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 <u>Garcia Obama Photograph</u> 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;
- 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)

pending))

pending)

Anthony T. Falzone (admitted pro hac vice

Julie A. Ahrens (JA0372) Stanford Law School Center for Internet and Society 559 Nathan Abbott Way Stanford, CA 94305 Telephone: (650) 736-9050

Facsimile: (650) 723-4426 Email: falzone@stanford.edu

Mark Lemley (admitted pro hac vice

Joseph C. Gratz (admitted pro hac vice

Durie Tangri Lemley Roberts & Kent, LLP 332 Pine Street, Suite 200 San Francisco, CA 94104 Telephone: (415) 362-6666 Email: mlemley@durietangri.com

Attorneys for Plaintiffs

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)

Anthony T. Falzone (admitted pro hac vice

Julie A. Ahrens (JA0372) Stanford Law School Center for Internet and Society 559 Nathan Abbott Way Stanford, CA 94305 Telephone: (650) 736-9050 Facsimile: (650) 723-4426

Facsimile: (650) 723-4426 Email: falzone@stanford.edu

Mark Lemley (admitted pro hac vice

pending))

pending)

Joseph C. Gratz (admitted pro hac vice

Durie Tangri Lemley Roberts & Kent, LLP 332 Pine Street, Suite 200 San Francisco, CA 94104 Telephone: (415) 362-6666 Email: mlemley@durietangri.com

Attorneys for Plaintiffs

EXHIBIT A

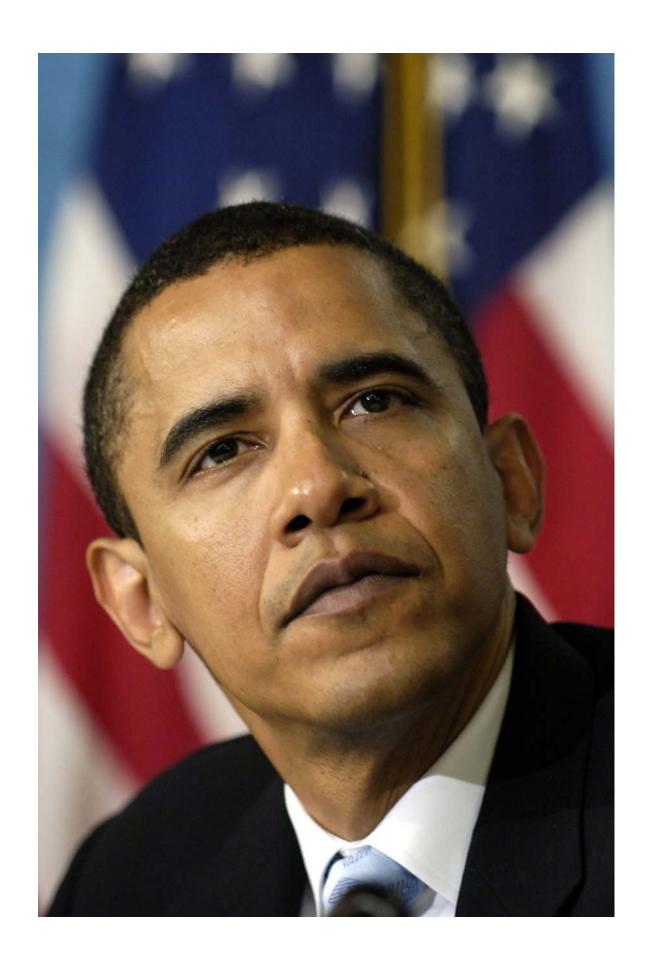


EXHIBIT B



PROGRES

EXHIBIT C



EXHIBIT D

