



Copyright Review Board
United States Copyright Office · 101 Independence Avenue SE · Washington, DC 20559-6000

July 17, 2026

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Re: Second Request for Reconsideration of Refusal to Register WANG Stacked Logo (SR # 1-12783962495; Correspondence ID: 1-6BXX2X7)

Dear Ms. Rzonca:

The Review Board of the United States Copyright Office (“Board”) has considered AW Licensing LLC’s (“AW”) second request for reconsideration of the Registration Program’s refusal to register a two-dimensional artwork claim in the work titled “WANG Stacked Logo” (“Work”). After reviewing the application, deposit copy, and relevant correspondence, along with the arguments in the second request for reconsideration, the Board affirms the Registration Program’s denial of registration.

I. DESCRIPTION OF THE WORK

The Work consists of four black lowercase letters. The letters “w” and “a” appear horizontally side by side and are positioned atop the letters “n” and “g.”

The Work is as follows:

The logo consists of the letters 'w', 'a', 'n', and 'g' in a bold, black, sans-serif font. The 'w' and 'a' are stacked on top of the 'n' and 'g', respectively, creating a two-tiered appearance. The 'w' and 'n' are on the left, while the 'a' and 'g' are on the right.

II. ADMINISTRATIVE RECORD

On July 22, 2023, AW filed an application to register a copyright claim in the Work. In an October 2, 2023 letter, a Copyright Office registration specialist refused to register the claim, determining that the work “lacks the authorship necessary to support a copyright claim.” Initial Letter Refusing Registration from U.S. Copyright Office to Megan Rzonca at 1 (Oct. 2, 2023).

On January 2, 2024, AW requested that the Office reconsider its initial refusal to register the Work, arguing that it “contains the requisite, minimal amount of creative authorship and is comprised of many original, creative choices which coalesce to form Applicant’s unique, protectible expression.” Letter from Megan Rzonca to U.S. Copyright Office at 2 (Jan. 2, 2024) (“First Request”). After reviewing the Work in light of the points raised in the First Request, the Office reevaluated the claims and again concluded that the Work could not be registered. Refusal of First Request for Reconsideration from U.S. Copyright Office to Megan Rzonca (Apr. 30, 2024). The Office explained that “[a]ssessing [the Work] as a whole, the Office simply can find no minimal amount of artistic expression in the combination of the components comprising this design.” *Id.* at 3.

In a letter dated July 30, 2024, AW requested that, pursuant to 37 C.F.R. § 202.5(c), the Office reconsider for a second time its refusal to register the Work. Letter from Megan Rzonca to U.S. Copyright Office (July 30, 2024) (“Second Request”). AW argued that the Work is sufficiently creative because it “is composed of an original font with an intricate and unique pattern within each letter” and based on its “boxy visual design created by the odd juxtaposition of the letters.” *Id.* at 2–3.

III. DISCUSSION

After carefully examining the Work and considering the arguments made in the First and Second Requests, the Board finds that the Work does not contain the creativity necessary to sustain a copyright claim.

A work may be registered if it qualifies as an “original work[] of authorship fixed in any tangible medium of expression.” 17 U.S.C. § 102(a). In this context, the term “original” consists of two components: independent creation (*i.e.*, not copied from another work) and sufficient creativity. *See Feist Publ’ns, Inc. v. Rural Tel. Serv. Co.*, 499 U.S. 340, 345 (1991). Only a modicum of creativity is necessary, but the Supreme Court has ruled that some works (such as the alphabetized telephone directory at issue in *Feist*) fail to meet even this low threshold. *Id.* The Court observed that “[a]s a constitutional matter, copyright protects only those constituent elements of a work that possess more than a *de minimis* quantum of creativity” and that “garden-variety,” “obvious,” or “practically inevitable” selection, coordination, and arrangement lack the necessary “creative spark required by the Copyright Act.” *Id.* at 362–64.

The Office’s regulations implement the longstanding requirement of originality set forth in the Copyright Act. *See, e.g.*, 37 C.F.R. § 202.1(a) (prohibiting registration of “[w]ords and short phrases such as names, titles, and slogans; familiar symbols or designs”); *id.* § 202.10(a) (stating “to be acceptable as a pictorial, graphic, or sculptural work, the work must embody some creative authorship in its delineation or form”). Through its regulations and in its *Compendium of U.S. Copyright Office Practices*, the Office provides guidance that copyright does not protect common geometric shapes or familiar designs. *Id.* § 202.1(a); U.S. COPYRIGHT OFFICE, COMPENDIUM OF U.S. COPYRIGHT OFFICE PRACTICES § 906.1 (3d ed. 2021) (“COMPENDIUM (THIRD)”) (noting that common geometric shapes are not protectable). Copyright likewise does not protect “words and short phrases,” or “mere variations of typographic ornamentation, lettering or coloring.” 37 C.F.R. § 202.1(a).

