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April 18, 2007

R. BRUCE RICH
DIRECT LINE (212) 310-8170
E-MAIL: r.bruce.rich@weil.com

BY OVERNIGHT DELIVERY

Carl V. Patton
Office of the President
Georgia State University
Alumni Hall, Suite 300
Atlanta, GA 30302-3999

Dear President Patton:

We represent the Association of American Publishers, Inc. ("AAP"), the nation's major trade association for the book publishing industry. AAP's members publish a substantial percentage of the reading material utilized by students enrolled in colleges and universities throughout the United States, including Georgia State University.

We are writing to advise Georgia State of the serious acts and overall systematic pattern of copyright infringement that our clients have uncovered in relation to the University's online, digital distribution system for course reading material. In short, Georgia State University has facilitated and enabled, and faculty members of Georgia State have engaged in (and encouraged their students to engage in), the systematic, widespread distribution and copying of a vast amount of copyrighted works without authorization and therefore in violation of federal copyright law. These activities infringe AAP members' copyright rights under the Copyright Act of 1976, 17 U.S.C. §§ 101 et seq., and entitle the affected publishers to equitable and monetary relief.

This matter is of great urgency to our clients. In order to forestall the filing of the attached complaint, we urge Georgia State University to cooperate by arranging to meet at an early date with the undersigned to discuss the remedial measures that will be required to satisfy the University's obligations under the law. In this connection, we stand prepared to discuss techniques that would enable Georgia State to come into legal compliance, while at the same time afford continued access to many such materials through available license mechanisms.

April 18, 2007
Page 2

Please let me hear from your authorized representative so that we can begin this important discussion.

Very truly yours,

A handwritten signature in cursive script, appearing to read "R. Bruce Rich". The signature is written in dark ink and is positioned above the printed name.

R. Bruce Rich

Encl.

cc: Patricia S. Schroeder, President and Chief Executive Officer, AAP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

BLACKWELL PUBLISHING, INC., CAMBRIDGE
UNIVERSITY PRESS, OXFORD UNIVERSITY PRESS,
INC., RANDOM HOUSE, INC., SAGE
PUBLICATIONS, INC., and TAYLOR & FRANCIS
GROUP LLC

Plaintiffs,

v.

CARL V. PATTON, in his official capacity as Georgia
State University President, RON HENRY, in his official
capacity as Georgia State University Provost,
CHARLENE HURT, in her official capacity as Georgia
State University Dean of Libraries, and J.L. ALBERT, in
his official capacity as Georgia State University Associate
Provost for Information Systems and Technology,

Defendants.

07 Civ. ____

COMPLAINT

Plaintiffs Blackwell Publishing, Inc., Cambridge University Press, Oxford
University Press, Inc., Random House, Inc., SAGE Publications, and Taylor & Francis
Group LLC (collectively, the “Publishers”), by and through their attorneys, Weil, Gotshal
& Manges LLP, for their complaint, allege, on information and belief, the following
against defendants Carl V. Patton, in his official capacity as Georgia State University
President, Ron Henry, in his official capacity as Georgia State University Provost,
Charlene Hurt, in her official capacity as Georgia State University Dean of Libraries, and
J.L. Albert, in his official capacity as Georgia State University Associate Provost for
Information Systems and Technology (collectively, “Georgia State,” “the University,” or
“Defendants”):

NATURE OF THIS ACTION

1. This action for declaratory and injunctive relief arises from Georgia State's development and exploitation of a variety of online mechanisms and outlets for the digital distribution of course reading material through which Georgia State has facilitated, enabled, encouraged, and induced the systematic, widespread and unauthorized copying and distribution of a vast amount of copyrighted works, including book chapters, articles from scholarly and scientific journals, newsletters, newspapers, and other periodicals owned or controlled by the Plaintiffs. Georgia State's electronic distribution system enables Georgia State professors to post -- and Georgia State students simultaneously to download, view, print, copy, and distribute -- the assigned reading materials for a particular course, without limitation and without oversight.

2. The unauthorized digital distribution of copyrighted course readings at Georgia State is widespread, flagrant, and ongoing. Georgia State offers digitized course offerings through the Georgia State Library electronic course reserves service, through Georgia State's "Blackboard" and "WebCT Vista" electronic course management systems, and through Georgia State departmental web pages and hyperlinked online syllabi available on websites and computer servers controlled by Georgia State. By digitally distributing course reading materials, Georgia State provides its students -- as well as the general public -- the ability to view, download, and print for free an extensive number and range of unlicensed copyrighted works.

3. With the University's encouragement, hundreds of professors employed by Georgia State have made, and continue to make, thousands of copyrighted materials available for electronic distribution and have encouraged students to download, view, and print such materials without payment to the copyright owners. As of March 30, 2007, the Georgia State Library's electronic course reserves system lists over 7500 total works available for some 560 courses. Much (and likely most) of this extensive

copying and distribution has been performed without authorization of the Plaintiffs (or, on information and belief, the authorization of hundreds of other publishers having rights to the materials) and thus without payment of the customary licensing fees due to copyright holders under well-established judicial authority.

4. Georgia State's ongoing unauthorized digital distribution of Plaintiffs' copyrighted materials is directly substituting for student purchases of copyrighted books and paper "coursepacks" or "copy packs," collections of course-related readings assigned by professors, licensed by bookstores and copy shops according to long-settled copyright law (including Basic Books, Inc. v. Kinko's Graphics Corp., 758 F. Supp. 1522 (S.D.N.Y. 1991), and Princeton Univ. Press v. Michigan Document Servs., Inc., 99 F.3d 1381 (6th Cir. 1996)), and purchased by students. The resulting loss to the publishing community is substantial. Many Georgia State students are now able to obtain, with the encouragement of their professors and the University at large, required reading materials for a given course without ever setting foot in a bookstore or expending a single cent on reading materials that lie at the heart of the educational experience.

