

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
THE AUTHORS GUILD, INC., et al.,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
HATHITRUST, et al.,	:
	:
Defendants.	:
	:
-----X	

Index No. 11 Civ. 6351 (HB)

**DECLARATION OF PAT CUMMINGS**

I, Pat Cummings, hereby declare as follows:

1. I am one of the plaintiffs in the above-captioned action and submit this declaration in support of Plaintiffs’ motion for summary judgment.

2. I am the author and illustrator of numerous books for children and young adults. I have made my living as a full-time illustrator and writer for over thirty-five years, and am also an adjunct professor at Pratt Institute and Parsons The New School For Design, where I teach classes on children’s book illustration and writing. In addition, I speak at many literary events and conferences each year and conduct a Children’s Book Boot Camp, an annual five week long summer workshop for writers and illustrators of picture books. I sit on the boards of The Society of Children’s Book Writers and Illustrators and The Eric Carle Museum of Picture Book Art. I am also a member of the Board of Directors of Plaintiff The Authors Guild.

**The Works At Issue**

3. I am the sole author and copyright owner of each work listed on Exhibit A hereto (hereafter referred to as the “Works”). A true and correct copy of the copyright registration for each Work is attached hereto as Exhibit B.

4. Although I have licensed to my publishers certain exclusive rights in connection with the commercial exploitation of my Works, I did so in exchange for the payment of royalties and I remain the legal and/or beneficial owner of all rights in and to my Works. I never assigned to any third party the copyright to my Works.

#### **Unauthorized Uses Of My Works**

5. It has come to my attention that print copies of my Works were copied without my permission when they were digitized by one of the defendant universities (collectively referred to herein along with HathiTrust as “Defendants”) in partnership with Google, as part of the HathiTrust and Google Books projects. This digitization took place without my knowledge, consent, or approval. I did not authorize Google, HathiTrust, or any of the university defendants to digitize or make any other use of my Works. To date, I have received no compensation of any kind for Defendants’ digitization and various uses of my Works.

#### **Harm Resulting From Defendants’ Use Of My Works**

6. As an author who depends in large part on the value of my work to earn a living, I brought this action because the Defendants’ unauthorized digitization and use of my Works has harmed or threatens to harm me in a number of ways.

7. I have reviewed the Declaration of T.J. Stiles and I agree with and incorporate by reference Mr. Stiles’ descriptions of the various harm and potential harm caused by the Defendants’ actions. Two differences between Mr. Stiles and me are that (as described below) certain of my Works are no longer in print and I have not yet chosen to make any of my Works available in digital form. These differences do not, however, change the fact that Defendants’ actions are causing and threatening to cause damage to me and to the value of my Works.

8. While several of my Works are no longer in print, specifically *C.L.O.U.D.S.*, *Jimmy Lee Did It*, and *Talking With Artists: Volume 2*, my other three works, *Clean Your Room*,

*Harvey Moon!*, *Talking With Artists: Volume 1*, and *Talking With Adventurers*, are in print and available for sale. In either case, the harms articulated in the Declaration of T.J. Stiles affect me because these Works are still protected by copyright law and I still hold the copyright. Whether my Works are in print or not, I should have the right to decide how these works are copied or distributed and should have the option to resurrect these Works on my own terms, whether that means self-publishing them, making new publishing deals, or anything else I choose.

9. New technology is opening new possibilities in publishing and it is now possible, for the first time in history, to self-publish a book in print or digital forms without the aid of a publishing company. While I have not yet made a decision on how to proceed with my out-of-print Works, I am aware of this option and consider it a possibility for the future. This is why even my currently out-of-print Works are affected by the Defendants' unauthorized copying.

10. Moreover, I have received an offer to make one of my Works available in digital form. *See* Exhibit C. Despite this offer, I have chosen not to make my Works available in electronic format yet, though I do intend to eventually. Digital marketplaces and security protections are still developing, and I am waiting to enter this marketplace until I feel comfortable with the arrangement and with security provisions.

11. I believe that I am entitled to determine whether, when and under what circumstances my Works are scanned, digitized, copied and used. Defendants' insistence that the new, complex, technologically-enabled uses they intend to make of my Works should be permitted without my consent dangerously presupposes that copyright law does not give authors any right to control how their works are used and exploited in these contexts. To the best of my knowledge, this is not the law in the United States.

12. Defendants argue that uses of my Works that do not allow individuals to read the text, such as non-consumptive research and full-text searching, do not inhibit sales of my Works or deprive me of licensing opportunities and therefore do not require my permission. This is not so. As the Declaration of T.J. Stiles points out, these kinds of uses represent a new market whose value is evidenced by Defendants' use of my Works, as well as the works owned by the other Plaintiffs and the millions of other works Defendants scanned and copied. I believe that I have the legal right to decide whether or not to permit these uses, and to seek remuneration for these uses if I do decide to allow them. Defendants could have asked my permission to digitize my Works, or offered to purchase one or more additional copies of my in-print Works for their library collections.

13. In addition, by failing to seek a license, Defendants eliminated the usual mechanism that authors use to exercise control over our work: licensing or other agreements that define terms of use and hold licensees accountable. Without such a contract, I am rendered powerless to dictate terms as to how my Works may or may not be used. I also have no ability to insist that HathiTrust take security measures to protect my work. I have no power to ensure that the infringing copies of my work are truly in a "dark archive" that is not accessible for viewing or further copying. I have no assurance that Defendants' actual use of my work is limited to the uses they claim to intend to make, and no power of enforcement if their uses exceed this scope.

