

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

CODE REVISION COMMISSION on)	
Behalf of and For the Benefit of the)	
GENERAL ASSEMBLY OF)	CIVIL ACTION
GEORGIA and the STATE OF)	
GEORGIA,)	FILE NO. 1:15-CV-2594-MHC
)	
Plaintiff,)	
v.)	
)	
PUBLIC.RESOURCE.ORG, INC.,)	
)	
Defendant.)	

**DEFENDANT PUBLIC.RESOURCE.ORG, INC.’S
MOTION FOR SUMMARY JUDGMENT**

Defendant Public.Resource.Org., Inc. (“Public Resource”) moves under Fed. R. Civ. P. 56 for summary judgment on each claim asserted by the Code Revision Commission (“Commission”) and on Public Resource’s counterclaim, and for such other relief as the Court deems just and reasonable. Based on the evidentiary record, there are no triable issues of material fact. The Official Code of Georgia Annotated (“O.C.G.A.”) is the only official Code of Georgia, an edict of government, and is therefore not subject to copyright in the United States. The O.C.G.A.’s annotations are also not protectable by copyright because they lack sufficient originality and creativity, as there are too few ways to express the facts

the annotations convey. Even if the O.C.G.A. were copyrightable, Public Resource's scanning and posting of the O.C.G.A. would be fair use of it.

For these reasons and reasons set forth more fully in the accompanying memorandum of law, Public Resource respectfully requests that the Court grant its motion, entering judgment in favor of Public Resource on the Commission's claims and Public Resource's counterclaim.

Respectfully submitted this 17th day of May, 2016.

By: /s/ Elizabeth H. Rader

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CERTIFICATE OF SERVICE

I hereby certify that I have filed the foregoing **Defendant Public.Resource.Org, Inc.’s Motion for Summary Judgment** was electronically filed with Clerk of Court using the CM/ECF system which will automatically send notification of such filing to all attorneys of record.

/s/ Sarah P. LaFantano
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