Case 1:11-cv-06351-HB Document 93-2 Filed 06/29/12 Page 17 of 22

6. This Agreement is the entire agreement between the parties with respect to the subject matter hereof and may not be modified or amended except by an instrument in writing signed by the party to be charged.

IN WITNESS WHEREOF, the parties have executed this instrument as of the date and year first above written.

DANIEL JUDAH SKLAR

BOLOWY SKLAR

ZACHARY SKLAR

JUDY SKLAR RASMINSKY

BLANCHE BRANN

OSCAR BRANN

AUTHORS LEAGUE FUND

[ADD NOTARIAL ACKNOWLEDGEMENTS]

DANA S. SINGER
Notary Public, State of New York
No. 31-4918324, Qualified in N.Y. County
Commission Expires January 4, 1912

Case 1:11-cv-06351-HB Document 93-2 Filed 06/29/12 Page 18 of 22

APPLICATION FOR PROBATE OF WILL, ETC.

To the Court of Probate for the District of Moxwalkexx Westport:

The application of

George F. McKendry,

. County of Fairfield and State of Connecticut, X links MXD intribute represents that Wilton / Gladys Malvern

last dwelt in Weston

of

in said District:

that She died within the last ten years, to wit, on the 16 day of November,

1962;

that She left a will and testament dated November 13, 1957

duly executed in and by which said applicant appointed execut 0 r

i s thereof, and was at the time of her death the owner of goods, chattels, credits and estate whereof the administration appertains to said Court, and which are disposed of in and by said will.

Said applicant further represent S that said testat rix left in O husband surviving, Max watex x toxindroux x x tex x x newsconocxinely nor that x x x x xlxyx refy

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That said testatrix left no children nor any representatives of deceased children, no parents, no brothers or sisters nor any representatives of deceased brothers or sisters her surviving; that the applicant has no knowledge of any heirs at law of said deceased.

That the estate of said deceased consists of Real estate of the approximate value of \$ 30,000.00 Personal " " " " \$ 10,000.00

And said applicant herewith exhibit S said will Court and pray s for probate thereof, and waives all notice relative to said application.

Dated the 20 day of November. Subscribed and sworn to this 20

A. D., 19 62,

day of November, A. D. 18 62, before me.

Halwill A smallto

NOTARY PUBLICA

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FORM No. 1

DISTRICT OF WESTPORT, II., PROBATE COURT,

November 27, A. D., 19 62

GLADYS MALVERN,

Weston. late of

in said District, deceased.

Whereas, written application has been made to this Court for the admission to probate of a certain written instrument as and for the Will of said deceased: it is

ORDERED, That said application be heard and determined at the Probate Office, in Westport, 7th g day of December, A. D., 1962, at 2:30 o'clock and that public notice thereof be given to all persons interested therein by publishing this order in a newspaper having a circulation in said District, at least five, days before said day of hearing.

TO THE COURT OF PROBATE FOR THE DISTRICT OF WESTPORT:

Estate of GLADIS MALVERN,

late of Weston,

Jeorge of moderating

in said District, deceased.

The subscriber hereby makes return that he published the foregoing order Norwalk Hour. a newspaper having a circulation in said District, at least five days before the 7th

day of December,

Subscribed and sworn to, this 7th

day of December,

A. D., 19 62 ., before me,

Case 1:11-cv-06351-HB Document 93-2 Filed 06/29/12 Page 20 of 22

I, GLADYS MALVERN, of the Town of Weston, County of Fairfield and State of Connecticut, being of lawful age, and of sound and disposing mind, memory and judgment, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all previous Wills and Codicils by me at any time

FIRST

640

It is my desire as soon as practicable after my decease that my mortal remains be cremated and I further desire that there be no services, mourners, or flowers in connection with this occasion.

SECOND

I direct my Executor hereinafter named to pay all my just debts and funeral expenses as soon as possible after my decease.

THIRD

I give and bequeath the sum of Five hundred Dollars (\$500.00) to EDNA H. SADLER, of Davis Hill Road, Weston, Connecticut, to be hers absolutely and forever.

FOURTH

I give and bequeath to the HENRY STREET SETTLEMENT of New York City, New York, my Sebastien Klotz Violin and Amani Bow.

FIFTH

I give and bequeath to STEVE DUBIN, of Slumber Corners, Weston, Connecticut, if she survives me, my Zorn water color. In the event that said STEVE DUBIN predeceases me, then I give and bequeath the same to MISS LILY FITZGERALD, of 2227 Merton Ave., Los Angeles, California.

Case 1:11-cv-06351-HB Document 93-2 Filed 06/29/12 Page 21 of 22

SIXTH

I give and bequeath to THE AUTHOR'S FUND all rights and royalties and revenues from any sale of rights of any of my books.

SEVENTH

diamond brooch, three watches, mink coat, stone martin scarf and all household furniture and furnishings, including gardening equipment to GOOD WILL INDUSTRIES, absolutely and forever.

BIGHTH

All the rest, residue and remainder of my estate, real, personal and mixed and wheresoever situated, I give, devise and bequeath to the SALVATION ARMY, absolutely and forever.

HTKIK

I direct that all legacy, inheritance, succession, estate or like taxes legally imposed upon my estate shall be payable from and chargeable only to my residuary estate.

TENTH

I authorize and empower my Executor hereinafter named, if he be then living or his successor, if and whenever in the settlement of my estate he may deem it advisable at his discretion to sell, lease, mortgage, improve or convey the whole or any part of my real or personal property at public or private sale, and to execute on desire proper instruments of transfer and other writings necessary to pass proper title thereto. I further direct that no bond or other security be required of him, who shall qualify and act as Executor hereof, in any jurisdiction to insure the faithful performance of his duties hereunder.

I hereby nominate, constitute and appoint my attorney, GEORGE F. McKENDRY, as Executor of this my Last Will and Testament

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Case 1:11-cv-06351-HB Document 93-2 Filed 06/29/12 Page 22 of 22

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Wilton, Connecticut, this 13th day of November, A. D., 1957.

Signed, sealed, published and declared by the said GLADYS MALVERN as and for her Last Will and Testament, in presence of us who at her request, in her presence, and in the presence of each other have hereunto subscribed our names as witnesses on the 13th day of November , A. D., 1957.

Service 3. Schilcher of Wilton, Connecticut

Jacqueline X. Schilcher of Wilton, Connecticut

Wilton, Connecticut

STATE OF CONNECTICUT)

ss. Wilton, November 13th, 1957.

COUNTY OF FAIRFIELD)

We Ruth A. Bassett, Bessie B. Schilcher and Jacqueline K. Schilcher who have subscribed our names as witnesses to the foregoing Will, make solemn oath that GLADYS MALVERN, the said Testatrix, signed and sealed the foregoing instrument in our presence and in the presence of each of us, that she published and declared the same to be her Last Will and Testament, and that we each signed our names as witnesses at her request and in her presence and in the presence of each other, and that at the time of executing this Will the said Testatrix was to the best of our knowledge and belief, of sound and disposing mind and memory, and free from all undue influence. This affidavit is made and signed at the request of said Testatrix.