5. Although Georgia State's creation and promotion of its various digital distribution channels enables students to avoid payment to the publishers for the use of books and articles, those students could easily obtain the same copyrighted materials for use in their courses through the existing permissions and licensing system, which was designed to fairly and efficiently compensate the owners of the works. Unless Georgia State's infringing digital distribution practices are enjoined, Plaintiffs and the publishing community at large will continue to face a certain, substantial, and continuing threat of loss of revenue, which will in turn threaten Plaintiffs' incentive to continue subsidizing and publishing the cutting-edge scholarship upon which the academic enterprise depends. Requiring the payment of permission fees (which are often directly shared with authors) will not prevent Georgia State or its students from accessing or

benefiting from publishers' works, but will in fact ensure that those works continue to be produced and available to current and future generations of students.

JURISDICTION AND VENUE

6. This is a civil action seeking injunctive relief for copyright infringement under the Copyright Act (17 U.S.C. §§ 101 et seq.), as well as declaratory relief pursuant to 28 U.S.C. §§ 2201-2.

7. This Court has jurisdiction of this action pursuant to 17 U.S.C. §§ 101 et seq., 28 U.S.C. §§ 1331, 1338(a)-(b), and 2201.

8. This Court has personal jurisdiction over Defendants, all of whom do business in the State of Georgia and in this District. In addition, Defendants' conduct, which constitutes copyright infringement, occurred in this District and has caused harm in this District.

9. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)-(c) and 1400(a).

PARTIES

10. Plaintiff Blackwell Publishing, Inc. is a corporation duly organized and existing under the laws of Massachusetts, with its principal place of business located in Malden, Massachusetts. Its principal imprints include Blackwell Publishing Inc., Blackwell Publishing Ltd., and Blackwell Publishing Professional.

11. Plaintiff Cambridge University Press is the not-for-profit Printing and Publishing House of the University of Cambridge, and was chartered by New York State in 1949. The University of Cambridge is an English common law corporation confirmed by an Act of Parliament passed in 1571.

12. Plaintiff Oxford University Press, Inc. is a not-for-profit corporation duly organized and existing under the laws of Delaware, with its principal place of business in New York, New York.

13. Plaintiff Random House, Inc. a wholly-owned subsidiary of Bertelsmann, Inc., is a corporation duly organized and existing under the laws of New York, with its principal place of business is in New York, New York. Random House's subsidiary publishing divisions and imprints include Alfred A. Knopf, Vintage Books, the Random House Publishing Group (including the "Random House" imprint), Doubleday, and Pantheon Books.

14. Plaintiff SAGE Publications is a corporation duly organized and existing under the laws of Delaware, with its principal place of business in Thousand Oaks, California. Its subsidiary publishing divisions and imprints include Corwin Press and SAGE Publications Ltd.

15. Plaintiff Taylor & Francis Group, LLC is a limited liability company duly organized and existing under the laws of Delaware, with its principal place of business in Boca Raton, FL. Its imprints include Taylor & Francis, Routledge, Auerbach Publications, Chapman & Hall/CRC, CRC Press, and Garland Science.

16. Defendant Carl V. Patton is the president of Georgia State University, a public, not-for-profit corporation with its main campus in Atlanta, Georgia. Under the statutes of the University, he is the chief administrative officer, with responsibility for providing general supervision for all affairs of the University. He is also a member and the chairperson and presiding officer of every faculty and every separate academic unit of the University. Upon information and belief, he has ultimate responsibility for the academic and technical departments of the university involved in the provision of electronic course materials to Georgia State students through the Library website, the Blackboard and WebCT course management systems, and elsewhere – and the ability to direct and demand their compliance with federal copyright law and to halt activities that do not so comply.

17. Defendant Ron Henry is the Provost of Georgia State University, the second officer of the University. In his role as Provost, his responsibilities include ensuring conduct consistent with the professional and legal fulfillment of the University's purposes and objectives, faculty oversight, monitoring the performance of the University's library system, and direct supervision of the Dean of Libraries and the Associate Provost for Information Systems and Technology – i.e., the academic and technical departments of the university involved in the provision of electronic course materials to Georgia State students through the Library website, the Blackboard and WebCT course management systems, and elsewhere.

18. Defendant Charlene Hurt is the Dean of Libraries for Georgia State University. Upon information and belief, she has direct responsibility for and oversight of all library employees and all activities of the University library system, including its website, its electronic/digital offerings, course reserves, and the operation of and policies guiding its electronic course reserve system.

19. Defendant J.L. Albert is the Associate Provost for Information Systems and Technology and Chief Information Officer. Upon information and belief, he is responsible for information systems and computer technology and infrastructure across the University, including all electronic services provided to University faculty and students such as the Blackboard and WebCT course management systems. He also supervises the Director of Library Services Support, who provides technical support for the University's electronic course reserves (ERes) system.

ALLEGATIONS COMMON TO ALL CLAIMS FOR RELIEF

The Publishers and Their Infringed Copyrighted Works

20. Plaintiffs are leading publishers of books, articles, journals, periodicals, and other copyrighted materials which are sold and/or licensed through various permissions and licensing programs to students enrolled in colleges and

universities throughout the United States, including Georgia State. Plaintiffs invest significant resources developing and publishing these materials and rely on copyright protection to earn a return on their investment from the sale and licensing of such works (including in connection with coursepacks). Sale and licensing revenue is critical to the publishers' ability to continue developing and publishing works for the academic community.

21. Each of the works as to which infringement is specifically alleged in Schedule A hereto and in paragraphs 23 to 28 below is an original work of authorship protected by copyright, and exclusive rights under these copyrights (including the rights infringed by Defendants) are owned by, or exclusively licensed to, the Plaintiffs. Each such work is registered with the United States Copyright Office, or is protected under U.S. copyright law as a work first published in a country that is a signatory to the Berne Convention.

Georgia State's Digital Distribution of Course Reading Materials

22. On information and belief, hundreds of instructors employed by Georgia State have offered thousands of articles, book chapters and other copyrighted works through Georgia State's electronic course reserves listings for numerous terms, much of which remains on the library's system. A search of the system conducted by Plaintiffs during the spring 2007 semester revealed over 7500 total works available, ranging from one to as many as 72 citations per course. Plaintiffs believe that the volume of digital distribution at Georgia State significantly exceeds the amount of material that Plaintiffs have been able to review to date.

