

BOOK  
(See "Publication")

M E M O R A N D U M

April 10, 1940

Remitter: Bruno Cerenzia (17833)--Class A.

Title: "Wahoo"

Question: Division of opinion as to whether applicant's statement of publication should be accepted.

Register--order of Mr. Howell 4/19/40.



MP-452

Book

MEMORANDUM

April 10, 1940

Remitter: New Directions (20957)--Class A.

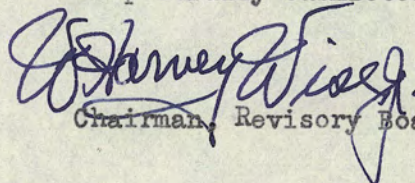
Title: "The Cosmological Eye."

Question: Division of opinion as to whether book deposited is obscene justifying rejection of the copyright registration.

The case was brought before the Revisory Board by Mrs. Rafter, Chief of the Examining Section. She reported that Mrs. Steagall, Assistant Chief, pointed out very objectionable material on pages 309, 310, and 311.

Upon further consideration by members of the Board independently the conclusion reached by Mr. Wise, Mr. Smith and Mr. Pierce is that the application should be accepted. Some material is objectionable, but in their opinion there is not sufficient to justify rejection of a copyright claim, especially in view of the book "Ulysses." Mrs. Brady, on the other hand, takes the position that the work should be rejected as an obscene publication.

Respectfully submitted,

  
Chairman, Revisory Board

Enter--order of Mr. Howell. "I do not think we should reject a book as obscene merely because certain passages are a bit risqué!"--4/17/40



OBSCENE?  
(See "Book")

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PUBLICATION

MEMORANDUM

April 10, 1940

Remitter: Bruno Cerenzia (17833)--Class A.

Title: "Wahoo"

Question: Division of opinion as to whether applicant's statement of publication should be accepted.

Applicant has presented an application for the above entitled work, accompanied by copies reproduced by the ditto or similar process which consist of instructions for playing the game. The Office conducted correspondence to determine whether publication had taken place. The applicant responds: "copies of the 'book' were made available to the public on March 7, 1940, and the copies deposited represent the best edition."

In view of this statement Mr. Wise and Mr. Smith feel that registration should be made without question. Mrs. Brady and Mr. Pierce, on the other hand, feel that further correspondence should be conducted questioning the extent of distribution which has been made which the applicant feels justifies his statement of publication.

Respectfully submitted,

*H. Harvey Briggs*  
Chairman, Revisory Board

Register--order of Mr. Howell 4/19/40. "See applicant's letter of April 2."