EXHIBIT C

7	FORM A-B AD INTERIM
	application for Registration of a Claim to Ad Interim Copyright in a book or periodical in the English language manufactured and first published outside the United States of America
1C0E50	Option B. One copy of the work and a fee of \$4. Make remittant payable to the Register of Copyrights. Option B. Two copies of the work and a catalog card. This application should give the facts which existed at the date of publication, and the intervention of the second of the sec
Seate)	1. Copyright Claimant(s) and Address(es): Give the name(s) and address(es) of the copyright owner(s). Ordinarily the name about the same as in the notice of copyright, if any, on the copies of the work deposited. The citizenship of the claim and the stated.
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	(b) Give the name of the country in which the work was first published.
	England Now matter in this version: If any part of this work has been of compilation, translation, abridgment, editing and the like well as additional text or pictorial matter. New matter in this version. New matter may consist

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or B Form A-B Ad Interim—Book or periodical in the English language manufactured and first published outside the United States of America and subject to the ad interim provisions of the copyright law of the United States of America.	•
Class B Form B—Periodical manufactured in the United Server of A	3. Author
Class C Form C—Lecture, sermon address prepared in the United States of America.	cerning d author th
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Certificate of Copyright Registration

Consolidate the Acts respecting Copyright approved March 4, 1909, as amended by the Act approved March 2, 1913, that TWO copies of the BOOK named herein have been deposited in this Office under the provisions of the Act of 1909, together with the AFFIDAVIT prescribed in section 16 thereof; and that registration of a claim to copyright for the first term of twenty-eight years for said book has been duly made in the name of

Vera Caspary,

Motel Windsor, 100 West 58th St.,

Mew York, N.Y.

Title: Laura.

by Vera Caspary, of United States. (Greatly augmented).

Pirst published serially in "Collier's, The National Weekly,"
October 17, 1942 - November 28, 1942.

Printed or produced by Houghton Mifflin Co.,

Cambridge, Mass.

Date of publication in the United States Jan. 26, 1943

Affidavit received Peb.4, 1943

Copies received Jan . 18, 1943

Entry: Class A, No. 170748

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Register of Copyrights.

P 6 L. C. 2-4

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EXHIBIT D

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Goldman, Jeremy

From: digitalmischief@gmail.com on behalf of Digital Pulse [digitalpulseinc@gmail.com]

Sent: Tuesday, January 24, 2012 2:54 PM

To: Goldman, Jeremy
Cc: legal@elpasonorte.com
Subject: Re: Gladys Malvern

Dear Mr. Goldman,

Thank you for your email. We have worked with editor Susan Houston on producing 10 of the Gladys Malvern titles for which the copyright has lapsed. These books are now available in paperback and digital editions, with the 10th title, "Eric's Girls" due on the shelves next month.

We have discussed with Ms. Houston the possibility of re-publishing other printed works by Gladys Malvern, including "Jonica's Island" and "Good Troupers, All" for which the copyright is now held by the Authors League Fund. We began a dialogue with Isabel Howe representing the Authors League Fund in October of 2010 before the holidays, but we had not gotten far enough to discuss specifics.

Since these two works mentioned above are not in the public domain, unlike the others we have published, we would be interested in discussing with the Authors League Fund the possibility of publishing both "Jonica's Island" and "Good Troupers, All" in paperback and digital editions with your organization. Specifically, we would be interested in learning the general terms of the contract under which the Authors League Fund works with publishers to bring out-of-print books back to market, including costs and royalties payable to the Authors League Fund, if any.

Please feel free to contact us at your earliest convenience to discuss these projects further.

Best regards,

Shawn Conners

On Mon, Jan 23, 2012 at 5:56 PM, Goldman, Jeremy < <u>igoldman@fkks.com</u>> wrote:

Hello,

I am an attorney in New York City currently representing the Authors Guild, Authors League Fund ("ALF") and other authors in a lawsuit involving book digitization. ALF owns the copyrights to Gladys Malvern's works. I see that Special Edition Books has re-published several of her works as e-books.

See http://www.specialeditionbooks.com/gladys-malvern-classics/.

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I was wondering whether there have been plans or discussions about e-publishing any other works of hers, especially "Good troupers all". Thanks for getting back to me as soon as possible.

Best regards,

Jeremy

Jeremy Goldman | Frankfurt Kurnit Klein & Selz PC 488 Madison Avenue | New York, New York 10022 t: 212.705.4843 | f: 347.438.2156 | jqoldman@fkks.com

Frankfurt Kurnit Klein & Selz Disclaimer

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Shawn Conners

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Managing Editor

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Case 1:11-cv-06351-HB Document 93-5 Filed 06/29/12 Page 1 of 2

EXHIBIT E

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SOUTHERN DISTRICT OF NEW YORK	X	
THE AUTHORS GUILD, INC., et al.,	:	
Plaintiffs,	:	
- against -	:	Index No. 11 Civ. 6351 (HB)
HATHITRUST, et al.,	:	
Defendants.	:	
	: X	

DECLARATION OF ROXANA ROBINSON

- I, Roxana Robinson, hereby declare as follows:
- I am one of the plaintiffs in the above-captioned action and submit this declaration in support of Plaintiffs' motion for summary judgment.
- 2. I am a novelist, short-story writer and biographer. Four of my works have been Notable Books of the Year by *The New York Times*, and my work has appeared in *Best American Short Stories*, *The New Yorker*, *Harper's*, *The Atlantic*, *The New York Times Book Review*, *The Wall Street Journal*, *The Boston Globe*, *Vogue*, *House and Garden*, and other publications. I have received Fellowships from *the Guggenheim Foundation*, *the National Endowment for the Arts*, and *the MacDowell Colony*. I have also taught creative writing workshops at Bennington College, the University of Southern Indiana, George Mason University, the Wesleyan Writers' Conference at Wesleyan University, and in the Creative Writing Department at the University of Houston.

The Works At Issue

3. I am the sole author and copyright owner of each work listed on Exhibit A hereto (hereafter referred to as the "Works"). A true and correct copy of the copyright registration for

Case 1:11-cv-06351-HB Document 94 Filed 06/29/12 Page 2 of 23

each Work is attached hereto as Exhibit B. My Works include both works of fiction and non-fiction.

4. Although I have licensed to my publishers certain exclusive rights in connection with the commercial exploitation of my Works, I did so in exchange for the payment of royalties and I remain the legal and/or beneficial owner of all rights in and to my Works. I never assigned to any third party the copyright to the Works.

Unauthorized Uses Of My Works

5. It has come to my attention that print copies of my Works were copied without my permission when they were digitized by one the defendant universities (collectively referred to herein along with HathiTrust as "Defendants") in partnership with Google, as part of the HathiTrust and/or Google Books projects. This digitization took place without my knowledge, consent, or approval. I did not authorize Google, HathiTrust, or any of the university defendants to digitize or make any other use of my Works. To date, I have received no compensation of any kind for Defendants' digitization and various uses of my Works.

