

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

CODE REVISION COMMISSION on
behalf of and for the benefit of THE
GENERAL ASSEMBLY OF
GEORGIA, and THE STATE OF
GEORGIA,

Plaintiff,

v.

PUBLIC.RESOURCE.ORG, INC.

Defendant.

CIVIL ACTION NO.

1:15-CV-02594-RWS

PLAINTIFF’S NOTICE OF FILING
SUPPLEMENTAL AUTHORITY

Plaintiff and Counterclaim-Defendant the Code Revision Commission, on behalf of and for the benefit of the General Assembly of Georgia, and the State of Georgia (“Commission”) respectfully submits a recent consolidated decision by the United States District Court for the District of Columbia in *American Society for Testing and Materials v. Public.Resource.Org, Inc.*, No. 13-cv-1215 (TSC) (D.D.C. Feb. 2, 2017) (“ASTM”) and *American Educational Research Assoc. v. Public.Resource.Org, Inc.*, No. 14-cv-0857 (TSC) (D.D.C. Feb. 2, 2017) (“AERA”) as a supplemental authority for the Court’s consideration. Copies of the opinion as issued in the ASTM and AERA cases are attached as Exhibit A and B,

respectively. In the opinion, the district court granted the Plaintiffs' motions for summary judgment on direct copyright infringement, finding that the Plaintiffs' technical standards did not become uncopyrightable edicts of government upon being incorporated by reference into federal regulations (*id.* at 31), Public.Resource's deliberate verbatim copying of those standards was not a fair use (*id.* at 39-40), and permanent injunctive relief barring Public.Resource's copyright infringement was appropriate (*id.* at 54). Public.Resource later appealed injunction orders issued pursuant to the district court's opinion.

Respectfully submitted, this 10th day of March, 2017.

/s/Lisa C. Pavento

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of the General Assembly of Georgia, and the
State of Georgia*

CERTIFICATE OF COMPLIANCE

I hereby certify that, pursuant to L.R. 5.1C and 7.1D of the Northern District of Georgia, the foregoing PLAINTIFF'S NOTICE OF FILING SUPPLEMENTAL AUTHORITY complies with the font and point selections approved by the Court in L.R. 5.1C. The foregoing pleading was prepared on a computer using 14-point Times New Roman font.

/s/Lisa C. Pavento _____
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CERTIFICATE OF SERVICE

I certify that on March 10, 2017, I electronically filed the foregoing
PLAINTIFF'S NOTICE OF FILING SUPPLEMENTAL AUTHORITY
with the Clerk of Court using the CM/ECF system, which constitutes service of the
filed document on all counsel of record in this proceeding under LR 5.1(A)(3),
N.D. Ga.

By: /s/Lisa C. Pavento
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