

EXHIBIT A

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3 WESTERN DIVISION

4

5 -----x

6 GOOD MORNING TO YOU PRODUCTIONS CORP.,
7 et al.,

8 Plaintiffs,

9 vs.

10 WARNER/CHAPPELL MUSIC INC., et al.,
11 Defendants.

12 -----x

13 Lead Case No. CV 13-04460-GHK (MRWx)

14

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17 DEPOSITION OF THOMAS B. MARCOTULLIO

18 New York, New York

19 Tuesday, June 3, 2014

20 CONFIDENTIAL

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24 Reported by: David Henry

25 JOB NO. 80120

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June 3, 2014
9:00 a.m.

Videotaped 30(b)(6) Deposition of
THOMAS B. MARCOTULLIO, held at the
offices of Wolf Haldenstein Adler Freeman
& Herz, 270 Madison Avenue, New York, New
York, pursuant to Notice, before David
Henry, a Certified Court Reporter and
Notary Public of the State of New York.

1 A P P E A R A N C E S:

2
3 WOLF HALDENSTEIN ADLER FREEMAN
& HERZ
4 Attorneys for Plaintiffs
270 Madison Avenue
New York, NY 10016
5 BY: MARK RIFKIN, ESQ.
AND: BETH LANDES, ESQ.

6
7 RANDALL S. NEWMAN
8 Attorneys for Plaintiffs
37 Wall Street
New York, NY 10005
9 BY: RANDALL NEWMAN, ESQ.

10
11 MUNGER ROLLES & OLSON
Attorneys for Defendants and
the Witness
12 355 South Grand Avenue
Los Angeles, CA 90071
13 BY: KELLY KLAUS, ESQ.

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ALSO PRESENT:

ELLEN HOCHBERG, ESQ.,
Warner Music Group

ALI TOUMADJ, Summer Associate,
Wolf Haldenstein Adler & Herz

MANUEL GARCIA, Videographer

1 THE VIDEOGRAPHER: This is the
2 start of the tape labelled number one
3 in the videotaped deposition of Mr.
4 Thomas B. Marcotullio in the matter of
5 Good Morning To You Productions versus
6 Warner/Chappell Music, on June 3rd,
7 2014, at approximately 9:06 a.m. My
8 name is Manuel Garcia for TSG
9 Reporting, Inc, and I am the legal
10 video specialist. The court reporter
11 is David Henry in association with TSG
12 Reporting. Counsel, will you please
13 introduce yourselves.

14 MR. RIFKIN: Mark Rifkin for the
15 plaintiffs.

16 MR. NEWMAN: Randall Newman, for
17 the plaintiffs.

18 MS. LANDES: Beth Landes for the
19 plaintiffs, and with us is our summer
20 associate Ali Toumadj.

21 MR. KLAUS: Kelly Klaus for the
22 defendants, and with me is Ellen
23 Hochberg from the Warner Music Group.
24
25

1 T H O M A S M A R C O T U L L I O,
2 called as a witness, having first been duly
3 sworn, was examined and testified as
4 follows:

5 EXAMINATION BY MR. RIFKIN:

6 Q. Mr. Marcotullio, good morning.
7 My name is Mark Rifkin, we met a few
8 moments ago, but for the record I represent
9 the plaintiffs in a lawsuit that has been
10 brought concerning the copyright to the
11 song Happy Birthday To You. I'm going to
12 be asking you a series of questions today
13 which you will be answering under oath.
14 The court reporter will be transcribing
15 what happens today, and there is a
16 videographer here who is also making a
17 videotape record of the deposition. If at
18 any point in time you have not heard a
19 question, or you think you don't understand
20 the question, please let me know, and I
21 will either repeat the question or have the
22 court reporter read it back or rephrase the
23 question so that the answers you give are
24 the best and most truthful answers to the
25 questions I ask, okay?

1 A. I did.

2 Q. You did. Before you spoke with
3 all of those people, Mr. Klaus,
4 Ms. Hochberg, Mr. Blietz, Mr. Meade and
5 Mr. Osher, did you know anything about the
6 copyright applications for the song Happy
7 Birthday To You?

8 A. Not a lot of information, but
9 some passing information.

10 Q. Is it fair to say that everything
11 you know about the copyright applications
12 for the song Happy Birthday To You, you
13 learned from others?

14 MR. KLAUS: Object to the form
15 of the question. You may answer.

16 A. It was a combination of reviewing
17 the materials themselves as well as
18 discussions with the aforementioned
19 individuals including Jeremy Blietz.

20 Q. Okay. And before you began to
21 prepare for giving testimony at this
22 deposition, did you know anything about the
23 basis for Warner/Chappell's claim of
24 copyright ownership for the song Happy
25 Birthday To You?

1 application which is now the bottom half of
2 Marcotullio 11, what does it say the new
3 matter for which copyright was claimed?

4 A. As I mentioned earlier, it's
5 arrangement as easy piano solo with text.

6 Q. And what exactly was the text?

7 A. I'm sorry?

8 Q. What was the text?

9 A. Oh, my reading the face of it,
10 whatever that was referred to as the
11 musical composition there registering for
12 the new copyright matter. So there is --
13 obviously they were registering it.

14 Q. Okay. Turn back if you would to
15 the document we marked for identification
16 as Marcotullio Exhibit 5. This is the
17 deposit copy for 51988, right?

18 A. Yes.

19 Q. Did you find -- and we talked
20 about the fact that there was a stamp on it
21 from the Copyright Office with 51988 on it,
22 right? On Marcotullio 5. You don't have a
23 document like that with a stamp on it from
24 the Copyright Office for 51990, correct?

25 MR. KLAUS: I think it's been

1 asked and answered, but you can answer
2 again.

3 A. I have not received a copy of a
4 deposit copy.

5 Q. Okay. And you are aware that
6 there was some effort to find out whether
7 there was a deposit copy or not, correct?

8 A. I received a copy of a letter,
9 yes, in connection with a request for a
10 deposit copy.

11 (Marcotullio Exhibit 12, WC405,
12 marked for identification.)

13 Q. Mr. Marcotullio, the court
14 reporter has marked for identification as
15 Exhibit Marcotullio 12 a one-page document
16 with the production WC405. This appears to
17 be a letter from William Lichtenwanger or
18 something like that from the Copyright
19 Office to Robert G. Olson of
20 Summy-Birchard Publishing Company dated
21 January 23, 1961. Is this the document you
22 were referring to just a moment ago when
23 you said you saw a letter about the deposit
24 copy?