Harm Resulting From Defendants' Use Of My Works

- 6. As an author who depends in large part on the value of my work to earn a living, I brought this action because the Defendants' unauthorized digitization and use of my Works has harmed or threatens to harm me in a number of ways.
- 7. I have reviewed the Declaration of T.J. Stiles and I agree with and incorporate by reference Mr. Stiles' descriptions of the various harm and potential harm caused by the Defendants' actions. One difference between Mr. Stiles and me is that (as described below) I have not yet chosen to make certain of my Works (specifically, *A Glimpse of Scarlet And Other Stories*, *Asking For Love And Other Stories*, *Georgia O'Keefe: A Life* and *Summer Light*)

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available in digital form. This difference does not, however, change the fact that Defendants' actions are causing and threatening to cause damage to me and to the value of my Works.

Moreover, certain of my Works are available for sale in digital form at online retailers such as Amazon.com and others, as shown in the attached Exhibit A.

- 8. I believe that I am entitled to determine whether, when and under what circumstances my Works are scanned, digitized, copied and used. Defendants' insistence that the new, complex, technologically-enabled uses they intend to make of my Works should be permitted without my consent dangerously presupposes that copyright law does not give authors any right to control how their works are used and exploited in these contexts. To the best of my knowledge, this is not the law in the United States. While certain of my Works are not yet available in digital form, I reserve the right to license the creation of digital versions of these Works when I choose to.
- 9. Defendants apparently argue that uses of my Works that do not allow individuals to read the text, such as non-consumptive research and full-text searching, do not inhibit sales of my Works or deprive me of licensing opportunities and therefore do not require my permission. This is not so. As the Declaration of T.J. Stiles points out, these kinds of uses represent a new market whose value is evidenced by Defendants' use of my Works, as well as the works owned by the other Plaintiffs and the millions of other works Defendants scanned and copied. I believe that I have the legal right to decide whether or not to permit these uses, and to seek remuneration for these uses if I do decide to allow them. Defendants could have asked my permission to digitize my work, or offered to purchase one or more additional copies for their library collections.

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10. In addition, by failing to seek a license, Defendants eliminated the usual mechanism that authors use to exercise control over our work: licensing or other agreements that define terms of use and hold licensees accountable. Without such a contract, I am rendered powerless to dictate terms as to how my Work may or may not be used. I also have no ability to insist that HathiTrust take security measures to protect my work. I have no power to ensure that the infringing copies of my work are truly in a "dark archive" that is not accessible for viewing or further copying. I have no assurance that Defendants' actual use of my work is limited to the uses they claim to intend to make, and no power of enforcement if their uses exceed this scope.

[The rest of this page intentionally left blank]

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06/26/2012 10:37 12072763837 LL PAGE 01

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York

June ___, 2012

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5

Foxana Robinson

FOXANA ROBINSON

June 26, 2012

EXHIBIT A

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EXHIBIT A

TITLE	АЛТНОК	FIRST PUBLICATION	SUBSEQUENT PUB(S).	MOST RECENT PUB. HARDCOPY OR ELECTRONIC?	U.S. COPYRIGHT REGISTRATIONS OR RENEWALS
Robinson, Roxana	A glimpse of scarlet and other stories	1991-05/New York: E. Burlingame Books (an imprint of HarperCollins)	1991/London: Bloombsury 1992-06/New York: HarperPerennial	Hardcopy	TX0007502287 2012-03-13
Robinson, Roxana	A perfect stranger: and other stories	2005-04-25/New York: Random House	2006-03-14/New York: Random House 2007-12-18/New York: Random House	Electronic	TX0007502294 2012-03-13
Robinson, Roxana	Asking for love and other stories	1996-03-12/New York : Random House	1996-06-27/London: Bloomsbury	Hardcopy	TX0004268621 1996-04-18
Robinson, Roxana	Georgia O'Keeffe: a life	1989-10-25/New York: Harper & Row	1989/London: Bloomsbury 1990/New York: HarperPerennial 1991/London: Bloomsbury 1992/Spain: Circe 1999-01-01/University Press of New England	Hardcopy	TX0002736171 1990-01-18

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			1991/New York: Harper Collins		TX0002346979 1988-07-05
			1995-08-15/University Press of New England		
			1996-06-27/London: Bloomsbury		
S	Sweetwater: a novel	2003-05-13/New York: Random House	2005-03-08/New York: Random House	Electronic	TX0005905727 2004-01-27
			2007-12-18/New York: Random House		

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Registration Number TX 7-502-287

Effective date of registration:

March 13, 2012

Title —

Title of Work: A Glimpse of Scarlet: And Other Stories

Completion/Publication -

Year of Completion: 1991

Date of 1st Publication: May 1, 1991 Nation of 1st Publication: United States

International Standard Number: ISBN 0060163313

Author -

Author: Roxana Robinson

Author Created: text, compilation, Compilation of short stories

Citizen of: United States

Year Born: 1946

Copyright claimant

Copyright Claimant: Roxana Robinson

c/o Lynn Nesbit, Janklow & Nesbit Assoc., 445 Park Ave., New York, NY,

10022, United States

Certification

Name: Anita Fore

Date: March 9, 2012

Registration #: TX0007502287 Service Request #: 1-722961820

> Anita Fore The Authors Guild 31 E. 32nd Street, 7th Floor New York, NY 10016 United States

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Registration Number TX 7-502-294

Effective date of registration:

March 13, 2012

Title of Work: A Perfect Stranger: And Other Stories

Completion/Publication -

Year of Completion: 2005

Date of 1st Publication: April 26, 2005 Nation of 1st Publication: United States

International Standard Number: ISBN 9780375509186

Author -

Author: Roxana Robinson

Author Created: text, compilation, Compilation of short stories

Citizen of: United States

Year Born: 1946

Copyright claimant

Copyright Claimant: Roxana Robinson

c/o Lynn Nesbit, Janklow & Nesbit Assoc., 445 Park Ave., New York, NY,

10022, United States

Certification

Name: Anita Fore

Date: March 9, 2012

Registration #: TX0007502294 Service Request #: 1-722961413

> Anita Fore The Authors Guild 31 E. 32nd Street, 7th Floor New York, NY 10016 United States

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SOUTHERN DISTRICT OF NEW YORK	X	
THE AUTHORS GUILD, INC., et al.,	:	
Plaintiffs,	:	
- against -	:	Index No. 11 Civ. 6351 (HB)
HATHITRUST, et al.,	:	
Defendants.	:	
	: X	

DECLARATION OF HELGE RØNNING

- I, Helge Rønning, hereby declare as follows:
- I am one of the plaintiffs in the above-captioned action and submit this declaration in support of Plaintiffs' motion for summary judgment.
- 2. I have been a full professor in the Department of Media and Communication at the University of Oslo in Norway since 1987, where I have worked in various academic capacities since 1971. Over the course of my academic career I have authored over 400 non-fiction academic articles for journals, reports, newspapers, and magazines. I have also served as Chairman of the Board of Kopinor, a collective body for Norwegian authors' and publishers' rights organizations that administers blanket licenses for photocopying and digital reproduction rights to works protected by the Norwegian Copyright Act; Kopinor distributes remuneration to rights holders based on statistical surveys of licensee behavior. I also served on the Norwegian Board for Public Service Broadcasting from 1996 to 2004.