*[The rest of this page intentionally left blank]*

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
June 28, 2012

A handwritten signature in black ink that reads "pat cummings". The signature is written in a cursive style with a large initial 'P' and a long tail on the 'g'.

---

PAT CUMMINGS

# **EXHIBIT A**

**EXHIBIT A**

<b>AUTHOR</b>	<b>TITLE</b>	<b>FIRST PUBLICATION</b>	<b>SUBSEQUENT PUB(S).</b>	<b>MOST RECENT PUB. HARDCOPY OR ELECTRONIC?</b>	<b>U.S. COPYRIGHT REGISTRATIONS OR RENEWALS</b>
Cummings, Pat	C.L.O.U.D.S	1986-04-02/New York: Lothrop, Lee & Shepard Books		Hardcopy	TX0001806038 1986-04-15
Cummings, Pat	Clean Your Room, Harvey Moon!	1991-03-01/New York: Bradbury Press	1991-03-31/New York: Simon & Schuster  1991/New York: MacMillan McGraw Hill School Division  1991-09/New York: Spoken Arts (audiobook)  1994-01-01/New York: Simon & Schuster  1996/New York: Houghton Mifflin	Hardcopy	TX0003159777 1991-08-08

AUTHOR	TITLE	FIRST PUBLICATION	SUBSEQUENT PUB(S).	MOST RECENT PUB. HARDCOPY OR ELECTRONIC?	U.S. COPYRIGHT REGISTRATIONS OR RENEWALS
Cummings, Pat	Jimmy Lee Did It	1985-08-08/New York: Lothrop, Lee & Shepard Books	1985/Littleton, MA: Sundance Publishers  1993/Littleton, MA: Sundance Publishers  01-1995/New York: Harper Trophy  1997/New York: Macmillan McGraw Hill School Division  2000/Sacramento: Clearinghouse for Specialized Media & Technology (computer disk)	Electronic	TX0001650936 1985-09-05



AUTHOR	TITLE	FIRST PUBLICATION	SUBSEQUENT PUB(S).	MOST RECENT PUB. HARDCOPY OR ELECTRONIC?	U.S. COPYRIGHT REGISTRATIONS OR RENEWALS
Cummings, Pat	Talking With Artists: Volume 1	1992-03-01/New York: Bradbury Press	1992/Needham, MA: Silver Burdett Ginn  1999/New York: Simon & Schuster Books for Young Readers (revised cover edition)		TX0003422950 1992-10-16
Cummings, Pat	Talking With Artists: Volume 2	1995-09-01/New York: Simon & Schuster Books for Young Readers			TX0004242559 1996-04-29
Cummings, Pat and Cummings, Linda, Ph.D.	Talking With Adventurers	1998-08-10/Washington, D.C.: National Geographic Society			VA0000932461 1998-10-27  VA0000932460 1998-10-27

# **EXHIBIT B**

**FORM TX**  
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

**TX 1 650 936**

TX TXU  
EFFECTIVE DATE OF REGISTRATION  
9 5 85  
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**1** TITLE OF THIS WORK  
**JIMMY LEE DID IT**  
PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume Number Issue Date On Pages

**2 a** NAME OF AUTHOR **Pat Cummings** DATES OF BIRTH AND DEATH  
Year Born Year Died  
Was this contribution to the work a "work made for hire"?  Yes  No  
AUTHOR'S NATIONALITY OR DOMICILE Name of Country **USA** WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymously?  Yes  No  
Pseudonymously?  Yes  No  
NATURE OF AUTHORSHIP **Entire work** Briefly describe nature of the material created by this author in which copyright is claimed.

**NOTE**  
Under the law the "author" of a "work made for hire" is the employer or other person or organization for whom the work was prepared.

000137700



**b** NAME OF AUTHOR DATES OF BIRTH AND DEATH  
Year Born Year Died  
Was this contribution to the work a "work made for hire"?  Yes  No  
AUTHOR'S NATIONALITY OR DOMICILE Name of Country Citizen of Domiciled in WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymously?  Yes  No  
Pseudonymously?  Yes  No  
NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

**c** NAME OF AUTHOR DATES OF BIRTH AND DEATH  
Year Born Year Died  
Was this contribution to the work a "work made for hire"?  Yes  No  
AUTHOR'S NATIONALITY OR DOMICILE Name of Country Citizen of Domiciled in WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymously?  Yes  No  
Pseudonymously?  Yes  No  
NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

**3** YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **1985** DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK  
Month **AUGUST** Day **8** Year **1985**  
Citizen of **USA**

**4** COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.  
**Pat Cummings**  
**28 Tiffany Place**  
**Brooklyn NY 11231**

APPLICATION RECEIVED  
**SEP 05 1985**  
ONE DEPOSIT RECEIVED  
TWO DEPOSITS RECEIVED  
**SEP 05 1985**  
REMITTANCE NUMBER AND DATE

See instructions before completing this space.

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

**MORE ON BACK** • Complete all applicable spaces (numbers 5-11) on the reverse side of this page.  
• See detailed instructions. • Sign the form at line 10.

