

Book

MEMORANDUM

February 8, 1940

Remitter: Abraham Engel (73799)--Class A.

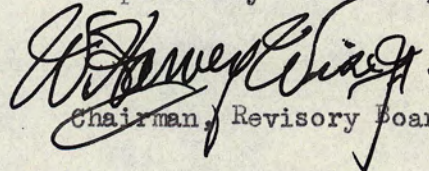
Title: "Efficiency Forms Food Purchase and Inventory Record"

Question: Division of opinion as to whether deposit contains sufficient elements of compilation to justify registration.

The work submitted, as the title indicates, consists of a number of blank forms. There is some text matter in the way of column headings and other data to indicate the information that is to be given in the appropriate blank spaces which are adjacent thereto. In addition there is certain text matter in the nature of "index tabs" such as "Fish," "Oysters, Clams, Lobster, Crab, Shrimp, etc.," to enable the user to promptly locate the form which applies to this produce.

In the opinion of Mr. Wise, Mrs. Brady, and Mr. Pierce, the work is still a blank form and does not come within the scope of the Copyright Act. Mr. Smith feels that there is sufficient text matter to justify registration and he accordingly feels that this action should be taken.

Respectfully submitted,


Chairman, Revisory Board

Register as applied for--order of Mr. Howell.

MEMORANDUM

February 8, 1940

Remitter: M. F. Morgan (75998)--Class A.

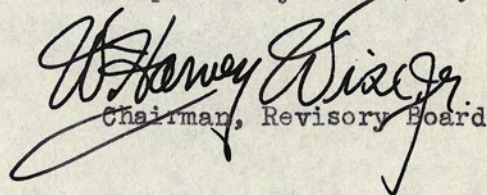
Title: "The M. F. Morgan System of Hawaiian Steel Guitar Musical Education"

Question: Division of opinion as to acceptability of statement of new copyright matter.

Correspondence has been conducted in this case in order to secure a correct application and affidavit on form A2. The original application gives as the statement of new matter "Diagram and Notes with 36 pieces of music" and was not questioned. The new application gives the same statement. The examiner feels that this statement is not adequate.

In the opinion of Mr. Wise, Mr. Smith, and Mr. Pierce this statement of the new material is adequate. It should be noted that there are more than thirty-six pieces of music. Therefore, the statement of new material does not cover all of the compositions included in the collection. Mrs. Brady, on the other hand, feels that a more specific statement of new matter should be given.

Respectfully submitted,


Chairman, Revisory Board

Enter--order of Mr. Howell 2/10/40.

MP-416

Ad Interim

MEMORANDUM

February 8, 1940

Remitter: Leland Hayward, Inc. (77209)--^Uclass A.

Title: "The Scrapbook of Katherine Mansfield"

Question: Division of opinion as to whether benefit of doubt respecting receipt of ad interim copyright deposit can be given applicant.

The copies of the material under consideration would have had to have been received in the Copyright Office on December 24, 1939 to have been deposited within the sixty day period prescribed by the Copyright Act. This year December 23, 24, and 25 were official holidays. The copies which were alleged to have been mailed in New York on December 19 are stamped as having been received in the Library on December 27, two days after the holidays. It is acknowledged that if the material had been stamped as received on December 26 registration would have been made. I am advised by the Mail Division that only first class mail came through on time during the Christmas holidays. On December 26 the mail other than first class was very light, the bulk arriving the following day.

In view of these circumstances it is the opinion of Mrs. Brady and Mr. Pierce that registration should be made in view of the fact that the material was doubtless held up in the Washington City Post Office. Mr. Smith and Mr. Wise, on the other hand, feel that the provisions of the Statute are mandatory and that the deposit must be received within the sixty day period; or when the sixty day period ends on a holiday the copy must be dated the first day following the holiday.

Respectfully submitted,

W. Stanley Wise Jr.

Chairman, Revisory Board

Reject. Provisions of statute are specific with respect to deposit of ad interim copies.--order of Mr. Howell.