

MP-584.

BOOK

MEMORANDUM

October 14, 1940

Remitter: E. P. Dutton and Company, Inc. (Trust)--Class A.

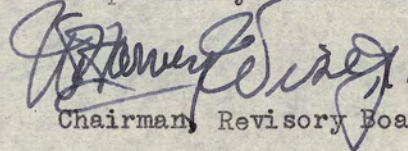
Title: "Marriage"

Question: Division of opinion as to whether the Office may accept application on form A6 for a reissued article with new matter first published in one issue of a periodical.

Application has been filed in behalf of William Lyon Phelps for registration of his book entitled "Marriage." The application is filed on form A6, and it contains a statement that this is a revised work with "slight changes throughout with about 10% additional matter throughout," of that which appeared in the June, 1938, issue of "Good Housekeeping."

In the opinion of Mr. Wise and Mr. Smith the application filed is adequate in that it gives all of the information required to make the registration. Mrs. Brady, on the other hand, supports the examiner in the recommendation that application be filed on form A2 as a reissued book, the article having only appeared in one issue of a periodical.

Respectfully submitted,



Chairman, Revisory Board

Application on form A6 acceptable. Since the article was first published as a contribution to a periodical, A6 seems preferable to A2 which is primarily meant for a new edition of a work originally published as a "book."--H.A.Howell.

MP-584  
Book

MINORITY MEMORANDUM

October 16, 1940

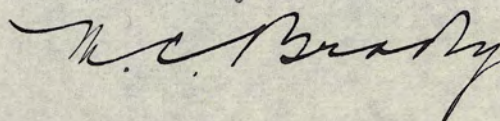
Remitter: E. P. Dutton & Co., Inc. (Trust)

Title: "Marriage"

Question: Correct form of application to be used in applying for copyright.

The application used by the remitter is form A-6, which describes the deposit as a "Serial Republished (with new matter) in Book Form." The application provides a space for the title of the magazine and the dates of the first and last issues in which the copyrighted article appeared, and in line (4) a space for the new matter contained in the book publication. This latter information is required, as the completed book publication frequently precedes the publication of the last installment. However, the article which is the subject of this memorandum was not published serially, but <sup>completely</sup> in the June, 1938, issue of Good Housekeeping Magazine, over two years before the publication of the book. The republication in book form with new matter should therefore be applied for by means of an A-2 application, which is designed for a reissued work with new matter.

M. C. Brady.



Application on form A6 acceptable.--H.A. Howell.