

## CALCULATOR

## MAJORITY MEMORANDUM

October 28, 1941

Remitter: Eichberg, Robert Louis (66364)

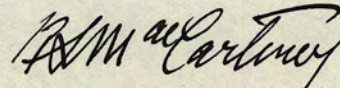
Title: "Instant Calculator for Series Capacitance or Parallel Resistance."

Question: Whether the work submitted can justifiably be held to be an unpublished drawing of a scientific or technical character.

The drawing deposited, to quote the applicant, "shows a rapid means of calculating the sums of reciprocals without the need of any mathematics save decimal placement." The explanation of the formula of calculation which follows is highly technical and need not be gone into here. The applicant further states: "In fact, it is a technical publisher who wishes to purchase rights in this drawing if I can clear the copyright."

The drawing itself to a layman in mathematics seems fairly simple, but it is the belief of the majority of the Board that this Office should not set itself up as a judge of a technical aspect it is in no position to determine. That the copy deposited is a drawing consisting of ruled lines, spaces and numbers cannot be denied. That it is a technical drawing the applicant vouches for by his detailed explanation of what the drawing can accomplish. The majority of the Board accordingly would resolve any existing doubt in favor of the applicant, and let the courts determine the outcome of any possible litigation. It is to be noted particularly, that there is no question of registering a device here. Applicant is applying for registration simply as an unpublished technical drawing.

The dissenting member of the Board holds that there are no technical or scientific aspects involved in the drawing as deposited, and she is preparing a separate memorandum to that effect.



R. S. MacCarteney  
Acting Chairman of the Board

Register as a technical drawing. W. H. Wise 10/31/41

MINORITY MEMORANDUM

October 28, 1941

Remitter: Eichberg, Robert Louis (66364)

Title: "Instant Calculator for Series Capacitance or Parallel Resistance."

Question: Is the deposit registrable as an unpublished drawing of scientific or technical character?

Mrs. Brady dissents from the opinion held by Messrs. MacCarteney and Pforzheimer that the deposit under consideration is registrable as a drawing of scientific or technical character.

The deposit is a photographic reproduction of a rectangular figure, headed by a title as follows--

"INSTANT CALCULATOR - Parallel Resistance and Series Capacitance."

The actual drawing involved consists in twenty horizontal lines within the rectangular figure, bearing numbers on the left and right in multiples of 5, from 0 to 90. This rectangular figure is flanked on each side by a drawing of a narrow strip with a perforated circular end, which apparently represents the working item employed to operate a calculating device of a simple type. This deposit does not appear to the undersigned to be comparable to the "Charts, etc.," as described in Office Memorandum, dated August 15, 1941, of the Register of Copyrights: "Re: Recorder charts, pressure gauge charts, recorder paper, Micromax Model R. Chart, Fluid Meter Chart, etc." This memorandum says in part--

"Some of these charts, mechanical or technical drawings, or whatever you want to call them, are of an exceedingly complex nature composed in some instances of many curves and circles intersecting a network of horizontal and vertical lines at varying points of contact, each one of which has its peculiar significance in connection with the ultimate reading of the record created by the application of the drawing to the device or machine which accomplishes the recording."

Such drawings as thus described manifest in themselves mechanical and technical skill, but the deposit under discussion could be accomplished by any one with a ruler and no technical knowledge. In other words, whatever scientific or technical purpose may be served by the completed device represented by the drawing under consideration, there is no evidence in the drawing itself of scientific or technical skill. The undersigned is therefore of the opinion that registration could not be made for the deposit in Class I as an unpublished technical drawing.

*M. C. Brady*  
M. C. BRADY