At the same time, some combinations of common or standard design elements may contain sufficient creativity with respect to how they are juxtaposed or arranged to support a copyright claim. Nevertheless, not every combination or arrangement will be sufficient to meet this test. *See Feist*, 499 U.S. at 358 (finding the Copyright Act “implies that some ‘ways’ [of selecting, coordinating, or arranging uncopyrightable material] will trigger copyright, but that others will not”). A determination of copyrightability in the combination of standard design elements depends on whether the selection, coordination, or arrangement is done in such a way as to result in copyrightable authorship. *Id.*; *see also Atari Games Corp. v. Oman*, 888 F.2d 878, 883 (D.C. Cir. 1989); *Coach, Inc. v. Peters*, 386 F. Supp. 2d 495, 498–99 (S.D.N.Y. 2005). As the Ninth Circuit has explained, “a combination of unprotectable elements is eligible for copyright protection only if those elements are numerous enough and their selection and arrangement original enough that their combination constitutes an original work of authorship.” *Satava v. Lowry*, 323 F.3d 805, 811 (9th Cir. 2003).

Applying the above framework, the Board finds that the Work’s individual elements and the Work as a whole fail to demonstrate sufficient creativity for copyright protection. The Work consists of four black lowercase letters. As AW concedes, none of these individual elements are copyrightable. *See* Second Request at 3 (“Applicant recognizes that a copyright claim cannot be based solely on typographic ornamentation and stacked letters”); *id.* (“[N]o claim is being made to the letters, text or literal portion of the Work, which is implicitly disclaimed.”); 37 C.F.R. § 202.1(a); COMPENDIUM (THIRD) § 906.4 (Letters are “building blocks of expression” and cannot be protected by copyright law “regardless of how novel and creative the shape and form of the typeface characters may be.”). While AW asserts that the Work contains “an original font with an intricate and unique pattern within each letter,” Second Request at 2, any pattern in the letters is a minor variation of common font and typographic ornamentation that does not elevate the design out of the realm of uncopyrightable lettering. *See* COMPENDIUM (THIRD) § 906.4; *see also Tufenkian Imp./Exp. Ventures, Inc. v. Einstein Moomjy, Inc.*, 338 F.3d 127, 132 (2d Cir. 2003) (“[T]he public domain includes, for example, both the generic shape of the letter ‘L’ and all of the elaborately more specific ‘L’s from the hundreds of years of font designs that have fallen into the public domain.”).

Viewed as a whole, the selection and arrangement of the Work’s unprotectable elements are also insufficiently creative to warrant copyright protection. The “w” and “a,” and the “n” and “g” are side by side in a standard linear arrangement that is common and expected in English. Placing two letters directly above two other letters does produce a “boxy” design, but the Board disagrees that arranging four letters into what is essentially a square results in an “odd juxtaposition” of elements that visibly evidences a modicum of creativity. Rather, the garden-variety and practically inevitable arrangement of four letters is insufficiently creative to satisfy the originality standard for copyright protection. *See* 37 C.F.R. § 202.1(a); COMPENDIUM (THIRD) § 905 (“Merely bringing together only a few standard forms or shapes with minor linear or spatial variations does not satisfy” the requirement of sufficient creativity.); *see also John Muller & Co. v. N.Y. Arrows Soccer Team, Inc.*, 802 F.2d 989, 889–990 (8th Cir. 1986) (upholding refusal to register “logo consist[ing] of four angled lines which form an arrow and the word ‘Arrows’ in cursive script below the arrow”).

To the extent that AW argues that the Work possesses sufficient creativity because the “word is not immediately apparent, and the literal component of the Work is not its central

feature,” Second Request at 2–3, this does not affect our analysis. The Office only considers the “actual appearance” of the Work, that is, “expression that is fixed in the work itself” and “perceptible in the deposit copy” when examining for originality. *See* COMPENDIUM (THIRD) § 310.3. The uniqueness, effects, or impression of a work are irrelevant to the determination of whether a work is eligible for copyright registration. *See id.* §§ 310.1 (“The fact that a work may be novel, distinctive, innovative, or even unique is irrelevant to th[e originality] analysis.”), 310.3 (“The symbolic meaning or impression of a work is irrelevant to th[e originality] determination.”).

IV. CONCLUSION

For the reasons stated herein, the Board affirms the refusal to register the copyright claim in the Work. Pursuant to 37 C.F.R. § 202.5(g), this decision constitutes final agency action in this matter.



U.S. Copyright Office Review Board
Maria Strong, Associate Register of Copyrights and
Director of Policy and International Affairs
John R. Riley, Deputy General Counsel
Nicholas R. Bartelt, Assistant General Counsel