

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN WAITE, etc., et al.,

Plaintiffs,

-against-

19-cv-1091 (LAK)

UMG RECORDINGS, INC., etc., et al.,

Defendants.

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**ORDER**

LEWIS A. KAPLAN, *District Judge*.

Defendants' motion for reconsideration (DI 90) is denied. To the extent that defendants seek clarification on the Court's memorandum opinion (DI 89), it suffices to say only that the Court's holding was limited to the following: Consistent with the Copyright Office's practice of accepting for recordation termination notices of gap grants subject to certain conditions, the Court holds that a grant agreed to before January 1, 1978, for works created on or after that date, is terminable under 17 U.S.C. § 203, so long as either (1) the termination notice recites, as the date of execution, the date on which the work was created, or (2) if the termination notice fails to do so, the date on which the work was created is otherwise alleged and the termination notice's omission of that date is deemed to be a harmless error.

SO ORDERED.

Dated: January 7, 2021



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Lewis A. Kaplan  
United States District Judge