

identified in Exhibits B-G to this Complaint) is protected by the Fair Use Doctrine.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Fairey and Obey Giant request this Court to enter judgment:

1. Declaring that Fairey's Obama Works do not infringe any copyrights held by the AP;
2. Declaring that Fairey's use of the ~~Garcia~~-Obama Photograph as a visual reference in creating the Obama Works is privileged under, and protected by, the Fair Use Doctrine;
3. Enjoining the AP, its agents, attorneys, and assigns from asserting copyrights against Fairey or Obey Giant in connection with any of the Obama Works;
4. Enjoining the AP, its agents, attorneys, and assigns from asserting copyrights against any third party (including but not limited to the Smithsonian Institution and the Institute for Contemporary Art / Boston) that possesses, reproduces, distributes or displays any of the Obama Works;
5. Awarding Fairey and Obey Giant their reasonable attorneys' fees and costs; and
6. Awarding any other relief the Court deems just and proper.

DATED: ~~February~~October 9, 2009

Respectfully Submitted,

pending)

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DEMAND FOR JURY TRIAL

Plaintiffs Shepard Fairey and Obey Giant demand a jury trial on all issues properly triable to a jury.

DATED: ~~February~~October 9, 2009.

pending)

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EXHIBIT A



EXHIBIT B



PROGRESS

EXHIBIT C



HOPE

EXHIBIT D