EXAMINED BY         

FORM TX

CHECKED BY         

TX 1 650 936

CORRESPONDENCE

DEPOSIT ACCOUNT FUNDS USED

FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes  No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▾
- This is the first published edition of a work previously registered in unpublished form.
- This is the first application submitted by this author as copyright claimant.
- This is a changed version of the work, as shown by space 6 on this application.

5

If your answer is "Yes," give: Previous Registration Number ▾ Year of Registration ▾

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

- a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▾
- b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▾

6

See instructions before completing this space

**MANUFACTURERS AND LOCATIONS** If this is a published work consisting preponderantly of nondramatic literary material in English, the law may require that the copies be manufactured in the United States or Canada for full protection. If so, the names of the manufacturers who performed certain processes, and the places where these processes were performed must be given. See instructions for details.

Names of Manufacturers ▾ Rea Bookbinders Places of Manufacture ▾ Cedar Grove, NJ Jersey City, NJ

7

**REPRODUCTION FOR USE OF BLIND OR PHYSICALLY HANDICAPPED INDIVIDUALS** A signature on this form at space 10, and a check in one of the boxes here in space 8, constitutes a non-exclusive grant of permission to the Library of Congress to reproduce and distribute solely for the blind and physically handicapped and under the conditions and limitations prescribed by the regulations of the Copyright Office: (1) copies of the work identified in space 1 of this application in Braille (or similar tactile symbols); or (2) phonorecords embodying a fixation of a reading of that work, or (3) both.

- a  Copies and Phonorecords
- b  Copies Only
- c  Phonorecords Only

8

See instructions

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account Name ▾ Account Number ▾

William Morrow & Company, Inc. DA 013811

9

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/Zip ▾

Same as 11

Be sure to give your daytime phone number

Area Code & Telephone Number ▾ (212) 889-3050

**CERTIFICATION\*** I, the undersigned, hereby certify that I am the

- Check one ▾
- author
  - other copyright claimant
  - owner of exclusive right(s)
  - authorized agent of William Morrow & Company, Inc.

10

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge. Name of author or other copyright claimant, or owner of exclusive right(s) ▾

Typed or printed name and date ▾ If this is a published work, this date must be the same as or later than the date of publication given in space 3

David Means August 28, 1985

Handwritten signature (X) ▾ David Means

MAIL CENTER CARE TO

Certificates will be mailed in this envelope

Name ▾ David Means/ William Morrow & Company, Inc.

Number/Street/Apartment Number ▾ 105 Madison Ave

City/State/Zip ▾ New York, NY 10016

- Mail your:
- Completed all necessary spaces?
  - Signed your application in space 10?
  - Enclosed check or money order for \$10 payable to Register of Copyrights?
  - Enclosed your deposit material with the application and fee?

11

SEND TO: Register of Copyrights, Library of Congress, Washington, D.C. 20540

\* 17 U.S.C. § 205(e). Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

TX 1 806 038

TX TXU  
 EFFECTIVE DATE OF REGISTRATION  
 4 - 15 - 86  
 Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

1

TITLE OF THIS WORK

C.L.O.U.D.S.

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume Number Issue Date On Pages

2

NAME OF AUTHOR a Pat Cummings

DATE OF BIRTH AND DEATH  
 Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  No

AUTHOR'S NATIONALITY OR DOMICILE  
 Name of Country  
 Citizen of USA

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
 Anonymous?  Yes  No  
 Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.  
 Entire work

NAME OF AUTHOR

DATE OF BIRTH AND DEATH  
 Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  No

AUTHOR'S NATIONALITY OR DOMICILE  
 Name of Country  
 Citizen of USA

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
 Anonymous?  Yes  No  
 Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

DATE OF BIRTH AND DEATH  
 Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  No

AUTHOR'S NATIONALITY OR DOMICILE  
 Name of Country  
 Citizen of USA

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
 Anonymous?  Yes  No  
 Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

NOTE  
 Under the law the "author" of a

00514269

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED 1986  
 DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK  
 Month: APR 11 Day: 2 Year: 1986  
 USA

4

COPYRIGHT CLAIMANTS Name and address must be given even if the claimant is the same as the author given in space 2.  
 Pat Cummings  
 28 Tiffany Place  
 Brooklyn NY 11231

APPLICATION RECEIVED  
 APR 15 1986  
 ONE DEPOSIT RECEIVED  
 TWO DEPOSITS RECEIVED  
 APR 15 1986  
 REMITTANCE NUMBER AND DATE

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

IX 1 806 038

EXAMINED BY (Signature) FORM TX  
CHECKED BY \_\_\_\_\_

CORRESPONDENCE  
 DEPOSIT ACCOUNT FUNDS USED  
FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?  
 No  Yes. If your answer is "Yes," why is another registration being sought? (Check appropriate box) 5  
 This is the first published edition of a work previously registered in unpublished form.  
 This is the first application submitted by this author as copyright claimant.  
 This is a changed version of the work, as shown by space 6 on this application.  
If your answer is "Yes," give: Previous Registration Number  Year of Registration

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation. 6  
a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates.   
b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.  See instructions before completing this space.

