

MP-436
Book

MEMORANDUM

April 22, 1940

Remitter: Muriel Brown Chew (19611)--Class A.

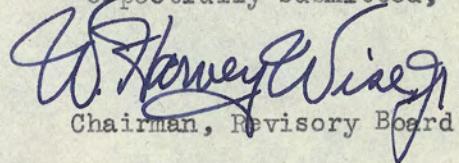
Title: "Distinguished P.E.O's"

Question: Division of opinion as to whether application can be accepted on form A2, giving following statement of the new matter: "Entire content changed in list of persons named," or whether the Office should write requesting application on form A1.

Applicant originally employed form A1 in applying for copyright registration. The Office requested that an application be filed on form A2 in view of the statement "revised edition" appearing on the title-page. Applicant has complied with the Office's request and gives as the statement of new matter "Entire content changed in list of persons named."

In the opinion of Mr. Wise, Mr. Smith, and Mr. Pierce registration should be made as applied for. This to their mind is an adequate statement of new material sufficient to support a claim to copyright. Mrs. Brady, on the other hand, feels that application form A1 is required for this work, in view of the indication of the large change in contents.

Respectfully submitted,


Chairman, Revisory Board

Comparison with A59081 shows practically a new work. Enter on A1 application and use A2 affidavit--order of Mr. Howell 5/20/40

NOTICE

MEMORANDUM

April 22, 1940

Remitter: Franklin L. Bishop (25071)--Class A.

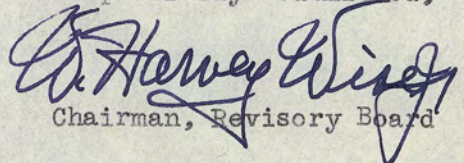
Title: "A Tribute to Baseball Players and the Grand Old Game."

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

The notice of copyright appearing on the copy reads as follows: Dr. Franklin L. Bishop. Copyright, 1939, while the application accompanying the copies gives the names of the copyright owners as Dr. Franklin L. Bishop and Mabel R. Bishop (Mrs. F.L.).

In the opinion of Mr. Wise, Mr. Smith, and Mr. Pierce registration should be made as applied for. Copyright came into existence upon publication with the notice of copyright. If Dr. Bishop desires his wife to be part owner, there seems to be no objection to including her name in the application. It may be assumed that he has assigned part interest to her in view of her inclusion in the application. Mrs. Brady, on the other hand, feels that correspondence should be conducted to secure an explanation. She also supports the examiner to secure an explanation of the year date in the copyright notice. In their opinion the 9 in 1939 has been affixed since the printing of the copies.

Respectfully submitted,


Chairman, Revisory Board

Register as applied for--order of Mr. Howell 4/29/40

MP. 47

Notice

MEMORANDUM

December 21, 1937

Remitter: N. W. Ayre and Son, Inc. (61262)

Concerning: Advertisements and periodicals for pineapples and tobacco

Question: Adequacy of copyright notice

Upon examination of the copyright notice in the works referred to in the foregoing, it is observed that they consist of some pictorial material accompanied by some explanatory text matter. The applications describe the works for which copyright protection is desired as "print" and the notice of copyright in each case is in the form for a print, that is, the short form of the notice has been employed. It is the opinion of the Examiner that the text matter is of such quantity as to make the description "print" erroneous, and she feels that the proper description for these advertisements is "book." Following this reasoning through to its logical conclusion, the applications must be rejected because the copyright notice used is for prints and is not in the form authorized by the law for books. Mrs. Rafter of the Revisory Board feels that the Examiner's contention is right, and that the applications should be rejected on the grounds of inadequate notice. She bases her contention not only upon the fact that the copies consist of printed material and text matter, but also she points out that the copyright notice in most cases is at the bottom of the advertisement under the text matter. On the other hand, Mr. Smith and Mr. Wise feel that the applications should be accepted. In each case there is some "print" material. The applications filed are for registration of the "print" and the notice employed is adequate for a "print", and therefore it is their opinion that these applications should be accepted.

Respectfully,

W. H. Wise

Chairman, Revisory Board

Note--Reject by order of Register of Copyrights. Notice inadequate in view of character of contribution and the position and form of notice

(p.47-minutes))

MP-455

NOTICE

MEMORANDUM

April 22, 1940

Remitter: Deseret Book Co. (26021)--Class A.

Title: "Priesthood and Church Government"

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

The application gives the name of the copyright owner as Heber J. Grant, whereas the name of the copyright owner printed on the copies reads as follows: "Copyright 1939 by Heber J. Grant for the Church of Jesus Christ of Latter-day Saints, Deseret Book Co., Incorporated."

In the opinion of Mr. Wise and Mr. Smith and Mr. Pierce registration should be made as applied for. A trustee is entitled to hold property in his name for the beneficiary of the cestui que trust. Mrs. Brady, on the other hand, supports the examiner in urging correspondence to determine whether the Deseret Book Company is co-claimant with Heber J. Grant.

Respectfully submitted,

[Handwritten Signature]
Chairman, Revision Board

~~Special Publication Copyrighted in the United States
under the Copyright Act of 1909, and in Great Britain
under the Copyright Act of 1911, and in other countries~~

Enter as applied for--order of Mr. Howell 5/3/40.