

PERIODICAL  
CONTRIBUTION

## MEMORANDUM

October 12, 1940

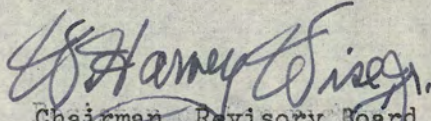
Remitter: Charles R. Stuart (64269)--Class A.

Title: "Nearly Half a Million Automobile Buyers" in  
"Los Angeles Times."Question: Division of opinion as to whether a work classifiable  
as a print applied for as a "book contribution"  
should be rejected as a book without suggestion  
as to print (K5) registration.

The copy consists of a pictorial illustration with some text matter, the purpose of which is to advertise a certain bank. At the bottom of the article is the following notice of copyright: © 1940 Bank of America. The applicant has applied for registration using form A5 and checked the item "book."

Mrs. Brady is of the opinion that the application should be rejected as a book without further comment. In the opinion of Mr. Smith the applicant should be written to advising that his A5 application should be checked to indicate that the work is a print in conformity with the copyright notice. Mr. Wise is of the opinion that the application should be rejected as a book, but that the applicant should be advised that an application filed on form A5, designating the work as "print" will be considered.

Respectfully submitted,

  
Chairman, Revisory Board

If this advertises automobiles or any other merchandise, it would undoubtedly be registrable in KK; but it only advertises banking business, and hence is eligible for entry as A5-K.--H.A.Howell.



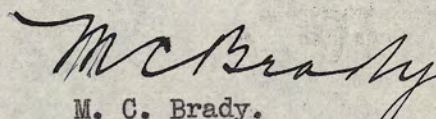
## MINORITY MEMORANDUM

October 16, 1940

Remitter: Chas. R. Stuart (No. 64269)

Title: "Nearly Half a Million Automobile Buyers" in LOS ANGELES  
TIMES October 2, 1940.Question: Advisability of suggesting to remitter that he file  
a new application changing his own description of  
the deposit which he has called a "book".

The application filed describes the deposit, quite accurately, as a book. It is an advertisement consisting preponderantly of text matter describing a plan for financing automobile buyers. It is illustrated at the top by a large print of an automobile with a sketched background indicating an "Auto Show". Considerable text matter is below the illustration, and at the bottom of the text the notice of copyright is found in the following defective form: "©1940, Bank of America." In view of the fact that the application is made for a "book," there does not appear to be any reason for this Office to take action other than the rejection recommended by the Examiner.



M. C. Brady.

If this advertises automobiles or any other merchandise, it would undoubtedly be registrable in KK; but it only advertises banking business, and hence is eligible for entry as A-K.--H.A.Howell.