**MANUFACTURERS AND LOCATIONS** If this is a published work consisting predominantly of nondramatic literary material in English, the law may require that the copies be manufactured in the United States or Canada for full protection. If so, the names of the manufacturers who performed certain processes, and the places where these processes were performed must be given. See instructions for details. 7  
Names of Manufacturers  Places of Manufacture   
Dynippon Japan

**REPRODUCTION FOR USE OF BLIND OR PHYSICALLY HANDICAPPED INDIVIDUALS** A signature on this form at space 10, and a check in one of the boxes here in space 8, constitutes a non-exclusive grant of permission to the Library of Congress to reproduce and distribute copies for the blind and physically handicapped and under the conditions and limitations prescribed by the regulations of the Copyright Office: (1) copies of the work identified in space 1 of this application in Braille (for similar tactile symbols); or (2) phonorecords embodying a fixation of a reading of that work; or (3) both. 8  
a  Copies and Phonorecords b  Copies Only c  Phonorecords Only See instructions

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account. 9  
Name  Account Number   
William Morrow & Company, Inc. DA 013811

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/Zip   
Same as 11  
Area Code & Telephone Number  (212) 889-3050 See instructions

**CERTIFICATION** I, the undersigned, hereby certify that I am the  author  
Check one  other copyright claimant  
 owner of exclusive right(s)  
 authorized agent of William Morrow & Company, Inc. 10  
Name of author or other copyright claimant, or owner of exclusive right(s) a  
Typed or printed name and date  If this is a published work, this date must be the same as or later than the date of publication given in space 1  
David Means April 11, 1986

Handwritten signature (11) David Means 11  
**MAILING LABEL**  
Name   
David Means/ William Morrow & Company, Inc.  
Number/Street/Apartment Number   
105 Madison Avenue  
City/State/Zip   
New York, NY 10016  
When you:  
• Completed all necessary spaces?  
• Signed your application in space 10?  
• Enclosed check or money order for \$10 payable to Register of Copyrights?  
• Enclosed your deposit material with the application and fee?  
Send this Mailing Label to: Register of Copyrights, Library of Congress, Washington, D.C. 20540.

TX 3 159 777  
 TX TXU  
 EFFECTIVE DATE OF REGISTRATION  
 8 8 91

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTRIBUTION SHEET

1

**TITLE OF THIS WORK** ▼

Clean Your Room, Harvey Moon!

**PREVIOUS OR ALTERNATIVE TITLES** ▼

**PUBLICATION AS A CONTRIBUTION** If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. **Title of Collective Work** ▼

If published in a periodical or serial give: **Volume** ▼ **Number** ▼ **Issue Date** ▼ **On Page** ▼

2

**NAME OF AUTHOR** ▼

Pat Cummings

**DATES OF BIRTH AND DEATH**  
 Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?  Yes  No  
**AUTHOR'S NATIONALITY OR DOMICILE**  
 Name of Country: USA  
 Citizen of: USA  
 Domiciled in: USA  
**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**  
 Anonymous?  Yes  No  
 Pseudonym?  Yes  No

**NATURE OF AUTHORSHIP** Briefly describe nature of the material created by this author in which copyright is claimed. ▼

**NAME OF AUTHOR** ▼

**DATES OF BIRTH AND DEATH**  
 Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?  Yes  No  
**AUTHOR'S NATIONALITY OR DOMICILE**  
 Name of Country: \_\_\_\_\_  
 Citizen of: \_\_\_\_\_  
 Domiciled in: \_\_\_\_\_  
**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**  
 Anonymous?  Yes  No  
 Pseudonym?  Yes  No

**NATURE OF AUTHORSHIP** Briefly describe nature of the material created by this author in which copyright is claimed. ▼

**NAME OF AUTHOR** ▼

**DATES OF BIRTH AND DEATH**  
 Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?  Yes  No  
**AUTHOR'S NATIONALITY OR DOMICILE**  
 Name of Country: \_\_\_\_\_  
 Citizen of: \_\_\_\_\_  
 Domiciled in: \_\_\_\_\_  
**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**  
 Anonymous?  Yes  No  
 Pseudonym?  Yes  No

**NATURE OF AUTHORSHIP** Briefly describe nature of the material created by this author in which copyright is claimed. ▼

**NOTE**  
 Instructions on back of this form.

04255263

3

**YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED** 1990  
**DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK**  
 Date: March 1, 1991  
 Nation: United States of America

4

**COPYRIGHT CLAIMANT(S)** Name and address must be given even if the claimant is the same as the author given in space 2 ▼

Pat Cummings  
 28 Tiffany Place  
 Brooklyn, NY 11231

APPLICATION RECEIVED  
 AUG 08 1991  
 ONE DEPOSIT RECEIVED  
 TWO DEPOSITS RECEIVED  
 AUG 08 1991  
 PLEASE CHECK RETURN AND DATE

If the claimant's name here in space 4 are different from the author's name in space 2, give a brief statement of how the claimant obtained ownership of the copyright. ▼





FORM TX  
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX 3 422 950

TX

TXU

EFFECTIVE DATE OF REGISTRATION

OCT 16 1992

Month Day Year

1

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK

TALKING WITH ARTISTS

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared Title of Collective Work

If published in a periodical or serial give Volume Number Issue Date On Pages

2

NAME OF AUTHOR

PAT CUMMINGS

DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country  
Citizen of USA  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NOTE

Under the law the "author" of a "work made for hire" is not, by the statute.

