

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
N.D. OF N.Y.
ORIGINAL FILED

APR - 3 2003

LAWRENCE K. BAERMAN, CLERK
ALBANY

ATLANTIC RECORDING CORPORATION,
a corporation; ARISTA RECORDS, INC., A
corporation; BMG MUSIC, a general partnership;
CAPITOL RECORDS, INC., a corporation;
ELEKTRA ENTERTAINMENT GROUP INC., a
corporation; INTERSCOPE RECORDS, a general
partnership; LAVA RECORDS LLC, a limited
liability corporation; LOUD RECORDS LLC,
a limited liability corporation; MAVERICK
RECORDING COMPANY, a joint venture;
MOTOWN RECORD COMPANY, L.P.,
a limited partnership; PRIORITY RECORDS,
LLC, a limited liability company; SONY MUSIC
ENTERTAINMENT INC., a corporation;
UMG RECORDINGS, INC., a corporation;
VIRGIN RECORDS AMERICA, INC., a
corporation; WARNER BROS. RECORDS, INC.,
a corporation; and ZOMBA RECORDING
CORPORATION, a corporation,

COMPLAINT FOR
DIRECT AND
CONTRIBUTORY
COPYRIGHT
INFRINGEMENT

Civil Action No.

03 -CV- 0417

TJM

Plaintiffs,

-against-

JESSE JORDAN,

Defendant.

The Plaintiffs, by their attorneys, DeGraff, Foy, Holt-Harris, Kunz & Devine,
LLP and Jenner & Block, complaining of the Defendant, allege, upon information and
belief, as follows:

NATURE OF THE ACTION

1. This is an action for direct and contributory copyright infringement arising
out of the knowing and willful conduct of Defendant. Defendant has hijacked an

academic computer network and installed on it a marketplace for copyright piracy that is used by others to copy and distribute music illegally. In addition to operating this piracy marketplace that facilitates direct copyright infringement by others, Defendant is committing direct copyright infringement himself by copying and distributing hundreds of sound recordings over his system without the authorization of the copyright owners.

2. Defendant has established, maintains, and controls a self-contained system that uses the resources of the Rensselaer Polytechnic Institute computer network and is accessible to all of the users of the University network. This system operates similarly to the Napster system, which was shut down by a federal court injunction due to its blatant facilitation of copyright infringement. Thus, Defendant has taken a network created for higher learning and academic pursuits and converted it into an emporium of music piracy where copyright infringement is simplified down to the click of a computer mouse. Like Napster, Defendant's system provides users of the University network with infrastructure and facilities for committing copyright infringement. Those facilities include access to a central computer server, a continuously updated index of infringing recordings available on Defendant's own system, and a method that facilitates the rapid and efficient copying and distribution of those recordings. Users connect to the computer server operated by Defendant at the Internet site, "www.chcwplastic.com," to search for, locate, and make copies of Plaintiffs' copyrighted sound recordings that are being made available by other users of the network; those copies are then distributed further for copying by other users, all without the authorization of the copyright owners.

3. All of the most popular sound recordings, as well as many up and coming artists, are being infringed through Defendant's system. Schedule A to this Complaint, which is incorporated herein, provides a list of some of the songs that are unlawfully being copied over the Defendant's system ("the Copyrighted Recordings"). Among the

well known artists are Eminem, Whitney Houston, Bruce Springsteen, Christina Aguilera, Jennifer Lopez, Michael Jackson and Madonna.

4. Defendant is acutely aware of the infringing activity occurring through his system since he himself is copying and distributing hundreds of sound recordings over his system without the authorization of the copyright owners. The sound recordings being distributed by Defendant himself include Santana, Usher, Smashing Pumpkins, Pink, David Gray, and Dave Matthews Band.

5. Defendant's conduct has caused and continues to cause Plaintiffs grave and irreparable harm.

JURISDICTION AND VENUE

6. This is a civil action for damages and injunctive relief for copyright infringement under the Copyright Law of the United States, 17 U.S.C. sections 502, 504, and 505.

7. This Court has jurisdiction of this action under 17 U.S.C. section 501(b); 28 U.S.C. section 1331; and 28 U.S.C. section 1338(a).

8. This Court has personal jurisdiction over Defendant in that Defendant resides in this District. In addition, a substantial part of the acts of infringement complained of herein occurred in this District.

9. Venue is proper in this District under 28 U.S.C. section 1400(a) because Defendant resides and may be found in this District.

