Exam #_____

Federal Trademark & Copyright Registration Practice

FINAL Spring, 2009

~~Mid-Term~~ Examination

May 2, 2009

Instructions:

- This exam counts as **50%** of your grade.
- Use your exam number; do not use your name anywhere.
- This is a closed book exam.
- All questions pertain to the United States federal trademark and/or copyright registration systems.
- **Section 2 of the Lanham Act is attached for your reference.**
- **Pages 589 through 596 of the Course Materials are attached for your reference (the Copyright Outline and Statutory Damages Analysis).**
- Following is the point distribution:

Question Number		Point Value
1		30
2		20
3		15
4		20
5		15
	Total:	100

Questions:

1. **(30 points)** In 1941, Robert McCloskey (born 1914, died 2003) wrote, illustrated, published, and obtained copyright registration (Registration Number A156238) in a book entitled Make Way for Ducklings. The story is set in Boston, Massachusetts and involves the movement of Mr. and Mrs. Mallard (the mommy and daddy ducks), who travel around Boston looking for a home for their ducklings and ultimately find a home in the Boston Public Garden. **Images of the book cover and an illustration from inside the book are found in Attachment 1A.** For all parts of this question, assume Robert McCloskey (or his heirs or assigns) gave Nancy Schon a valid license to produce her works.

   On October 4, 1987, Nancy Schon (a U.S. citizen born in 1928, still living at 111 Main Street, West Newton, Massachusetts), created and installed in the Boston Public Garden a bronze sculpture based on the McCloskey book and illustrations. A plaque is installed near the sculpture noting this. **Images of the Schon sculpture and plaque are found in Attachment 1B.** The Boston Art Commission verbally commissioned Nancy Schon to

create the sculptural work. The "Make Way for Ducklings" sculpture has never been and never will be published (since it is stuck to the ground and is dedicated to a city park, it cannot be sold or leased).

Assume that all of the Schon sculptures are derivative works of the McCloskey work (and that she has a valid license to create them). Also assume that Nancy Schon has not assigned the work to anyone.

a. **Attachment 1C contains an Application for Copyright Registration form.** It is the new "CO" form which serves as a multi-purpose form for all types of works. Today is May 2, 2009, and you (Exam # ___, of FPLC Law Firm, 2 White Street, Concord, NH, with Copyright Office Deposit Account Number 12345) are Nancy Schon's copyright attorney. **Fill out the Application for Copyright Registration for Nancy Schon's sculpture.** If you are using a blue book, you may use Attachment 1C and fill in the blanks as appropriate. If you are using an electronic blue book, simply identify the box number (e.g. 1a., 1b., 1c., etc.) and type in what you would write (you do not need to retype the question from the form). I will assume that any box number not listed will be left blank. **This completed form is not the entire application. What is missing?**

b. Now I am changing the facts a little. We are still at today, May 2, 2009. Assume that the sculpture is nearly complete (but not done yet) and scheduled to be installed on October 4, 2009. **What would you recommend for a registration and why?**

c. Nancy began selling a small (4 inches by 24 inches) sculpture version of "Make Way for Ducklings" on April 1, 2008. Each work is signed and numbered, and up to 250 editions may be sold. **First, what are the benefits of copyright registration of this small sculpture now? Second, when would have been a better time to register and why? Third, do you have any advice for Nancy for her limited edition sales of her sculptures?**

2. **(20 points)** In 2001, the brothers Gerald and Benjamin Girsch began using the mark DESIGNED2SELL in connection with the services they provided to people who are selling their homes, which services included interior decorating, landscaping, and finding for vacant home owners tenants who will prepare the home for showings to potential buyers. The Girsch brothers filed a standard character trademark application listing the date of first use and describing the above services on May 27, 2004.

On January 1, 2004, Scripps Networks began using the mark DESIGNED TO SELL for a television program (aired on HGTV) involving interior decorating and landscaping services to assist homeowners with selling their homes. Scripps Networks filed its standard character trademark application on April 15, 2004.

I do not want you to get into the 13 DuPont likelihood of confusion factors. Rather, I want you to assume that there is a likelihood of confusion. This is a procedural/strategizing question.

a. **What will the examining attorney on the Girsch trademark application do – procedurally -- in his first office action as relates to the 2(d) problem?**

b. **What should be the Girsch applicants' strategy to obtain registration?**

3. **(15 points)** On October 13, 2008, Eternal Group of Companies, Inc. filed an application for the standard character mark ETERNITY for "funeral home services." You are Eternal Group's attorney. On February 13, 2009, the examining attorney issued an office action rejecting the application you filed based on Section 2(d) for the registered mark ETERNITY URNS for urns to hold ashes of the deceased. You research to learn more about ETERNITY URNS and find nothing on the Internet, so you pull up the TARR record for ETERNITY URNS to see a simple prosecution history, with the last entry being issuance of the Registration Certificate on February 28, 2003. **When should you file your response to the office action and why?** (Again, do not get into the likelihood of confusion factors; this is a procedural/strategizing question.)

