

MP-398

JAN 18 1940

NOTICE

MEMORANDUM

January 8, 1940

Remitter: Frease and Bishop (1732)--Class A

Title: "The Key to Metal Bumping"

Question: Division of opinion as to adequacy of copyright notice.

The data appearing under the title on the title-page is as follows:

An Instructive Manual of Body
and Fender Repair Practices

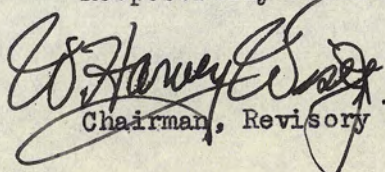
by
Frank T. Sargent
Engineer--Automotive Tool Division
The Fairmount Tool and Forging Co.

Copyright 1939

Published by
The Fairmount Tool and Forging Co.
10611 Quincy Ave.--Cleveland, Ohio

The application gives the name of the copyright owner as the Fairmount Tool and Forging Co.

In the opinion of Mr. Smith and Mr. Pierce registration should be made as applied for. They proceed upon the assumption that Frank T. Sargent is an employee of the Fairmount Tool and Forging Co., and, therefore, copyright in the work can only be claimed by the company. Mrs. Brady and Mr. Wise, on the other hand, take the position that this notice is inadequate. The statement "Copyright 1939" is between the names Frank T. Sargent and The Fairmount Tool and Forging Co. To further complicate matters the name of the company is preceded by the phrase "Published by." In the opinion of these two members it is not at all clear from the notice of copyright whether the copyright is owned by Frank T. Sargent or The Fairmount Tool and Forging Co. Under the circumstances, it is their belief that the claim should be rejected.

Respectfully submitted,

Chairman, Revisory Board

Enter--H.A. Howell. Answer attorney's letter.