

## The Martinez Group PLLC

August 13, 2018

Via Electronic Mail Only  
(copfoia@loc.gov)

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FOIA Requester Service Center  
The United States Copyright Office  
PIE  
P.O. Box 70400  
Washington, DC 2004

Re: **FREEDOM OF INFORMATION ACT REQUEST**  
Type Face Font Software - Copyright  
Our Reference: 1005-93

Dear Sir/Madam:

This is a request pursuant to the Freedom of Information Act, 5 U.S.C. § 552. Recently, Copyright Examiners have required that a work of type face font software to be registered must have a statement entered into the examination record that each line of software code must have been written by the author (hereinafter the “Requirement”). In light of this Requirement, I hereby respectfully request the following documents relating to the following Copyright Office (“Office”) activities:

1. Communications sent to the Copyright Office (written and electronic) since 2014, from third parties relating to type face fonts and/or type face font software;
2. Communications from the Copyright Office (written and electronic) since 2014, to third parties, relating to type face fonts and/or type face font software;
3. Documents, notes, and memoranda (written and electronic) since 2014, reviewed, used and/or otherwise relied upon by the Office in formulating the above-referenced Requirement; and
4. Office communications, notes and memoranda (written and electronic), relating to the final decision to impose the above-referenced Requirement in applications to register a copyright for type face font software.

Pursuant to 5 U.S.C. § 552(a)(4)(iii), I respectfully request a waiver of fees because disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester. In that regard, I note that I am intellectual property counsel a significant number of type face font designers in

the United States, Europe and Asia. I also hold a position on the Board of Directors of the Society of Typographic Aficionados, a 501(c)(3) organization dedicated to type font design and educating the public about type and typography. In addition, I am an Adjunct Professor, teaching Intellectual Property Law for Designers in the MFA Design Program at the School of Visual Arts in New York City. Finally, I provide pro bono counsel to the American Institute of Graphic Arts, a 501(c)(3) organization dedicated to supporting graphic design and designers in the United States as well as, educating the public about graphic design.

Accordingly, Disclosure of the requested information is in the public interest because such information is likely to contribute significantly to the public understanding of the operations or activities of a governmental office and how such operations, activities, and policy decisions affect the design, graphic design and type face font industries. In addition, disclosure of the requested is likely to add to knowledge of copyright law to design practitioners and students of design. Finally, the requested information is not primarily in my personal financial interest, but is instead in the interest of the design, graphic design, and type face font industries.

Thank you very much for your cooperation in this request. Please feel free to contact me if there are any questions.

Respectfully submitted,  
**THE MARTINEZ GROUP PLLC**

By: \_\_\_\_\_

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