

MP-466

Copyrightable?

MEMORANDUM

May ¹⁰ 1940

Remitter: Murray, Sackhoff & Paddack (Trust)--Class A.?

Title: "C.O.D. Trade Acceptance"

Question: Division of opinion as to whether the work submitted is subject matter of copyright.

Application has been submitted in behalf of Harvey Page for registration of the above entitled work. It is as the title indicates a collection on delivery trade acceptance form. There are a number of blank spaces on the form, but in addition thereto, there is considerable text matter.

In the opinion of Mr. Pierce the text matter is of a literary character, giving evidence of sufficient original authorship to justify registration ~~as~~ a claim of copyright as a book. Mr. Wise and Mr. Smith on the other hand, acknowledging the originality involved in the conception and preparation of the work, nevertheless reach the conclusion that it is substantially a blank form for use in itself, and its value lies primarily in its usefulness rather than ⁱⁿ any literary or artistic merit that it may possess.

Respectfully submitted,

H. Harvey Wise Jr.
Chairman, Revisory Board

Reject--order of Mr. Howell.