Oral Argument Not Yet Scheduled

No. 21-5203

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

VALANCOURT BOOKS, LLC,
Plaintiff-Appellant,

v.

MERRICK B. GARLAND, ATTORNEY GENERAL; SHIRA PERLMUTTER, IN HER OFFICIAL CAPACITY AS THE REGISTER OF COPYRIGHTS FOR THE UNITED STATES COPYRIGHT OFFICE,
Defendants-Appellees.

On Appeal from the United States District Court
for the District of Columbia

BRIEF OF THE NISKANEN CENTER AS *AMICUS CURIAE* IN SUPPORT OF APPELLANT

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CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

A. Parties and Amici

Plaintiff-Appellant is Valancourt Books, LLC, a limited liability company incorporated in Virginia. Defendants-Appellees are Merrick B. Garland, in his official capacity as the Attorney General of the United States, and Shira Perlmutter, in her official capacity as the Register of Copyrights of the U.S. Copyright Office. Zvi S. Rosen and Brian L. Frye, and the Association of American Publishers have filed amici briefs in support of Appellant. No other parties or amici have yet appeared.

B. Rulings Under Review

This appeal seeks review of the order and opinion entered by the district court granting summary judgment to the defendants. The order and opinion are reproduced at pages 174 and 175–200 of the Joint Appendix, respectively. The opinion below has also been published at 2021 U.S.P.Q.2D (BNA) 791.

C. Related Cases

Amicus Niskanen Center is unaware of any related cases.

RULE 26.1 DISCLOSURE STATEMENT AND CIRCUIT RULE 29(d) STATEMENT

Pursuant to Circuit Rule 26.1, amicus Niskanen Center states that it is a 501(c)(3) nonprofit corporation, that it has no parent corporation, and that no publicly held corporation owns 10% or more of its stock.

Pursuant to Circuit Rule 29(d), amicus Niskanen Center states that a brief separate from the ones filed by amici Zvi S. Rosen and Brian L. Frye and amicus Association of American Publishers (AAP) is necessary because Niskanen's brief addresses the issue of copyright abandonment and the resources the Copyright Office makes available to the public, while Professors Rosen and Frye deal with the history of the Copyright Act in general, and the deposit requirement in particular, since 1790, and AAP addresses the concerns of the publishing industry; Niskanen believes that there is no practicable way to combine these disparate subjects into a single brief.

IDENTITY AND INTEREST OF AMICUS CURIAE[1]

The Niskanen Center is a nonpartisan 501(c)(3) public policy think tank working to protect private property rights, economic liberty, and well-functioning markets, and to roll back regressive regulations that restrict freedom of exchange and increase inequality. Because each of these interests is implicated in the law of intellectual property, Niskanen participates broadly in public policy debates about the intersection of intellectual and physical property.[2]

Niskanen submits this brief to address two discrete issues. The first is the District Court's fundamental misunderstanding of copyright abandonment. The Copyright Office argued that by including a notice of copyright in the books at issue, Valancourt affirmatively "opted into a special government benefits framework", and thereafter "declined to opt out of receiving such benefits" by abandoning the copyrights. Memorandum in Support of Defendants' Motion for Summary Judgment, ECF 17-1, ("Defs' SJ Br."), p. 22. The District Court then uncritically accepted this position, opining that Valancourt took advantage of the statutory framework created by the Copyright Act and did not choose to "avoid the

[1] Pursuant to Rule 29(a)(4)(E), Niskanen's counsel states that they authored this brief in whole, and no party, counsel for any party, or any other person contributed money that was intended to fund preparing or submitting the brief.

[2] The Niskanen Center also submits and joins amicus briefs in intellectual property cases, *e.g.*, *United States v. Arthrex*, 141 S.Ct. 1970 (2021); *Google, LLC v. Oracle America, Inc.*, 141 S.Ct. 1183 (2021).

deposit obligation by filing a notice of abandonment of the copyrighted work with the Copyright Office." JA 198.

Appellant Valancourt and Amici Zvi Rosen and Brian Frye have shown why initially including a notice of copyright in Valancourt's books did not confer any added "special government benefits" beyond those Valancourt already enjoyed automatically as a matter of law (Brief of Appellant, pp. 26-29; Amicus Brief of Zvi S. Rosen and Brian L. Frye, pp. 25-28). Niskanen will add only that by the District Court's logic, a bookstore owner who stamped "Theft of this book is a crime punishable under Title 22 of the Code of the District of Columbia" on her stock has similarly taken advantage of "special government benefits" such that the D.C. government could demand free copies of those books as well.

