

DEVICE

M E M O R A N D U M

September 18, 1940

Remitter: Ray V. Loesch (23550)--Class ?

Title: "Travel Service Chart - Minneapolis to"

Question: Case of Ray V. Loesch.

During January of this year applicant submitted a work which would now be classed as a "device". It consists of a card superimposed upon a disc. The disc contains a number of figures and when turned presents various combinations through a small aperture, above which is the statement "Minneapolis to". Through the aperture appear the name of the city, route, and number of miles. In addition to this mechanical contrivance there is a road map and considerable text matter with respect to route changes. The Office on January 27 wrote and advised Mr. Loesch that registration could be made for his work under class F as a "map." The application was duly filed. After deliberation the Office again wrote on July 25 advising that registration would better be made under class A as a "book." Applicant has now submitted an application on form A1. On September 9 the examiner orders the work rejected as a device upon the basis of the instructions of the Register of Copyrights on August 13, 1940 that the instructions as to devices applies to works of this character.

The Revisory Board like the Examiner is bound by the instructions in the memorandum of August 13, 1940. However, this to the Revisory Board seems to be a case where an exception should be made in that the Office over a period of some nine months has encouraged the applicant by suggesting the filing of various applications, and at no time has intimated that the work was not subject matter of copyright.

Respectfully submitted,

W. Howard Sings
Chairman, Revisory Board

Rejected as a device. See Mr. DeWolf's letter mailed December 4, 1940.

PERIODICAL
(See "Authorship"*)

MEMORANDUM

September 18, 1940

Remitter: George E. Harper (No Fee)--Class B.

Title: "Bulletin for Week Ending Friday Aug. 30, 1940, Issued
from Register of Deeds Office, Windom, Minnesota."

Question: Is the work the result of original authorship?

Write--enumeration of recordings in a Register of Deeds Office from
week to week transcribed from the original records would hardly
qualify for copyright as the "writing of an author."--H.A.Howell

AUTHORSHIP

MEMORANDUM

September 18, 1940

Remitter: George E. Harper (No Fee)--Class B.

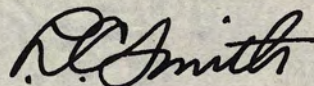
Title: "Bulletin for Week Ending Friday Aug. 30, 1940, Issued from Register of Deeds Office, Windom, Minnesota.

Question: Is the work the result of original authorship?

Mrs. Brady and Mr. MacCarteney are of the opinion that this work represents no original authorship in that it is their belief the applicant has done no more than to transcribe directly from the Register of Deeds the information he furnishes without any authorship on his part.

Mr. Smith, however, is of the opinion that the particular work is a compilation ^{resulting} from the condensation of information found in documents filed with the Register of Deeds. He, therefore, suggests registration in class A in the case of those works which are first published with the copyright notice.

Respectfully submitted,



Acting Chairman, Revisory Board

Write--enumeration of recordings in a Register of Deeds Office from week to week transcribed from the original records would hardly qualify for copyright as the "writing of an author."--H.A.Howell.