23. Many Georgia State courses utilizing Georgia State's digital distribution capabilities provide visitors with copies of copyrighted works (each available for downloading, viewing and printing) owned or controlled by Plaintiffs in this action. For example, digital copies of Chapters 1 and 2 (a 75-page excerpt) from a publication by

Plaintiff Blackwell Publishing, Cultures of Cities by Sharon Zukin, are being made available to students in Professor Guano's Spring 2007 course "Urban Anthropology" (ANTH4200/6200). Often digital copies of Plaintiffs' content are made available to students in successive generations of the same course. For example, in Professors Garfin, Gray, and Kruger's course "Social and Personality Development" (EPY8220), students in both the Fall 2006 and Spring 2007 versions of the course were and are able to view, download, and print the same 55 pages from two different chapters of H. Rudolph Schaffer's book Social Development: An Introduction, also published by Blackwell. In the Spring 2007 semester, Professor Kruger has added and is now offering students a digital copy of the 50-page 4th chapter of the same book, bringing the total from that work to over 100 unlicensed pages. Representative samples of Blackwell Publishing works that have been distributed digitally to students at Georgia State without permission are identified in Schedule A.

24. University presses also have their works being made available by Georgia State professors in digital format without permission or compensation. By way of example, students in the Fall 2006 semester of Professor Reimann's course "The Political Economy of Japan," were able to download, view, and print digital copies of a 33-page excerpt from Ethan Scheiner's book Democracy without Competition in Japan, a book published by Plaintiff Cambridge University Press. Students in the Fall 2006 semester of Professor Orr's course "Baroque Music," were given digital copies of 32 pages from The Cambridge Companion to the Organ, including the full text of two essays by Patrick Russill and Geoffrey Webber. Graydon Beek's essay "Handel's Sacred Music," which appears in Plaintiff Cambridge's anthology Cambridge Companion to Handel, was also made available to Professor Orr's class in digital form without a proper license. Representative samples of Cambridge works that have been distributed digitally to students at Georgia State without permission are identified in Schedule A.

25. Plaintiff Oxford University Press has also suffered infringements. Students in Professor Blumi's "Survey of World History Since 1500" (HIST1112) are receiving electronic copies of a 53-page excerpt of George M. Fredrickson's White Supremacy: A Comparative Study of American and South African History without permission from Oxford. Students in Professor Darsey's Fall 2006 likewise were provided with electronic copies of the 28-page first chapter of Christopher Simpson's Science of Coercion: Communication Research and Psychological Warfare, also by Oxford. Representative samples of Oxford works that have been distributed digitally to students at Georgia State without permission are identified in Schedule A.

26. Digital excerpts from Edward Said's Orientalism, one of the best-selling texts in the academic market and a title published by Plaintiff Random House, are currently being distributed to Georgia State students in a number of courses. Students in Professor Van Horn's "Intercultural Communication" (SPCH3750), for example, are being provided with the book's 28-page Introduction, while students in Professor Iskander's Spring 2007 course "Islamic Fundamentalism and the Modern World" (RELS4480/6480) are receiving not only the Introduction, but also Chapters I and II – a total of 71 pages. Representative samples of Random House works that have been distributed digitally at Georgia State without permission are identified in Schedule A.

27. Students in the Fall 2006 term of Professor Kaufmann's course "Interpretive Inquiry in Education" (EPS 9280) received multiple unlicensed digital excerpts from the third edition of The SAGE Handbook of Qualitative Research, edited by Norman Denzin and Yvonna S. Lincoln and published by Plaintiff SAGE Publications. The excerpts included the 29-page 25th chapter by Susan Chase entitled "Narrative Inquiry," which was distributed without permission from or compensation to SAGE or the author. Students in Professor Esposito's Fall 2006 course "Ethnographic Approaches" (EPS 8500) received a chapter from the same book – Russell Bishop's

“Freeing Ourselves from Neocolonial Domination in Research.” For the Spring 2007 version of the same course, Professor Esposito is now also providing students with the Chase chapter, among others. Meanwhile, another professor is providing students in AL8961 (“Qualitative Research”) with a full *five* chapters (over 100 pages) of the second edition of the same SAGE Handbook, including the 25-page 6th Chapter by Yvonna Lincoln and Egon Guba. Finally, students in Professor Emshoff’s Fall 2006 course “Introduction to Community Psychology” (PSYC8200) were given digital copies of 28 pages from Milan J. Dluhy’s Changing the System: Political Advocacy for Disadvantaged Groups, also published by SAGE. Representative samples of SAGE Publications works that have been distributed digitally to students at Georgia State without permission are identified in Schedule A.

28. 72 pages (Chapters 3-5) from Patricia Hall Collins’s book Black Feminist Thought, published by Routledge, a subsidiary of Plaintiff Taylor & Francis, are currently being distributed in digital form to students in the Spring 2007 semester of African American Female Activism (AAS4080) – this after students in the Fall 2006 term of Feminist Theory (WST 3010) were provided with the 24-page 4th chapter of the same book. Students in the Fall 2006 semester of another Women’s Studies course, WST 2010, were likewise provided with digital copies of a 32-page excerpt from Collins’s Black Sexual Politics, also published by Routledge. Meanwhile, students in the current (Spring 2007) semester of Introduction to Cultural Anthropology (ANTH2020) are being provided with digital copies of 44 pages from Judith Butler’s Gender Trouble, while students in Professor Kubala’s WST4820/6820 are receiving a 33-page digital excerpt of the same Routledge work. Representative samples of Taylor & Francis works that have been distributed digitally to students at Georgia State without permission are identified in Schedule A.

29. Defendants' stated copyright policy governing the sharing of copyrighted works via the Library's electronic course reserves system, and via Georgia State's use of digital distribution technologies more generally, is available for public viewing. This policy is plainly inconsistent with the Guidelines for Multiple Copying for Classroom Use included in House Report 94-1476, the Report of the House Committee on the Judiciary for the 1976 Copyright Act. For example, Georgia State's policy endorses the copying of an entire chapter from a book to its course reserves or up to twenty percent of the work, whereas the relevant provisions of the House Guidelines only allow for copies of fewer than 2,500 words or ten percent of the work, whichever is less.