The Works At Issue

3. I am the sole author and copyright holder of the non-fiction works *Den Umulige*Friheten: Henrik Ibsen Og Moderniteten (Impossible Freedom, Henrik Ibsen and Modernity),

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first published by Glydendal in 2006 and of *Dodsom Over Et Folk?: Imperialismen Og Biafrakonflikten (Death Sentence Over a People, Imperialism and the Biafra Conflict)*, first published by Pax in 1969, (collectively the "Works"), and holder of a valid copyright to each under Norwegian law.

4. Although I have licensed to my publishers certain exclusive rights in connection with the commercial exploitation of my Works, I did so in exchange for the payment of royalties and I remain the legal and/or beneficial owner of all rights in and to my Works. I never assigned to any third party the copyright to the Works.

Unauthorized Uses Of My Work

5. It has come to my attention that print copies of my Works were copied without my permission when they were digitized by one the defendant universities (collectively referred to herein along with HathiTrust as "Defendants") in partnership with Google, as part of the HathiTrust and/or Google Books projects. This digitization took place without my knowledge, consent, or approval. I did not authorize Google, HathiTrust, or any of the university defendants to digitize or make any other use of my Works. To date, I have received no compensation of any kind for Defendants' digitization and various uses of my Works.

Harm Resulting From Defendants' Use Of My Works

- 6. As an author who depends in large part on the value of my work to earn a living, I brought this action because the Defendants' unauthorized digitization and use of my Works has harmed or threatens to harm me in a number of ways.
- 7. I have reviewed the Declaration of T.J. Stiles and I agree with and incorporate by reference Mr. Stiles' descriptions of the various harm and potential harm caused by the Defendants' actions. One difference between Mr. Stiles and me is that (as described below) my

Case 1:11-cv-06351-HB Document 95 Filed 06/29/12 Page 3 of 5

Works are no longer in print and I have not yet chosen to make any of my Works available in electronic form. However, these differences do not change the fact that Defendants' actions are causing and threatening to cause damage to me and to the value of my Works.

- 8. While my Works are no longer in print, the harms articulated in the Declaration of T.J. Stiles nevertheless apply to me because my Works are still protected by copyright law and I still hold the copyrights. Whether my Works are in print or not, I have the right choose whether or not to engage in licensing agreements for emerging uses of my Works, be they digital archiving, non-consumptive research, full-text searching, or other derivative uses. By preempting my right to make a decision as to how I wish to exploit my Works, Defendants have narrowed the scope of my rights and lessened the strength of my control over my own work.
- 9. I believe that I also am entitled to determine whether, when and under what circumstances my Works are scanned, digitized, copied and used. Defendants' insistence that the new, complex, technologically-enabled uses they intend to make of my Works should be permitted without my consent dangerously presupposes that copyright law does not give authors any right to control how their works are used and exploited in these contexts. To the best of my knowledge, this is not the law in the United States, and it certainly is not the law in Norway.
- 10. Defendants argue that uses of my Works that do not allow individuals to read the text, such as non-consumptive research and full text searching, do not inhibit sales of my Works or deprive me of licensing opportunities and therefore do not require my permission. This is not so. As the Declaration of T.J. Stiles points out, these kinds of uses represent a new market whose value is evidenced by Defendants' use of my Works, as well as the works owned by the other Plaintiffs and the millions of other works Defendants scanned and copied. I believe that I have the legal right to decide whether or not to permit these uses, and to seek remuneration for

Case 1:11-cv-06351-HB Document 95 Filed 06/29/12 Page 4 of 5

these uses if I do decide to allow them. Defendants could have asked my permission to digitize my work, or offered to purchase one or more additional copies for their library collections.

11. In addition, by failing to seek a license, Defendants eliminated the usual mechanism that authors use to exercise control over our work: licensing or other agreements that define terms of use and hold licensees accountable. Without such a contract, I am rendered powerless to dictate terms as to how my Work may or may not be used. I also have no ability to insist that HathiTrust take security measures to protect my work. I have no power to ensure that the infringing copies of my work are truly in a "dark archive" that is not accessible for viewing or further copying. I have no assurance that Defendants' actual use of my Work is limited to the uses they claim to intend to make, and no power of enforcement if their uses exceed this scope.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: Oslo, Norway

June 27, 2012

HELGE RØNNING

Case 1:11-cv-06351-HB Document 96 Filed 06/29/12 Page 1 of 5

SOUTHERN DISTRICT OF NEW YORK	X	
THE AUTHORS GUILD, INC., et al.,	:	
Plaintiffs,	:	
- against -	:	Index No. 11 Civ. 6351 (HB)
HATHITRUST, et al.,	:	
Defendants.	:	
	: X	

DECLARATION OF ANDRÉ ROY

- I, André Roy, hereby declare as follows:
- I am one of the plaintiffs in the above-captioned action and submit this declaration in support of Plaintiffs' motion for summary judgment.
- 2. I am a poet, literary critic, film critic, and Vice President of the Plaintiff Union des Écrivaines et des Écrivains Québécois ("UNEQ"). I won the Canada Council for the Arts Governor General's Poetry Award for *Action Writing*, and I have twice been a finalist for that award.

The Work At Issue

- 3. I am the joint author and joint copyright owner of the non-fiction work

 Marguerite Duras à Montréal.
- 4. Although I have licensed to my publishers certain exclusive rights in connection with the commercial exploitation of *Marguerite Duras à Montréal*, I did so in exchange for the payment of royalties and I remain the legal and/or beneficial owner of all rights in and to *Marguerite Duras à Montréal*. I never assigned to any third party the copyright to *Marguerite Duras à Montréal*.

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Unauthorized Uses Of My Work

5. It has come to my attention that a print copy of *Marguerite Duras à Montréal* was copied without my permission when it was digitized by one the defendant universities (collectively referred to herein along with HathiTrust as "Defendants") in partnership with Google, as part of the HathiTrust and/or Google Books projects. This digitization took place without my knowledge, consent, or approval. I did not authorize Google, HathiTrust, or any of the university defendants to digitize or make any other use of *Marguerite Duras à Montréal*. To date, I have received no compensation of any kind for Defendants' digitization and various uses of *Marguerite Duras à Montréal*.

Harm Resulting From Defendants' Use Of My Work

- 6. As an author who depends in large part on the value of my work to earn a living, I brought this action because the Defendants' unauthorized digitization and use of *Marguerite*Duras à Montréal has harmed or threatens to harm me in a number of ways.
- 7. I have reviewed the Declaration of T.J. Stiles and I agree with and incorporate by reference Mr. Stiles' descriptions of the various harm and potential harm caused by the Defendants' actions. Two differences between Mr. Stiles and me are that (as described below) *Marguerite Duras à Montréal* is out-of-print and I have not yet chosen to make it available in digital form. These differences do not, however, change the fact that Defendants' actions are causing and threatening to cause damage to me and to the value of *Marguerite Duras à Montréal*.
- 8. While *Marguerite Duras à Montréal* is no longer in print, the harms articulated in the Declaration of T.J. Stiles nevertheless apply to me because *Marguerite Duras à Montréal* is still protected by copyright law and I still hold the copyright. Whether *Marguerite Duras à*

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Montréal is in print or not, I have the right choose whether or not to engage in licensing agreements for emerging uses of Marguerite Duras à Montréal, be they digital archiving, non-consumptive research, full-text searching, or other derivative uses. By preempting my right to make a decision as to how I wish to exploit Marguerite Duras à Montréal, Defendants have narrowed the scope of my rights and lessened the strength of my control over my own work.

