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June 30, 2016

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Re: Pattern for Paper and Textile Products, Correspondence ID: 1-LYNPLW

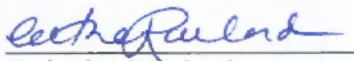
Dear Ms. Brozenic:

The Copyright Office Review Board has received and reviewed the University of Central Missouri Board of Governors' (Missouri State University) ("Missouri State University's") Second Request for Reconsideration regarding the two-dimensional artwork entitled "Pattern for Paper and Textile Products" (the "Work"). The Work, a two-dimensional paper and textile design, is depicted in Appendix A. The design consists of a black background with a repeating pattern of two white diamond shapes connected in an askew manner, with the spacing between the repeating pattern alternating between thick and thin lines, with the thick lines to the left and right and the thin lines at the bottom and top of each double diamond pattern. Each white diamond includes a black diamond with a red diamond center. After carefully examining the application and deposited material, the Board finds that the design exhibits copyrightable authorship.

The Board's finding is based on the combination of all of the Work's elements. Although the diamond shapes are common and familiar geometric shapes not themselves copyrightable, *see* 37 C.F.R § 202.1 (2006), the Work's specific compilation of elements, including original spacing variations between the repeating diamond patterns, demonstrates the "minimal degree of creativity" required by the U.S. Supreme Court in *Feist Publ'ns v. Rural Tel. Serv. Co.*, 499 U.S. 340, 345 (1991).

The Board's decision relates only to the Work's specific design and does not extend to the pattern's individual elements or to any variations thereof. Missouri State University thus possesses only a "thin" copyright that protects against only virtually identical copying. *See Satava v. Lowry*, 323 F.3d 805, 812 (9th Cir. 2003).

This letter constitutes final agency action regarding the Work. The Office will register the Work and no response to this letter is necessary.

BY: 
Catherine Rowland
Copyright Office Review Board

Appendix A

