

MP-421

Work of ART

MEMORANDUM

February 16, 1940.

Remitter: Maxfield Parrish (10021)--Class C-

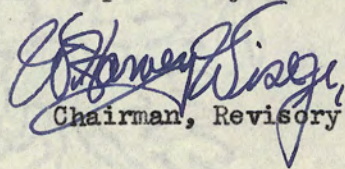
Title: "New Hampshire Winter Poster," Oil Painting, 24"x31"

Question: Whether a print or pictorial illustration can be accepted as an identifying reproduction to accompany an application for registration of a painting.

Applicant has filed an application for registration of a painting and accompanies it with an identifying reproduction consisting of a print clipped from a periodical.

In the opinion of Mr. Smith and Mrs. Brady the present published deposit does not appear to be a satisfactory identifying reproduction, some objection being raised to printed text matter thereon. It is their opinion that applicant should accompany his application with a photograph of the original work. In the opinion of Mr. Wise and Mr. Pierce the print accompanying the application is "an identifying reproduction" of the painting for which copyright protection is sought. In their opinion it is immaterial whether the identifying reproduction is a published or unpublished work since it is not the reproduction but the original painting that is being copyrighted.

Respectfully submitted,



Chairman, Revisory Board

Enter as applied for--order of Mr. Howell. "Sec. 11 says a photograph or other identifying reproduction thereof."