NATURE OF AUTHORSHIP

Editorial text

Briefly describe nature of the material created by this author in which copyright is claimed

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country  
Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country  
Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous?  Yes  No  
Pseudonymous?  Yes  No

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed

053172616  
053172616  
053172616

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

1991

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if the work has been published. Month Day Year  
March 1 1992  
United States of America

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2

Pat Cummings  
28 Tiffany Place  
Brooklyn, NY 11231

APPLICATION RECEIVED

OCT 16 1992

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

OCT 16 1992

REMITTANCE NUMBER AND DATE

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright

MORE ON BACK

• Complete all applicable spaces (numbers 1-11) on the reverse side of this page  
• See detailed instructions.  
• Sign the "top" of line 10.

DO NOT WRITE HERE

Page 1 of 2 pages

TK 3 422 350

EXAMINED BY

Tmd

FORM TX

CHECKED BY

CORRESPONDENCE

FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work or for an earlier version of the work already been made in the Copyright Office?

- Yes  No If your answer is "Yes," why is a further registration being sought? (Check appropriate box)
  - This is the first published edition of a work previously registered as unpublished form
  - This is the first application submitted by the author in copy right classes
  - This is a changed version of the work as shown by space 6 in this application

If your answer is "Yes," give Previous Registration Number Year of Registration

**DERIVATIVE WORK OR COMPILED** Complete both space 6a & 6b for a derivative work, complete only 6b for a compilation

- a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates
- b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed

—space deleted—

**REPRODUCTION FOR USE OF BLIND OR PHYSICALLY HANDICAPPED INDIVIDUALS** A signature on this form at space 10, and a check in one of the boxes here in space 8, constitutes a non-exclusive grant of permission to the Library of Congress to reproduce and distribute solely for the blind and physically handicapped and under the conditions and handicaps provided by the regulations of the Copyright Office: (1) copies of the work identified in space 1 of this application in Braille (or similar tactile symbols) or (2) phonorecords embodying a fixation of that work, or (3) both

- Braille copies and Phonorecords
- Copies Only
- Phonorecords Only

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account

Macmillan Publishing Company DA020818

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent

Macmillan Publishing Company  
886 Third Avenue  
New York, NY 10022

Area Code & Telephone Number

212-702-5614

**CERTIFICATION** I, the undersigned, hereby certify that I am the

Check one:

- author
- other copyright claimant
- owner of exclusive rights)
- authorized agent of Pat Cummings

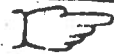
of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Name of author or other copyright claimant or owner of exclusive rights)

Typed or printed name and date If this application gives a date of publication in space 1, do not sign and submit it before that date

Ann Dewell

date: October 8, 1992



Handwritten signature (S) V

Ann Dewell

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

Name	Macmillan Publishing Company, Contract Dept.
Number Street Apartment Number	866 Third Avenue
City State ZIP	New York, NY 10022

1. Name of author or other copyright claimant or owner of exclusive rights)	
2. Date of publication (or date of first publication)	
3. Name of publisher	
Library of Congress	
Washington, DC 20540	

17 USC § 508(e) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 405 or in any written statement filed in connection with the application shall be fined not more than \$2,500

February 1991-200-005

U.S. GOVERNMENT PRINTING OFFICE: 1981-282-170-20 010



TX 4-242-559



TX 4-242-559  
IAU

EFFECTIVE DATE OF REGISTRATION

APR 29 1996  
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**TITLE OF THIS WORK**

TALKING WITH ARTISTS VOLUME TWO

**PREVIOUS OR ALTERNATIVE TITLES**

**PUBLICATION AS A CONTRIBUTION** If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume Number Issue Date On Pages

**NAME OF AUTHOR**

Pat Cummings

**DATES OF BIRTH AND DEATH**

Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

**AUTHOR'S NATIONALITY OR DOMICILE**

Name of Country  
OR { Citizen of USA  
Domiciled in

**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**

Anonymous?  Yes  No  
Pseudonymous?  Yes  No

If the answer to either of these questions is "Yes," see detailed instructions.

**NATURE OF AUTHORSHIP** Briefly describe nature of the material created by this author in which copyright is claimed.

Introduction and compilation of essays, editing

**NAME OF AUTHOR**

**DATES OF BIRTH AND DEATH**

Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

**AUTHOR'S NATIONALITY OR DOMICILE**

Name of Country  
OR { Citizen of  
Domiciled in

**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**

Anonymous?  Yes  No  
Pseudonymous?  Yes  No

If the answer to either of these questions is "Yes," see detailed instructions.

**NATURE OF AUTHORSHIP** Briefly describe nature of the material created by this author in which copyright is claimed.

**NAME OF AUTHOR**

**DATES OF BIRTH AND DEATH**

Year Born Year Died

Was this contribution to the work a "work made for hire"?  
 Yes  
 No

**AUTHOR'S NATIONALITY OR DOMICILE**

Name of Country  
OR { Citizen of  
Domiciled in

**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**

Anonymous?  Yes  No  
Pseudonymous?  Yes  No

If the answer to either of these questions is "Yes," see detailed instructions.