More to the point, Niskanen explains below that that even if Valancourt *could* abandon the copyrights at issue (which may not be able to in many circumstances)[3] the idea that a publisher who "chooses" not to abandon the copyrights is affirmatively taking advantage of the Copyright Act is bizarre. Valancourt could not have "chosen" not to abandon its copyrights for the simple

[3] Many of the books in question "contain material in which copyright is held by parties other than Valancourt" (Joint Stipulation of Facts, ECF 17-3, p. 6), but only the "copyright owners" can abandon a copyright. *Compendium of U.S. Copyright Office Practices* (3d ed. 2017), § 2311 p. 74.

reason that neither Valancourt nor, Niskanen believes, most small publishers, have any idea that it is even possible to do so.

Neither the Copyright Act nor the Office's regulations contain any mention of abandonment, and the only information Niskanen could find – or the Office cites – on abandonment is in the *Compendium of U.S. Copyright Office Practices* (3d ed. 2017) ("*Compendium"*).[4] As Niskanen shows below, the chances of someone who is not intimately familiar with the particulars of copyright law hitting upon the *Compendium*, and the two (out of 1,300) of its pages that deal with copyright abandonment, are low. Moreover, nothing in those two pages even hints that abandonment will obviate § 407(a)'s deposit requirement. If abandonment truly has the effect of satisfying the deposit requirement, the Copyright Office has failed to properly inform those subject to the deposit requirement of the full range of options available to them.

But abandonment is unlikely to have that effect, because the Copyright Office first floated the option of abandonment to avoid the deposit requirement not in its correspondence with Valancourt or its counsel, but only in its summary

[4] The *Compendium* is "the administrative manual of the Register of Copyrights concerning Title 17 of the United States Code and Chapter 37 of the Code of Federal Regulations. It provides instruction to agency staff regarding their statutory duties and provides expert guidance to copyright applicants, practitioners, scholars, the courts, and members of the general public regarding institutional practices and related principles of law." *Compendium*, p. 1.

judgment brief. Because § 407(a) mandates that the deposit be made "within three months after the date of such publication", and the Office never explains how abandoning a copyright years later could retroactively relieve Valancourt of that obligation, this appears to be nothing more than a mere litigation position taken by counsel.

Niskanen's second point is that the Office's argument that the deposit requirement is somehow not a taking because a publisher may avoid it by means of an alternative taking – the hefty fee required to record abandonment and surrender of property interests in the abandoned copyrights – is absurd. Forcing someone to choose between the loss of private property via the deposit requirement and the loss of intellectual property (and money) via abandonment is no choice at all.

INTRODUCTION

Perhaps taking its cue from the fact that the Copyright Act makes no mention of it, the Copyright Office works to obscure the concept of copyright abandonment. Copyright abandonment appears nowhere in the Office's regulations; it is only if a publisher stumbled upon the *Compendium* that it would discover that it was possible to abandon a copyright.

Moreover, a publisher in Valancourt's position is little better off having made this discovery, since the *Compendium* says nothing about the effect of a "notice of abandonment" on the deposit requirement. Contrary to what it told the

District Court, the Copyright Office will accept and record a notice of abandonment – and pocket the required fee – without ever saying a word to the publisher about any effect this may have on the deposit requirement; in fact, "[t]he Office will record an abandonment as a document pertaining to copyright without offering any opinion as to the legal effect of the document." *Compendium*, § 2311. Thus, even if against all odds a publisher discovered that it is possible to abandon a copyright, it would have no reason to believe that it was no longer subject to the deposit requirement.

Consistent with the Act, the Office's regulations, and the *Compendium*, the Office's correspondence with Mr. Jenkins said nothing about the effect of abandonment on the deposit requirement. At no point did the Office say that Valancourt had the option of abandoning its copyrights as an alternative to complying with the deposit requirement. In fact, it was not until its summary judgment brief below that the Office proposed that abandonment would have relieved Valancourt of this requirement. But, as the record shows, it would have been impossible for Valancourt to take advantage of such relief, as Valancourt did not own the copyright in much of the material at issue, having published it under licensing agreements. Brief of Appellant, p. 4.

