

"Book"

## M E M O R A N D U M

January 15, 1940

Remitter: Industrial Training Institute, Inc. (78264)--Class A.

Title: "Service Engineering"

Question: Division of opinion as to whether one registration is sufficient to cover works as submitted.

Application has been submitted in the name of Industrial Training Institute, Inc., while the name given in the copyright notice is Refrigeration and Air Conditioning Institute, Inc. A letter accompanying the application explains that recently, October 1, 1939, a change in the name of the copyright proprietor has taken place. It is, therefore, believed that the name in the application is acceptable, but that the applicant should be advised that in the future the new name should be given in the copyright notice.

The division of opinion rests upon whether the copies as deposited represent a composite work or whether the various assignments were first separately published. In the opinion of Mr. Wise and Mr. Smith registration should be made as applied for. The notice of copyright is in proper form and position, appearing upon the title-page. To them there seems no sufficient justification to conduct correspondence on the subject of whether the work was originally broken up into various assignments and so published. Mr. Pierce and Mrs. Brady, on the other hand, feel that there is a decided likelihood that the various assignments were first published separately and correspondence should be accordingly conducted advising the applicant that if such separate publication did take place an application for each should be filed under its own title with the required copies.

Respectfully submitted,

*W. H. Wise, Jr.*

Chairman, Revisory Board

Enter--order of Mr. Howell 2/10/40

MP- 404

MEMORANDUM

*Print  
or Label*

*(See "NOTICE")*

January 16, 1940

Remitter: Diversey Corp. (1007)--Class A or K?

Title: "What a Simple Cold Can Teach Us ABOUT Protecting  
Milk Quality"

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

Reject--advertising print for article of manufacture.  
Refer to Patent Office.--order of Mr. Howell 1/19/40  
(see main memo under "Notice")

MP- 404

MEMORANDUM

*Print  
or Label*

*(See "NOTICE")*

January 16, 1940

Remitter: Diversey Corp. (1007)--Class A or K?

Title: "What a Simple Cold Can Teach Us ABOUT Protecting  
Milk Quality"

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

Reject--advertising print for article of manufacture.  
Refer to Patent Office.--order of Mr. Howell 1/19/40  
(see main memo under "Notice")

## NOTICE

## MEMORANDUM

January 16, 1940

Remitter: Diversey Corp. (1007)--Class A or K?

Title: "What a Simple Cold Can Teach Us About Protecting  
Milk Quality"

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

The copy filed consists of a full page advertisement with considerable text matter. There is in addition to the text matter a large amount of pictorial matter. The notice of copyright consists of the letter "C" in a circle, the year date, and the name of the copyright owner, and is placed at the bottom of the advertisement. In the opinion of the examiner registration is not in order as K because of the large amount of text matter, and registration cannot be made as a book because of the inadequate copyright notice, the letter "C" in a circle being employed rather than the word "Copyright" or the abbreviation "Copr."

In the opinion of Mrs. Brady and Mr. Wise and Mr. Pierce, the examiner should be sustained. This is based upon the fact that the notice of copyright does not appear on the pictorial matter and is therefore clearly applicable to the large amount of text as well as the print. Mr. Smith, on the other hand, takes the position that registration under class K is in order because of the large amount of pictorial matter and the general conformation of the copy.

Respectfully submitted,

*W. Howard Daer*  
Chairman, Advisory Board

Reject--advertising print for article of manufacture.  
Refer to Patent Office.--order of Mr. Howell 1/19/40