject to copyright registration. A gameboard.

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9. McCollom, Mabel A., and John A., Jr., (24458)--Class E. "Keep America American." Register in both names accepting copies and joint notice on copies received March 31, 1941.
10. Cucci, Victor J. and Sharp, George G. (11938)--Class I. "Dwg. no. HVA-3." Examiner sustained. Request copy of the drawing rather than a combination of photography and drawing elements (blueprint) now deposited, so that if drawing elements are taken from the photographic elements there is not sufficient material to support a registration.
11. Filtrol Corp. (36017)--Class KK? "Filtrol Products--Their Application in the Fatty Oil Industry" and 5 others. Examiner sustained. Request KK application and additional fee. Works consists of illustrated leaflets advertising articles of merchandise.
12. Kiwanis Magazine (35680)--Class B. "Kiwanis Magazine, Vol. 26, No. 5, May, 1941." Division of opinion as to acceptability of copyright notice with advance month therein. Appeal. *Enter - H. A. H (SEE "NOTICE")*
13. Kirby Block and Co. (36910)--Class ? "Sales Plans." Division of opinion as to adequacy of copyright notice. Appeal. *Write first re publication dates - H. A. H. (See "NOTICE")*



MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 27, 1941

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

Total time consumed 45 mins.  
Unanimous decisions 5

1. Owens-Illinois Glass Co. (35923)--Class A. "Owens-Illinois Dairy Containers." File list of authors with application. Index under names of all authors. Record first two authors and add "and others".  
*First on MP-762*
2. Boyer, Alice Grace (37071)--Class E. "God Save America." Copy filed consists of words and music (with accompaniment), followed by instrumental arrangement. Register as one work upon receipt of application giving following statement "song with supplemental piano arrangement".
3. Marshall and Bruce Co. (36631)--Class A. "The Gimlet." Register as applied for. Application, John Ashe Scott, and notice "John Ashe Scott, Publisher, the Gimlet." No variance in name of copyright owner. Register.
4. Fisher, Irving (30335)--Class A. "What Should be Taxable Income?" Explain that delivery of lecture is not publication, and that when a lecture or collection of lectures is first published without a copyright notice, the effect is a dedication of the work to the public. *Also on MP. 782*
5. Kerr, Phil (36733)--Class E. "The Glorious Lily" and "That Cross Upon the Hill." Three musical compositions appear in a four page leaflet, each bearing its own notice of copyright at the end of the composition to which it refers. Since notice of copyright is in conspicuous place and no one could be misled, register as applied for, but write pointing out provisions of Section 19.

Minutes of the Revisory Board  
Copyright Office  
May 28, 1941

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

Total time consumed 30 mins.  
Unanimous decisions 7  
Divided opinion 1

1. Ajax, Ivor (37240)--Class E. "Peter Pepper," and others. Accept each composition divided into three sections as one work. Write and inquire basis of copyright claim in "Peter Pepper" since it consists of the melody only, no arrangement being involved.
2. Robbins Music Corp. (37424)--Class E. "Despedida de Mangueira." Application and notice of copyright give name of copyright owner as E. S. Mangione. Accept without inquiring whether this is name of a periodical.
3. Munn, Anderson and Liddy (37919)--Class I. "Leaders Lead Stock Market Charts 1940-1941." Enter as applied for on application form I2. Notice of copyright on each chart gives 1941 and the two charts are bound as a unit in a folder including as title "Charts 1940-41."
4. Broadman Press (Deposit)--Class A. "Vacation Bible School Junior Book" Accept notice of copyright for the "book" which appears on back of title-page and incidentally on a page consisting of several musical compositions. Examiner sustained with respect to musical composition "Chords". Request E application and 2 copies.
5. Broadman Press (Deposit)--Class A. "The Vacation Bible School Guide Fourth Edition, March, 1941." Variance in name of copyright owner. Write for explanation before rejecting application.
6. Keefer, W. F. (36858)--Class A. "Don't Say 'It Can't Happen to Me'." Work is a leaflet. On the side of the sheet on which notice appears is a "print" as well as on the reverse side. Accept and register as "print or pictorial illustration". Balance of work is a "blank form".
7. Woodling and Krost (37755)--Class I. "Lubrichart". Division of opinion as to whether work deposited is a device. Appeal. Also on MP-889.

MINUTES OF THE REVISORY BOARD  
COPYRIGHT OFFICE  
May 29, 1941

The Revisory Board met at 10:00 A.M. and adjourned at 10:50 A.M.  
Those present were: Mr. Wise, Mrs. Brady, and Mr. MacCarteney.