**NATURE OF AUTHORSHIP** Briefly describe nature of the material created by this author in which copyright is claimed.

**YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED** This information must be given in all cases.  
1995 Year

**DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK** Complete this information ONLY if this work has been published.  
Month Sept. Day 01 Year 1995  
USA Nation

**COPYRIGHT CLAIMANT(S)** Name and address must be given even if the claimant is the same as the author given space 2.

Pat Cummings  
c/o Simon & Schuster Inc., 1230 Ave. of the Americas, New York, NY 10020

**TRANSFER** If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

DO NOT WRITE HERE OFFICE USE ONLY

APPLICATION RECEIVED

APR 29 1996

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

APR 29 1996

REMITTANCE NUMBER AND DATE

**NOTE**

Under the law, the "author" of a "work made for hire" is the employer or other person or organization for whom the work was prepared.

081662136



\* 081662136 \*

**MORE ON BACK**

• Complete all applicable spaces (numbers 5-11) on the reverse side of this page.  
• See detailed instructions. • Sign the form at line 10.

DO NOT WRITE HERE

EXAMINED BY

TMS

FORM TX

CHECKED BY

CORRESPONDENCE

Yes

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes  No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

a.  This is the first published edition of a work previously registered in unpublished form.

b.  This is the first application submitted by this author as copyright claimant.

c.  This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▼

b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

See instructions  
before completing  
this space.

— space deleted —

**REPRODUCTION FOR USE OF BLIND OR PHYSICALLY HANDICAPPED INDIVIDUALS** A signature on this form at space 10, and a check in one of the boxes here in space 8, constitutes a non-exclusive grant of permission to the Library of Congress to reproduce and distribute solely for the blind and physically handicapped and under the conditions and limitations prescribed by the regulations of the Copyright Office: (1) copies of the work identified in space 1 of this application in Braille (or similar tactile symbols); or (2) phonorecords embodying a fixation of a reading of that work; or (3) both.

a.  Copies and Phonorecords

b.  Copies Only

c.  Phonorecords Only

See instructions.

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

Simon & Schuster Inc.

DA066001

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/ZIP ▼

Kathleen Nolan

(below)

Be sure to  
give your  
daytime phone  
number.

Area Code & Telephone Number ▶

212-654-7544

**CERTIFICATION\*** I, the undersigned, hereby certify that I am the

Check only one ▶

- author
- other copyright claimant
- owner of exclusive right(s)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

authorized agent of Simon & Schuster Inc.  
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Kevin Sullivan

date ▶ 04/17/96

Handwritten signature (X) ▼

MAIL  
CERTIFICATE  
TO

Name ▼	Kathleen Nolan Simon & Schuster Inc.	juv box 5009
Number/Street/Apartment Number ▼	1633 Broadway - 6th floor	
City/State/ZIP ▼	New York, NY 10019-6785	

Certificate  
will be  
mailed in  
window  
envelope

**YOU MUST**  
● Complete all necessary spaces  
● Sign your application in space 10

**SEND ALL 3 ELEMENTS  
IN THE SAME PACKAGE**  
1. Application form  
2. Nonrefundable \$20 filing fee  
in check or money order  
payable to Register of Copyrights  
3. Deposit material

**MAIL TO**  
Register of Copyrights  
Library of Congress  
Washington, D.C. 20559

The Copyright Office has the authority to adjust fees at 5-year intervals, based on changes in the Consumer Price Index. The next adjustment is due in 1996. Please contact the Copyright Office after July 1995 to determine the actual fee schedule.

\*17 U.S.C. § 506(e) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

102100400  
102100400

RI VA 932-460  
#J0000922408

EFFECTIVE DATE OF REGISTRATION  
**OCT 27 1998**  
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK ▼ NATURE OF THIS WORK ▼ See instructions

Talking with Adventurers children's book

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH  
Year Born ▼ Year Died ▼

Pat Cummings

Was this contribution to the work a "work made for hire?"  
 Yes  No  
AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR { Citizen of ► United States  
Domiciled in ►  
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous?  Yes  No  
Pseudonymous?  Yes  No  
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions.  
 3-Dimensional sculpture  Map  Technical Drawing  
 2-Dimensional artwork  Photograph  Text  
 Reproduction of work of art  Jewelry design  Architectural work  
 Design on sheetlike material

NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH  
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire?"  
 Yes  No  
AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR { Citizen of ►  
Domiciled in ►  
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous?  Yes  No  
Pseudonymous?  Yes  No  
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions.  
 3-Dimensional sculpture  Map  Technical Drawing  
 2-Dimensional artwork  Photograph  Text  
 Reproduction of work of art  Jewelry design  Architectural work  
 Design on sheetlike material

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED This information must be given in all cases. 1998  
b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK  
Month ► August Day ► 10 Year ► 1998  
United States Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same author given in space 2. ▼ Pat Cummings c/o National Geographic Society  
1145 17th Street, N.W.  
Washington, D.C. 20036

APPLICATION RECEIVED  
OCT 27 1998  
ONE DEPOSIT RECEIVED  
TWO DEPOSITS RECEIVED  
OCT 27 1998  
REMITTANCE NUMBER AND DATE

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

EXAMINED BY \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_  
 CORRESPONDENCE  
 Yes

FORM VA  
  
 FOR  
 COPYRIGHT  
 OFFICE  
 USE  
 ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes  No If your answer is "Yes," why is another registration being sought? (Check appropriate box ▼)

- a.  This is the first published edition of a work previously registered in unpublished form.
- b.  This is the first application submitted by this author as copyright claimant.
- c.  This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates ▼

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claim ▼.

