

MP-509
BOOK

MEMORANDUM

July 25, 1940

Remitter: Whitman Publishing Co. (45669)--Class A.

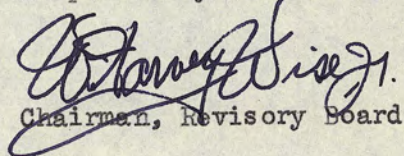
Title: "The Teddy Bear Book"

Question: Division of opinion as to whether registration may be made for a book, the illustrations in which comprise the larger portion of the work and have been manufactured without the limits of the United States.

The illustrations in this work comprise the larger portion and in the affidavit it is stated that "interior illustrations, plates made in England--not copyrighted here." Furthermore, the application filed on form A2 states in the first space that copyright is claimed on "cover and text."

In view of these facts Mr. Wise and Mr. Pierce feel that registration should be made as applied for. The claim of copyright is clearly limited and it is not the intent on the part of the copyright owner to deceive any member of the public who consults the record here made of the copyright claim. Mrs. Brady, on the other hand, takes the position that the application should be rejected in view of the fact that the larger part of the book does not meet the manufacturing requirements.

Respectfully submitted,


Chairman, Revisory Board

Register "The Teddy Bear Book." Affidavit and application are clear as to limitation of copyright. See analogous case, E. P. Dutton and Co. 3-12-40. H. A. Howell 3/31/40.

PUBLICATION

MEMORANDUM

July 25, 1940

Remitter: Kent-Johnson, Inc. (35924)--Class A.

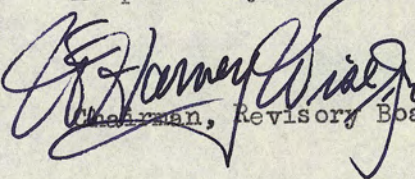
Title: W. N.E.W. Jingle With Music

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

The application for this work filed on form A1 is accompanied by typewritten copies and the Office following the usual practice has questioned publication. The attorney responds advising that copies have been distributed to several agencies, the work has been broadcast, copies have been made available to the public and all distributions were made in accordance with the date of publication in the application.

In view of this statement supported by the sworn date of publication in the affidavit, in the opinion of Mr. Wise and Mr. Pierce registration should be made as applied for, since there seems to be no valid ground upon which to refute the attorney's statement. Mrs. Brady, on the other hand, takes the position that no publication has taken place, and the claim must be rejected.

Respectfully submitted,


Chairman, Revisory Board

Register--H.A. Howell 7/26/40.

BOOK
(See "Publication")

M E M O R A N D U M

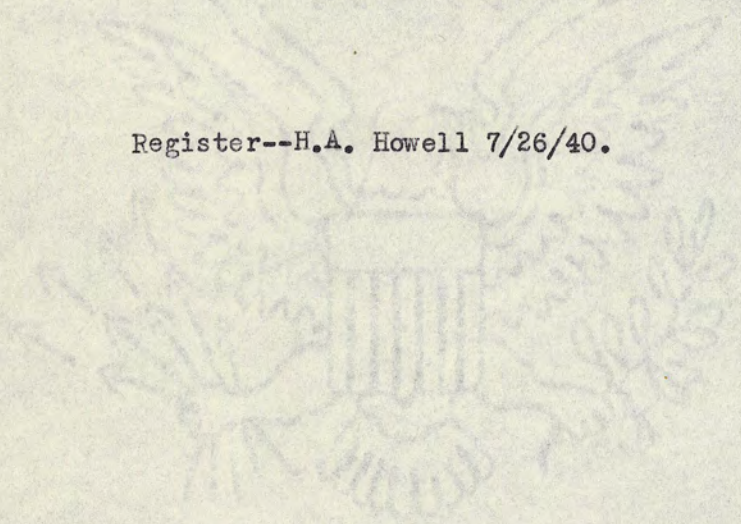
July 25, 1940

Remitter: Kent-Johnson, Inc. (35924)--Class A.

Title: W.N.E.W. Jingle With Music

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

Register--H.A. Howell 7/26/40.

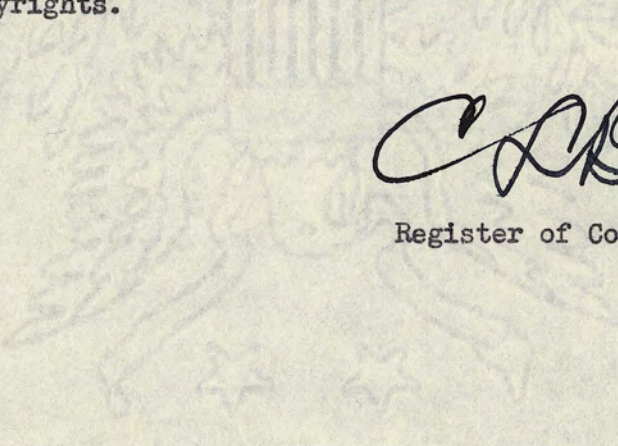


July 27, 1940.

MEMORANDUM TO THE MEMBERS OF THE REVISORY BOARD

Whenever there is a division of opinion on the part of the Board with respect to a case submitted to its consideration, the memorandum which under existing practice is to be prepared in support of the dissenting view must be in the hands of the Chairman of the Board within twenty-four hours following handling of the case by the Board.

In case the memorandum is not in the hands of the Chairman at the time designated the action of the non-dissenting members will be accepted as the action of the Board unless the Board is evenly divided, in which case the matter should be submitted to the Assistant Register of Copyrights, or in his absence, the Register of Copyrights.



C. L. Bouvé

Register of Copyrights

x copy

July 27, 1940.

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Register of Copyrights