Total time consumed 50 mins.  
Unanimous decisions 6  
Divided opinions 2

1. Crofts, F. S., and Co., Inc. (A-152648)--"Laboratory Manual for Tests and Measurements in Health and Physical Education." Two registrations made for same work sent in on different dates. Certificates have been mailed. Write and inquire which registration is correct and ask return of incorrect certificate. *Also on MP-777*
2. Louisiana Geological Survey (32734)--Class A. "Sand and Gravel Deposits of Louisiana." New application filed in accord with notice of copyright with respect to name of copyright owner. Register using new application.
3. Faries Manufacturing Co. (29351)--Class A. "Faries Fluorescent Catalog No. 44" and one other. While only one registration is necessary, two registrations may be made if desired. A new application should be filed for the work which gives S. Robert Schwartz as copyright owner. The new application should indicate that "Faries Mfg. Co. is doing business as S. R. Schwartz." New affidavit required giving affiant as an individual. *First on MP-743.*
4. Marr, Howard (28652)--Class ? "Instant Vitamin Guide." Some information conveyed without manipulation of parts of the wheel. Work is a device.
5. Columbia Broadcasting System, Inc. (34949)--Class A. "CBS Alphabetical and Numerical State and County Code United States of America." Application now filed gives Columbia Broadcasting System, Inc., as employer of Sara Love, while copies state work was prepared by Research Department of Columbia Broadcasting System. Register as applied for following copy.
6. Tax Digest (35503)--Class A. "Approved Income Tax Guide, etc." Register using new application giving authorship as Rodman L. Modra and Harry Elbaum. Copy gives only the name of the first mentioned author. This application filed in response to Office's request for explanation of variance.
7. Kleiner, Anna Mary (36996)--Class A. "Centuries Apart Synopsis." Division of opinion as to whether present application gives title identifying the work. Appeal. *Register - H.A.H (See "TITLE")*
8. National Premium Pay Envelope Corp. (38312)--Class A. "Family Finance Offers You the Finest Loan Service." Division of opinion as to whether applicant should be advised that design for envelopes are not copyrightable. Appeal. *After further consideration all agree with Mr. MacCarteney to enter -*

JUN 13 1941

MINORITY MEMORANDUM

May 29, 1941

Remitters: National Premium Pay Envelope Corporation

Title: "Family Finance Offers You the Finest Loan Service"  
"Rodeo - The Gardens, Pittsburgh, Pennsylvania"  
"How You Can Obtain A Low Cost Bank Loan"  
"Where Does The Money Go?"

Questions: Whether text matter and illustrations printed upon an envelope (which is an article of merchandise) are subject to copyright registration.

Mr. Wise and Mrs. Brady concur with the examiner in holding that a pay envelope is an article of use and applicant should be advised that the "design for envelope and protection for envelope" is not obtainable under the Copyright Act. Mr. MacGartney, on the other hand, holds that the applicant is not applying for registration of an envelope as such, but is interested solely in the printed text and illustrations appearing on these envelopes. The word, "envelope," does not appear in connection with the title on any of the applications; the titles definitely refer only to the titles of the texts and illustrations on the envelopes, as follows: "Family Finance Offers You the Finest Loan Service," "Rodeo - The Gardens, Pittsburgh, Pa.," "How You Can Obtain A Low Cost Bank Loan" and "Where Does the Money Go?". Were applicant seeking to obtain protection for the envelope as an envelope, he would have filed only a single application, since the envelopes as such are identical. That he did not do this shows that his intention was not to seek protection for the envelope but for the text and illustrations appearing thereon.

Mr. MacGartney feels that if copyrightable text and pictures are to be denied registration simply because the vehicle of their presentation to the public is an ordinary envelope, then registration likewise should be denied pictorial letterheads impressed on stationery, for a sheet of letter paper is as much an article of merchandise as the envelope which contains it. Letterheads, however, are currently being registered and the propriety of such registrations has never been and is not now questioned.

In accordance with the above, it is the opinion of Mr. MacGartney that the registrations for the texts and illustrations on the envelopes should be made as applied for.

Respectfully,

Member of the Board

Register--further consideration by Board, all agree to make registration.

JUN 13 1941

MINORITY MEMORANDUM

May 29, 1941

Remitter: Anna Mary Kleiner (No. 36996)

Title: "Centuries Apart (Synopsis)."

Question: Title as given insufficient to identify work.

As the deposit is not a Play, as described, and as the description on the copy will necessarily be used on the records of the Copyright Office, the undersigned is in agreement with the Examiner. She considers it necessary that a new affidavit and application be filed giving the title as follows: "Centuries Apart. A Play Adapted from the Book of the Same Name by Houvé. [Copy deposited, Scenario]."

M. C. BRADY

Register using title "Centuries Apart"--H.A. Howell. "The Record Division may wish to add subtitle."