



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

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Aeronautical Center

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COPY

August 13, 2001

Ms. Patricia J. Hanson, Esquire  
Lytle Soulé & Curlee  
1200 Robinson Renaissance  
119 North Robinson  
Oklahoma City, Oklahoma 73102

Dear Ms. Hanson:

Re: Stamp Signatures and Recordation Eligibility Requirements

We have reviewed your August 1, 2001, correspondence in which you requested our opinion as to whether a conveyance bearing a rubber stamp signature satisfies the eligibility requirements for recording by the Federal Aviation Administration (the "FAA") Aircraft Registry (the "Registry").

Each conveyance filed at the FAA Registry is reviewed and examined by a legal instrument examiner to determine conveyance compliance with the statutes, the regulations and the Registry's guidelines for recordation eligibility.

States' Definitions of Signature

80 C.J.S. *Signatures*, § 7 (2000), addresses the issue of what constitutes a valid, appropriate or legally acceptable signature.

"Generally, in the absence of a statute otherwise providing, a signature may be affixed by writing by hand, by printing, by stamping, or by various other means."

"It may be written by hand and, generally, in the absence of a statute otherwise providing, it may be printed, stamped (Reference *Packard v. U.S.*, 77 A.2d 19; *State ex rel. Drucker v. Reichle*, App., 81 N.E.2d 735; *Rowray v. Casper Mut. Building & Loan Ass'n*, 45 P.2d 7, 12, 48 Wyo. 290; *Weiner v. Mulaney*, 140 P.2d 704, 59 Cal.App.2d 620; *Costilla Estates Dev. Co. v. Mascarenas*, 267 P. 74, 33 N.M. 356; and *Stout v. Oliverira*, Civ.App., 153 S.W.2d 590), typewritten, engraved... It has been held or recognized

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that it is immaterial with what kind of an instrument a signature is made."

In *Joseph Denunzio Fruit Co. v. Crane et al.*, 79 F.Supp. 117 (1948) the U.S. District Court for the Southern District of California, Central Division, articulated the policy now followed by States. The court cited *Smith v. Greenville County*, 188 S.C. 349, 199 S.E. 416 for the proposition that signatures may be made by a stamp.

"A signature may be written by hand, printed, stamped, typewritten, engraved, photographed..."

The North Carolina Supreme Court, in *State of North Carolina v. David Leroy Watts*, 222 S.E.2d 389 (1976), adopted the policy articulated in *Joseph Denunzio Fruit Co. v. Crane*, stating, that:

"While one's signature is usually made by writing his name, the same purpose can be accomplished by placing any writing, indicia or symbol which the signer chooses to adopt and use as his signature and by which it may be proved: e.g., by finger or thumb prints, by a cross or other mark, or by any type of mechanically reproduced or stamped facsimile of his signature, as effectively as by his own handwriting."

(Also reference *Irving v. Goodimate Co.* 70 N.E.2d 414, 417 (Mass. 1946) (holding that a memorandum is sufficient under statute if signed by person to be charged by printed, stamped, or typewritten signature, and if in signing he meant to authenticate paper as his act); *Bazak Int'l Corp. v. Mast Indus.*, 535 N.E.2d 663, 638-39 (N.Y. 1989) (holding that a telefax printout can be a signed writing); *Howley v. Whipple*, 48 N.H. 487 (1869) (holding that a telegram is a signed writing); Ca. Gov't Code 16.5 (West 1995) (stating that digitally signed communications are signed writings); Financial Institutions Digital Signature Act, 205 Ill. Comp. Stat. 705/10 (West 1998) (stating that digitally signed documents are legally enforceable as signed writings); and, *Hessenthafer v. Farzin*, 564 A.2d 990, 993 (Pa. Super, Ct. (1989)) (holding that a name can be printed, typed, or written, or a mark can be used))

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We conclude that States accept stamp signatures as appropriate, valid and legally acceptable in the absence of law or a statute to the contrary.

Conclusion

Because the Act and the Federal Aviation Regulations do not require a conveyance to be signed as an original, ink, hand-scribed signature; based on our interpretation of 14 C.F.R. § 49.17(c) (Reference Opinion of Counsel, dated February 28, 1992); and, based on the case law and legal authority reviewed, we conclude that States accept as valid and appropriate, stamp signatures. In turn, the Registry adopted a policy that permits recordation of a conveyance with stamp signatures. (Reference Registry Examination Guidelines, Section 2.2.7, Paragraph 6)

Accordingly, we conclude and it is our opinion that a conveyance with an ink signature, including a signature affixed to the conveyance by rubber stamp, satisfies FAA Registry's eligibility requirements for recordation.

Sincerely,



A. Lester Mizlip  
Senior Attorney  
Federal Aviation Administration  
Mike Monroney Aeronautical Center

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