25 A. This is the letter I was

1 referring to when I was referencing other
2 materials. I also was referencing the
3 record of registration which identifies the
4 two deposit copies were provided.

5 Q. Okay. And in this letter the
6 acting head of the reference section of the
7 Copyright Office whose last name I won't
8 try to pronounce again says that the
9 Copyright Office does not have a copy of
10 the work that was deposited with 51990,
11 correct?

12 A. That's what it says, correct.

13 Q. When you made your inquiry in
14 December of 2013, did you ask again for a
15 deposit copy?

16 A. Not that I am aware, but my
17 understanding is we asked for the letters
18 relating to the copyright registration
19 51990.

20 Q. Okay. What did you do if
21 anything to search the records of either
22 Warner/Chappell or Summy-Birchard or anyone
23 to see if somewhere there was a copy of the
24 work deposited with E51990?

25 MR. KLAUS: Object to the form,

1 outside the scope. I believe you can
2 testify to what your factual
3 investigation told you about the
4 search for documents in the case.

5 A. Sure. So as I mentioned, I spoke
6 with Jeremy Blietz and others at
7 Warner/Chappell. I understand, I think, I
8 believe we may have received this in
9 connection with our request from the
10 Copyright Office. In any case they
11 conducted an extensive investigation of
12 their records, including microfiche files
13 that they had, hard copy files that were
14 retained by Warner/Chappell, and other
15 digital files that they had already copied
16 and pdf'd into a digital file. So they
17 went through a fairly extensive review of
18 those materials including with respect to
19 the copyrights, the Hills, Summy-Birchard
20 and otherwise, in addition as I mentioned
21 earlier the requests to the Copyright
22 Office.

23 Q. Okay. And as a result of all
24 that you were told, or you learned that you
25 do not have a copy of the deposit copy

1 either, correct?

2 MR. KLAUS: Object to the form.

3 You can answer.

4 A. My understanding is they could
5 not find a copy of it either.

6 Q. Okay. Were you told what that
7 work was?

8 A. What work was?

9 Q. What the deposited work was.

10 MR. KLAUS: Object to the form.

11 You can answer.

12 A. I think we believe that the work
13 was the Happy Birthday To You, I think you
14 called it the familiar Happy Birthday To
15 You.

16 Q. Well, why do you think -- what is
17 your basis for thinking that?

18 A. Sure, so obviously we know from
19 both this letter and the record that there
20 were deposit copies received. We know from
21 the registration that those were I think on
22 December 9th they were received. We know
23 that on the same day they registered --
24 they applied for and registered for the
25 51988, which as I mentioned earlier is

1 have any different information.

2 A. I can only speak to what I've
3 read in my investigation, including the
4 responses in the interrogatories and such
5 that I have read also and I understand from
6 the plain language of them. I don't
7 understand the legal implications and how
8 the process works, but as far as I've seen
9 on the face of the registration and on the
10 documents I reviewed, that it refers to
11 Mildred J. Hill and Preston Ware by Mildred
12 J. Hill, arrangement of the piano solo with
13 text, Mr. Preston Ware Orem. That's the
14 information I have.

15 Q. So do you now believe that
16 Preston Ware Orem did write the familiar
17 lyrics to the song Happy Birthday To You?

18 A. Do I believe?

19 Q. Yes, sir. I'm asking you if
20 Warner/Chappell believes that. It's really
21 very simple. I'm asking you if
22 Warner/Chappell believes that Preston Ware
23 Orem wrote the familiar lyrics to the song
24 Happy Birthday To You.

25 A. Again, what I do know is what I

1 can see on the face of the documentation.

2 I can't really speak to anything further

3 than that.

4 Q. And from the information that

5 you've seen on the face of the

6 documentation, do you now believe that

7 Preston Ware Orem wrote the familiar lyrics

8 to the song Happy Birthday To You?

9 MR. KLAUS: Object to the form

10 of the question. You can answer

11 again.

12 A. Sure, I can tell you what I've

13 seen and what it says, and what the

14 documentation I've been provided indicate,

15 and the registration has, you know, the

16 information as I've stated.

17 Q. Well, what indicates that Preston

18 Ware Orem wrote the familiar lyrics to the

19 song Happy Birthday To You? What exactly

20 indicates that?

21 MR. KLAUS: Object to the form

22 of the question. You can answer.

23 A. And again I'm not familiar with

24 the specifics of the Copyright Office

25 process and procedure, but the face of the

1 registration clearly indicates that Preston

2 Ware Orem, you know, was identified on it.

3 So that's the information I have.

4 Q. That he wrote what?

5 A. All I know is that he is
6 identified on the face of the registration.

7 Q. Does it say that he wrote the
8 familiar lyrics to the song on the face of
9 the registration?

10 MR. KLAUS: Object to the form
11 of the question. You can answer.

12 A. Sure, I mean, I can only tell you
13 what I see, which is again, I don't know
14 how the process works or how the form is
15 interpreted, but I can tell you what the
16 statement is from the copyright certificate
17 as well. I'm sure you are familiar with it
18 as much as I am. But it says Happy
19 Birthday To You by Mildred J. Hill, Preston
20 Ware Orem employed for hire by Clayton F.
21 Summy Co. of US piano solo with words,
22 copyright is claimed on arrangement as easy
23 piano solo with text.

24 Q. And which part of that says that
25 Preston Ware Orem wrote the familiar lyrics

1 Happy birthday to you, happy birthday to
2 you, happy birthday dear blank, happy
3 birthday to you?

4 MR. KLAUS: Object to the form,
5 calls for a legal conclusion. You can
6 answer the question.

7 A. Sure. Again, I can't interpret
8 this document for you or the processes of
9 the Copyright Office. I can just tell you
10 what this says, and it just -- it
11 references Preston Ware Orem as part of the
12 copyright registration.

13 Q. Did you ask anybody if it meant
14 that, if the certificate of copyright
15 registration, and now I'm reading directly
16 from Marcotullio 10, if the copyright
17 registration means that Preston Ware Orem
18 wrote the lyrics Happy birthday to you,
19 happy birthday to you, happy birthday dear
20 blank, happy birthday to you.