4. **(20 points)** You are the IP attorney involved in documenting the sale of an ice skating rink business. The rink structures are sold under the federally registered mark ICEBOX, which carries registration number 3,233,718.

   a. In connection with the sale, the ICEBOX mark must be transferred to the purchaser. **What document do you draft to accomplish this? What is contained in that document? Where, if anywhere, is that document recorded?**

   b. The bank funding the purchase of the business is taking, among other things, the trademark registration as collateral for the loan, which is documented in a security agreement. **What should the attorney for the bank do with that signed document?**

5. **(15 points)** Your client wants to use the mark THE CURSE OF THE A-ROD on T-shirts and other apparel. It is a reference to the New York Yankees baseball player Alex Rodriguez, who is known as "A-Rod." Your client is a Red Sox fan who – as many Red Sox fans do – dislikes A-Rod, and would therefore use the apparel as a way to spread negative news about A-Rod. Your client intends to sell this product in Japan, various parts of the European Union, and in the U.S. **How do you advise your client?**

Lanham Act § 2 Rejection Bases

§ 1052. Trademarks registrable on principal register; concurrent registration

No trademark by which the goods of the applicant may be distinguished from the goods of others shall be refused registration on the principal register on account of its nature unless it—

(a) Consists of or comprises immoral, deceptive, or scandalous matter; or matter which may disparage or falsely suggest a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute; or a geographical indication which, when used on or in connection with wines or spirits, identifies a place other than the origin of the goods and is first used on or in connection with wines or spirits by the applicant on or after one year after the date on which the WTO Agreement (as defined in section 3501(9) of Title 19) enters into force with respect to the United States.

(b) Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof.

(c) Consists of or comprises a name, portrait, or signature identifying a particular living individual except by his written consent, or the name, signature, or portrait of a deceased President of the United States during the life of his widow, if any, except by the written consent of the widow.

(d) Consists of or comprises a mark which so resembles a mark registered in the Patent and Trademark Office, or a mark or trade name previously used in the United States by another and not abandoned, as to be likely, when used on or in connection with the goods of the applicant, to cause confusion, or to cause mistake, or to deceive: *Provided,* That if the Director determines that confusion, mistake, or deception is not likely to result from the continued use by more than one person of the same or similar marks under conditions and limitations as to the mode or place of use of the marks or the goods on or in connection with which such marks are used, concurrent registrations may be issued to such persons when they have become entitled to use such marks as a result of their concurrent lawful use in commerce prior to (1) the earliest of the filing dates of the applications pending or of any registration issued under this chapter; (2) July 5, 1947, in the case of registrations previously issued under the Act of March 3, 1881, or February 20, 1905, and continuing in full force and effect on that date; or (3) July 5, 1947, in the case of applications filed under the Act of February 20, 1905, and registered after July 5, 1947. Use prior to the filing date of any pending application or a registration shall not be required when the owner of such application or registration consents to the grant of a concurrent registration to the applicant. Concurrent registrations may also be issued by the Director when a court of competent jurisdiction has finally determined that more than one person is entitled to use the same or similar marks in commerce. In issuing concurrent registrations, the Director shall prescribe conditions and limitations as to the mode or place of use of the mark or the goods on or in connection with which such mark is registered to the respective persons.

(e) Consists of a mark which (1) when used on or in connection with the goods of the applicant is merely descriptive or deceptively misdescriptive of them, (2) when used on or in connection with the goods of the applicant is primarily geographically descriptive of them, except as indications of regional origin may be registrable under section 1054 of this title, (3) when used on or in connection with the goods of the applicant is primarily geographically deceptively misdescriptive of them, (4) is primarily merely a surname, or (5) comprises any matter that, as a whole, is functional.

(f) Except as expressly excluded in subsections (a), (b), (c), (d), (e)(3), and (e)(5) of this section, nothing in this chapter shall prevent the registration of a mark used by the applicant which has become distinctive of the applicant's goods in commerce. The Director may accept as prima facie evidence that the mark has become distinctive, as used on or in connection with the applicant's goods in commerce, proof of substantially exclusive and continuous use thereof as a mark by the applicant in commerce for the five years before the date on which the claim of distinctiveness is made. Nothing in this section shall prevent the registration of a mark which, when used on or in connection with the goods of the applicant, is primarily geographically deceptively misdescriptive of them, and which became distinctive of the applicant's goods in commerce before December 8, 1993.

A mark which when used would cause dilution under section 1125(c) of this title may be refused registration only pursuant to a proceeding brought under section 1063 of this title. A registration for a mark which when used would cause dilution under section 1125(c) of this title may be canceled pursuant to a proceeding brought under either section 1064 of this title or section 1092 of this title.

Copyright Registration
Ashlyn J. Lembree, Esq.
Spring, 2007

I. Brief Overview of Intellectual Property
   a. Patents (utility) are a type of protection available for new inventions, such as a new loom for weaving a new tapestry.
   b. Trademarks are words, logos, and slogans that identify the source of a product or service, such as the name LOOMAGIC for a new loom.
   c. Copyrights are used to protect any original, creative expression fixed in a tangible medium of expression, such as a newly-created tapestry design, an original jingle used to advertise the LOOMAGIC loom, the creative portions of the directions written on how to use the LOOMAGIC loom, and the moving picture which results in a commercial to sell the LOOMAGIC loom.
   d. Trade Secrets are any bits of information kept "secret" from outsiders, typically by fairly strong measures such as careful use of passwords, non-disclosure agreements, and other security measures. The company selling LOOMAGIC looms probably would maintain its customer lists as trade secrets, as it does not want the competing loom maker to target the LOOMAGIC customers. Or, a better example is Harry Potter book 7. The other day, J.K. Rowling was checking in to a flight from NY to London and carrying with her the HP7 manuscript. TSA wanted her to check the manuscript. She refused (and ultimately prevailed in being able to get on the plane with the manuscript). This is a very valuable trade secret, and it should be guarded, not checked where a luggage handler could get to it.

