

LCS:LBG
8-19-40

NOTICE

MAJORITY MEMORANDUM

August 19, 1940.

Remitter: American Institute of Laundering, Inc. (51335)--Class A.
Title: "Manual for Determining Costs of Laundry Services".
Question: Notice.

Mrs. Brady and Mr. Smith are of the opinion that the name of the copyright owner accompanies the words "Copyright 1940" on the title page of the work.

This conforms with action taken by the Revisory Board and with decisions of Mr. Howell in cases of a somewhat similar nature.

L. C. Smith
L. C. Smith

M. C. Brady
Mrs. M. C. Brady

I join in approving the above statement.

F. G. Pierce.
F. G. P.

Enter but write as to existence of doubt as to adequacy of notice. Name should follow notice as component part thereof. --H.A. Howell

MINORITY MEMORANDUM

August 17, 1940

Remitter: American Institute of Laundering, Inc. (51335)--Class A.

Title: "Manual for Determining Costs of Laundry Services."

Question: Notice.

The title page of this quarto looseleaf book, reads as follows:

"Manual
for
Determining Costs of Laundry Services

Prepared by
Domer E. Dewey, Manager
Department of Accounting

American Institute of Laundering
Joliet, Illinois

July 1, 1940
First Edition 250 - Total 250
Printed in U.S.A. -- Copyright 1940

Price: \$2.75 less 10% Discount for check with order."

Thus the title is at the top, followed by a statement of authorship, the name of the claimant and publisher is in the center of the page, the words "Copyright 1940" in small type are included in the legend at the bottom of the page. In the opinion of the dissenting member of the Board, Mr. DeWolf, it is not permissible to read into the defective notice at the bottom of the page the name of the American Institute of Laundering which is printed in the middle of the page, not as an indication of copyright ownership but merely as an indication of the origin and sponsorship of the work.

R. C. DeWolf

Enter but write as to existence of doubt as to adequacy of notice. Name should follow notice as component part thereof.--H.A.Howell.

NOTICE

MEMORANDUM

August 17, 1940

Remitter: Kehlman, Al. L. (51190)--Class K.

Title: "Mexican Fruit Girl" & 1 other.

Question: Form of notice and name of claimant.

The application gives the name of the copyright owner as Al L. Kehlman, and the name of the author as Al "Alruto" Kehlman (trade name). The notice on the copies in the lower left hand corner of the print is "C Kehlman". In the lower right hand corner appears the name "Alruto".

It seems obvious to Mr. DeWolf, Mrs. Brady and Mr. Pierce that Kehlman is the name of the copyright owner, while "Alruto" is the signature of the artist. The statement in the application that "Alruto" is the trade name of Kehlman merely means that it is his professional name as an artist, not as a copyright owner. The only question remaining is whether the omission of the initials makes the copyright notice insufficient. Mr. DeWolf, Mrs. Brady and Mr. Pierce think it does not and would enter.

R. C. DeWolf
R. C. DeWolf

M. C. Brady

F. G. Pierce

Entry can be made as applied for. Copy bears both real name and trade name and there should be no difficulty in identification.--H.A. Howell.

SUPPLEMENTAL MEMORANDUM TO THAT OF MR. DeWOLF AND MR. PIERCE

August 20, 1940

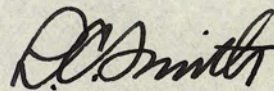
Remitter: Kehlman, Al. L. (51190)--Class K

Title: "Mexican Fruit Girl" & 1 other.

Question: Form of notice and name of claimant.

Mr. Smith agrees with Mr. DeWolf and Mr. Pierce that the copyright notice appearing upon the deposit is acceptable for purposes of registration, but in view of the fact that the application mentions that "Alruto" is a trade name, Mr. Smith feels that inquiry should be made whether that is the name under which Al. L. Kehlman is doing business.

If such is the case, it might be appropriate for an application to be filed giving in space (1) "Al L. Kehlman, d.b.a. Alruto" unless the facts are such that the copyright is held by Mr. Kehlman as an individual rather than as property of the firm or business known as "Alruto" (if such an organization exists).



L. C. Smith

Entry can be made as applied for. Copy bears both real name and trade name and there should be no difficulty in identification.--H.A.Howell.