30. Georgia State's general copyright guidelines are also clearly at odds with governing copyright jurisprudence. Those guidelines – entitled the “Regents Guide to Understanding Copyright & Educational Fair Use” and available at <http://www.usg.edu/legal/copyright> – suggest wrongly that a professor is permitted to provide his or her class with copies of an entire copyrighted journal article or post such an article on a web page, without authorization of the copyright owner, provided that access to the web page is “restricted” to students. The Guide also claims definitively and wrongly that a professor's placement of an entire book chapter on the library's electronic reserve system is “fair use” if “access to the system is limited to students enrolled in the class.”

31. Regardless, Georgia State's policies are not enforced. Georgia State's electronic course reserves system contains numerous examples of works that violate the University's own policies as well as the House Guidelines, including many of the works identified in paragraphs 23 to 28 above.

The Electronic Course Reserves Functionality at Georgia State

32. The Georgia State University Libraries operate a central Internet website (at <http://www.library.gsu.edu/>) accessible to both Georgia State students and the

general public. This site includes a hyperlink called "Course Reserves." Clicking this link takes the website visitor to a new web page with prominent hyperlinks that visitors can click to "Search Reserves" or view an "Instructors Online Submission Form." (See sample screen shots attached at Exhibit 1, pp. 1-2.) Clicking the Search Reserves link leads viewers to a web page headlined "ERes/electronic reserves system," where visitors can search the Library Catalog for course reserve listings. (See Exhibit 1, p. 3.)

33. On the "ERes" page, visitors have several options for searching electronic reserve material. First, they can "Search for Course Reserve Pages" by entering search text, selecting from a dropdown menu one of several database fields within which to search (Course Number, Course Name, Department, or Instructor), and clicking the "Search" button; the Library database then displays, on a new page, a list of courses that contain the entered search terms in the specified field(s). (See Exhibit 1, p. 4.) The Course Number for each entry in the search-results list is an active hyperlink; when clicked, the viewer is taken first to an interim copyright policy page (see Exhibit 1, p. 5), where the user must click an "accept" button before being delivered to the Course Reserves Page (see Exhibit 2). Occasionally, especially for more recent courses, the student may be required to enter a password before being delivered to the Course Reserves Page.

34. Course Reserves Pages include a list of hard-copy reserve materials and the location on campus where such materials are held, as well as a list of all the electronic reserve readings for the particular course. For example, when Plaintiffs searched and selected the hyperlink for "EPY8220" during the fall 2006 semester, more than 80 electronic listings were displayed. Searching on the same course during the Spring 2007 semester returned 72 electronic readings, while a search on "AL8961" returns 34 such digital listings.

35. Each electronic reading listed on the Course Reserves Page contains a hyperlink; when one of these hyperlinks is clicked, Adobe Reader (a document viewing software program) is launched and the requested work is displayed for the user, in a new "browser window," in portable document format (pdf). The work can be printed, saved to the user's local computer, and further redistributed in printed form or through electronic transmission, even to people outside Georgia State, thereby competing with the publisher's own sales to other people as well.

36. Students or other visitors can also search for all Course Reserves Pages offered within a given department or taught by a given instructor (selected from dropdown menus), or by using keywords to search for specific documents (as described above) by author or title (see Exhibit 1, p. 3).

37. Upon information and belief, the electronic reserve copies that are distributed to students in the manner described above are copied and digitized by either the professor, a person working under the professor's direction, or a library staff member, and are stored on a Georgia State computer server with the Library's knowledge and participation.

38. In addition to the course reserves system on the Georgia State University Library gateway, syllabi for various Georgia State courses are publicly available on web pages within the Georgia State University domain. Such syllabi contain reading lists with references to reading assignment materials stored on the library's electronic course reserves listings, as described above. Some syllabi contain active hyperlinks which students can click to directly view and print unlicensed electronic versions of the reading materials stored on Georgia State servers.

39. Upon information and belief, instructors at Georgia State also have posted and distributed electronic copies of Plaintiffs' copyrighted course materials on Blackboard and WebCT (which were merged in early 2006), the University's online

course management systems, which offer centralized and individualized online forums for all Georgia State classes where students can, among other activities, download course readings, get updates on news for the course and view syllabi, and post electronic messages to a course bulletin board. A key feature of WebCT, as described in the tutorials available to faculty and students on the Georgia State website, is the easy ability of instructors to “upload” electronic files to a centralized course “content file,” including a “media library” of course content for students to view, download, and save to their own computers.

The Longstanding Permissions Market for Paper Coursepacks and Distribution of Electronic Copies

40. Georgia State’s ability to distribute reading materials electronically rather than through hard-copy books and coursepacks should not be confused with permission to do so; nor does it justify the massive, unauthorized giveaway that is taking place at the expense of the Plaintiffs, their authors, and the publishing community at large. The publishing industry has already incurred substantial damages based on Georgia State’s conduct despite the presence of readily accessible, efficient, and economical licensing mechanisms specifically designed by the publishing community to foster innovative distribution formats (including electronic reserves) without sacrificing a fair return to the publishers who bring such works to the public at a substantial cost.

41. There have long been available efficient and user-friendly mechanisms for the licensing of copyrighted materials for use in paper coursepacks and electronic distribution systems. Each Plaintiff offers academic users an easy and efficient mechanism for obtaining photocopy (i.e., coursepack) and electronic-use licenses directly from the publisher.

42. In addition, Copyright Clearance Center, Inc. (CCC), a not-for-profit corporation established in 1977 by authors, publishers, and users at the suggestion of

Congress, has served as a centralized body for enabling such permissions, and CCC's variety of rights and royalty clearance systems have facilitated the granting of permissions, and the collection and distribution of royalties for photocopying and electronic uses of copyrighted works, on behalf of the publishing and author communities. As such, CCC provides a wide variety of users, including academic institutions, with an efficient single source for licensed access to a broad and extensive repertory of millions of copyrighted works from nearly ten-thousand publishers and hundreds of thousands of authors.