- 9. New technology is opening new possibilities in publishing and it is now possible, for the first time in history, to self-publish a book in print or digital forms without the aid of a publishing company. While I have not yet made a decision on how to proceed with my out-of-print Works, I am aware of this option and consider it a possibility for the future. This is why even my currently out-of-print book is affected by the Defendants' unauthorized copying.
- 10. I believe that I am entitled to determine whether, when and under what circumstances *Marguerite Duras à Montréal* is scanned, digitized, copied and used. Defendants' insistence that the new, complex, technologically-enabled uses they intend to make of *Marguerite Duras à Montréal* should be permitted without my consent dangerously presupposes that copyright law does not give authors any right to control how their works are used and exploited in these contexts. To the best of my knowledge, this is not the law in the United States. While *Marguerite Duras à Montréal* is not yet available in digital form, I reserve the right to license the creation of digital versions of *Marguerite Duras à Montréal* when I choose to.
- 11. Defendants argue that uses of *Marguerite Duras à Montréal* that do not allow individuals to read the text, such as non-consumptive research and full-text searching, do not inhibit sales of *Marguerite Duras à Montréal* or deprive me of licensing opportunities and therefore do not require my permission. This is not so. As the Declaration of T.J. Stiles points out, these kinds of uses represent a new market whose value is evidenced by Defendants' use of

Case 1:11-cv-06351-HB Document 96 Filed 06/29/12 Page 4 of 5

Marguerite Duras à Montréal, as well as the works owned by the other Plaintiffs and the

millions of other works Defendants scanned and copied. I believe that I have the legal right to

decide whether or not to permit these uses, and to seek remuneration for these uses if I do decide

to allow them. Defendants could have asked my permission to digitize Marguerite Duras à

Montréal, but did not do so.

12. In addition, by failing to seek a license, Defendants eliminated the usual

mechanism that authors use to exercise control over our work: licensing or other agreements that

define terms of use and hold licensees accountable. Without such a contract, I am rendered

powerless to dictate terms as to how Marguerite Duras à Montréal may or may not be used. I

also have no ability to insist that HathiTrust take security measures to protect my work. I have

no power to ensure that the infringing copies of my work are truly in a "dark archive" that is not

accessible for viewing or further copying. I have no assurance that Defendants' actual use of my

work is limited to the uses they claim to intend to make, and no power of enforcement if their

uses exceed this scope.

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Case 1:11-cv-06351-HB Document 96 Filed 06/29/12 Page 5 of 5

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: Me AF , Québec, Canada June _, 2012

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	X	
THE AUTHORS GUILD, INC., et al.,	:	
Plaintiffs,	:	
- against -	:	Index No. 11 Civ. 6351 (HB)
HATHITRUST, et al.,	:	
Defendants.	:	
	: X	

DECLARATION OF JAMES SHAPIRO

- I, James Shapiro, hereby declare as follows:
- 1. I am one of the plaintiffs in the above-captioned action and submit this declaration in support of Plaintiffs' motion for summary judgment.
- 2. I am a Professor of English and Comparative Literature at Columbia University specializing in Shakespeare and the Early Modern period.

The Work At Issue

- 3. I am the sole author and copyright owner of the non-fiction work *Oberammergau:*The Troubling Story of the World's Most Famous Passion Play (hereafter "Oberammergau"). A true and correct copy of the copyright registration for *Oberammergau* is attached hereto as Exhibit A.
- 4. Although I have licensed to my publishers certain exclusive rights in connection with the commercial exploitation of *Oberammergau*, I did so in exchange for the payment of royalties and I remain the legal and/or beneficial owner of all rights in and to *Oberammergau*. I never assigned to any third party the copyright to *Oberammergau*.

Unauthorized Uses Of My Work

5. It has come to my attention that a print copy of *Oberammergau* was copied without my permission when it was digitized by one the defendant universities (collectively referred to herein along with HathiTrust as "Defendants") in partnership with Google, as part of the HathiTrust and/or Google Books projects. This digitization took place without my knowledge, consent, or approval. I did not authorize Google, HathiTrust, or any of the university defendants to digitize or make any other use of *Oberammergau*. To date, I have received no compensation of any kind for Defendants' digitization and various uses of *Oberammergau*.

Harm Resulting From Defendants' Use Of My Work

- 6. As an author who depends in large part on the value of my work to earn a living, I brought this action because the Defendants' unauthorized digitization and use of *Oberammergau* has harmed or threatens to harm me in a number of ways.
- 7. I have reviewed the Declaration of T.J. Stiles and I agree with and incorporate by reference Mr. Stiles' descriptions of the various harm and potential harm caused by the Defendants' actions. *Oberammergau* is available for sale in digital form at online retailers such as Amazon.com and others.
- 8. I believe that I am entitled to determine whether, when and under what circumstances *Oberammergau* is scanned, digitized, copied and used. Defendants' insistence that the new, complex, technologically-enabled uses they intend to make of *Oberammergau* should be permitted without my consent dangerously presupposes that copyright law does not give authors any right to control how their works are used and exploited in these contexts. To the best of my knowledge, this is not the law in the United States.

- 9. Defendants argue that uses of *Oberammergau* that do not allow individuals to read the text, such as non-consumptive research and full-text searching, do not inhibit sales of *Oberammergau* or deprive me of licensing opportunities and therefore do not require my permission. This is not so. As the Declaration of T.J. Stiles points out, these kinds of uses represent a new market whose value is evidenced by Defendants' use of *Oberammergau*, as well as the works owned by the other Plaintiffs and the millions of other works Defendants scanned and copied. I believe that I have the legal right to decide whether or not to permit these uses, and to seek remuneration for these uses if I do decide to allow them. Defendants could have asked my permission to digitize *Oberammergau*, or offered to purchase one or more additional copies for their library collections.
- 10. In addition, by failing to seek a license, Defendants eliminated the usual mechanism that authors use to exercise control over our work: licensing or other agreements that define terms of use and hold licensees accountable. Without such a contract, I am rendered powerless to dictate terms as to how *Oberammergau* may or may not be used. I also have no ability to insist that HathiTrust take security measures to protect my work. I have no power to ensure that the infringing copies of my work are truly in a "dark archive" that is not accessible for viewing or further copying. I have no assurance that Defendants' actual use of my work is limited to the uses they claim to intend to make, and no power of enforcement if their uses exceed this scope.