21 MR. KLAUS: Objection, calls
22 for a legal conclusion. You can
23 answer the question.

24 A. Yeah, again, was there anything
25 in our investigations, did you say? I'm

1 A C K N O W L E D G M E N T

2

3 STATE OF NEW YORK)

4 : ss

5 COUNTY OF)

6

7 I, THOMAS B. MARCOTULLIO, hereby

8 certify that I have read the transcript of

9 my testimony taken under oath in my

10 deposition of June 3, 2014; that the

11 transcript is a true, complete and correct

12 record of my testimony, and that the

13 answers on the record as given by me are

14 true and correct.

15

16

17 _____
THOMAS B. MARCOTULLIO

18

19 Signed and subscribed to before

20 me, this day

21 of , 2014.

22

23

24

25 _____
Notary Public, State of New York

1 C E R T I F I C A T E

2

3 STATE OF NEW YORK)

4) ss.:

5 COUNTY OF NEW YORK)

6

7 I, DAVID HENRY, a Notary Public within
8 and for the State of New York, do hereby
9 certify:

10 That THOMAS B. MARCOTULLIO, the
11 witness whose deposition is hereinbefore
12 set forth, was duly sworn by me and that
13 such deposition is a true record of the
14 testimony given by such witness.

15 I further certify that I am not
16 related to any of the parties to this
17 action by blood or marriage; and that I am
18 in no way interested in the outcome of this
19 matter.

20 IN WITNESS WHEREOF, I have hereunto
21 set my hand this 13th day of June, 2014.

22

23

24 -----

25 DAVID HENRY

1 E R R A T A

2 PAGE LINE EMENDATION

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19 Signature of Deponent

20 SUBSCRIBED AND SWORN BEFORE ME

21 THIS _____ DAY OF _____, 2014.

22 _____

23 _____

24 (Notary Public)

25 MY COMMISSION EXPIRES: _____

EXHIBIT B

1 UNITED STATES DISTRICT COURT CENTRAL
2 DISTRICT OF CALIFORNIA
3 WESTERN DIVISION
4

5 GOOD MORNING TO YOU)
PRODUCTIONS CORP., et al.,)
6)
Plaintiffs,) Lead Case Number
7) CV 13-04460-GHK
VS.) (MRWx)
8)
WARNER/CHAPPELL MUSIC INC.,)
9 et al.,)
)
10 Defendants.)
)
_____)

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14 DEPOSITION OF JEREMY BLIETZ
15 Los Angeles, California
16 Thursday, July 10, 2014
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23 Job No: 81817
24 Reported by: NIKKI ROY
25 CSR No. 3052

1 Deposition of JEREMY BLIETZ, taken on behalf of
2 the Plaintiffs, at 355 South Grand Avenue,
3 35th Floor, Los Angeles, California, on Thursday,
4 July 10, 2014 at 10:36 a.m., before NIKKI ROY,
5 CSR No. 3052.
6
7

8 APPEARANCES OF COUNSEL:
9

10 FOR THE PLAINTIFFS:

11 WOLF HALDENSTEIN ADLER FREEMAN & HERZ
12 BY: BETSY C. MANIFOLD, Attorney at Law
13 Symphony Towers
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15 San Diego, California 92101

16 DONAHUE FITZGERALD ATTORNEYS
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18 1999 Harrison Street
19 Oakland, California 94612
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22
23
24

25 ///

1 APPEARANCES OF COUNSEL (CONTINUED) :

2
3 FOR THE DEFENDANTS:

4 MUNGER TOLLES & OLSON

BY: MELINDA EADES LeMOINE, Attorney at Law

5 355 South Grand Avenue

Los Angeles, California 90071

6
7
8 MUNGER TOLLES & OLSON

BY: ADAM KAPLAN, Attorney at Law

9 560 Mission Street

San Francisco, California 94105

10
11
12
13 ALSO PRESENT:

14 NATHAN OSHER

Vice President Legal & Business Affairs

15 Warner/Chappell Music, Inc.
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I N D E X

WITNESS	EXAMINATION	PAGE
JEREMY BLIETZ	MS. MANIFOLD	6, 111, 160
	MS. LeMOINE	157

E X H I B I T S

NUMBER	DESCRIPTION	PAGE
Exhibit 42	Plaintiffs' Second Amended Notice Continuing the Taking of Deposition of Jeremy Blietz Pursuant to Fed. R. Civ. P. 30(b)(1)	8
Exhibit 43	Color photocopy of Application for Copyright	89
Exhibit 44	Letter from William Lichtenwanger to Robert Olsen, January 23, 1961	137

(Exhibits previously marked for identification:
 Exhibit 2, Exhibit 3, Exhibit 4, Exhibit 5, Exhibit 6,
 Exhibit 7, Exhibit 9, Exhibit 10, Exhibit 12,
 Exhibit 13, Exhibit 17, Exhibit 19, Exhibit 21,
 Exhibit 39, Exhibit 40, and Exhibit 41)

I N D E X (CONTINUED) :

QUESTIONS INSTRUCTED NOT TO ANSWER

Page	Line
86	18

INFORMATION REQUESTED

None

1 MS. LeMOINE: Objection to the extent it
2 calls for a legal conclusion. Objection to form.

3 You can answer if you can.

4 THE WITNESS: I mean, all I can say is I
5 could read this to you, but it looks fairly different
6 from how registrations look today, so I couldn't
7 testify as to the intent here. I see the same number
8 that appears on the previous picture, but I can't --
9 can't speak to the content here.

10 BY MS. MANIFOLD:

11 Q. Okay. I notice in the upper right-hand
12 corner of Bates-stamped 386 of Plaintiffs' Exhibit 4
13 for identification, there's a number 27970. Do you
14 know what that number means?

15 A. I do not.

16 Q. Okay. And it says on this registration,
17 copy of registration for E51988, it says (reading):

18 Published musical composition by
19 Mildred J. Hill.

20 Do you see that?

21 A. Yes, I do.

22 Q. Do you have an understanding of what that
23 means on the registration?

24 MS. LeMOINE: Objection; that's asked and
25 answered. That's asked and answered.

1. THE WITNESS: I don't know the intent of it.
2. I can read it, you know, here, but, as I said, this
3. looks fairly different from the forms that we fill
4. out today, so I can't truly confirm that I know the
5. intent of that.

6. BY MS. MANIFOLD:

7. Q. When you say "know the intent of that," what
8. do you mean?

9. A. Because there's no, you know, composer,
10. dash, or there's nothing in front of it. I couldn't
11. say what, you know, the legal meaning is behind that.