Even if those practical and legal difficulties had not made it impossible for Valancourt to abandon these copyrights, it is questionable whether, as a matter of

law, the Act allows Valancourt to avoid the deposit requirement by doing so. Because § 407(a) mandates that the deposit be made "within three months after the date of such publication", the Copyright Office never explains how abandoning a copyright years later – as would be the case with Valancourt, if it owned all the copyrighted materials at issue – can retroactively relieve the publisher of that obligation. Nevertheless, in finding that Valancourt affirmatively took advantage of the Copyright Act, the District Court expressly relied on the Office's argument that Valancourt "could avoid the deposit obligation by filing a notice of abandonment of the copyrighted work". JA 193. Because there appears to be no basis in law for the Office's assertion, the District Court's conclusion is based on nothing more than a convenient litigating position taken by counsel.[5]

ARGUMENT

I. AS A PRACTICAL MATTER, THE COPYRIGHT OFFICE HAS MADE ABANDONMENT EXTREMELY DIFFICULT.

A. Copyright Abandonment is an Obscure Doctrine.

James Jenkins, Valancourt's owner, testified that he does not know of a practical way to "abandon" the copyright in books it publishes. Before he became a

[5] By regulation, the Copyright Office may, "upon such conditions as the [Copyright Office] may determine" grant an exemption from 407(a)'s deposit requirements. 37 CFR 202.19(e)(1)(i). Presumably "such conditions" do not include separately violating the Takings Clause by demanding both Valancourt's money (the fees required to file the multiple notices of abandonment, see p. 16 below) and surrender of Valancourt's property interests in those copyrights.

plaintiff in this case, Jenkins had never heard of the idea of formally "abandoning" copyright (JA 150):

> I do not know of a practical way for Valancourt to abandon the copyright in all of the books it publishes. . . . [A]s far as I am aware, there is no straightforward or legally binding process by which they could do so. Before I became a plaintiff in this case, I had never even heard of the idea of abandoning copyright[.]

Valancourt is not alone. Take, for example, Tom Lehrer, an acclaimed musical satirist (with more than a half million albums sold)[6], a published mathematician,[7] and a former employee of the National Security Agency.[8] In 2020, Lehrer made available to the world on his website "all the lyrics herein and all the music herein…as though they were in the public domain." ("Songs and Lyrics by Tom Lehrer".) Despite his obvious education and intellectual abilities, Lehrer, like Valancourt, did not conceive of abandonment as an option, declaring: "There is no legal way to unilaterally transfer a song into the public domain, so this disclaimer is intended as an end run around the copyright laws." *Id*.

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[6] "Tom Lehrer Album Sales" BestSellingAlbums.org All pages cited were last visited February 17, 2022, unless otherwise specified.

[7] *See:* R. Fagen and T. Lehrer, "Random Walks with Restraining Barrier as Applied to the Biased Binary Counter." *See also:* T. Austin, R. Fagen, T. Lehrer, W. Penney, "The Distribution of the Number of Locally Maximal Elements in a Random Sample.:

[8] Andrew Robinson, "Tom Lehrer at 90: A Life of Scientific Satire." Mr. Lehrer also claims to be the inventor of the Jell-O shot (Jack Boulware, "That Was the Wit That Was").

Copyright abandonment has arisen in two contexts. The first is as an affirmative defense to an infringement claim, but since this requires an alleged infringer, a copyright holder who wanted to *defend* its ownership of the copyright, a suit for infringement, and a decision in favor of the defendant by reason of abandonment. It is obviously of no practical use to a copyright owner *who wants* to abandon a copyright (and the process would not conclude until long after § 407's three-month deadline to deposit the required copies).[9]

B. The Copyright Act, the Office's Regulations, and the *Compendium* Provide Little or No Information About Abandonment

The second situation involving copyright abandonment is by filing "an affidavit, declaration, statement, or any other document" to that effect with the Copyright Office. *Compendium* § 2311. The Copyright Office asserted below that "Plaintiff could have taken steps to divest its copyright interest, including by notifying the Copyright Office that it was abandoning its copyright…and would allow the Office to record a document to that effect." Defs' SJ Br., p. 24. Valancourt would then "not [be] subject to the deposit requirement because it is no

[9] It is ironic, then, that the Copyright Office cites just such a case (*Micro Star v. Formgen Inc.*, 154 F.3d 1107 (9th Cir. 1998)) as evidence of how Valancourt could have abandoned its copyright. Memorandum in Support of Defendants' Motion for Summary Judgment, ECF 17-1, p. 22. *See generally*, Dave Fagundes & Aaron Perzanowski, "Abandoning Copyright", Case Research Paper Series in Legal Studies (November, 2020) for analysis of 293 state and federal opinions from 1834 to 2019 dealing substantively with abandonment.

longer 'the owner of copyright or of the exclusive right of publication' in that work." *Id*.