[The rest of this page intentionally left blank]

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York

June <u>25</u>, 2012

JAMES SHAPIRO

EXHIBIT A

115010333

FORM TX For a Nondramatic Literary Work UNITED STATES COPYRIGHT OFFICE







EFFECTIVE DATE OF REGISTRATION

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Case 1:11-cv-06351-HB Document 98 Filed 06/29/12 Page 1 of 4

SOUTHERN DISTRICT OF NEW YORK	Y	
THE AUTHORS GUILD, INC., et al.,	:	
Plaintiffs,	:	
- against -	:	Index No. 11 Civ. 6351 (HB)
HATHITRUST, et al.,	:	
Defendants.	:	
	X	

DECLARATION OF DANIÈLE SIMPSON

- I, Danièle Simpson, hereby declare as follows:
- I am one of the plaintiffs in the above-captioned action and submit this declaration in support of Plaintiffs' motion for summary judgment.
- 2. I am a children's book author, novelist, short-story writer and poet. I am also the President of the Plaintiff Union des Écrivaines et des Écrivains Québécois ("UNEQ").

The Work At Issue

- 3. I am the sole author and copyright owner of the collection of poetry *Je Cours Plus Vite Que La Lycose: Poèmes* (hereafter "*Poèmes*").
- 4. Although I have licensed to my publishers certain exclusive rights in connection with the commercial exploitation of *Poèmes*, I did so in exchange for the payment of royalties and I remain the legal and/or beneficial owner of all rights in and to *Poèmes*. I never assigned to any third party the copyright to *Poèmes*.

Unauthorized Uses Of My Work

5. It has come to my attention that a print copy of *Poèmes* was copied without my permission when it was digitized by one the defendant universities (collectively referred to

Case 1:11-cv-06351-HB Document 98 Filed 06/29/12 Page 2 of 4

herein along with HathiTrust as "Defendants") in partnership with Google, as part of the HathiTrust and/or Google Books projects. This digitization took place without my knowledge, consent, or approval. I did not authorize Google, HathiTrust, or any of the university defendants to digitize or make any other use of *Poèmes*. To date, I have received no compensation of any kind for Defendants' digitization and various uses of *Poèmes*.

Harm Resulting From Defendants' Use Of My Work

- 6. As an author who depends in large part on the value of my work to earn a living, I brought this action because the Defendants' unauthorized digitization and use of *Poèmes* has harmed or threatens to harm me in a number of ways.
- 7. I have reviewed the Declaration of T.J. Stiles and I agree with and incorporate by reference Mr. Stiles' descriptions of the various harm and potential harm caused by the Defendants' actions. Two differences between Mr. Stiles and me are that (as described below) *Poèmes* is no longer in print and I have not yet chosen to make *Poèmes* available in digital form. This difference does not, however, change the fact that Defendants' actions are causing and threatening to cause damage to me and to the value of *Poèmes*.
- 8. New technology is opening new possibilities in publishing and it is now possible, for the first time in history, to self-publish a book in print or digital forms without the aid of a publishing company. While I have not yet made a decision on how to proceed with *Poèmes*, I am aware of this option and consider it a possibility for the future. This is why even my currently out-of-print work is affected by the Defendants' unauthorized copying.
- 9. I believe that I am entitled to determine whether, when and under what circumstances *Poèmes* are scanned, digitized, copied and used. Defendants' insistence that the new, complex, technologically-enabled uses they intend to make of *Poèmes* should be permitted

Case 1:11-cv-06351-HB Document 98 Filed 06/29/12 Page 3 of 4

without my consent dangerously presupposes that copyright law does not give authors any right to control how their works are used and exploited in these contexts. To the best of my knowledge, this is not the law in the United States. While my *Poèmes* is not yet available in digital form, I reserve the right to license the creation of digital versions of *Poèmes* if and when I choose to.

10. Defendants argue that uses of *Poèmes* that do not allow individuals to read the text, such as non-consumptive research and full-text searching, do not inhibit sales of *Poèmes* or deprive me of licensing opportunities and therefore do not require my permission. This is not so. As the Declaration of T.J. Stiles points out, these kinds of uses represent a new market whose value is evidenced by Defendants' use of *Poèmes*, as well as the works owned by the other Plaintiffs and the millions of other works Defendants scanned and copied. I believe that I have the legal right to decide whether or not to permit these uses, and to seek remuneration for these uses if I do decide to allow them. Defendants could have asked my permission to digitize my work, but did not do so. 11. In addition, by failing to seek a license, Defendants eliminated the usual mechanism that authors use to exercise control over our work: licensing or other agreements that define terms of use and hold licensees accountable. Without such a contract, I am rendered powerless to dictate terms as to how Poèmes may or may not be used. I also have no ability to insist that HathiTrust take security measures to protect my work. I have no power to ensure that the infringing copies of my work are truly in a "dark archive" that is not accessible for viewing or further copying. I have no assurance that Defendants' actual use of my work is limited to the uses they claim to intend to make, and no power of enforcement if their uses exceed this scope.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: Montres , Québec, Canada June 25, 2012

Janièle Simpson

DANIÈLE SIMPSON

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SOUTHERN DISTRICT OF NEW YORK	X	
THE AUTHORS GUILD, INC., et al.,	:	
Plaintiffs,	: :	
- against -	:	Index No. 11 Civ. 6351 (HB)
HATHITRUST, et al.,	:	
Defendants.	:	
	: X	

DECLARATION OF FAY WELDON

- I, Fay Weldon, hereby declare as follows:
- 1. I am one of the plaintiffs in the above-captioned action and submit this declaration in support of Plaintiffs' motion for summary judgment.
- 2. I am a novelist, short-story writer, essayist and playwright. I am also a professor of creative writing at Brunel University in London and have served as the Chair of Judges for the Booker Prize for Fiction.

The Works At Issue

- 3. I am the sole author and copyright owner of each work listed on Exhibit A hereto (hereafter referred to as the "Works"). True and correct copies of the copyright registrations for the twenty-two of my Works that are registered with the U.S. Copyright Office are attached hereto as Exhibit B.
- 4. Although I have licensed to my publishers certain exclusive rights in connection with the commercial exploitation of my Works, I did so in exchange for the payment of royalties and I remain the legal and/or beneficial owner of all rights in and to my Works. I never assigned to any third party the copyright to the Works.

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Unauthorized Uses Of My Works

5. It has come to my attention that print copies of my Works were copied without my permission when they were digitized by one the defendant universities (collectively referred to herein along with HathiTrust as "Defendants") in partnership with Google, as part of the HathiTrust and/or Google Books projects. This digitization took place without my knowledge, consent, or approval. I did not authorize Google, HathiTrust, or any of the university defendants to digitize or make any other use of my Works. To date, I have received no compensation of any kind for Defendants' digitization and various uses of my Works.

Harm Resulting From Defendants' Use Of My Works

- 6. As an author who depends in large part on the value of my work to earn a living, I brought this action because the Defendants' unauthorized digitization and use of my Works has harmed or threatens to harm me in a number of ways.
- 7. I have reviewed the Declaration of T.J. Stiles and I agree with and incorporate by reference Mr. Stiles' descriptions of the various harm and potential harm caused by the Defendants' actions. One difference between Mr. Stiles and me is that (as described below) I have not yet chosen to make certain of my available in digital form, as shown in the attached Exhibit A. This difference does not, however, change the fact that Defendants' actions are causing and threatening to cause damage to me and to the value of my Works. Moreover, certain of my Works are available for sale in digital form at online retailers such as Amazon.com and others, as shown in the attached Exhibit A.
- 8. I believe that I am entitled to determine whether, when and under what circumstances my Works are scanned, digitized, copied and used. Defendants' insistence that the new, complex, technologically-enabled uses they intend to make of my Works should be

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permitted without my consent dangerously presupposes that copyright law does not give authors any right to control how their works are used and exploited in these contexts. To the best of my knowledge, this is not the law in the United States. While many of my Works are not yet available in digital form, I reserve the right to license the creation of digital versions of these Works when I choose to.

