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Plaintiff

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD et al.,)

Plaintiffs)

v.)

Case No. 05 CV 8136-JES

GOOGLE, INC.,)

Defendant.)

The Author's Guild et al v. Google Inc.

Doc. 633

OBJECTION

I, (Mr.) Takashi Yamamoto, am a Japanese national and own U.S. copyright to the case review titled "The Who Moved My Cheese? Case" which was published in Japan, a member of the Berne Convention, on April 1, 2002 and registered at the U.S. Copyright Office on July 11, 2002 as TX 5-585-888 as shown in the attached Exhibit A, as well as to my other books, articles and printed lectures as listed in the attached Exhibit B which were published before January 5, 2009. Therefore, I am a plaintiff to this case according to the current definition of the Settlement Class and the Author Sub-Class.

I have an objection to the Settlement Agreement and certification of the Settlement Class. The definition of Settlement Class is too broad for this case to be a "case or controversy." The plaintiff class was originally defined as "all persons or

entities that hold the copyright to a literary work that is contained in the library of the University of Michigan.” The originally defined class was in the position to suffer present harm or immediate threat of harm, because the library of the University of Michigan had agreed with defendant Google to scanning all the literary works that are contained in the library. However, the Settlement Class is defined as “All persons that, as of January 5, 2009, have a Copyright Interest in one or more Books or Inserts.” This Class includes Copyright owners whose books are not in the libraries which agreed or are likely to agree to defendant Google’s scanning of their held books. It is said that defendant Google scans the books contained in the libraries with whom defendant Google enters into a cooperative agreement, and that the number of such libraries are not comprehensive but limited to only less than 20.

Therefore, this suit lacks ripeness with respect to such Copyright owners, and this suit does not fall within “case or controversy.”

Dated: August 31, 2009
Tokyo, Japan

By: *Takashi Yamamoto*

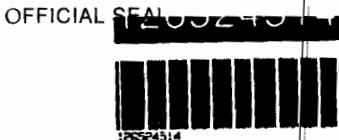
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CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters
 REGISTER OF COPYRIGHTS
 United States of America



SHORT FORM TX

For a Nondramatic Literary Work
 UNITED STATES COPYRIGHT OFFICE

Regis

TX 5-585-888



Effective Date of Registration

7-11-02

Application Received

May 3, 2002

Deposit Received

One May 3, 2002 Two

Fee Received

7-11-02

Examined By

df

Correspondence

TYPE OR PRINT IN BLACK INK. DO NOT WRITE ABOVE THIS LINE.

Title of This Work:

1 Case Review "The Who Moved My Cheese? Case"

Alternative title or title of larger work in which this work was published:

Name and Address of Author and Owner of the Copyright:

2 Takashi B. Yamamoto
 Urban Toranomon Bldg., 6th Floor
 16-4, Toranomon 1-chome Minato-ku, Tokyo 105-0001 Japan
 Phone (81) 3-3593-0313 Fax (81) 3-3593-0343
 Email bugs@tanso.law.com

Nationality or domicile: Phone, fax, and email:

Year of Creation:

3 2002

If work has been published, Date and Nation of Publication:

4 a. Date April 1 2002 (Month, day, and year all required)
 Month Day Year
 b. Nation Japan

Type of Authorship in This Work:

5 Text (includes fiction, nonfiction, poetry, computer programs, etc.)
 Illustrations
 Photographs
 Compilation of terms or data

Check all that this author created.

Signature:

6 I certify that the statements made by me in this application are correct to the best of my knowledge.* Check one:
 Author Authorized agent
 X Takashi Yamamoto

Registration cannot be completed without a signature.

OPTIONAL Name and Address of Person to Contact for Rights and Permissions:

7 Check here if same as #2 above.

Phone, fax, and email:

Phone () Fax ()
 Email

8

Certificate will be mailed in window envelope to this address:

Name	Takashi B. Yamamoto
Number/Street/Apt	Urban Toranomon Bldg., 6th Floor 16-4, Toranomon 1-chome Minato-ku
City/State/ZIP	Tokyo 105-0001 Japan

Complete this space only if you currently hold a Deposit Account in the Copyright Office.

9 Deposit Account # _____
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- PUBLICATIONS
(BOOKS)
- The Fundamentals of American Copyright Law, 2d Ed.
(Ohta Publishing Co., Japan, 2008)
 - E-Commerce and the Law of Digital Signatures (co-authored)
(OCEANA, U.S.A., 2005)
 - The Fundamentals of American Copyright Law
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 - World Copyright Statutes No.29 –U.S. Copyright Act of 1976– (co-translated)
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