II. The Commerce of Intellectual Property
   a. Just like real property can be transferred by deed, intellectual property can be transferred by a contract. The first step is not to start writing a contract, but to identify – and possibly register – the intellectual property at issue.
      i. Patent holders have three different rights that accompany the patent: the right to <u>make</u> the invention, the right to <u>sell</u> the invention, and the right to <u>use</u> the invention. A patent holder can assign or license any one, two, or all three of these separate rights. For example, if the LOOMAGIC company hires a company in China to manufacture the LOOMAGIC loom, it will need to enter into a manufacturing agreement that will include a license to <u>make</u> the patented invention, but it will not include the rights to <u>use</u> or <u>sell</u> the invention.
      ii. Trademark holders can only sell the trademark with the goodwill associated with the mark; otherwise, the trademark is deemed abandoned. For example, the loom-making company described above cannot sell the LOOMAGIC name without also selling to the buyer of the name the patent for the LOOMAGIC loom and

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any special equipment and trade secrets needed to manufacture the LOOMAGIC loom. Trademark holders can license their trademarks for use by another, so long as the trademark holder exercises quality control measures over the licensees. Trademark licenses are often limited to geographic areas.

iii. The word copyrights is plural for a reason. The Copyright Act lists the following exclusive rights of a copyright owner, some rights being not necessarily applicable to all types of works: copy, prepare derivative works, distribute copies, perform, and display the work. Just like with patents, any one or more of these types of rights can be assigned or licensed. For example, J.K. Rowling can, and presumably did, grant a license to Warner Brothers to prepare derivative works to her "Harry Potter" books in the form of a screenplay and movie for each of her books.

iv. When trade secrets are transferred, it is by a contract under which all the documents pertaining to the trade secret are delivered to the buyer along with a promise for the seller to not disclose the trade secret. Depending on the trade secret, the seller may also serve as a consultant to the buyer to help the buyer use the trade secrets being transferred.

III. A Closer Look at Copyrights

a. Different Types of Works and Their Categorization by the Copyright Office

i. TX: Text - books (fiction and nonfiction), catalogues, computer source code, poetry, pages of text

ii. VA: Visual Arts - a painting, drawing, print, sculpture, or photograph existing in a single original and 200 or less consecutively numbered, signed limited edition copies (note: this limited edition requirement is applicable for purposes of moral rights, but when choosing a form, any mass produced visual art uses a VA form).

iii. PA: Performing Arts – these are works intended to be performed for an audience (live or through a radio, movie theater, TV, etc.). Examples are scripts, musical compositions (whether in music score form or performed, but where claiming the composition, not the performance), choreography, and motion pictures with accompanying sound.

iv. SR: Sound Recording – recordings of music, drama, or lectures (excluding movie sound tracks). For example, if a band performs a "cover" tune of another band (with permission to perform the derivative work), the new band can register the copyright in its particular performance of the cover tune with a SR form. One exception to the SR-just-claims-the-performance concept is that an SR is used where the claimant sends in a CD/cassette in which

he/she/they are performing a work (e.g. a song) that he/she/they also created.

v. SE – Serials – magazines, newspapers, and other repeat-publications.

b. The Registration Process

i. The Single Work Rule – one form per one single work per claimant; use the form type that best fits the work as a whole. For example, Harry Potter book 5 has 2 registrations: one TX for the literary portion for claimant J.K. Rowling, the other (VA) for the illustrations contained within the book (drawings at chapter headings, etc.) for claimant Mary GrandPre. For "joint works," where more than one person contributes to the unitary whole, separate copyright registrations can be made.

ii. Form Selection & Filling it Out – use the Single Work Rule and the list of categories above to choose whether to use a TX, VA, PA, or SR. Each of these is available in a "short form" (one page instead of two) at www.copyright.gov. Use the short form only if the author and claimant are the same, it is not a derivative work, and it is not a work for hire. The claimant sends in the registration, so if an author assigned a work to another person, the buyer can register the copyrights (unless the author already did so, per the Single Work Rule), and must describe the assignment in a block on the form.

iii. Mailing it in – Deposit(s), Best Edition, Radiation

1. A deposit must be submitted with the registration application – the deposit is simply a copy of your work
2. If the work is published (defined under "Why to Register and When"), you should submit 2 deposits. The first deposit is for the Copyright Office; the second deposit meets a requirement of the Library of Congress that all published works be sent to the Library of Congress within 3 months of publication. If the work is unpublished, you need only send in one deposit.
3. The deposits should be the best edition, which means the best version the claimant has for the work, such as hardcover rather than softcover book, CD rather than cassette, etc.
4. The Copyright Office radiates its mail as a result of the Anthrax scare a few years ago. I find the deposits make it to the Copyright Office in a better condition by using overnight mail services, such as UPS or FedEx (although they are supposedly radiated, too).
5. Keep a copy of the deposit!

iv. $45 Fee and Group Registrations to Save Money

1. A special rule under the Copyright Office permits photographers who sell a small amount of photographs per

Now $35 if file online and $45 to file on paper

year to submit all his or her photographs for registration in the year in one application. However, it would be advisable to nonetheless apply on a quarterly basis to preserve the right to claim statutory damages (discussed below in "Why to Register and When").

v. Copyright Office Review of the Application
    1. The Office mostly reviews to make sure the form is complete. It does not, for example, check to see if the work infringes another work.
    2. The registration certificate is not returned until 4 to 5 months after submission.
    3. The effective date of the registration is the date it is received by the Copyright Office (so long as it is not rejected for being, say, incomplete).
    4. When the Copyright Office returns the certificate (which is just your application photocopied onto this swirly-patterned, ocre-colored, heavy stock paper with a stamp in the corner), it does not return the deposit. When you get the certificate back, please match it to the deposit copy you kept at mail-in time so you have a complete package for your file.