This was news to Valancourt. As noted above, the 1976 Copyright Act does not provide that a notice of abandonment relieves a publisher of the deposit requirement; in fact, it says nothing about abandonment at all. Like the Copyright Act, none of the Office's regulations (37 CFR 200-221) say anything at all about copyright abandonment as such, and the deposit requirement regulation (37 CFR 202.19, "Deposit of published copies or phonorecords for the Library of Congress") does not say that a notice of abandonment relieves a publisher of the deposit requirement.

It is not until an inquirer reaches the *Compendium* that even the mention of abandonment appears. Section 2311 tells the reader that, "The U.S. Copyright Office may record an affidavit, declaration, statement, or any other document purporting to abandon a claim to copyright or any of the exclusive rights granted to copyright owners under Sections 106 or 106A of the Copyright Act" (*Compendium*, Chapter 2300, p. 74), but does not explain what the effect of such a recorded notice is. Quite the opposite: "The Office will record an abandonment as a document pertaining to copyright without offering any opinion as to the legal effect of the document." *Id*., p. 75.

The Office defended this reticence below as "consistent with the Office's general practice with respect to all recorded documents" (Defendants' Combined Memorandum in Support of Their Motion for Summary Judgment and in Opposition to Plaintiff's Cross-Motion for Summary Judgment ("Defs' SJ Reply Br."), ECF 20, p. 15, n. 6), but that is no answer. It may make sense vis-à-vis the legal relationship between the person submitting a document for recordation and any third party, but it makes no sense when applied to the relationship between that person and the Copyright Office itself. And so, while the Office told the District Court that it would accept abandonment in lieu of the demanded deposit, in practice the Office refuses to state whether such a notice has any legal effect at all, let alone that it means that a work is no longer subject to the deposit requirement.[10]

The Office's reluctance to make such a statement is understandable, as there is no apparent basis for saying that § 407(a)'s requirement that copies be deposited within three months of publication can years later be retroactively avoided by abandoning the copyright.

But even finding this one bit of information on abandonment is an undertaking and, as far as Niskanen can discover, § 2311 has the only substantive

[10] As justification for the claim that a notice of abandonment is sufficient vis-a-vis the Copyright Office (even if the Copyright Office itself will not affirm that claim), the Office points to *J2F Productions, Inc. v. Sarrow*, 2011 WL 13185746 (CDCA; 2011) as standing for the proposition that a notice of abandonment is sufficient to establish that copyright has been abandoned. Defs' SJ Reply Br., p. 16.

information about abandonment to be found on the Office's website. To begin, there is no "abandonment" section on the Copyright Office's homepage. The dropdown menu for "recordation" only has three links: "Recordation Overview," "Recordation of Transfers and Other Documents," and "Notices of Termination." Going to the page for Recordation Overview, there is no mention of abandonment.[11] This page has several links in a section entitled "More Information about Recordation." These include links to Circular 12A, "Calculating Fees for Recording Documents and Notices of Termination," "Information about submitting other types of documents to the Copyright Office" and Form DCS, "Document Cover Sheet." None of these documents make any mention of abandonment.

An intrepid user may eventually try the link on this page for the *Compendium's* "Chapter 2300: Recordation". This will open in a new tab an intimidating PDF where a user may eventually find, on the fifth page of the Table of Contents, a reference to Section 2311, "Abandonment".

A user searching the terms "abandon" or "abandonment" on the Copyright Office website's search field finds no clear path Section 2311. All but one of the results on the first full page of results for "abandon" have nothing to do with

[11] For a step-by step demonstration of the navigation the Niskanen Center made of the Copyright Office's website in search of abandonment, see "Niskanen Center Navigation of Copyright Office Website", at https://www.niskanencenter.org/wp-content/uploads/2022/02/ValancourtScreenshots.pdf.

