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March 31, 2005

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**RE: Gerard Console with Stone Top Lombard Chest
Control Number: 61-207-7196(B)**

Dear Mr. Crosby:

I am writing on behalf of the Copyright Office Board of Review in response to your second request for reconsideration, dated July 28, 2003. After reviewing the application from C & C Imports, Inc. D/B/A Nancy Corzine and the arguments you presented on the company's behalf, the Board affirms the Examining Division's refusal to register Nancy Corzine's copyright claims for decorative elements in furniture identified as Lombard Chest and Gerard Console with Stone Top.

ADMINISTRATIVE RECORD

Applicant, C & C Imports, Inc. D/B/A Nancy Corzine, submitted many applications, each to register decorative elements on different pieces of furniture and each received by the Office on January 3, 2003. Since a second request for reconsideration has been submitted for only two of the applications, this administrative record is limited to those two, which are the Gerard Console with Stone Top, hereinafter, "console," and the Lombard Chest, hereinafter, "chest." On August 6, 2002, Examiner, Kathryn Sukites, refused examination for the console and chest because she found them to be useful articles with no physical or conceptually separable elements that are copyrightable.

On December 2, 2002, you submitted a request for reconsideration for the console and chest on behalf of your client. You argued that Ms. Sukites had not applied the rules for physical and conceptual separability in a consistent manner. Specifically, with regard to the console and chest, you said:

The Lombard Chest has curved X-shaped artwork on its front face with a mirror backing. This ornamental artwork can be physically separated without destroying the overall three-dimensional,