43. CCC offers a variety of licensing options to users, including per-use licenses that grant permission for a specified use of a particular work and, in some markets, repertory licenses that grant permission to copy any work in the CCC repertory. CCC offers unique user-friendly permissions programs to the academic community (including professors, faculty, librarians, and coursepack vendors). For example, through its Academic Permissions Service (APS), CCC offers professors, library personnel and other licensees a convenient mechanism for obtaining per-use copyright permission to photocopy content from books, journals, magazines and other materials for coursepacks and classroom handouts. Users can access APS through the CCC website (or by phone, fax, or mail), establish an account, search for requested works by title, publisher, or ISBN number, enter information about the course for which permission is requested, and obtain rate quotes for use of a work, all with no charge. For hundreds of thousands of "pre-cleared" titles, users can obtain on-the-spot permission to include the work in a coursepack, while other requests are forwarded to the rightsholder of record for clearance.

44. CCC's Electronic Course Content Service (ECCS) offers users a convenient mechanism for obtaining per-use copyright permission to share, via electronic reserves, e-coursepacks, and other electronic formats, excerpts from books, journals,

magazines and other materials. As with the Academic Permissions Service, users can access ECCS through the CCC website, establish an account, search for requested works by title, publisher, or ISBN number, enter information about the course for which permission is requested, and obtain rate quotes for use of a work. For over 400,000 “pre-cleared” titles, users can obtain on-the-spot permission for electronic use, while other requests are forwarded to the rightsholder of record for clearance.

45. To assist the academic community in securing permissions to use copyrighted materials, CCC has developed and maintains an online resource center for academic institutions, web pages that provide detailed educational materials, news, and instructions related to copyright law and licensing in the university setting, along with various one-stop licensing alternatives.

46. CCC has partnered with leading application vendors to incorporate its permission services directly into the leading library-automation, coursepack-production, and course-management systems. As a result, librarians can secure copyright permissions for many works while working within their own library software applications, making the permission and compliance process even easier.

47. Despite the presence of these efficient licensing mechanisms – and despite Georgia State’s introduction and widespread use of digital course reading distribution as detailed above – electronic licensing fees actually paid by Georgia State are minuscule.

CLAIMS FOR RELIEF

First Claim

Direct Copyright Infringement in Violation of 17 U.S.C. § 106

(Against All Defendants)

48. Paragraphs 1-47 are incorporated by reference as if set forth fully herein.

49. By scanning, copying, displaying, and distributing Plaintiffs' copyrighted material – including but not limited to each copyrighted work identified on Schedule A – on a widespread and continuing basis via the Georgia State University website and other Georgia State computers and servers, Defendants' conduct constitutes infringement of Plaintiffs' copyrights and exclusive rights under copyright in violation of Sections 106 and 501-505 of the Copyright Act, 17 U.S.C. §§ 106, 501-505.

50. Defendants' acts have been and continue to be willful, intentional and purposeful, in violation of Plaintiffs' rights.

51. As a direct and proximate result of Defendants' infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to injunctive and declaratory relief. Unless enjoined by this Court, Defendants' conduct will continue to cause severe and irreparable harm to Plaintiffs.

52. Plaintiffs are entitled to recover their attorneys fees and costs pursuant to 17 U.S.C. § 505.

Second Claim

Contributory Copyright Infringement

(Against All Defendants)

53. Paragraphs 1-52 are incorporated by reference as if set forth fully herein.

54. By scanning, copying, displaying, and distributing Plaintiffs' copyrighted material – including but not limited to each copyrighted work identified on Schedule A – on a widespread and continuing basis via the Georgia State University website and other Georgia State computers and servers, and by facilitating, encouraging and inducing students to view, download, copy and further distribute that copyrighted material, Defendants' conduct constitutes contributory infringement of Plaintiffs'

copyrights and exclusive rights under copyright in violation of Sections 106 and 501-505 of the Copyright Act, 17 U.S.C. §§ 106, 501-505.

55. Defendant has actual and constructive knowledge that students will view, download, copy and further distribute Plaintiffs' copyrighted material, and knowingly encourages students to do so.

56. Defendants' acts have been and continue to be willful, intentional and purposeful, in violation of Plaintiffs' rights.

57. As a direct and proximate result of Defendants' infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to injunctive and declaratory relief. Unless enjoined by this Court, Defendants' conduct will continue to cause severe and irreparable harm to Plaintiffs.

58. Plaintiffs are entitled to recover their attorneys fees and costs pursuant to 17 U.S.C. § 505.

Third Claim

Vicarious Copyright Infringement

(Against All Defendants)

59. Paragraphs 1-58 are incorporated by reference as if set forth fully herein.

60. By allowing professors and other employees of Georgia State University to scan, copy, display, and distribute Plaintiffs' copyrighted material – including but not limited to each copyrighted work identified on Schedule A – on a widespread and continuing basis via the Georgia State University website and other Georgia State computers and servers; by facilitating, encouraging and inducing students to view, download, copy and further distribute that copyrighted material; by failing to supervise or prevent such infringement when they have the right and ability to do so; and by profiting by such infringement, Defendants' conduct constitutes vicarious

infringement of Plaintiffs' copyrights and exclusive rights under copyright in violation of Sections 106 and 501-505 of the Copyright Act, 17 U.S.C. §§ 106, 501-505.

61. Defendants' acts have been and continue to be willful, intentional and purposeful, in violation of Plaintiffs' rights.

62. As a direct and proximate result of Defendants' infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to injunctive and declaratory relief. Unless enjoined by this Court, Defendants' conduct will continue to cause severe and irreparable harm to Plaintiffs.