c. Why to Register and When (despite Berne Convention protection of unregistered works)
    i. Statutory Damages!!!! – This is more important than you can possibly imagine. If a work is registered within three months of publication, the claimant in all likelihood has a right to claim statutory damages against an infringer of copyright. The most important aspects of statutory damages are (1) attorneys' fees, and (2) the damages of between $750 to $150,000 (a sliding scale – innocent infringers pay $750, regular infringers are somewhere in the middle, and willful infringers pay $150,000 per work infringed (regardless of the number of copies made)). The sad truth is that there are a lot of small independent artists out there whose work is infringed, but they cannot sue because they didn't timely register their work and to pay a lawyer to sue the infringer for the small amount of actual damages that they incurred just isn't worth it.
    ii. Submission to the Library of Congress (discussed above under "Deposits"). Technically, it is a violation or misdemeaner, fineable by up to $2,500 for failure to submit a copy of a published work to the Library of Congress. The statute (17 USC 407) provides the author with opportunities to "cure" the lapse, and I have never known of the Copyright Office pursuing authors for this requirement, but it is there.
    iii. Registration within 5 years of publication means that there is a legal presumption of validity of all the information contained within the registration (e.g. that person X is the author, that

corporation Y is the owner, that the work is wholly original, that it was created on Z date, and published on A date, etc.). If a law suit is ever filed, the author-plaintiff already has half of his/her work done. If the registration was not filed within 5 years, the plaintiff has to prove all those bits of information during the court case.

iv. Just filling out the copyright registration application is an excellent way to go through a checklist of all the important aspects of your work. Are you using someone else's work? Do you have permission to use it? Is it a work for hire? When was it created? When was it published?

v. "'Publication' is the distribution of copies or phonorecords of a work to the public by sale or other transfer of ownership, or by rental, lease, or lending. The offering to distribute copies or phonorecords to a group of persons for purposes of further distribution, public performance, or public display, constitutes publication. A public performance or display of a work does not of itself constitute publication."

d. Moral Rights – authors of works of visual arts (see the 200 or less limited edition definition above) have the right to claim authorship of the work, the right to prevent use of their name on works they did not create, and the right to prevent use of their name if their work is mutilated or distorted. This right cannot be assigned, but it can be waived. It is held only by the author and not the owner of the work.

e. Work for Hire - A "work made for hire" is--

(1) a work prepared by an employee within the scope of his or her employment; or

(2) a work specially ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire. For the purpose of the foregoing sentence, a "sup=plementary work" is a work prepared for publication as a secondary adjunct to a work by another author for the purpose of introducing, concluding, illustrating, explaining, revising, commenting upon, or assisting in the use of the other work, such as forewords, afterwords, pictorial illustrations, maps, charts, tables, editorial notes, musical arrangements, answer material for tests, bibliographies, appendixes, and indexes, and an "instructional text" is a literary, pictorial, or graphic work prepared for publication and with the purpose of use in systematic instructional activities.

f. Using Other Works in Your Work (i.e. creating a derivative work)

i. If the work you put into your work is not in the public domain, and it is not a "fair use" (discussed below), you must have permission to use it or else you are infringing the underlying work. There is

no easy way to tell if works are public domain unless they are very old, meaning published before approximately 1923.

ii. Fair Use - the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include--

(1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;

(2) the nature of the copyrighted work;

(3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and

(4) the effect of the use upon the potential market for or value of the copyrighted work.

g. Copyright Notice
© 2006 Ashlyn Lembree

IV. Art Contracts

a. The need for education on commissioned works – it is not an assignment to own the copyright; the author can produce copies.

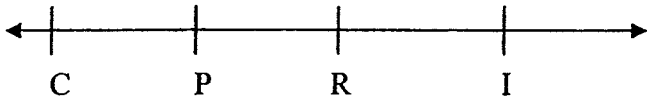
b. One option to consider is a contract for the sale of the physical object of the work of art which clearly states that the author is only selling the physical object, not any of the copyrights. The author may want to provide the commissioning party with the option to pay some multiple of the purchase price to obtain along with the physical object of the original work an assignment from the author of the copyrights. The author can ask for a license back to display a copy on catalogues, in a gallery, etc.

c. Selling to greeting card companies, home goods manufacturers, book publishers, etc. Often times artists' bargaining power is not terribly strong for these large companies, but artists should insist on what is important under the circumstances. For example, the artist wants to be paid frequently and fairly, the artist may not want to assign the right to create derivative works (i.e. if it is a book that ends up becoming wildly popular, the author does not want the publisher to make all the money on the movie rights), and the author may want to include restrictions on editing of the work.

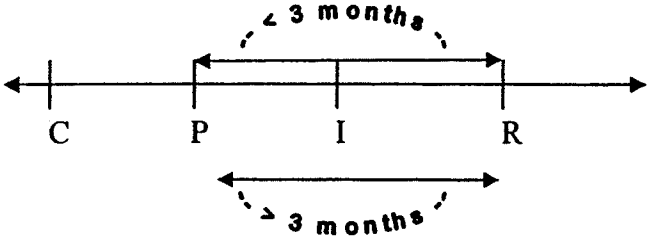
17 U.S.C. 412* Analysis
October, 2005

C = Creation	I = Infringement	SD = Statutory Damages	K = knowledge of I
P = Publication	R = Registration	AD = Actual Damages	PR = preregistration

Moral Rights under 106A(a) = SD

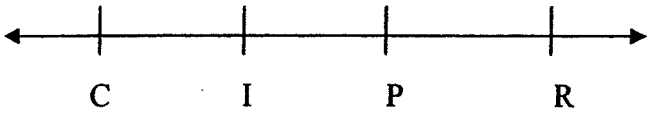


= SD



= SD

= AD

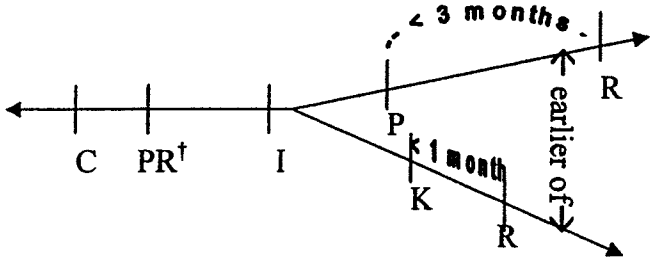


= AD



= AD

Action under 411(b) (live performance – see statute) = SD



= SD

* The statute, provides as follows:

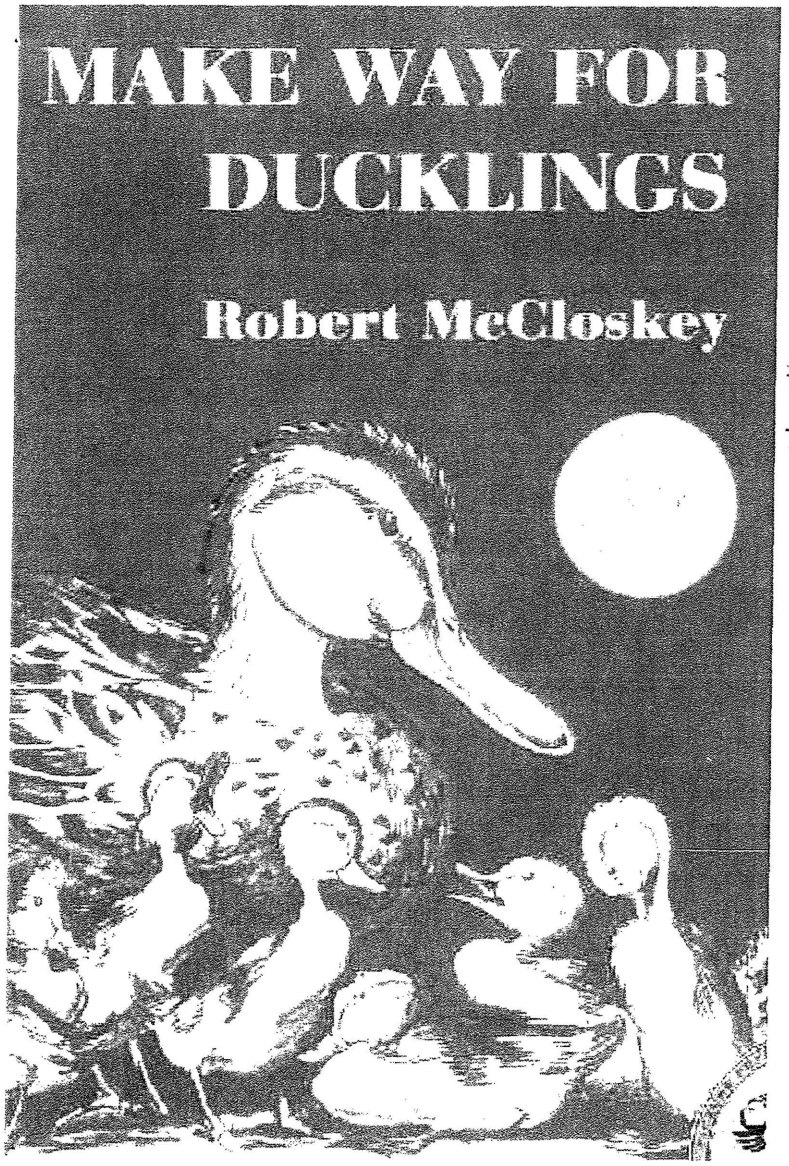
In any action under this title, other than
an action brought for a violation of the rights of the author under section 106A(a),
an action for infringement of the copyright of a work that has been preregistered under section 408(f) before the commencement of the infringement and that has an effective date of registration not later than the earlier of 3 months after the first publication of the work or 1 month after the copyright owner has learned of the infringement,
or an action instituted under section 411(b),
no award of statutory damages or of attorney's fees, as provided by sections 504 and 505, shall be made for –

(1) any infringement of copyright in an unpublished work commenced before the effective date of its registration; or
(2) any infringement of copyright commenced after first publication of the work and before the effective date of its registration, unless such registration is made within three months after the first publication of the work.

17 U.S.C. § 412 ("Registration as prerequisite to certain remedies for infringement").

† The following additional exception (shown in italics) to the no-statutory-damages rule was added to § 412 by P.L. 109-9, enacted on April 27, 2005: "In any action under this title, other than . . . *an action for infringement of the copyright of a work that has been preregistered under section 408(f) before the commencement of the infringement and that has an effective date of registration not later than the earlier of 3 months after the first publication of the work or 1 month after the copyright owner has learned of the infringement* . . ., no award of statutory damages or of attorney's fees, as provided by sections 504 and 505, shall be made for ... "