abandoning copyrights, and instead only return results that contain the word "abandon" and its derivatives, e.g., ". . . the deposit copy(ies) To cancel or **abandon** a basic registration" refers to the page on Supplementary Registration; ". . . 1976 revision of the copyright law **abandoned** the two-term copyright for all works . . . extended by an additional 20 years" refers to May 25, 2000 testimony on sound recordings as works for hire before a House Subcommittee; and ". . . presents the most extreme option, **abandoning** a more than century-old structure" refers to a page on the US Intellectual Property Organization Act. (Emphases in original). The only result on the first page that even hints at abandonment is a result for Circular 8: Supplementary Registration (". . . cancel or **abandon** a registration. For more information on **abandonment**, see chapter"). (*Id.* Emphases in original). Circular 8 includes a passage that states, "To cancel or abandon a registration. For more information on abandonment, see chapter 2300, section 2311 of the *Compendium*." (Circular 8, p.3) Though this does direct the user to the correct section in the *Compendium*, "cancel[ing] or abandon[ing]" *registration* is different from abandoning *copyright*, and the Office claims that only the latter act will allow a publisher to escape the deposit requirement.

Only on the second page of results is a result titled "Compendium_Chapter_Template" with the quotation "2311 **Abandonment**

.....copyright). • Notices of termination. • **Abandonments**". (Emphases in original).

A search for the more specific term "abandon copyright," is, ironically, less helpful. The first page of results contains a reference to the 2014 version of the *Compendium* in its entirety, while the second page directs the user to Circular 8, which, as noted above, directs the user to *Compendium* Chapter 2311 via reference to abandoning registration. Each user's experience may vary, but Niskanen embarked on this search knowing what it was looking for. Someone who is not familiar with copyright law or the internal functioning of the Copyright Office beyond receipt of a demand letter is unlikely to fare much better.

C. The Copyright Office's Demands to Valancourt Made No Mention of Abandonment.

Nor, when the Copyright Office began its campaign against Valancourt, did it ever say anything to Mr. Jenkins about abandoning the copyright as an alternative to depositing the required copies. The June 11, 2018 cover email from the Office to Mr. Jenkins and attaching the "Notice for Mandatory Deposit of Copies" made no mention of abandonment. JA 22-23. When directing Valancourt to "more information about Copyright Mandatory Deposits", the email included links to no fewer than five Copyright Office Circulars: No. 1 ("Copyright Basics"), No. 2 ("Copyright Registration"), No. 7B ("Best Edition of Published Copyrighted Works for Collections of the Library of Congress"), No. 7C ("Responding to a

Mandatory Deposit Notice by Registering Your Work"), and No. 7D ("Mandatory Deposit of Copies or Phonorecords for the Library of Congress") -- none of which mention abandonment. JA 22.

The "Notice for Mandatory Deposit of Copies" (JA 24), attached to the June 11 email, was also silent as to abandonment. "For more information", it directed Mr. Jenkins to the "Mandatory Deposits" page of the Copyright Office's website (www.copyright.gov/mandatory); this page also makes no mention of abandonment.

Following Mr. Jenkins' response to the June 11 email, on August 8, 2018, the Office sent a second cover email (JA 27-28) attaching a second "Notice for Mandatory Deposit of Copies" (JA 32) also dated August 8. Like the June 11 documents, neither of these said anything about abandonment.

It is noteworthy that even though the Copyright Office does not provide information about copyright abandonment to recipients of deposit demand letters, it takes several opportunities to nudge them to register their copyrights. For example, the June 11 Notice for Mandatory Deposit of Copies states that Valancourt "may also want to consider the additional benefits of copyright registration" (JA 24); the link to the Mandatory Deposits page lists one frequently asked question as, "What is the difference between mandatory deposit and copyright registration?" and the answer that, "[o]ptional registration fulfills

mandatory deposit requirements" ("Mandatory Deposits") and Circular 7C is a useful guide that walks the reader through the process of registering a work in response to a mandatory deposit notice. The Copyright Office made a conscious decision to inform demand letter recipients about registration as an option, but it says nothing about abandonment despite its claim that it is an equally valid response.

II. BOTH THE DEPOSIT REQUIREMENT AND THE ABANDONMENT ALTERNATIVE ARE TAKINGS.

Section 407(a)'s deposit requirement is a taking because (assuming that demands for copies of published material are a public use), the government provides no "just compensation" (or any compensation) in return. U.S. Const. Amend. V. Because § 407(a) expressly states that "[n]either the deposit requirements of this subsection nor the acquisition provisions of subsection (e) are conditions of copyright protection", the District Court's opinion relies on Valancourt receiving a separate benefit, aside from copyright protection itself, by including a notice of copyright in its books. JA 187-88 and n. 8. The idea that by making a *purely factual statement about federal law*, someone has acquired a benefit such that the government is then entitled to payment in exchange is both bizarre and frightening. If that is true, then the government can just as well demand payment from a bookstore owner who posts a sign saying that shoplifters are liable to prosecution under the District of Columbia Criminal Code.