12. Q. I'm not asking you for the legal meaning.

13. As part of your duties, you review databases
14. to make determinations as to whether royalties are
15. owed, licensing issues. I'm just asking you if you
16. have an understanding of what by Mildred J. Hill
17. means in this copy of the registration E51988.

18. MS. LeMOINE: We're -- okay. The witness
19. has testified he's not familiar with forms that look
20. like this. This is a document he received from the
21. copyright office. And that he does not know several
22. times. So your questions to him are unfair, and I
23. object to them.

24. MS. MANIFOLD: Okay.

25. MS. LeMOINE: It lacks foundation, calls for

1 speculation. He's reading the document as he sits
2 here today.

3 MS. MANIFOLD: He obtained the document in
4 December of 2013, so he's not really reading the
5 document as he sits here today. But with that said,
6 I'm asking him if he has an understanding of it.
7 He's the vice president of administration at
8 Warner/Chappell. I'm not going to argue with you.

9 If you don't understand the question, you
10 can tell me.

11 THE WITNESS: No, I understand the question
12 I just -- I can't speak to the intent here or the
13 meaning. I'd have to speculate. All I can do is
14 read it and tell you what it says.

15 BY MS. MANIFOLD:

16 Q. So when you say I don't know the intent of
17 it, is -- are you telling me I'm not a lawyer, so I
18 don't know what this means? Is that what you're
19 telling me?

20 A. No.

21 MS. LeMOINE: Objection; it's argumentative,
22 and he's asked and answered these line of questions,
23 Betsy.

24 BY MS. MANIFOLD:

25 Q. What do you mean by intent?

1 BY MS. MANIFOLD:

2 Q. Are you aware of any other evidence within
3 the archives of Warner/Chappell with regard to what
4 the deposit copy is for E51990?

5 A. No.

6 Q. I'm sorry. I'm losing my voice a little
7 bit. I'm sorry. And your answer?

8 A. No, I'm not aware of any.

9 Q. Excuse me.

10 So pull Plaintiffs' Exhibit 9 for
11 identification which is the copy of registration of
12 51990. We're going to look at the second page, which
13 is WC 389.

14 And to the best of your recollection, did
15 you receive a copy of this from the copyright office
16 with the handwriting on it?

17 A. This was received from the copyright office.
18 I can't recall if the handwriting was on it.

19 Q. Do you have any reason to believe that
20 someone at Warner/Chappell added the handwriting to
21 this document?

22 A. No, I don't have any knowledge about that.

23 Q. And you'll notice at the bottom there's a
24 C with a circle in it, and it says "C is claimed on
25 arrangement as Easy Piano Solo with text."

1 In the context of that statement, do you
2 have an understanding of what "arrangement" means?

3 MS. LeMOINE: Just object to the extent he's
4 speculating. He's reading the document.

5 But you can answer.

6 THE WITNESS: Yeah. I mean, the fact that
7 this was done in 1935, I don't have an understanding
8 as to what "arrangement" meant to them at that time,
9 so I can't -- I can't speak to the intent of what's
10 listed there.

11 BY MS. MANIFOLD:

12 Q. So if this copyright had been from 2014 and
13 it had the same notation "Copyright is claimed on
14 arrangement as Easy Piano Solo with text," would it
15 make a difference if the copyright was recorded in
16 2013 -- 2014, today?

17 MS. LeMOINE: Just objection on the same
18 grounds, it's incomplete hypothetical, but you can
19 answer.

20 THE WITNESS: I think you would need to look
21 at the deposit copy. You'd need to understand what
22 the meaning is of that phrase, and without, you know,
23 knowing what the intent was here, I couldn't say.

24 BY MS. MANIFOLD:

25 Q. If you wanted to figure out what the intent

DECLARATION UNDER PENALTY OF PERJURY

I, JEREMY BLIETZ, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken July 10, 2014; that I have made such corrections as appear noted herein, in ink, initialed by me; that my testimony as contained herein, as corrected, is true and correct.

DATED this _____ day of _____, 2014, at _____, California.

JEREMY BLIETZ

1 STATE OF CALIFORNIA)
) ss.
2 COUNTY OF LOS ANGELES)
3

4 I, NIKKI ROY, Certified Shorthand Reporter,
5 certificate number 3052, for the State of California,
6 hereby certify:

7 The foregoing proceedings were taken before me
8 at the time and place therein set forth, at which
9 time the deponent was placed under oath by me;

10 The testimony of the deponent and all objections
11 at the time of the examination were recorded
12 stenographically by me and were thereafter
13 transcribed;

14 The foregoing transcript is a true and correct
15 transcript of my shorthand notes so taken;

16 I further certify that I am neither counsel for
17 nor related to any party to said action nor in any
18 way interested in the outcome thereof.

19 In witness whereof I have hereunto subscribed my
20 name this 12th day of July, 2014.

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25

NIKKI ROY

ERRATA SHEET FOR THE TRANSCRIPT OF:

Case Name: Good Morning to All vs. Warner/Chappell

Depo. Date: July 10, 2014

Deponent: JEREMY BLIETZ

Reason codes:

1. To clarify the record.

2. To conform to the facts.

3. To correct transcription errors.

Pg.	Ln.	Now Reads	Should Read	Reason
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DECLARATION UNDER PENALTY OF PERJURY

I, JEREMY BLIETZ, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken July 10, 2014; that I have made such corrections as appear noted on the attached errata sheets, which are initialed by me; that my testimony as contained herein, as corrected, is true and correct.

DATED this 14 day of August, 2014, at Los Angeles, California.



JEREMY BLIETZ

ERRATA SHEET FOR THE TRANSCRIPT OF:

Case Name: Good Morning to All vs. Warner/Chappell

Depo. Date: July 10, 2014

Deponent: JEREMY BLIETZ

Reason codes:

1. To clarify the record.
2. To conform to the facts.
3. To correct transcription errors.

Pg.	Ln.	Now Reads	Should Read	Reason
14	22-23	"US copyright royalties and archives"	"US Copyright, Royalties and Archives"	3
19	1	"Calderon"	"Calderone"	3
20	10-13	"that come in from our licensing departments from our affiliate offices or from outside third parties related to our song catalog."	"that we receive from our Licensing departments, from our affiliate offices and from outside third parties related to our song catalog."	1
25	2-4	"So handled phone calls, requests for correspondence. Any tasks that they would assign to me I would be responsible for completing."	"I handled phone calls, requests for correspondence and any other task assigned by my supervisors."	1, 3
26	14	"Berkeley"	"Berklee"	3

JB.