6  
 See instructions  
 before completing  
 this space.

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Account Number ▼

Publications, National Geographic Society DA081817

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Z ▼

Suzanne Ross McDowell, Deputy General Counsel  
 National Geographic Society  
 1145 17th Street, N.W.  
 Washington, D.C. 20036

Area Code & Telephone Number ▶ (202) 857-7523

7  
 Be sure to  
 give your  
 daytime phone  
 number

**CERTIFICATION\*** I, the undersigned, hereby certify that I am the

Check only one ▼

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of National Geographic Society which is the authorized agent of Pat Cummings

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Suzanne Ross McDowell date ▶ 10/26/98

Handwritten signature (X) ▼

*Suzanne Ross McDowell*

**MAIL CERTIFICATE TO**

Certificate will be mailed in window envelope

Name ▼	Suzanne Ross McDowell Deputy General Counsel
Number/Street/Apartment Number ▼	National Geographic Society 1145 17th Street, N.W.
City/State/ZIP ▼	Washington, D.C. 20036

- Complete all necessary spaces
  - Sign your application in space 8
1. Application form
  2. Nonrefundable \$20 filing fee in check or money order payable to Register of Copyrights
  3. Deposit material
- Register of Copyrights  
 Library of Congress  
 Washington, D.C. 20559

9  
 The Copyright Office has the authority to adjust fees at 5-year intervals, based on changes in the Consumer Price Index. The next adjustment is due in 1994. Please contact the Copyright Office after July 1993 to determine the actual fee schedule.

\*17 U.S.C. §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

REG#

102100422  
102100422

VA 932-461



EFFECTIVE DATE OF REGISTRATION

**OCT 27 1998**

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**TITLE OF THIS WORK** ▼ **NATURE OF THIS WORK** ▼ See instructions

Talking to Adventurers children's book

**PREVIOUS OR ALTERNATIVE TITLES** ▼

**PUBLICATION AS A CONTRIBUTION** If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. **Title of Collective Work** ▼

If published in a periodical or serial give: **Volume** ▼ **Number** ▼ **Issue Date** ▼ **On Pages** ▼

**NAME OF AUTHOR** ▼ **DATES OF BIRTH AND DEATH**

Pat Cummings Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire?" <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>AUTHOR'S NATIONALITY OR DOMICILE</b> Name of Country OR { <table border="0" style="margin-left: 20px;"> <tr> <td>Citizen of ►</td> <td>United States</td> </tr> <tr> <td>Domiciled in ►</td> <td>_____</td> </tr> </table>	Citizen of ►	United States	Domiciled in ►	_____	<b>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK</b> Anonymously? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Pseudonymously? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>If the answer to either of these questions is "Yes," see detailed instructions.</small>
Citizen of ►	United States					
Domiciled in ►	_____					

**NATURE OF AUTHORSHIP** Check appropriate box(es). See instructions.

<input type="checkbox"/> 3-Dimensional sculpture	<input type="checkbox"/> Map	<input type="checkbox"/> Technical Drawing
<input type="checkbox"/> 2-Dimensional artwork	<input type="checkbox"/> Photograph	<input type="checkbox"/> Text
<input type="checkbox"/> Reproduction of work of art	<input type="checkbox"/> Jewelry design	<input type="checkbox"/> Architectural work
<input type="checkbox"/> Design on sheetlike material	<input checked="" type="checkbox"/> <i>Compilation</i>	

**NAME OF AUTHOR** ▼ **DATES OF BIRTH AND DEATH**

Linda Minor Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire?" <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>AUTHOR'S NATIONALITY OR DOMICILE</b> Name of Country OR { <table border="0" style="margin-left: 20px;"> <tr> <td>Citizen of ►</td> <td>United States</td> </tr> <tr> <td>Domiciled in ►</td> <td>_____</td> </tr> </table>	Citizen of ►	United States	Domiciled in ►	_____	<b>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK</b> Anonymously? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Pseudonymously? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>If the answer to either of these questions is "Yes," see detailed instructions.</small>
Citizen of ►	United States					
Domiciled in ►	_____					

**NATURE OF AUTHORSHIP** Check appropriate box(es). See instructions.

<input type="checkbox"/> 3-Dimensional sculpture	<input type="checkbox"/> Map	<input type="checkbox"/> Technical Drawing
<input type="checkbox"/> 2-Dimensional artwork	<input type="checkbox"/> Photograph	<input type="checkbox"/> Text
<input type="checkbox"/> Reproduction of work of art	<input type="checkbox"/> Jewelry design	<input type="checkbox"/> Architectural work
<input type="checkbox"/> Design on sheetlike material	* <i>Compilation</i>	

**YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED** **DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK**

1998 Complete this information ONLY if this work has been published. Month ► August Day ► 10 Year ► 1998

1998 United States Nation

**COPYRIGHT CLAIMANT(S)** Name and address must be given even if the claimant is the same author given in space 2. ▼ Pat Cummings & Linda Minor c/o National Geographic Society  
1145 17th Street, N.W.  
Washington, D.C. 20036

**DO NOT WRITE HERE OFFICE USE ONLY**

**APPLICATION RECEIVED**  
OCT 27 1998

**ONE DEPOSIT RECEIVED**

**TWO DEPOSITS RECEIVED**  
OCT 27 1998

**REMITTANCE NUMBER AND DATE**

**TRANSFER** If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

**NOTE**  
Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

**4**  
See instructions before completing this space

EXAMINED BY

FORM VA

CHECKED BY

CORRESPONDENCE  
Yes

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

\* Amended by C.O. on authority of Jeanne Fink of National Geographic Society in phone call of 12/1/98.

**DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.**

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes  No If your answer is "Yes," why is another registration being sought? (Check appropriate box.)

- a.  This is the first published edition of a work previously registered in unpublished form.
- b.  This is the first application submitted by this author as copyright claimant.
- c.  This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number  Year of Registration

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates.

pre-existing photographs

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claim.

compilation and editing of each adventurer's story which includes the selection and arrangement of pre-existing photographs

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name  Account Number

Publications, National Geographic Society DA081817

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Z

Suzanne Ross McDowell, Deputy General Counsel

National Geographic Society

1145 17th Street, N.W.

Washington, D.C. 20036

Area Code & Telephone Number (202) 857-7523

**CERTIFICATION\*** I, the undersigned, hereby certify that I am the

Check only one

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of National Geographic Society which is the authorized agent of Pat Cummings and Linda Minor  
Name of author or other copyright claimant, or owner of exclusive right(s)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

Suzanne Ross McDowell

date 10-27-98

Handwritten signature (X)

*Suzanne Ross McDowell*

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

Name	Suzanne Ross McDowell Deputy General Counsel
Number/Street/Apartment Number	National Geographic Society 1145 17th Street, N.W.
City/State/ZIP	Washington, D.C. 20036

- 1. Application form
  - 2. Nonrefundable \$20 filing fee in check or money order payable to Register of Copyrights
  - 3. Deposit material
- Register of Copyrights  
Library of Congress  
Washington, D.C. 20559

The Copyright Office has the authority to adjust fees at 5-year intervals, based on changes in the Consumer Price Index. The next adjustment is due in 1996. Please contact the Copyright Office after July 1995 to determine the actual fee schedule.

\*17 U.S.C. §506(e) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.



# **EXHIBIT C**



# SIMON & SCHUSTER

1230 Avenue of the Americas  
New York, NY 10020

Rubin Pfeffer  
SVP  
Simon & Schuster Children's  
Trade Publishing

June 30, 2008

Pat Cummings  
28 TIFFANY PLACE  
BROOKLYN, NY 11231

Greetings:

As you may have read in the news or observed as you've traveled, eBooks (electronic books) are becoming popular. The recent introduction of two new eBook readers - Sony's eBook Reader and Amazon's Kindle - has increased eBook sales dramatically. Simon & Schuster believes that eBooks will create a new audience for your books, capturing a generation of readers already accustomed to reading everything on a screen while converting other readers who might occasionally find this an easy to use, portable format. If you have not seen one of these eBook devices, they are roughly the size of a thin trade paperback and weigh about as much. The type on the page can be enlarged for weak eyes, and hundreds of books can be loaded onto one device. We've included a list of sites you can visit to see what these devices look like and where you can buy eBooks, as well as Frequently Asked Questions about eBooks and S&S's eBook publishing program.

S&S has already published eBook versions of thousands of its titles and for the past few years, we have been digitizing our backlist of titles, a project that is nearly complete. Now that the customers for this growing market are asking that more books be made available in eBook editions, we want to take advantage of this opportunity and publish more books in this format. I am writing to urge you to take part in this undertaking that I believe represents an important future initiative for the publishing industry in general and will surely expand readership for your books.

In order to move ahead quickly, I ask you to sign the enclosed letter amendment. As you will see, it provides for Simon & Schuster's eBook royalty rate of 15% of the eBook catalog retail price.

We have no doubt that an increasing number of readers will choose this format, and we do not want to lose potential readers for your books or those of any of our authors. If you have any questions that we have not answered in the enclosed materials please call or email:

Anne Zafian  
212.698.7044  
anne.zafian@simonandschuster.com

Sincerely,

**Rubin Pfeffer**  
**Senior Vice President**  
**S & S Children's Trade Publishing**

A CBS COMPANY



# SIMON & SCHUSTER

---

1230 Avenue of the Americas  
New York, NY 10020

Rubin Pfeffer  
SVP  
Simon & Schuster Children's  
Trade Publishing

June 30, 2008

Pat Cummings  
28 TIFFANY PLACE  
BROOKLYN, NY 11231

Greetings:

Reference is made to the agreement between you and us (the "Agreement") for publication of the work entitled *Talking With Artists: Volume 1 (Talking with Artists)* (the "Work").

The Agreement is amended to provide that we shall publish an electronic text (eBook) edition of your Work within 12 months after signing of this letter, and that we will pay you a royalty of 15% of the catalog retail price of the eBook edition on all copies sold.

Except as herein expressly modified, the Agreement remains in full force and effect.

If the above is in accordance with your understanding, please sign this letter in the place provided below and return it to us for our countersignature.

Sincerely,

ACCEPTED AND AGREED:

SIMON & SCHUSTER, INC.

\_\_\_\_\_

By \_\_\_\_\_

A CBS COMPANY