The Office's "abandonment alternative" to providing the required deposit copies is equally a taking, in two ways. It not only requires a publisher to surrender its statutorily-created property interest in the copyrights, but forces the publisher to pay for the privilege of doing so. Anyone who "fix[es] in any tangible medium of expression" an "original work of authorship" receives the benefit of copyright (17 U.S.C. 102(a)), but then placing a high barrier to disclaiming that automatic benefit to avoid the surrender of physical property only creates an opportunity to choose between two different takings.

A publisher who owns all the copyrighted material (unlike Valancourt) and chooses to abandon it, will pay a pretty penny to do so. The Office originally demanded 341 books from Valancourt, which would cost Valancourt $2,165 in filing fees *if* it were fortunate enough to discover Copyright Office Circular 4 ("Copyright Office Fees"), *and* infer that Circular 4 indeed applies to notices of abandonment.[12] Alternatively, it would cost Valancourt $42,625 if it (not

[12] "The fee to record a document [pertaining to a copyright] of any length including no more than one work . . . is $125. Additional works and alternate identifiers (additional titles and registration numbers) are another $60 for each group of ten or fewer additional works and alternate identifiers referenced in the same document. (Copyright Circular 4: p. 2.)

unreasonably) assumed from that section and ambiguous language in § 2311 that it had to file a separate notice for each work.[13]

CONCLUSION

For the reasons stated herein and in Appellant Valancourt's brief, the Court should reverse the decision below and remand with instructions to enter judgment for Valancourt.

Respectfully submitted,

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[13] The Copyright Office claims that § 2311 "contemplat[es]" a single abandonment notice listing multiple works (Defs' SJ Reply, p. 15). However, the language in § 2311 is ambiguous at best (hence "contemplates"), and indeed some sophisticated publishers apparently believe they must file a separate notice for each copyright abandoned, *e.g.*, Exhibit 1 hereto, four separate notices of abandonment of copyright filed by Random House, Inc. on February 24, 1978, and recorded by the Copyright Office on February 27, 1978, in Volume 1653 at pp. 352, 353, 354, and 355, respectively, for *Babar Goes to a Picnic, Babar the Gardener, Babar Goes Skiing,* and *Babar at the Seashore.*

Certificate of Compliance

I certify that this brief complies with the type-volume limitation of Fed. R. App. P. 32(a)(7)(B) because it contains 4,029 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f).

This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word for Microsoft 365 with a 14-point Times New Roman font.

s/*David Bookbinder*
David Bookbinder

Certificate of Service

I certify that on February 18, 2022, I filed the foregoing Brief Amicus Curiae Niskanen Center with the Clerk of the United States Court of Appeals for the D.C. Circuit via the CM/ECF system, which will notify all participants in the case who are registered CM/ECF users.

s/*David Bookbinder*
David Bookbinder

EXHIBIT 1

VOL. 1653 PAGE 352

NOTICE OF ABANDONMENT OF COPYRIGHT

* * *

Certificate of Registration of a Claim to Copyright A 221250 pertains to the copyright of Random House, Inc., as employer for hire, of the English language translation of Babar Goes To A Picnic, by Laurent de Brunhoff, which was first published in French, in France by Librarie Hachette, a French company, and which was published in the United States in English by Random House, Inc. on September 19, 1969.

Random House, Inc. hereby abandons its copyright in the English language translation of the aforesaid work and has surrendered the certificate of registration to the Copyright Office.

RANDOM HOUSE, INC.

By _____
February 24, 1978

Copyright Office of the United States of America
THE LIBRARY OF CONGRESS

THIS IS TO CERTIFY THAT THE ATTACHED DOCUMENT WAS RECORDED IN THE COPYRIGHT OFFICE ON THE DATE AND IN THE PLACE SHOWN BELOW.
THIS CERTIFICATE IS ISSUED UNDER THE SEAL OF THE COPYRIGHT OFFICE.