63. Plaintiffs are entitled to recover their attorneys fees and costs pursuant to 17 U.S.C. § 505.

WHEREFORE, Plaintiffs pray:

1. That this Court enter an order pursuant to 17 U.S.C. § 502 and 28 U.S.C. § 2201 declaring that Defendants' actions constitute copyright infringement and granting preliminary and permanent injunctive relief, enjoining Defendants or any individuals in their employ or control from copying, displaying or distributing electronic copies of any of Plaintiffs' copyrighted works to Georgia State students or any others, or facilitating or encouraging others to do so, without seeking the appropriate authorization from Plaintiffs and paying the appropriate licensing fees;

2. That this Court award Plaintiffs the costs of this action and reasonable attorneys fees and expenses; and

3. That this Court grant such other and further relief as it deems just and proper.

Dated: New York, New York
April __, 2007

Respectfully submitted,

WEIL, GOTSHAL & MANGES LLP

By: _____
R. Bruce Rich
Elizabeth Stotland Weiswasser
Todd Larson
Erik Encarnacion

767 Fifth Avenue
New York, New York 10153
(212) 310-8000

Attorneys for Plaintiffs

GEORGIA STATE COMPLAINT SCHEDULE A

COURSE TITLE AND SEMESTER	TITLE OF WORK	TITLE OF EXCERPT	PUBLISHER PLAINTIFF	AUTHOR	PAGES COPIED	COPYRIGHT REGISTRATION NUMBER
Social and Personality Development, fall 2006, spring 2007	Social Development	Social Signaling Devices; Biological Basis of Emotional Development; Bases of Individuality; Sense of Self: Sense of Other; Social Experience and its Aftermath	Blackwell Publishing, Inc.	H. Rudolph Schaffer	52-59; 79-90; 154-203; 361-396	First published in the United Kingdom
Sociological Theory, fall 2006	The Rise of Network Society	The Information Technology Revolution	Blackwell Publishing, Inc.	Manuel Castells	28-65	First published in United Kingdom
Anth 4200/6200, spring 2006	Cultures of Cities	Whose Culture? Whose City? (Chapter 1); Learning from Disney World (Chapter 2)	Blackwell Publishing, Inc.	Sharon Zukin	1-47; 49-77	First published in United Kingdom
Political Economy of Japan (POLS 4256), fall 2006	Democracy without Competition in Japan	Opposition Failure in Japan: Background and Explanation (Chapter 2)	Cambridge University Press	Ethan Scheiner	31-63	Application for Registration Pending
Baroque Music (MUS8840), fall 2006	Cambridge Companion to the Organ	Catholic Germany and Austria, 1648-1800	Cambridge University Press	Patrick Russell	204-218	First published in United Kingdom
Baroque Music, fall 2006	Cambridge Companion to the Organ	The North German Organ School	Cambridge University Press	Geoffrey Webber	219-235	First published in United Kingdom
Theories of the Public, fall 2006	Science of Coercion: Communication Research and Psychological Warfare 1945-1960	Defining Psychological War (Chapter 1), World War and Early Communication Research (Chapter 2)	Oxford University Press, Inc.	Christopher Simpson	3-30	TX-4-367-232
Survey of World History Since 1500, spring 2007	White Supremacy: A Comparative Study of American and South African History	Settlement and Subjugation, 1600-1840 (Chapter 1)	Oxford University Press, Inc.	George M. Frederickson	3-53	TX-625-807

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Islamic Fundamentalism and the Modern World (RELS 4480/6480), spring 2007	Orientalism	Introduction; Knowing the Oriental	Random House, Inc.	Edward W. Said	1-28, 31-73	TX 182-074
Intercultural Communication (SPCH 3750), spring 2007	Orientalism	Introduction	Random House, Inc.	Edward W. Said	1-28	TX 182-074
African American Politics (POLS 4165), fall 2006	Black Power: The Politics of Liberation in America	Black Power (Chapter 2)	Random House, Inc.	Kwame Ture, Charles V. Hamilton	34-56	A953831 RE 716-353
Interpretive Inquiry in Education (EPS 9280), fall 2006	Sage Handbook of Qualitative Research, Third Edition	Narrative Inquiry	SAGE Publications, Inc.	Susan Chase	651-680	TX 6-175-287
Ethnographic Approaches (EPRS 8500), fall 2006, spring 2007	Sage Handbook of Qualitative Research, Third Edition	Freeing Ourselves from Neocolonial Domination in Research; Narrative Inquiry	SAGE Publications, Inc.	Russell Bishop; Susan Chase	109-138; 651-680	TX 6-175-287
Interpretive Inquiry in Education (EPS 9280), fall 2006	Sage Handbook of Qualitative Research, Second Edition	Rethinking Observation: From Method to Context	SAGE Publications, Inc.	Micheal Angrosino & Kimberly A. mays de Perez	673-702	TX-3-721-799 TX-5-220-475
Qualitative Research (AL 8961), spring 2007	Sage Handbook of Qualitative Research, Second Edition	Chapter 6	SAGE Publications, Inc.	Yvonna S. Lincoln & Egon G. Guba	163-188	TX-3-721-799

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Introduction to Cultural Anthropology (ANTH 2020) fall 2006	Gender Trouble: Feminism and the Subversion of Identity	“Women” as the Subject of Feminism (Chapter 1), Compulsory Order of Sex/Gender/Desire (Chapter 2), Gender: The Circular Ruins of Contemporary Debate (Chapter 3), Theorizing the Binary, the Unitary, and Beyond (Chapter 4), Identity, Sex, and the Metaphysics of Substance (Chapter 5), Language, Power, and the Strategies of Displacement (Chapter 6)	Taylor & Francis Group LLC (Routledge Publishing)	Judith Butler	3-44	TX-2-735-930
Introduction to Women's Studies (WST2010), fall 2006	Black Sexual Politics	Booty Call: Sex, Violence and Images of Black Masculinity	Taylor & Francis Group LLC (Routledge Publishing)	Patricia Hill Collins	149-180	Application for Registration Pending
Feminist Theory (WST 3010), fall 2006	Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment	Mammies, Matriarchs, and Other Controlling Images (Chapter 4)	Taylor & Francis Group LLC (Routledge Publishing)	Patricia Hill Collins	67-89	Application for Registration Pending

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Introduction to Women's Studies (WST 2010), fall 2006	Teaching to Transgress: Education as the Practice of Freedom	Teaching to Transgress	Taylor & Francis Group LLC (Routledge Publishing)	bell hooks	1-22	TX 3-937-761

