

ANNOUNCEMENT (BIRTH)

MINORITY MEMORANDUM

August 29, 1941

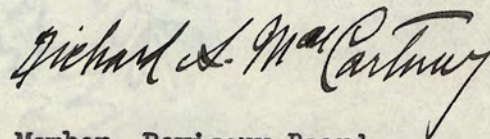
Remitter: Staley and Welch, Class A - 48284

Title: "A Conscription Announcement"

Question: Whether the cards must be considered entirely as constituting blank forms or, in view of the limited amount of text, may be registerable under a liberal interpretation of the meaning of "book."

The works in question are two folded cards which are in reality birth announcements. One of the cards is applicable to the birth of a boy, and the other to the birth of a girl. Mr. Smith and Mrs. Brady hold that the cards are essentially nothing but blank forms and should be rejected as such. Mr. MacCarteney, on the other hand, feels that because of the military language which has been employed, the cards rather cleverly give the impression of a so-called conscription announcement through the evolvment of the language around the idea that it would be possible to consider each of the cards as showing a certain amount of literary merit. Mr. MacCarteney admits that the cards may not be works of pretentious merit, yet they do evidence some original intellectual merit as to conception, composition and arrangement. He holds that these cards, with their plays on words, are far more works of mental labor and literary originality than many of the works such as coupons, blank book instructions, et cetera, made up of a sentence or two of factual statements that are accepted for registration as "books" and he is inclined, therefore, to grant registration for the cards in question for what such registration may be worth, upon the basis that they do represent the result of a certain amount, however small, of literary originality, and do thereby constitute the "writings of an author."

Respectfully submitted



Member, Revisory Board

Register--new idea in way of announcement. Resolve doubt in favor of applicant.--W.H.Wise, after consultation with C. L. Bouvé.