Pg.	Ln.	Now Reads	Should Read	Reason
50	5-9	“day because the process of reviewing files is something in my role I do on a daily basis across the catalog for all songs. So I can't pinpoint the specific date I reviewed the file.”	“day. I review files across the catalog on a daily basis as part of my role in the company. I can't recall the specific day when I first reviewed the file.”	1
56	7	“Patti”	“Patty”	3
57	22	“Patti”	“Patty”	3
63	8-9	“In general terms, it's possible. It's possible.”	“In general terms, it's possible for legal files to contain the documents you're referring to, but I don't know if these specific documents exist in the files.”	1
78	25	“can”	“can't”	3
87	15-16	“some questions to them on a nearly daily basis so.”	“questions to our legal department on a regular basis.”	1
153	4-10	“we've on a regular basis pursue lack -- parties that have used our catalog without getting it licensed. So in terms of the entire catalog, you know, the things that I'm aware of, the larger -- like LimeWire cases, things like of, the larger -- like LimeWire cases, things like our entire catalog, I would say yes.”	“we have on a regular basis pursued legal action against parties that have used our catalog without getting a license. So in terms of the entire catalog, you know, the things that I'm aware of, the larger -- like LimeWire cases, things like that, that we're pursuing against a party that's infringed our entire catalog, I would say yes.”	1, 3

gb.

EXHIBIT 23

[Jt. App'x at 3:534-544, Dkt. 189-2]

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9 *Interim Lead Counsel for Plaintiffs and the [Proposed] Class*

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA -**
12 **WESTERN DIVISION**

14 GOOD MORNING TO YOU) Lead Case No. CV 13-04460-GHK (MRWx)
15 PRODUCTIONS CORP., *et al.*,)

16 Plaintiffs,) **[UNREDACTED] DECLARATION OF**
17) **RANDALL S. NEWMAN IN SUPPORT**
18 v.) **OF PLAINTIFFS' MOTION FOR**
19) **SUMMARY JUDGMENT**

19 WARNER/CHAPPELL MUSIC,)
20 INC., *et al.*,)

21 Defendants.) Date: January 26, 2015
22) Time: 9:30 a.m.
23) Room: 650
24) Judge: Hon. George H. King,
25) Chief Judge

1 I, Randall S. Newman, hereby declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California and I
3 am counsel for Plaintiffs in the above-entitled action. I have personal knowledge of the facts
4 stated herein based upon my review of the documents produced in this action and, if called
5 as a witness, I could and would testify competently thereto.

6 **The Incorporation of Educational Music Bureau in Illinois in 1923**

7 2. A Certificate of Incorporation for a corporation known as Educational Music
8 Bureau (“EMB”) was filed with the Illinois Secretary of State on or about August 11, 1923.
9 Evidentiary Appendix (“App’x”), Exhibit (“Ex.”) 17 at 503-507.

10 3. Paragraph (“¶”) 9 of the Certificate of Incorporation of EMB lists 9
11 shareholders who were issued a total of 200 shares of capital stock in EMB. *Id.* at 505.

12 4. John F. Sengstack’s (“John Sengstack”) name does not appear in ¶ 9 of the
13 Certificate of Incorporation. *Id.* at 505.

14 **The Incorporation of Clayton F. Summy Co. in Illinois in 1925**

15 5. Articles of Incorporation for a corporation known as Clayton F. Summy Co.
16 were filed with the Illinois Secretary of State on or about April 15, 1925. Ex. 20 at 518-523.

17 **The 1931 Agreement between Clayton F. Summy and John Sengstack**

18 6. Clayton F. Summy (“Clayton Summy”) and John Sengstack entered into an
19 agreement dated August 7, 1931. Ex. 92 at 1059-1068.

20 7. Paragraph (b) of the “WHEREAS” clause of that Agreement stated that
21 “Summy intends to cause to be incorporated a new company under the laws of the State of
22 Delaware under the name of Clayton F. Summy Company...” Ex. 92 at 1060.

23 8. Paragraph (b) of the “WHEREAS” clause of that Agreement stated that the
24 capitalization of the Delaware company would consist of 1,500 shares of Preferred Stock
25 with a par value of \$100 per share (\$150,000) and 50 shares of common stock of no par
26 value. Ex. 92 at 1060.

27 9. Paragraph (b) of the “WHEREAS” clause of that Agreement stated that the
28 “Preferred Stock shall be entitled to dividends at the rate of six per cent per annum...and that

1 said Preferred Stock shall be redeemable at any time at the option of the New Company [the
2 Delaware corporation], at par and accrued dividends upon thirty days' notice." *Id.*

3 10. Paragraph (c) of the "WHEREAS" clause of that Agreement required Clayton
4 Summy to transfer all of the assets of Summy Co. (Illinois) to the Delaware company. *Id.* at
5 1061.

6 11. In Paragraph 2 of that Agreement Clayton Summy agreed to sell and John
7 Sengstack agreed to purchase the 50 shares of common stock in the Delaware company. *Id.*
8 at 1063.

9 12. In Paragraph 3 of that Agreement John Sengstack agreed that immediately after
10 he purchased the 50 shares of the common stock in the Delaware company, he would cause
11 the capitalization of the Delaware company to be increased to 1,500 shares of common stock
12 and John Sengstack agreed to purchase the additional 1,450 shares. *Id.*

13 13. Therefore, pursuant to the Agreement, after the Delaware corporation was
14 formed the parties agreed that Clayton Summy would own 1,500 shares of Preferred Stock
15 and John Sengstack would own 1,500 shares of common stock in the Delaware corporation.
16 *Id.* at 1059-1063.

17 14. Pursuant to the terms of the Agreement, the Delaware corporation could
18 redeem Clayton Summy's Preferred Shares at any time by paying Clayton Summy \$150,000
19 plus accrued dividends. *Id.* at 1060.

20 **The Incorporation of Clayton F. Summy Co. in Delaware in 1931**

21 15. It is undisputed that Clayton F. Summy Co. was incorporated in the State of
22 Delaware on or about August 31, 1931. ("Summy (DE)"). Ex. 1 at ¶ 68, Ex. 2 at ¶ 68.

