

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

CAMBRIDGE UNIVERSITY PRESS,  
et al.,

Plaintiffs,

-v-

MARK P. BECKER, in his official  
capacity as Georgia State University  
President, et al.,

Defendants.

Civil Action File  
No.1:08-CV-1425-ODE

**PROPOSED INJUNCTIVE RELIEF**

In accordance with the Court's May 2, 2011 Order [Doc. 279], Plaintiffs hereby submit this statement concerning the injunctive relief they seek in this case.

1. Exhibit 1 hereto is Plaintiffs' proposed order for injunctive relief.
2. For the Court's reference, Plaintiffs also provide copies of the injunctive relief afforded by courts in the following analogous cases involving unauthorized copying and distribution of paper coursepacks to university students:

- a) The injunction entered by the court in *Basic Books, Inc. v. Kinko's Graphics Corp.*, NO. 89 CIV. 2807 (CBM), 1991 WL 311892 (S.D.N.Y. Oct. 16, 1991) (Exhibit 2 hereto).

- b) The injunction entered by the court in *Princeton University Press v. Michigan Document Services, Inc.*, 99 F.3d 1381 (6<sup>th</sup> Cir. 1996) (Exhibit 3 hereto).<sup>1</sup>
- c) The injunction entered by the court in *Addison-Wesley Publishing Co., Inc. v. New York University*, No. 82 CIV 8333 (ADS), 1983 WL 1134 (S.D.N.Y. May 31, 1983) (Exhibit 4 hereto). While the injunction addresses future conduct on the part of the campus copy shop defendant, Exhibit C to that consent order is a copy of New York University’s “Policy Statement on Photocopying of Copyrighted Materials for Classroom and Research Use” adopted in response to that litigation, to which NYU also was a defendant. *Id. at \*\*5-6*. Exhibit 5 hereto is a full copy of the NYU “Policy Statement on Photocopying of Copyrighted Materials for Classroom and Research Use” found in the New York University Faculty Handbook at 107-112 (Exhibit 5), which includes the appendices that are omitted in the court order. In similar fashion to Paragraph III B. of Plaintiffs’ proposed injunction

---

<sup>1</sup> Plaintiffs are in the process of obtaining a signed copy of this injunction from the court’s archives and will file the signed version as soon as possible.

(Exhibit 1), the NYU policy requires permission to be obtained from the copyright owner for the making of multiple copies of a copyrighted work for classroom use unless it meets certain conditions prescribed in the “Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with Respect to Book and Periodicals,” H.R. Rep. No. 94-1476, 94<sup>th</sup> Cong., 2<sup>nd</sup> Sess. 68-70, *reprinted* in (1976) U.S. Code Cong. & Ad. News 5659, 5682-83.

3. The Court will find a copy of the Classroom Guidelines annexed as Exhibit A to Plaintiffs’ proposed form of injunctive relief (Exhibit 1).

Respectfully submitted this 11th day of May, 2011.

/s/ John H. Rains IV  
Edward B. Krugman  
Georgia Bar No. 429927  
John H. Rains IV  
Georgia Bar No. 556052

Bondurant, Mixson & Elmore, LLP  
1201 West Peachtree Street NW  
Suite 3900  
Atlanta, GA 30309  
(404) 881-4100

R. Bruce Rich (*pro hac vice*)  
Randi Singer (*pro hac vice*)  
Jonathan Bloom (*pro hac vice*)  
Todd D. Larson (*pro hac vice*)

WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153

*Attorneys for Plaintiffs*

## **CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule 7.1(D), I hereby certify that this document complies with the font and point selections set forth in Local Rule 5.1. This document was prepared in Times New Roman 14 point font.

/s/ John H. Rains IV  
John H. Rains IV

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day filed the foregoing **PROPOSED INJUNCTIVE RELIEF** with the Clerk of Court using the CM/ECF filing system which will send e-mail notification of such filing to opposing counsel as follows:

Stephen M. Schaetzel, Esq.  
Kristen A. Swift, Esq.  
C. Suzanne Johnson, Esq.  
Mary Katherine Bates, Esq.  
KING & SPALDING  
1180 Peachtree Street  
Atlanta, Georgia 30309

Katrina M. Quicker, Esq.  
BALLARD SPAHR, LLP  
999 Peachtree Street, Suite 1000  
Atlanta, Georgia 30309

Anthony B. Askew, Esq.  
McKeon, Meunier, Carlin & Curfman, LLC  
817 W. Peachtree Street, Suite 900  
Atlanta, GA 30308

Mary Jo Volkert, Esq.  
Assistant S. Attorney General  
40 Capitol Square  
Atlanta, Georgia 30334

This 11th day of May, 2011.

/s/ John H. Rains IV  
John H. Rains IV