

MP 503

BOOK

MEMORANDUM

July 16, 1940

Remitter: Cameron, Kerkam and Sutton (AA-339936)

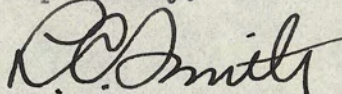
Title: "Fulton Sylphon Company--Liquid Valve Chart and
Steam Valve Chart."

Question: Is the work deposited subject matter of copyright?

The deposit consists of a number of dials of figures stapled together. Information is secured by the rotation of the dials. Beneath them on the same card to which they are stapled are the directions for their use with certain other descriptive matter.

Mr. Smith is of the opinion that the work falls under the classification of a device and should be rejected as is the usual practice of the Office. Mr. Pierce, however, feels that there is a sufficient amount of text matter upon the card separate from the dials themselves to justify registration as applied for (A1 was filed). Mrs. Brady is likewise of the belief that registration is possible for the text matter but that the applicant should first be advised of the limitations, that is, that the copyright does not extend to the device.

Respectfully,



Acting Chairman, Revisory Board

Enter as applied for but write explaining limitations--H.A.Howell 7/18/40.

HAN: fsm
7-17-40

Clarence A. O'Brien, Esq.
1333 F Street, N. W.
Washington, D. C.

Dear Sir:

On July 5 we received from you an application in connection with the American edition of the book by Sarah Larkin entitled "Dino—et Autres Histoires de Bêtes."

An examination of the copies now deposited, however, seems to indicate that the text was printed from the same plates as the original Canadian edition received on May 3 with your application on Form A-3. Section 15 of the Copyright Act, however, expressly provides that not only shall the book be printed in the United States, but the type shall be set or plates made from type set within the United States or if the work be produced by lithographic or photo-engraving process, then by such process wholly performed within the limits of the United States. We shall therefore await further advice and explanation as to the process of manufacture of the text of the book, and whether in the United States or Canada.

Respectfully,
C. L. BOUVE
Register of Copyrights

By

NOTICE

M E M O R A N D U M

July 16, 1940

Remitter: Byron F. Stevens (44835)--Class A5.

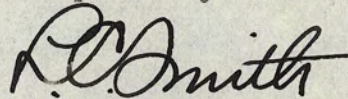
Title: "Moth Proof Bags Free of Extra Charge" in "Downtown Shopping News," June 27, 1940.

Question: Sufficiency of Copyright notice.

The periodical contribution deposited consists of a number of illustrations advertising both articles of merchandise and service. The pictorial matter is as prominent as the text matter, if not more so. The title selected by the applicant is the one which identifies the illustration at the top of the advertisement in connection with moth proof bags for the storage of blankets. The copyright notice consisting of the letter "C" in a circle the year date 1940 and Safety Wet Wash Laundry Company is at the bottom of the ad.

Mrs. Brady and Mr. Pierce sustain the examiner and are of the opinion that the notice is defective in that the periodical contribution would have to be classified as a "book." Mr. Smith, however, feels that due to the large amount of pictorial matter an application form A5 should be requested giving the description of the deposit as a "print." The notice in that case would, of course, be acceptable.

Respectfully submitted,



Acting Chairman, Revisory Board

Ask A5 application giving description of deposit as print instead of newspaper ad.--H.A. Howell 7/18/40.