

CLASSIFICATION

MINORITY MEMORANDUM

August 22, 1941

Remitter: Grizzard Advertising (Class K?) (55461)

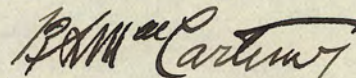
Title: "Hit Hitler's Puss -- It's Fun"

Question: "Whether a pictorial rifle target is registerable as a print, or must be rejected upon the same basis governing game boards.

The work deposited is a rifle target consisting of a series of concentric circles on which has been imposed a pictorial, caricature outline of Adolph Hitler's face, with his nose forming the bull's eye. The target bears the adjuration: "Hit Hitler's Puss -- It's Fun."

It is the contention of Mr. Smith and Mr. Pforzheimer that the work in question should be denied registration upon the same basis as that governing game boards. To Mr. MacCarteney this view seems strained. The Office currently accepts applications for registration of rifle targets under the classification of "drawing of a scientific or technical character" where technical originality is visibly established. It is his contention, therefore, that if targets are registerable as published technical drawings upon the basis of copyrightable technical drawing, then targets may likewise be registered as prints where the element of originality is pictorial. It is his opinion that the difference in classification of copyrightable content does not change the essential character of the work as a target. If a technically drawn target is registerable, then a pictorial target is likewise registerable. Mr. MacCarteney supports the recommendation of the Chief Examiner in admitting the work for copyright registration as a "print or pictorial illustration" upon receipt of an application on Form K.

Respectfully,



R. S. MacCarteney  
Member of the Board

Register as print or pictorial illustration (k). The work filed is a picture classifiable as K, and the fact that it may be used as a target should not bar registration.--W.H.Wise 8/26/41

GAME BOARDS  
(See "Classification")

MEMORANDUM

August 22, 1941

Remitter: Grizzard Advertising (Class K?) (55461)

Title: "Hit Hitler's Puss -- It's Fun"

Question: Whether a pictorial rifle target is registerable as a print, or must be rejected upon the same basis governing game boards.

Register as print or pictorial illustration (K). The work filed is a picture classifiable as K, and the fact that it may be used as a target should not bar registration. W.H.Wise 8/26/41