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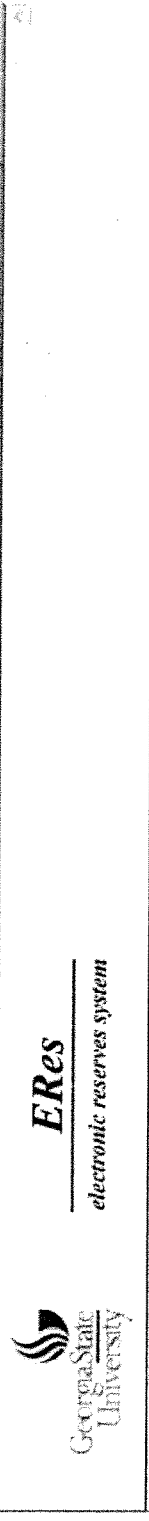
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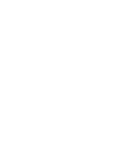
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SOCI3101	Families and Society		Sociology	Marshall-Williams	Spring
SOCI3101	Families and Society		Sociology	Davis-Sowers	Spring
SOCI3101	Families and Society		Sociology	LaRossa	Spring
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SOCI3156	Sexuality and Society		Sociology	Waszkiewicz	Spring
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
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










Title	Primary Author	Format	Size (KB)
Theories for Understanding Development		Folder	-
Van den Bergh, B.R.H. & Marcoen, A. (2004). High antenatal anxiety is related to ADHD symptoms, externalizing problems, and anxiety in 8- and 9-year olds. <i>Child Development</i> , 75, 1085-1097.		Other (PDF)	128 KB
Collins, W.A., Maccoby, E.E., Steinberg, L., Hetherington, E.M., & Bornstein, M.H. (2000). Contemporary research on parenting: The case for nature and nurture. <i>American Psychologist</i> , 55, 218-232.		Other (PDF)	2267 KB
Commentaries on Collins, et al. (2001). <i>American Psychologist</i> , 56, 168-172.		Other (PDF)	642 KB
Risk and Resilience		Folder	-
Masten, A.S. (2001). Ordinary magic: Resilience processes in development. <i>American Psychologist</i> , 56, 227-238.		Other (PDF)	2619 KB
BACKGROUND READING: Schaeffer, H. R. (1996). <i>Social development</i> . Malden, MA: Blackwell. pp. 361-396.		Other (PDF)	1370 KB
Scheper-Hughes, N. (1985). Culture, scarcity, and maternal thinking: Maternal detachment and infant survival in a Brazilian shantytown. <i>Ethos</i> , 13, 291-317.		Other (PDF)	658 KB















 Infant Sociality		Folder	-
 DeCasper, A.J., Lecanuet, J-P., Busnel, M-C., Granier-Deferre, C. et al. (1994). Fetal reactions to recurrent maternal speech. <i>Infant Behavior and Development</i> , 17, 159-164.		Other (PDF)	818 KB
 BACKGROUND READING: Schaeffer, H. R. (1996). <i>Social development</i> . Malden, MA: Blackwell. pp. 52-59, 79-90.		Multiple Attached Files (2)	734 KB
 Langlois, J.H., Ritter, J.M., Roggman, L.A., & Vaughn, L.S. (1992). Facial diversity and infant preferences for attractive faces. <i>Developmental Psychology</i> , 27, 79-84.		Other (PDF)	670 KB
 Striano, T. & Rochat, P. (2000). Emergence of selected social referencing in infancy. <i>Infancy</i> , 1, 253-264.		Other (PDF)	568 KB
 Attachment I: Contexts		Folder	-
 NICHD (1997). The effects of infant child care on infant-mother attachment security: Results of the NICHD study of early child care. <i>Child Development</i> , 68, 860-879.		Other (PDF)	1702 KB
 Zeanah, C.H., Smyke, A.T., Koga, S.F., Carlson, E., The Bucharest Early Intervention Project Core Group (2005). Attachment in institutionalized and community children in Romania. <i>Child Development</i> , 76, 1015-1028.		Other (PDF)	139 KB
 Tomlinson, M., Cooper, P., & Murray, L. (2005). The mother-infant relationship and infant attachment in a South African peri-urban settlement. <i>Child Development</i> , 76, 1044-1054.		Other (PDF)	108 KB
 Attachment II: Consequences		Folder	-
 Kochanska, G., Aksan, N., Knaack, A., & Rhines, H.M. (2004). Maternal parenting and children's conscience: Early security as moderator. <i>Child Development</i> , 75, 1229-		Other (PDF)	135 KB










1242.			
 Huth, Bocks, A.C., Levendosky, A.A., Bogat, G., & von Eye, A. (2004). The impact of maternal characteristics and contextual variables on infant-mother attachment. <i>Child Development</i> , 75, 480-496.		Other (PDF)	167 KB
 Sroufe, L. A., Egeland, B., Carlson, E.A., & Collins, W.A. (2005). <i>The development of the person</i> , pp.219-238. New York: Guilford.		Other (PDF)	551 KB
 Child Care		Folder	-
 National Institute of Child Health and Human Development Early Child Care Research Network. (2003). Does amount of time spent in child care predict socioemotional adjustment during the transition to kindergarten? <i>Child Development</i> , 74, 976-1005		Multiple Attached Files (2)	2678 KB
 Watamura, S.E., Donzella, B., Alwin, J., & Gunnar, M.R. (2003). Morning-to-afternoon increases in cortisol concentrations for infants and toddlers in child care: Age differences and behavioral correlates. <i>Child Development</i> , 74, 1006-1020.		Other (PDF)	1388 KB
 Newcombe, N.S. (2003). Some controls control too much. <i>Child Development</i> , 74, 1050-1052.		Other (PDF)	291 KB
 Greenspan, S. I. (2003). Child care research: A clinical perspective. <i>Child Development</i> , 74, 1064-1068.		Other (PDF)	419 KB
 Maccoby, E.E. & Lewis, C.C. (2003). Less day care or difference day care? <i>Child Development</i> , 74 1069-1076.		Other (PDF)	736 KB
 Understanding Self and Other		Folder	-
 Schaeffer, H. R. (1996). <i>Social development</i> . Malden, MA: Blackwell. pp. 154-181.		Other (PDF)	1467 KB
Wiley, A.R., Rose, A.J., Burger, L.K., & Miller, P.J. (1998). <i>Constructing autonomous selves through</i>			