- 9. Defendants argue that uses of my Works that do not allow individuals to read the text, such as non-consumptive research and full-text searching, do not inhibit sales of my Works or deprive me of licensing opportunities and therefore do not require my permission. This is not so. As the Declaration of T.J. Stiles points out, these kinds of uses represent a new market whose value is evidenced by Defendants' use of my Works, as well as the works owned by the other Plaintiffs and the millions of other works Defendants scanned and copied. I believe that I have the legal right to decide whether or not to permit these uses, and to seek remuneration for these uses if I do decide to allow them. Defendants could have asked my permission to digitize my work, or offered to purchase one or more additional copies for their library collections.
- 10. In addition, by failing to seek a license, Defendants eliminated the usual mechanism that authors use to exercise control over our work: licensing or other agreements that define terms of use and hold licensees accountable. When I have licensed the digital rights in certain of my works, for example to Amazon for sale on the Kindle, my representatives have been careful to ensure that I obtained appropriate financial benefits and other contractual protections. When Defendants make digital copies without my consent and without a contract, I am rendered powerless to dictate terms as to how my Work may or may not be used. I also have no ability to insist that HathiTrust take security measures to protect my work. I have no power to ensure that the infringing copies of my work are truly in a "dark archive" that is not accessible

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for viewing or further copying. I have no assurance that Defendants' actual use of my work is limited to the uses they claim to intend to make, and no power of enforcement if their uses exceed this scope.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: $\frac{5.2021 \text{ Juny}}{\text{June 3:} 2012}$, Dorset, England

FAY WELDON

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EXHIBIT A

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EXHIBIT A

АСТНОВ	Тпте	FIRST PUBLICATION	SUBSEQUENT PUB(S).	MOST RECENT PUB. HARDCOPY OR ELECTRONIC?	U.S. COPYRIGHT REGISTRATIONS OR RENEWALS
Weldon, Fay	A hard time to be a father: a collection of short stories	1998-12-07/London: Flamingo (HarperCollins)	January 1999/New York: Bloomsbury 2000/New York: Bloomsbury	Hardcopy	N/A – Foreign Work
Weldon, Fay	Affliction	1993/London: HarperCollins	1993-10-19/New York: Penguin Books (under title "Trouble") 1994-10-01/New York: Penguin Books	Hardcopy	TX0003682496 1993-12-13
Weldon, Fay	Auto da fay	2001-12-31/New York: Grove Press (electronic)	2002-06-24/London: Flamingo May 2003/New York: Grove Press June-2004/New York: Grove Press 2011-06-30/ London: Flamingo	Electronic	TX0005741087 2003-05-30
Weldon, Fay	Big women	1997-11-10/London: Flamingo (HarperCollins)	1997/Canada (under title "Big Girls Don't Cry") 1998/New York: Grove Press/Atlantic Monthly Press (under	Electronic	TX0004843655 1998-09-09, supplemented by TX0004943195 1999-04-15

REGISTRATIONS OR U.S. COPYRIGHT TX0002931605 1990-10-11 RENEWALS PA0001247989 N/A – Foreign Work N/A – Foreign Work 2003-08-15 MOST RECENT HARDCOPY OR ELECTRONIC? Hardcopy Hardcopy Hardcopy Audio Monthly Press (under title "Big Girls Don't Cry") June 1993/Oxford: Isis 2000/Canada: Limited SUBSEQUENT PUB(S). 1999-09-02/ Atlantic title "Big Girls Don't 1999-01-01/London: 2007-12-01/ Atlantic July 1998/London: 1991/New York: Viking 1992-07-01/New (HarperCollins) Harper Collins Monthly Press York: Penguin Flamingo Audio Cry") 1999-09-20//London: FIRST PUBLICATION 1990-09-20/London: Collins 2003-07-22/London: Samuel French 1992-02-20/London: (HarperCollins) Flamingo Flamingo Godless in Eden: a Flood warning: a book of essays Darcy's utopia TITLE Growing rich play AUTHOR Weldon, Fay Weldon, Fay Weldon, Fay Weldon, Fay

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АUТНОК	Ттте	FIRST PUBLICATION	SUBSEQUENT PUB(S).	MOST RECENT PUB. HARDCOPY OR ELECTRONIC?	U.S. COPYRIGHT REGISTRATIONS OR RENEWALS
		(HarperCollins)			
Weldon, Fay	Leader of the band	1988-07-07/London: Hodder & Stoughton	1989-06-19/New York: Viking	Hardcopy	TX0002560295 1989-05-09
			1990-11-01/ New York: Viking		
Weldon, Fay	Life force	1992/London: HarperCollins	1992-02-03/New York: Viking	Audio	TX0003274167 1992-03-18
			1993-02-01/New York: Viking		
			1994/London: HarperCollins		
			October 1994/Oxford: Isis Audio		
Weldon, Fay	Little sisters	1977/Bath: Chivers Press	Random House. (under title "Words of Advice")	Hardcopy	N/A – Foreign Work
			1978-06-12 / New York: Random House. (under title "Words of Advice")		
			1978, Hodder & Stoughton		
			1985-09-12/ New York: Random House.		

REGISTRATIONS OR U.S. COPYRIGHT TX0003114513 1991-07-26 RENEWALS TX0000161661 N/A – Foreign Work N/A – Foreign Work MOST RECENT HARDCOPY OR ELECTRONIC? Electronic Electronic Hardcopy Hardcopy SUBSEQUENT PUB(S). York: HarperPerennial (under title "Words of York: Penguin Books Sound Library Audio York: Summit Books 2003-09-15/London: 1987-12-01/Coronet 1996-08-01/London: 2011-06-30/London: 2004-09-06/New York: Grove Press York: Grove Press 2005-10-04/ New Books/Hodder & 2011-06-30/New 1992-02-01/New 1978-10-11/New November 2005/ (electronic) Stoughton Flamingo Flamingo Flamingo Advice") 1978/London: Hodder FIRST PUBLICATION 2004/London: Fourth 1991-01-02/ London: Estate (an imprint of HarperCollins) 2002-09-16/London: Flamingo HarperCollins and Stoughton Nothing to wear and Minneapolis, or, Why she couldn't nowhere to hide: Praxis: a novel TITLE Mantrapped Moon over stories stay AUTHOR Weldon, Fay Weldon, Fay Weldon, Fay Weldon, Fay