23 16. It is undisputed that Summy (DE) is the corporation that filed the Copyright
24 Applications for E51988 and E51990.¹

25
26
27 ¹ In fact, the Summy (DE) was the only "Summy" corporation in existence in 1935
28 because the previous two Summy Corporations were dissolved in 1920 and 1933
respectively.

1 17. As discussed above, pursuant to the August 7, 1931 Agreement between
2 Clayton Summy and John Sengstack, the parties agreed that Clayton Summy owned 1,500
3 shares of Preferred Stock and John Sengstack owned 1,500 shares of common stock in
4 Summy (DE). Ex. 92 at 1059-1063.

5 18. Clayton Summy died on February 10, 1932, shortly after the incorporation of
6 Summy (DE). Ex. 93 at 1070.

7 19. There is no documentation in the record that proves Summy (DE) paid Clayton
8 Summy \$150,000 plus accrued dividends to redeem Clayton Summy's Preferred Shares prior
9 to Clayton Summy's death on February 10, 1932 or at any time thereafter.

10 **The Amendment to EMB in 1948**

11 20. Articles of Amendment to EMB were filed with the Illinois Secretary of State
12 on or about June 2, 1948. Ex. 59 at 744-748.

13 21. Article Third of the Articles of Amendment states that 400 shares of common
14 in EMB were outstanding at the time of the 1948 Amendment. *Id.* at 746.

15 22. However, as discussed in ¶ 2 *supra*, only 200 shares of EMB's common stock
16 were issued at the time of EMB's incorporation.

17 23. There is no documentation in the record that proves who was issued the
18 additional 200 shares of common stock between EMB's 1923 incorporation and the 1948
19 amendment.

20 24. There is no documentation in the record that proves when the additional 200
21 shares of EMB common stock were issued between EMB's 1923 incorporation and the 1948
22 amendment.

23 25. There is no documentation in the record that proves that any of the original
24 EMB shareholders transferred any of their shares between EMB's 1923 incorporation at the
25 1948 amendment.

26 26. There is no documentation in the record that proves who owned the 400 shares
27 of EMB's common stock outstanding at the time of the 1948 amendment.

28 **The Summy (DE) Name Changes**

1 27. On January 23, 1956, Summy (DE) filed a Certificate of Amendment of
2 Certificate of Incorporation with the Delaware Secretary of State. Ex. 62 at 760-762.

3 28. The Certificate of Amendment changed the name of Summy Co. to Summy
4 Publishing Company ("SPC"). *Id.* at 760.

5 29. On September 27, 1957, SPC filed a Certificate of Amendment of Certificate of
6 Incorporation with the Delaware Secretary of State. Ex. 65 at 800-802.

7 30. The Certificate of Amendment changed the name of SPC to Summy-Birchard
8 Publishing Company (SBPC). *Id.* at 800.

9 31. On December 22, 1961, SBPC filed a Certificate of Amendment of Certificate
10 of Incorporation with the Delaware Secretary of State. Ex. 66 at 804-806.

11 32. The Certificate of Amendment changed the name of SBPC to Summy
12 ("Summy"). *Id.* at 804.

13 **The Death of John Sengstack on October 11, 1970**

14 33. John F. Sengstack died on October 11, 1970. Ex. 69 at 816.

15 34. There is no documentation in the record that proves who inherited John
16 Sengstack's property, including any shares of stock that he may have owned in any
17 corporation, including Summy, the Delaware corporation originally incorporated in 1931 as
18 the Clayton F. Summy Co.

19 **The Amendment to EMB in 1973**

20 35. On July 31, 1973, EMB filed Articles of Amendment to the Articles of
21 Incorporation of EMB with Illinois Secretary of State. Ex. 70 at 818-820.

22 36. Article Third of the Articles of Amendment states that 367 shares of common
23 stock in EMB were outstanding at the time of the amendment. *Id.* at 820.

24 37. Article Third of the Articles of Amendment also states that "[p]reviously there
25 were 400 shares issued and outstanding, 33 of which were reacquired by the corporation,
26 held as treasury stock, and subsequently retired." *Id.*

27 38. There is no documentation in the record that proves who owned the 367
28 outstanding shares of common stock in EMB at the time of the 1973 amendment.

1 39. There is no documentation in the record that proves when and which
2 shareholder(s) EMB acquired the 33 retired shares from.

3 **The 1973 Merger between Summy (Delaware) and EMB (Illinois)**

4 40. On December 28, 1973, EMB filed Articles of Merger with the Illinois
5 Secretary of State to merge with Summy, the Delaware corporation. Ex. 71 at 824-828.

6 41. Article Three of the Articles of Merger stated that “[t]he name of the surviving
7 corporation shall be Summy-Birchard Company and it shall be governed by the laws of the
8 State of Illinois”. *Id.* at 825.

9 42. Article Four of the Articles of Merger stated that “[t]he plan of merger is as
10 follows: See Exhibit A attached hereto and made a part hereof.” Ex. 71 at 825.

11 43. The first sentence of the Plan and Agreement of Merger states that:

12 THIS PLAN and AGREEMENT OF MERGER is made and entered into this
13 21st day of December, 1973, by and between SUMMY-BIRCHARD
14 COMPANY, a Delaware corporation (hereinafter called “SUMMY”) and
15 EDUCATIONAL MUSIC BUREAU, an Illinois Corporation (hereinafter called
16 “EMB”). Ex. 72 at 830.

17 44. Paragraph 1 of the Plan and Agreement of Merger states, in relevant part, that
18 “SUMMY shall be merged into EMB as a single corporation which shall be the surviving
19 corporation.” *Id.*

20 45. Article Five of the Articles of Merger states that 367 shares of common stock in
21 EMB were outstanding at the time of the merger. Ex. 71 at 826.

22 46. Article Five of the Articles of Merger states that 1,500 shares of common stock
23 in Summy were outstanding at the time of the merger. *Id.*

24 47. As discussed in Paragraphs 13-14, *supra*, Summy (fka Clayton F. Summy Co.)
25 was originally capitalized with 1,500 shares of Preferred Stock with a par value of \$10 each
26 (\$150,000 total) and 1,500 shares of common stock. According to the August 7, 1931
27 Agreement between Clayton F. Summy and John Sengstack, Summy owned the 1,500 shares
28 of Preferred Stock and John Sengstack owned the 1,500 shares of common stock.