Attachment 1A

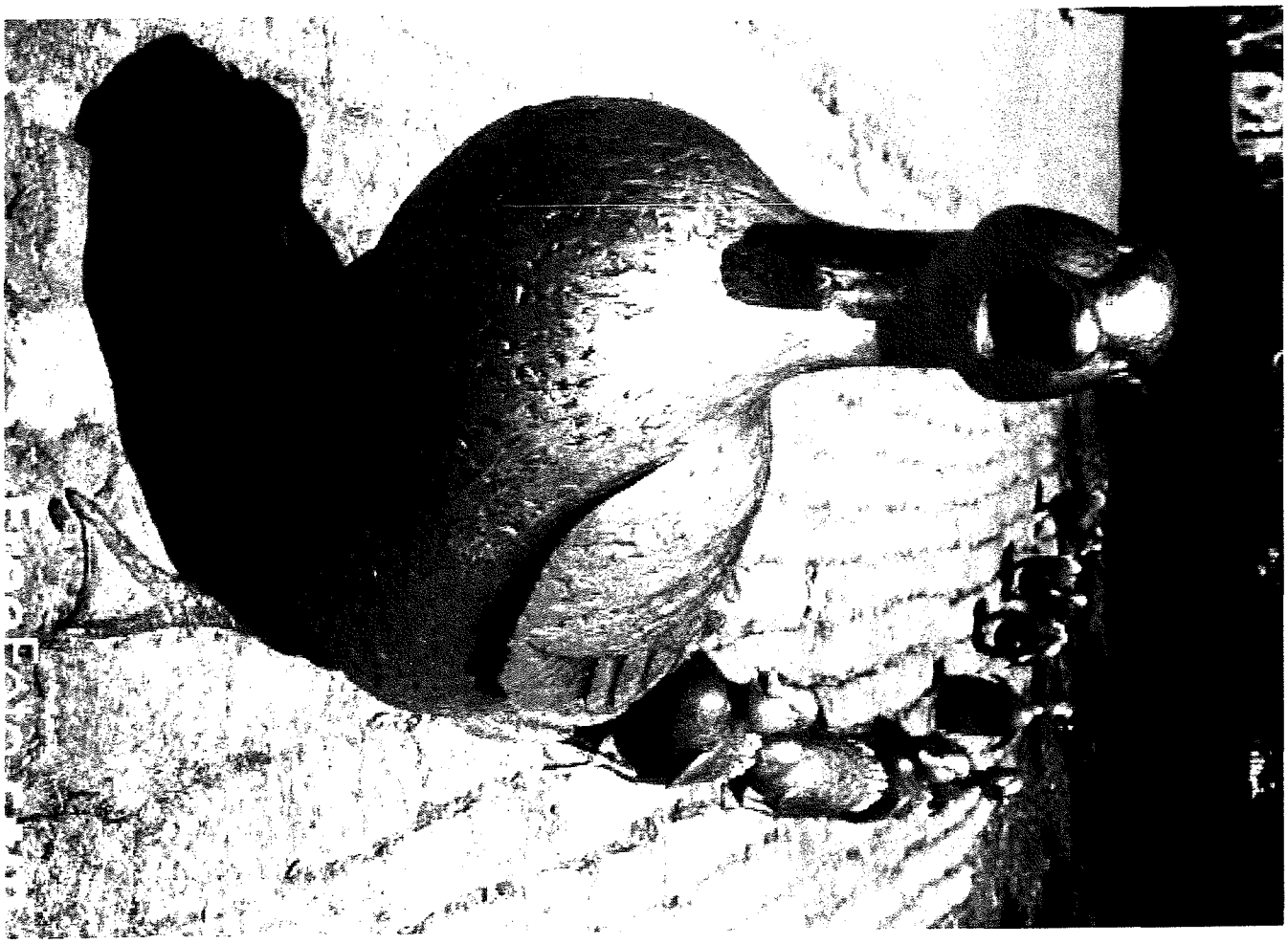


Book Cover

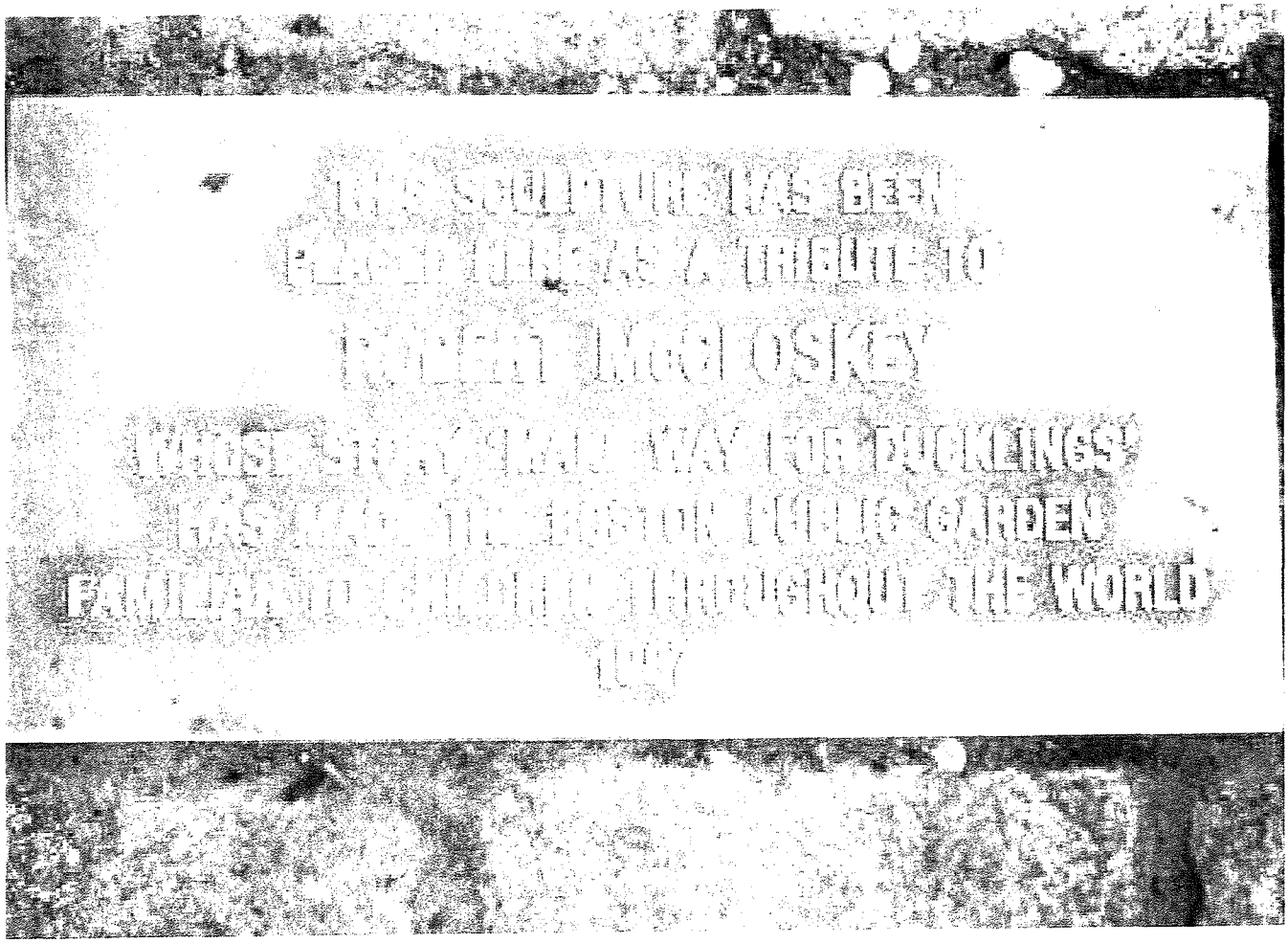


Illustration in the book

Attachment 15



"Make Way for Ducklings" Sculpture
by Nancy Schon



Plaque at sculpture location

Attachment 1C

UNITED STATES COPYRIGHT OFFICE

Form CO · Application for Copyright Registration

THIS APPLICATION IS INCOMPLETE AND CAN NOT BE SUBMITTED

APPLICATION FOR COPYRIGHT REGISTRATION

*** Designates Required Fields**

1 WORK BEING REGISTERED

1a. * Type of work being registered (*Fill in one only*)

☐ Literary work	☐ Performing arts work
☐ Visual arts work	☐ Motion picture/audiovisual work
☐ Sound recording	☐ Single serial issue

ApplicationForCopyrightRegistration

1b. * Title of this work (*one title per space*)

WorkTitles

1c. For a serial issue: Volume ____ Number ____ Issue ____ ISSN ____

Frequency of publication: ____

1d. Previous or alternative title

1e. * Year of completion ____

Publication *(If this work has not been published, skip to section 2)*

1f. Date of publication ____ *(mm/dd/yyyy)* **1g.** ISBN ____

1h. Nation of publication ☐ United States ☐ Other

Privacy Act Notice

Sections 408-410 of title 17 of the *United States Code* authorize the Copyright Office to collect the personally identifying information requested on this form in order to process the application for copyright registration. By providing this information you are agreeing to routine uses of the information that include publication to give legal notice of your copyright claim