 narrative practices: A comparative study of working-class and middle-class families. <i>Child Development</i> , 69, 833-847.		Other (PDF)	3091 KB
 Kiesner, J., Maass, A., Cadinu, M., & Vallese, I. (2003). Risk factors for ethnic prejudice during early adolescence. <i>Social Development</i> , 12, 288-308.		Other (PDF)	126 KB
 French, S.E., Seidman, E., Allen, L., & Aber, J.L. (2006). The development of ethnic identity during adolescence. <i>Child Development</i> , 42, 1-10.		Other (PDF)	159 KB
 Gender		Folder	-
 Iervolino, A.C., Hines, M., Golombok, S.E., Rust, J., & Plomin, R. (2005). Genetic and environmental influences on sex-typed behavior during the preschool years. <i>Child Development</i> , 76, 826-840.		Other (PDF)	156 KB
 Hines, M., Golombok, S., Rust, J., Johnston, K.J., Golding, J., & the Avon Longitudinal Study of Parents and Children Study Team (2002). Testosterone during pregnancy and gender role behavior of preschool children: A longitudinal, population study. <i>Child Development</i> , 73, 1678-1687.		Other (PDF)	123 KB
 Pettitt, L.M. (2004). Gender intensification of peer socialization during puberty. <i>New Directions for Child & Adolescent Development</i> , 23-34.		Other (PDF)	77 KB
 Peers		Folder	-
 Mendez, J.L., Fantuzzo, J., & Cicchetti, D. (2002). Profiles of social competence among low-income African-American pre-school children. <i>Child Development</i> , 73, 1085-1100.		Other (PDF)	405 KB
 Hawley, P.H., Little, T.D., Pasupathi, M. (2002). Winning friends and influencing peers: Strategies of peer influence in late childhood. <i>International Journal of Behavioral Development</i> , 26, 466-474.		Other (PDF)	213 KB

 Abecassiss, M. (2003). I hate you just the way you are: Exploring the formation, maintenance and need for enemies. <i>New Directions for Child & Adolescent Development</i> , 5-22.		Other (PDF)	95 KB
 Morality		Folder	-
 Dunn, J. & Hughes, C. (2001). "I got some swords and you're dead!": Violent fantasy, antisocial behavior, friendship, and moral sensibility in young children. <i>Child Development</i> , 72, 491-505		Other (PDF)	1404 KB
 Astor, R.A. (1994). Children's moral reasoning about family and peer violence: The role of provocation and retribution. <i>Child Development</i> , 65, 1054-1067.		Other (PDF)	1038 KB
 Walker, L.J., Hennig, K.H., & Krettenauer, T. (2000). Parent and peer contexts for children's moral reasoning development. <i>Child Development</i> , 71, 1033-1048.		Other (PDF)	1547 KB
 Aggression		Folder	-
 Arsenio, W.F., & Lemerise, E. A., (2004) Aggression and moral development: Integrating social information processing and moral domain models. <i>Child Development</i> , 75, 987-1002.		Other (PDF)	162 KB
 Dodge, K.A., & Rabiner, D.L. (2004). Returning to our roots: On social information processing and moral development. <i>Child Development</i> , 75, 1003-1008.		Other (PDF)	81 KB
 Nucci, L. (2004). Finding commonalities: Social information processing and domain theory in the study of aggression. <i>Child Development</i> , 75, 1009-1012.		Other (PDF)	58 KB
 Goodwin, M.H. (2002). Exclusion in girls' peer groups: Ethnographic analysis of language practices on the playground. <i>Human Development</i> , 45, 392-415.		Other (PDF)	190 KB
Herrenkohl, T.I., Hill, K.G.,			

 <p>Chung, I-J., Guo, J., Abbott, R.D., & Hawkins, J.D. (2003). Protective factors against serious violent behavior in adolescence: A prospective study of aggressive children. <i>Social Work Research</i>, 27, 179-191.</p>		Other (PDF)	1868 KB
 <p>Puberty and Behavior</p>		Folder	-
 <p>Silk, J.S., Steinberg, L., & Morris, A.S. (2003). Adolescents' emotion regulation in daily life: Links to depressive symptoms and problem behavior. <i>Child Development</i>, 74, 1869-1880.</p>		Other (PDF)	123 KB
 <p>Ellis, B.J., Bates, J.E., Dodge, K.A., Fergusson, D.M., Horwood, L.J., Pettit, G.S., & Woodward, L. (2003). Does father absence place daughters at special risk for early sexual activity and teenage pregnancy? <i>Child Development</i>, 74, 801-821.</p>		Other (PDF)	212 KB
 <p>Fletcher, A.C., Steinberg, L., & Williams-Wheeler, M. (2004). Parental influences on adolescent problem behavior: Revisiting Stattin and Kerr. <i>Child Development</i>, 75, 781-796.</p>		Other (PDF)	150 KB
 <p>Xtra Readings not on the Reading List</p>		Folder	-
 <p>01- Nature and Nurture: Ch. 3 (pp. 27-66) [Plomin, Robert. <i>Nature and Nurture</i>. Belmont, CA : Brooks Cole, 1990]</p>		Other (PDF)	2276 KB
 <p>02 - Rethinking Innateness: Ch. 1 (pp. 1-23) [Elman, Jeffery. <i>Rethinking Innateness</i>. Cambridge, Mass. : MIT Press,1996]</p>		Other (PDF)	1224 KB
 <p>06 - Maltreatment, Competency Deficits, and Risk for Academic and Behavioral Adjustment</p>		Other (PDF)	3489 KB
 <p>07 - Culture, Scarcity, and Maternal Thinking</p>		Other (PDF)	1498 KB
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 30 - Gender Consistency and the "Cost" of Sex-Typed Behavior: A Test of the Conflict Hypothesis		Other (PDF)	822 KB
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 31b - Childhood Peer Relationships (pp. 260-284))		Other (PDF)	1771 KB
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 44 - Relation of Early Menarche to Depression, Eating Disorders, Substance Abuse and Comorbid Psychopathology Among Adolescent Girls		Other (PDF)	1358 KB
 45 - Development During Adolescence : The Impact of Stage-Environment Fit on Young Adolescents' Experiences in Schools and in Families		Other (PDF)	1366 KB

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