Barbara Ringer
Register of Copyrights

Date of Recordation 27Feb78

Volume 1653 Pages 352

Certification A
(Jan. 1978–20,000)

NOTICE OF ABANDONMENT OF COPYRIGHT

* * *

Certificate of Registration of a Claim to Copyright A 221250 pertains to the copyright of Random House, Inc., as employer for hire, of the English language translation of Babar Goes To A Picnic, by Laurent de Brunhoff, which was first published in French, in France by Librarie Hachette, a French company, and which was published in the United States in English by Random House, Inc. on September 19, 1969.

Random House, Inc. hereby abandons its copyright in the English language translation of the aforesaid work and has surrendered the certificate of registration to the Copyright Office.

RANDOM HOUSE, INC.

By _____

February 24, 1978

VOL 1653 PAGE 353

NOTICE OF ABANDONMENT OF COPYRIGHT

* * *

Certificate of Registration of a Claim to Copyright A 221251 pertains to the copyright of Random House, Inc., as employer for hire, of the English language translation of Babar The Gardener, by Laurent de Brunhoff, which was first published in French, in France by Librarie Hachette, a French company, and which was published in the United States in English by Random House, Inc. on September 19, 1969.

Random House, Inc. hereby abandons its copyright in the English language translation of the aforesaid work and has surrendered the certificate of registration to the Copyright Office.

RANDOM HOUSE, INC.

By [signature]
February 24, 1978

Copyright Office of the United States of America
THE LIBRARY OF CONGRESS

THIS IS TO CERTIFY THAT THE ATTACHED DOCUMENT WAS RECORDED IN THE COPYRIGHT OFFICE ON THE DATE AND IN THE PLACE SHOWN BELOW.

THIS CERTIFICATE IS ISSUED UNDER THE SEAL OF THE COPYRIGHT OFFICE.

[signature]
Register of Copyrights

Date of Recordation 27Feb78

Volume 1653 Pages 353

Certification A
(Jan. 1978–20,000)

NOTICE OF ABANDONMENT OF COPYRIGHT

* * *

Certificate of Registration of a Claim to Copyright A 221251 pertains to the copyright of Random House, Inc., as employer for hire, of the English language translation of Babar The Gardener, by Laurent de Brunhoff, which was first published in French, in France by Librarie Hachette, a French company, and which was published in the United States in English by Random House, Inc. on September 19, 1969.

Random House, Inc. hereby abandons its copyright in the English language translation of the aforesaid work and has surrendered the certificate of registration to the Copyright Office.

RANDOM HOUSE, INC.

By _____
February 24, 1978

VOL. 1653 PAGE 354

NOTICE OF ABANDONMENT OF COPYRIGHT

* * *

Certificate of Registration of a Claim to Copyright A 221252 pertains to the copyright of Random House, Inc., as employer for hire, of the English language translation of Babar Goes Skiing, by Laurent de Brunhoff, which was first published in French, in France by Librarie Hachette, a French company, and which was published in the United States in English by Random House, Inc. on September 19, 1969.

Random House, Inc. hereby abandons its copyright in the English language translation of the aforesaid work and has surrendered the certificate of registration to the Copyright Office.

RANDOM HOUSE, INC.

By [signature]

February 24, 1978

Copyright Office of the United States of America

THE LIBRARY OF CONGRESS

THIS IS TO CERTIFY THAT THE ATTACHED DOCUMENT WAS RECORDED IN THE COPYRIGHT OFFICE ON THE DATE AND IN THE PLACE SHOWN BELOW.

THIS CERTIFICATE IS ISSUED UNDER THE SEAL OF THE COPYRIGHT OFFICE.

Barbara Ringer

Register of Copyrights

Date of Recordation 27Feb78

Volume 1653 Pages 354

Certification A
(Jan 1978-20,000)

NOTICE OF ABANDONMENT OF COPYRIGHT

* * *

Certificate of Registration of a Claim to Copyright A 221252 pertains to the copyright of Random House, Inc., as employer for hire, of the English language translation of Babar Goes Skiing, by Laurent de Brunhoff, which was first published in French, in France by Librarie Hachette, a French company, and which was published in the United States in English by Random House, Inc. on September 19, 1969.

Random House, Inc. hereby abandons its copyright in the English language translation of the aforesaid work and has surrendered the certificate of registration to the Copyright Office.

RANDOM HOUSE, INC.

By _____
February 24, 1978

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NOTICE OF ABANDONMENT OF COPYRIGHT

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February 24, 1978