1 48. There is no documentation in the record to prove that the Delaware corporation
2 paid \$150,000 plus accrued dividends to Clayton Summy to redeem the 1,500 shares of
3 Preferred Stock that were owned by Clayton Summy prior to or after Clayton Summy's death
4 on February 10, 1932, which was just a few months after Clayton F. Summy Co. (Delaware)
5 was incorporated.

6 49. There is no documentation in the record to prove who owned the 367 shares of
7 EMB at the time of the merger.

8 50. Even if the Defendants were able to prove that the Delaware corporation paid
9 Clayton F. Summy (or his estate) the \$150,000 plus accrued dividends to redeem his
10 Preferred Shares, there is no documentation in the record to prove who owned the 1,500
11 shares of Summy, the Delaware corporation, at the time of the merger because John
12 Sengstack, who entered into the 1931 agreement with Clayton Summy to purchase the 1,500
13 shares of Clayton F. Summy Co. (Delaware), died in 1970 and there is no documentation in
14 the record to prove who inherited John Sengstack's shares of the Delaware corporation.

15 51. Paragraph 6(a) of the Plan and Agreement of Merger ("Merger Plan") stated
16 that "on the effective date of the merger and without further act on the part of either the
17 corporation or its stockholders, 2.712 shares of the common stock, without par value, of
18 SUMMY issued and outstanding on the effective date of the merger shall be converted into
19 one share [illegible] of EMB". Ex. 72 at 831.

20 52. Pursuant to Paragraph 6(a) of the Merger Plan, the 1,500 shares of common
21 stock in Summy were converted into 553 shares of EMB common stock on the effective date
22 of the merger ($1,500/2.712 = 553$). *Id.*

23 53. Therefore, after the effective date of the merger, 920 shares of common stock
24 in EMB were outstanding: 367 shares of common stock owned by the EMB shareholders
25 prior to the effective date of the merger and 553 shares of common stock in EMB that were
26 issued to the shareholders of Summy after the effective date of the merger.

27 54. There is no documentation in the record to prove who owned any of the 920
28 outstanding shares of common stock in Summy (f/k/a EMB) after the merger.

The 1976 Incorporation and Merger of Illinois Corporation into a Wyoming Corporation

55. New Summy-Birchard Company (“New Summy”) was incorporated in the State of Wyoming on March 8, 1976. Ex. 74 at 848, Ex. 75 at 855, Ex. 76 at 859.

56. There is no documentation in the record to prove who owned New Summy.

57. On March 19, 1976, New Summy filed Articles of Merger with the Wyoming Secretary of State. Ex. 75 at 854-857.

58. Article One of the Articles of Merger states that:

The names of the corporations proposing to merge and the names of the States under the law of which such corporations are organized, are as follows:

SUMMY	Illinois
NEW SUMMY	Wyoming

Ex. 75 at 855.

59. Article Three of the Articles of Merger states that “[t]he name of the surviving corporation shall be SUMMY-BIRCHARD COMPANY and it shall be governed by the laws of the State of Wyoming.” *Id.*

60. Article Five of the Articles of Merger states that 953 shares of common stock in Summy (Illinois) were outstanding prior to the merger. *Id.* at 856.

61. As discussed in Paragraphs 37-38, *supra*, after the effective date of the 1973 merger, 920 shares of common stock in Summy (Illinois) were outstanding.

62. There is no documentation in the record that proves Summy (Illinois) issued 33 shares of common stock after the effective date of the 1973 merger until the time of the 1976 merger or to whom those shares were issued.

63. Article Five of the Articles of Merger states that 10 shares of common stock in New Summy (Wyoming) were outstanding prior to the merger. Ex. 75 at 856.

64. There is no documentation in the record that proves who owned the 10 shares of common stock in New Summy (Wyoming) that were outstanding prior to the merger or what happened to those shares after the merger.

1 65. The Plan of Merger states that "...the parties hereto agree that SUMMY-
2 BIRCHARD COMPANY, be merged into NEW SUMMY..." Ex. 76 at 859-860.

3 66. Paragraph C(1) of the Plan of Merger states that:

4 The shares of Common Stock of the surviving corporation, whether authorized
5 or issued on the effective date of the merger shall not be converted or
6 exchanged as a result of the merger, but upon said date all shares of Common
7 Stock of the surviving corporation theretofore authorized (whether issued or
8 unissued) shall be deemed to be shares of Common Stock of the surviving
9 corporation, and all such shares of the surviving corporation outstanding on the
10 effective date of the merger shall remain outstanding, shall be and be deemed
fully-paid and non-assessable and shall retain all rights to accrued and unpaid
dividends, if any.

11 *Id.* at 860-861.

12 67. Pursuant to Paragraph C(1) of the Plan of Merger, the owner(s) of the 10 shares
13 of common stock outstanding in New Summy (Wyoming) prior to the merger owned 10
14 shares of common stock of Summy (Wyoming) after the effective date of the merger. *Id.*

15 68. Paragraph C(2) of the Plan of Merger states that:

16 Each share of Common Stock of the absorbed corporation issued and
17 outstanding on the effective date of the merger, and all rights in respect thereof,
18 shall, on said date, be converted into and exchanged for one share of the
presently authorized and unissued Common Stock of the surviving corporation.

19 Ex. 76 at 861.

20 69. Pursuant to Paragraph C(2) of the Plan of Merger, the owner(s) of the 953
21 shares of common stock outstanding in Summy (Illinois) prior to the merger owned 953
22 shares of common stock of Summy (Wyoming) after the effective date of the merger. *Id.*

23 70. There is no documentation in the record that proves who owned the 963 shares
24 of common stock in Summy (Wyoming) after the effective date of the merger.

25 71. Summy (Wyoming) filed Articles of Amendment to Articles of Incorporation
26 with the Wyoming Secretary of State on November 9, 1978. Ex. 77 at 867-869

27 72. The Articles of Amendment changed the name of Summy (Wyoming) to
28 SUMCO Corporation. *Id.* at 867.

1 73. Paragraph Third of the Articles of Amendment state that 963 shares of common
2 stock were outstanding as of the date of the Amendment. *Id.* at 867.

3 74. SUMCO Corporation (Wyoming) filed Articles of Amendment to Articles of
4 Incorporation dated May 1, 1979, with the Wyoming Secretary of State on an unknown date
5 in 1979. Ex. 78 at 871-872.