as required by 17 U.S.C. § 705. It will appear in the Office's online catalog. If you do not provide the information requested, registration may be refused or delayed, and you may not be entitled to certain relief, remedies, and benefits under the copyright law.

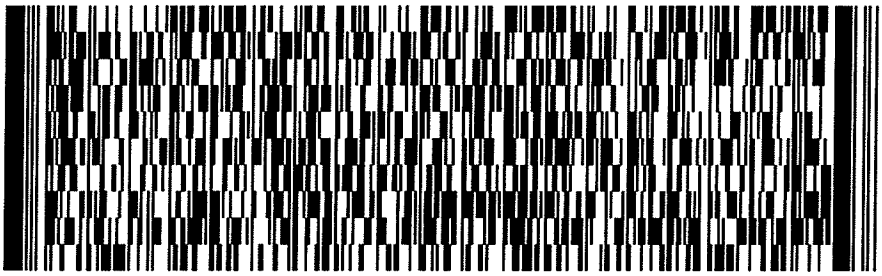
1i. Published as a contribution in a larger work entitled

1j. If line 1i above names a serial issue Volume Number Issue

On pages

1k. If work was preregistered Number PRE-

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2 AUTHOR INFORMATION

2a. Personal name ** complete either 2a or 2b*

First Name | Middle | Last

2b. Organization name

2c. Doing business as

2d. Year of birth **2e.** Year of death

2f. * ☐ Citizenship ☐ Domicile

2g. Author's contribution: ☐ Made for hire ☐ Anonymous ☐ Pseudonymous

Continuation of Author Information

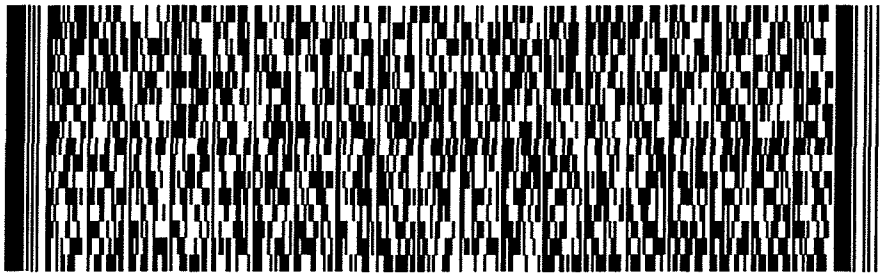
2h. * This author created *(Fill in only the authorship that applies to this author)*

☐ Text/poetry	☐ Compilation	☐ Map/technical drawing	☐ Music
☐ Editing	☐ Sculpture	☐ Architectural work	☐ Lyrics
☐ Computer program	☐ Jewelry design	☐ Photography	☐ Motion picture/audiovisual
☐ Collective work	☐ 2-dimensional artwork	☐ Script/play/screenplay	☐ Sound recording/performance

Other:

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AuthorInformation

3 COPYRIGHT CLAIMANT INFORMATION

Claimant ***complete either 3a or 3b*** - If you do not know the address for a claimant, enter "not known" in the Street address and City fields.

