United States Copyright Office
Library of Congress · 101 Independence Avenue SE Washington, DC 20559-6000 www.copyright.gov

February 5, 2013

Carrie Shufflebarger
312 Walnut Street, 14th Floor
Cincinnati, Ohio 45202-4089

Re: Beloved Husband Medallion
Correspondence ID: 1-49QW9B
Beloved Wife Medallion
Correspondence ID: 1-49FJAG

Dear Ms. Shufflebarger:

I write on behalf of the Copyright Office Review Board ("Board") in response to your Second Request for Reconsideration in which you requested the Copyright Office ("Office") to reconsider its refusal to register the sculptural works entitled "Beloved Husband Medallion" and "Beloved Wife Medallion." The Board has carefully examined the applications, the deposited images of the medallions and all correspondence concerning the applications, including the actual medallions submitted as supplementary material along with your Second Request for Reconsideration. The Board has found that the design of the medallions does exhibit copyrightable authorship.

The combination of all of the design elements[1] contributed to the Board's finding of copyrightable authorship. However, the Board's finding of copyrightable authorship was dictated most directly by the two sculpted (raised) interlocking wedding bands. The Board was able to accurately perceive this predominant aspect of the design's copyrightable authorship only through viewing the actual medallions, as opposed to the images of the medallions initially submitted with the applications. Therefore, the Office will need to retain the actual medallions to support registration of the design.

Although the Board has found that the design of the medallions does exhibit copyrightable authorship, the Office is not able to separately register both medallions because the slight differences between the two medallions do not establish derivative authorship. The Visual Arts Division of the Copyright Office will contact you with details about obtaining a single registration for the design.

No response to this letter is necessary; the Copyright Office considers this a final agency action in this matter.

Sincerely,

Tanya M. Sandros
Deputy General Counsel
for the Review Board
United States Copyright Office

[1] The design elements include: two sculpted (raised) interlocking wedding bands; round shape of the bas relief sculpture; two concentric circles around the edge of the work; a patterned/textured background; engraved script text reading "eternity on the left band; engraved script text reading "forever" on the right band; sculpted block text reading "beloved" on the top arch of the medallion; and sculpted block text reading "wife"/"husband" on the bottom arch of the medallion.