

MP-140
Notice

MEMORANDUM

July 19, 1938

Remitter: Carl D. Ainger

Title: "It's New! It's Safe!"

Question: Adequacy of notice

Applicant originally submitted application on Form K, accompanied by tear copies bearing a typewritten notice which were obviously incomplete. The Office suggested that complete copies be deposited. It was pointed out that if the copies contained substantial amount of text matter, possibly registration would better be made under Class A, as a book. Applicant, accordingly, has filed two complete copies and accompanied them with application on Form A-1.

The new copies on their face, directly under the print entitled "It's New! It's Safe!", bear a notice consisting of the letter "C", the year date 1938, and name, E. O. Hodge. On page (4) of the copies (the material deposited is a folder) there appears a small print directly under which the statement "Copyright 1938" appears and 1 1/2 inches below is the name of the copyright owner, E. O. Hodge Inc.

In view of the facts of the case, it is the opinion of Mr. Wise and Mr. Smith that registration may be made for this work as a book on Form A-1 providing, of course, that this material is published for the first time. (This fact will have to be ascertained by correspondence.)

Mrs. Brady, on the other hand, is of the opinion that the notice is inadequate and, therefore, the material should be rejected.

Respectfully submitted,

W. E. Wise

Chairman, Revisory Board

What is the subject of the copyright claim? If merely the pictorial print "It's New, It's Safe" the notice on the margin is adequate. If the entire four page folder, then there is no adequate notice for the "book".

Mr. DeWolf 7/21/38

3 K's entered 8/9/38.