3a. Personal name

First Name | Middle | Last

3b. Organization name

3c. Doing business as

3d. Street address *

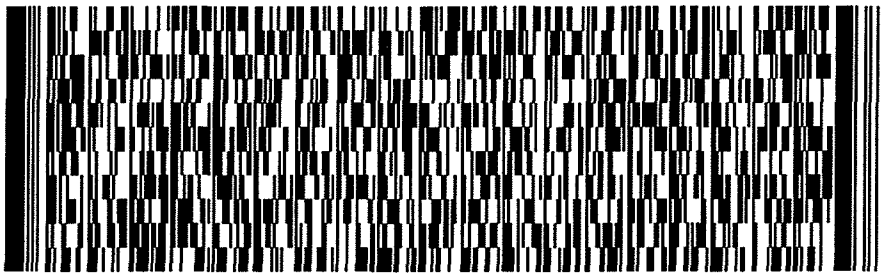
Street address (line 2)

City * | State | ZIP / Postal code | Country

Email | Phone number (*Add "+" and country code for foreign numbers*)

3e. If claimant is **not** an author, copyright ownership acquired by: ☐ Written agreement ☐ Will or inheritance ☐ Other

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CopyrightClaimantInformation

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4 LIMITATION OF COPYRIGHT CLAIM

Skip section 4 if this work is all new.

4a. Material excluded from this claim *(Material previously registered, previously published, or not owned by this claimant)*

☐ Text ☐ Artwork ☐ Music ☐ Sound recording/performance ☐ Motion picture/audiovisual

Other:

4b. Previous registration(s) Number Year

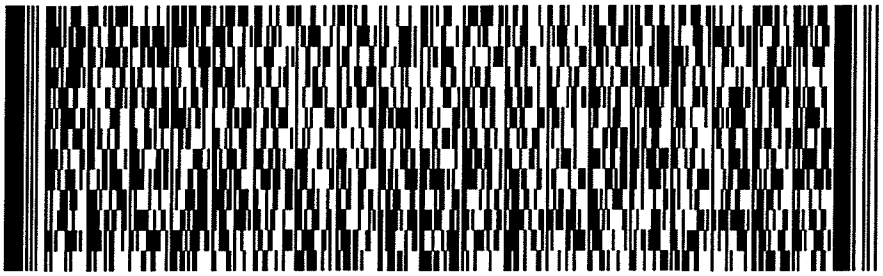
Number Year

4c. New material included in this claim *(This work contains new, additional, or revised material)*

☐ Text	☐ Compilation	☐ Map/technical drawing	☐ Music
☐ Poetry	☐ Sculpture	☐ Architectural work	☐ Lyrics
☐ Computer program	☐ Jewelry design	☐ Photography	☐ Motion picture/audiovisual
☐ Editing	☐ 2-dimensional artwork	☐ Script/play/screenplay	☐ Sound recording/performance

Other:

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LimitationOfCopyrightClaim

5 RIGHTS AND PERMISSIONS CONTACT

☐ Check if information below should be copied from the **first** copyright claimant

First Name Middle Last

Name of organization

Street address

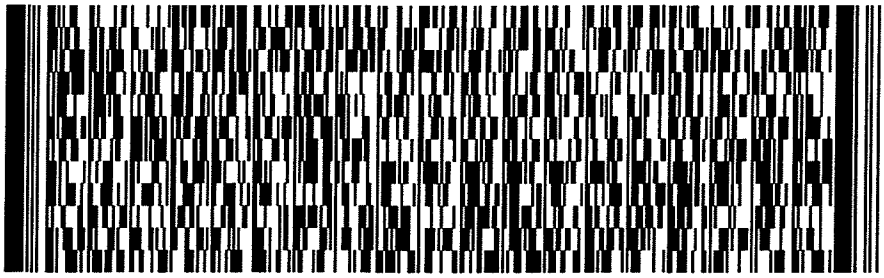
Street address (line 2)

City State ZIP / Postal code Country

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Email | Phone number (*Add "+" and country code for foreign numbers*)

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RightsAndPermissionsContact

6 CORRESPONDENCE CONTACT

☐ Copy from **first** copyright claimant ☐ Copy from rights and permissions contact

First name * | Middle | Last *

Name of organization

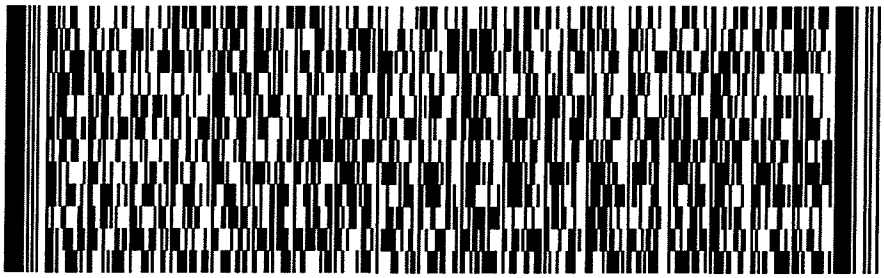
Street address *

Street address (line 2)

City * | State | ZIP / Postal code | Country

Email * | Daytime phone number (*Add "+" and country code for foreign numbers*)

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CorrespondenceContact

7 MAIL CERTIFICATE TO:

*** Complete either 7a, 7b, or both**

☐ Copy from **first** copyright claimant ☐ Copy from rights and permissions contact ☐ Copy from correspondence contact

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7a. First Name	Middle	Last

7b. Name of organization

7c. Street address *

Street address (line 2)

City *	State	ZIP / Postal code	Country

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8 CERTIFICATION

17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than $2,500.

I certify that I am the author, copyright claimant, or owner of exclusive rights, or the authorized agent of the author, copyright claimant, or owner of exclusive rights, of this work, and that the information given in this application is correct to the best of my knowledge.



8a. Handwritten signature

8b. Printed name

5/1/2009

8c. Date signed

8d. Deposit account number

Account holder

8e. Applicant's internal tracking number (optional)

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