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АUТНОВ	Trn.e	FIRST PUBLICATION	SUBSEQUENT PUB(S).	MOST RECENT PUB. HARDCOPY OR ELECTRONIC?	U.S. COPYRIGHT REGISTRATIONS OR RENEWALS
			1990-11-01/New York: Penguin Books		
Weldon, Fay	Puffball: a novel	1980-02-01/London: Hodder & Stoughton	1980-07-21/New York: Summit Books	Electronic	TX0000550383 1980-09-22
			1985-06-01/New York: Pocket Books		
			1987-12-01/London: Sceptre		
			1990/London: Coronet Books		
			1990-03-01/New York: Penguin Books		
			1994/London: Sceptre		
			2011-06-30/London: Flamingo		
Weldon, Fay	Remember me	1976/London: Hodder & Stoughton	1976 /New York: Random House	Hardcopy	N/A – Foreign Work
			1976/New York: Ballantine		
			1978/New York: Random House		
			1981/ London: Coronet Books		
			1988/ London: Sceptre		

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А∪ТНОК	Тпле	FIRST PUBLICATION	SUBSEQUENT PUB(S).	MOST RECENT PUB. HARDCOPY OR ELECTRONIC?	U.S. COPYRIGHT REGISTRATIONS OR RENEWALS
			1990/London: Hodder & Stoughton	4	
			1994 London: Sceptre		
			2003-06-16/London: Flamingo		***************************************
Weldon, Fay	Rhode Island blues	2000/London: Flamingo	2000/New York: Atlantic Monthly Press	Electronic	TX0005335279 2001-04-26
			2001/North Kingstown: Chivers Press		
			2002-02-09/New York: Grove Press		
			January 2001/Waterville: Thorndike Press		
			2007-12-01/ New York: Grove Press		
			2011-06-30/London: Flamingo		
Weldon, Fay	Sacred cows	1989/London: Chatto & Windus	October 1990/London: Chatto & Windus	Hardcopy	N/A – Foreign Work
Weldon, Fay	She may not leave	2005-12-01/London: Fourth Estate	2005/New York: Grove Press	Electronic	TX0006444289 2006-06-20

REGISTRATIONS OR U.S. COPYRIGHT RENEWALS TX0004084784 1995-07-07 N/A – Foreign Work MOST RECENT HARDCOPY OR ELECTRONIC? Electronic Electronic SUBSEQUENT PUB(S). 2011-06-30/ London: York: Grove Press 2006/New York: Harper & Row 2007-12-01/New Atlantic Monthly Atlantic Monthly 2006-05-11/New 2007/New York: 1997-12-01/New 1995/New York: 1996-05-01/New 2007-12-01/New 2001/New York: 2001-10-01:New York: Atlantic Monthly York: Atlantic Monthly York: Atlantic Monthly Harper Collins York: Atlantic Fourth Estate Monthly FIRST PUBLICATION 2001, c2000/London: Flamingo 1995/London: Flamingo TITLE The Bulgari connection Splitting AUTHOR Weldon, Fay Weldon, Fay

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А∪ТНОК	Title	FIRST PUBLICATION	SUBSEQUENT PUB(S).	MOST RECENT PUB. HARDCOPY OR ELECTRONIC?	U.S. COPYRIGHT REGISTRATIONS OR RENEWALS
			York: Grove Press		
			January 2002/Waterville: Thorndike Press		
			January 2002/North Kingstown: Chivers		
			2005-01-01/Hamburg: Hoffman & Campe		
			2002-09-12/New York: Grove		
			2007-12-01/New York: Grove/Atlantic, Inc.		
			2011-06-30/ London: Flamingo		
Weldon, Fay	The cloning of Joanna May	1989/London: Collins	1989-05-04/New York: Penguin Books	Hardcopy	TX0002728206 1990-01-16
			1990-03-26/New York: Viking		
			1993/London: Flamingo		
			June 1993/Oxford: Isis Audio		
			1996/02/19/London:		

REGISTRATIONS OR U.S. COPYRIGHT RENEWALS TX0002580673 1988-12-15 N/A – Foreign Work MOST RECENT HARDCOPY OR ELECTRONIC? Hardcopy Hardcopy 1981/ London: Hodder SUBSEQUENT PUB(S). 1986, c1987/Chicago, IL: Academy Chicago 1988-01-21/Chicago: "...and the wife ran Kingstown: Chivers MacKay Company, Inc. (under title 1968/U.S.: David 1988-12-06 North 1988-11-14/New 1987-02-05/New Trafalgar Square 1982/ London: Coronet Books Harper Collins 2003/London: 1993/London: York: Viking York: Viking & Stoughton Flamingo Flamingo away") FIRST PUBLICATION Kingdom: MacGibbon & Kee 1987/London: Hutchinson 1967/United The fat woman's joke The heart of the TITLE country AUTHOR Weldon, Fay Weldon, Fay

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REGISTRATIONS OR U.S. COPYRIGHT TX0002176563 1987-10-01 TX0001967142 1986-12-23 TX0002139543 1987-08-20 RENEWALS HARDCOPY OR MOST RECENT ELECTRONIC? Hardcopy Hardcopy Hardcopy SUBSEQUENT PUB(S). York: Random House 1990-02-06/ New York: Random House 1987-06-03/New York: Harper & Row 1986-07-07/New York: Viking 1992-02-19/ New 1987/New York: Viking 1988/New York: Vintage 1990-03-01/New 1995-08-14/New 1988/New York: 1992/New York: York: Penguin York: Vintage 1992/ London: 1997/London: Heinemann Flamingo Vintage Viking 1986/London: Hodder & Stoughton FIRST PUBLICATION 1987-09-07/London: 1987/London: Hutchinson Heinemann The hearts and lives The rules of life TITLE The Shrapnel Academy AUTHOR Weldon, Fay Weldon, Fay Weldon, Fay

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Books 1988-04-01/New York: Penguin 1988/London: Coronet Books	Viking February 1989/ Waterville: Thorndike
Books 1988-04-01/New York: Penguin 1988/London: Cc Books 1989/New York:	Viking February 1989/ Waterville: Thorr Press
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REGISTRATIONS OR U.S. COPYRIGHT TX0004578645 1997-07-14 RENEWALS MOST RECENT HARDCOPY OR ELECTRONIC? Hardcopy SUBSEQUENT PUB(S). 1988/London: Sceptre 1988-11-01/ London: 2011-06-30/ London: York: Atlantic Monthly (electronic) 2003-07-21/London: Kingstown: Chivers Press 1993-05-06/London: 1983-10-27/ North 1995-12-04/New 1997-06-23/New Coronet Books York: Simon & Coronet Books York: Atlantic Monthly Press 1982/ London: 1996/London: Flamingo Flamingo Flamingo Schuster Sceptre FIRST PUBLICATION 1995-12-04 /London: Flamingo Wicked women: stories TITLE AUTHOR Weldon, Fay

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		1997/New Tork: Atlantic Monthly Press		
		1999-01-08/New York: Atlantic Monthly Press		
19 E	1996/London: Flamingo	1996-06-20/New York: Atlantic Monthly Press	Electronic	TX0004405886 1996-08-30
		1996-05-31/New York: Atlantic Monthly		
		1997-05-07/New York: Atlantic Monthly		
		1997/London: Flamingo		
		1998/London: Flamingo		
		2000/New York: Atlantic Monthly		
		2007-12-01/New York: Atlantic Monthly		

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