6 75. The Articles of Amendment changed the name of SUMCO Corporation
7 (Wyoming) to Summy. *Id.* at 871.

8 76. Paragraph Third of the Articles of Amendment state that 963 shares of common
9 stock were outstanding as of the date of the Amendment. *Id.*

10 77. Summy (Wyoming) filed Articles of Amendment to Articles of Incorporation
11 with the Wyoming Secretary of State on August 3, 1979. Ex. 79 at 874-875.

12 78. Pursuant to the Articles of Amendment, Summy changed its name to The Birch
13 Tree Group Ltd. *Id.* at 874.

14 79. Paragraph Third of the Articles of Amendment state that 963 shares of common
15 stock were outstanding as of the date of the Amendment. Ex. 79 at 874.

16 80. The Birch Tree Group Ltd. filed Articles of Amendment to Articles of
17 Incorporation with the Wyoming Secretary of State on October 12, 1979. Ex. 80 at 877-
18 878.

19 81. Pursuant to the Articles of Amendment, The Birch Tree Group Ltd. changed its
20 name to Birch Tree Group Ltd. *Id.* at 877.

21 82. Paragraph Third of the Articles of Amendment state that 963 shares of common
22 stock were outstanding as of the date of the amendment. *Id.*

23 83. Birch Tree Group Ltd. filed Articles of Amendment to Articles of Incorporation
24 with the Wyoming Secretary of State on December 27, 1988. Ex. 82 at 949-951.

25 84. Pursuant to the Articles of Amendment, Birch Tree Group Ltd. changed its
26 name to Summy-Birchard, Inc. *Id.* at 949.

27 85. Paragraph 4 of the Articles of Amendment state that 953 shares of common
28 stock were outstanding as of the date of the amendment. *Id.* at 949.

1 86. There is no documentation in the record that proves how the outstanding
2 common stock of the Wyoming corporation was reduced from 963 outstanding shares as of
3 October 12, 1979 to 953 outstanding shares as of December 27, 1988.

4 87. In a Stock Power dated January 3, 1989, David K. Sengstack purported to
5 transfer 953 shares of Summy-Birchard, Inc. (formerly known as Birch Tree Group
6 Limited), a Wyoming corporation to Warner/Chappell Music, Inc. Ex. 84 at 955.

7 88. The Stock Power was accompanied by a Stock Certificate dated February 12,
8 1986 that shows David K. Sengstack as the owner of 953 shares of common stock in Birch
9 Tree Group Limited. Ex. 83 at 953.

10 89. On May 31, 2006, Summy-Birchard, Inc. was administratively dissolved by the
11 State of Wyoming. Ex. 85 at 957.

12 90. On September 14, 2009, Summy-Birchard, Inc. was incorporated in the State of
13 Wyoming. Ex. 85 at 957.

14 91. On January 8, 2010, Summy-Birchard, Inc. filed Articles of Merger with the
15 Wyoming Secretary of State. *Id.* at 957-961.

16 92. Pursuant to the Articles of Merger, the Summy-Birchard, Inc. dissolved in 2006
17 was merged into Summy-Birchard, Inc. that was incorporated on September 14, 2009. *Id.*

18 I hereby declare under the penalty of perjury under the laws of the United States that
19 the foregoing statements are true and correct to the best of my knowledge, information, and
20 belief.

21 Executed this 25st day of November, 2014, at New York, New York.

22
23 By: 
24

RANDALL S. NEWMAN

EXHIBIT 44

[Jt. App'x at 3:652-653, Dkt. 189-3]

Additional Certificate of Registration of a Claim to Copyright

This is to certify that the statements set forth
in the attached have been made a part of the
records of the Copyright Office with claim
of copyright registered under number

In testimony whereof, the seal of this office
is affixed hereto on

E 51988

June 12, 2014



Maui A. Pallante

Register of Copyrights and
Associate Librarian for Copyright Services

C-731 - 06/2011-10,000

Summy (Clayton F.) co.
 Happy birthday to you; unison song.

E1 2 c. rec'd DEC -9 1935
 Applicant rec'd DEC -9 1935
 Cal Pub 51988

Fee rec'd \$ 2.00 58096 DEC-9'35

IMPORTANT. Applicant must not write in the blank lines above; to do so will cause delay in Copyright Office.

APPLICATION FOR COPYRIGHT FOR REPUBLISHED MUSICAL COMPOSITION WITH NEW COPYRIGHT MATTER
 REGISTER OF COPYRIGHTS, Washington, D. C. Date December 6, 1935

the REPUBLISHED MUSICAL COMPOSITION named herein, containing new copyright matter, by a citizen of the United States. TWO complete copies of the best edition published on the date stated herein are herewith deposited to secure copyright registration according to the provisions of the Act of Mar. 4, 1909. \$2 (statutory fee for registration and certificate) is also inclosed. The copyright is claimed upon the new copyright matter as stated below, the author of which is a citizen or subject of the country stated below. The copyright is claimed by

(1) Name of copyright owner Clayton F. Summy Co.
 (Write full legal name of copyright owner)

(2) Address 429 S. Wabash Ave. Chicago, Ill.
 (Street) (City) (State)

(3) Author of new copyright matter Mrs. R. R. Forman
 (Write name in full) (Please turn this over)

USE THIS BLANK ONLY FOR MUSICAL COMPOSITION REPUBLISHED WITH NEW COPYRIGHT MATTER

(4) Country of which the author of the new matter is a citizen U. S. A.
 (MUST be stated)

(5) If an alien author domiciled in the United States, state where _____

(6) Title of musical composition Happy Birthday to You
 ONE COPY RETURNED DEC 27 1935

(7) State exactly on what new matter copyright is claimed (see Sec. 6 of Act of 1909) Arrangement for Unison Chorus and revised text

(8) Published on the sixth day of December 1935
 [State here the day, month, and year when the work was placed on sale, sold, or publicly distributed]

(9) Send certificate of registration to Clayton F. Summy Co.
429 S. Wabash Ave. Chicago, Ill.
 (Street) (City) (State)

(10) Name and address of person or firm sending the fee Clayton F. Summy Co.
429 S. Wabash Ave. Chicago, Ill.
 (Street) (City) (State) (Please turn this over)

(July, 1933—3,000) U. S. GOVERNMENT PRINTING OFFICE: 1933