

M E M O R A N D U M

September 25, 1940

Remitter: Coulson B. Glick (60592)--Class A.

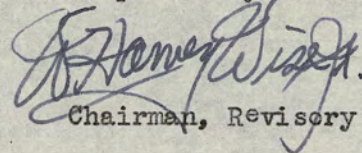
Title: "Wonder Color Gauge Nos. 1-5"

Question: Division of opinion as to whether registration is in order as a "book."

The copies filed consist of five oblong cards with a number of colors on one side and considerable explanatory text matter in two instances on the back.

Mrs. Brady and Mr. Wise are unable to discern any mechanical device which justifies rejection of the application which has been filed on form A1 as a "book." The cards are of such a character that stamps may be used in connection with them to match colors, but this is not believed sufficient to justify rejection of the application. There is an artistic arrangement of the colors and considerable text matter which it is believed justify acceptance of the application. Mr. Smith, on the other hand, feels that the work should be rejected as a device and attaches hereto is memorandum in support of his position.

Respectfully submitted,



Chairman, Revisory Board

Examiner sustained as to device. H. A. Howell, October 15, 1940

BOOK?
(See "Device")

MEMORANDUM

September 25, 1940

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MP-567
DEVICE

MEMORANDUM

September 25, 1940

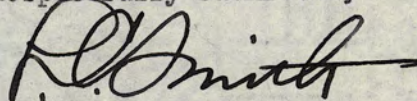
Remitter: Coulson B. Glick (60592)--Class A.

Title: "Wonder Color Gauge Nos. 1-5"

Question: Is deposit a device?

Mr. Wise and Mrs. Brady are of the opinion that the work is not a device and is therefore subject to registration under the classification "book." Mr. Smith, however, believes that the work is a device in view of three factors: (1) the nature of the article; (2) the title indicates that the work is a gauge; and (3) the deposit bears in addition to the copyright notice the statement "patent pending."

Respectfully submitted,



Member of Revisory Board

Examiner sustained as to device. H. A. Howell, October 15, 1940