THE PARTIES

10. Plaintiff Atlantic Recording Corporation is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in New York.

11. Plaintiff Arista Records, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in New York.

12. Plaintiff BMG Music is a New York general partnership, with its principal place of business in New York.

13. Plaintiff Capitol Records, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with a place of business in New York.

14. Plaintiff Elektra Entertainment Group Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in New York.

15. Plaintiff Interscope Records is a California general partnership, with its principal place of business in the State of California.

16. Plaintiff Lava Records LLC is a limited liability corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

17. Plaintiff Loud Records LLC is a limited liability corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

18. Plaintiff Maverick Recording Company is a joint venture between Maverick Records and Warner Bros. Records Inc., organized and existing under the laws of California, with its principal place of business in California.

19. Plaintiff Motown Record Company, L.P. is a California limited partnership, with its principal place of business in New York.

20. Plaintiff Priority Records, LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in California.

21. Plaintiff Sony Music Entertainment Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in New York.

22. Plaintiff UMG Recordings, Inc. is a corporation duly organized and existing under laws of the State of Delaware, with its principal place of business in California.

23. Plaintiff Virgin Records America, Inc. is a corporation duly organized and existing under the laws of the State of California, with a place of business in New York.

24. Plaintiff Warner Bros. Records Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

25. Plaintiff Zomba Recording Corporation is a corporation duly organized and existing under the laws of the State of New York, with a place of business in New York.

PLAINTIFFS' BUSINESS

26. Plaintiffs are engaged in the business of producing sound recordings, and manufacturing, distributing, selling, and/or licensing the distribution and sale of their sound recordings in phonorecords (as defined in 17 U.S.C. section 101, and including, without limitation, compact discs and other digital formats). Plaintiffs are among the leading manufacturers of such phonorecords in the United States.

27. Plaintiffs have invested and continue to invest substantial sums of money, as well as time, effort, and creative talent, to discover and develop recording artists, and to create, manufacture, advertise, promote, sell, and license phonorecords embodying the performances of their exclusive recording artists. Plaintiffs, their recording artists, and others are compensated for their creative efforts and monetary investments largely from the sale and distribution of phonorecords to the public and from other exploitation of such phonorecords.

28. Plaintiffs are the copyright owners or owners of exclusive rights under copyright with respect to certain copyrighted sound recordings embodied in their phonorecords, including but not limited to those listed on Schedule A attached hereto and

incorporated by reference herein. Each Plaintiff has applied for and/or received Certificates of Copyright Registration from the Register of Copyrights for its Copyrighted Recordings. Each Plaintiff has the exclusive rights, among other things, to "reproduce the [Copyrighted Recordings] in copies or phonorecords," and to "distribute copies [of the Copyrighted Recordings] or phonorecords . . . to the public." 17 U.S.C. sections 106(1) and 106(3).

UNIVERSITY LOCAL AREA NETWORKS

29. Every university provides their faculty, students, and staff with access to computer services and resources. Such computer resources are provided to assist faculty and students in their academic endeavors, and to assist staff in the administration of university affairs. Two such computer resources are access to the Internet and provision of and access to a university Local Area Network, or "LAN."

30. Access to the Internet by university internet users is typically done through a T1 or T3 connection that provides for very high speed access, allowing use of the Internet in a very quick and efficient manner that is far superior to much slower "dial up" access over telephone lines. Many university Internet users use their high speed Internet access not for academic pursuits, but to connect to and use certain Internet "peer-to-peer" networks for the purpose of unlawfully copying and distributing copyrighted sound recordings and other copyrighted content to and from their personal computers. The most notorious of such systems was the Napster system, which was shut down by a federal court injunction. Other similar systems such as the Kazaa system are the subject of pending litigation in the U.S. District Court for the Central District of California brought by copyright holders including Plaintiffs here.

31. Copyright infringement over university networks has become a serious problem for Plaintiffs and other copyright owners, as well as for universities. Recent statistics have indicated that, at some universities, nearly 50 percent of the available Internet computer resources (known as "bandwidth") are being used for the unauthorized copying and distribution of copyrighted material. Such conduct has greatly taxed the capacity of university computer network resources and has greatly increased the cost of providing and maintaining those resources. Additionally, these file-trading systems raise liability and security concerns for universities. In response, many universities have restricted or banned entirely access to such infringing peer-to-peer systems from computers that are part of the universities' networks.

32. In part, at least, because such restrictions limit the ability of university network users to illegally copy music and other copyrighted materials from outside the university network (over Internet peer-to-peer systems), some individuals have sought to replicate such peer-to-peer systems (i.e., Napster equivalent systems) within the university network. This is done by creating, maintaining, and operating the equivalent of such systems on LANs provided by universities to their faculty, students, and staff. A LAN is a computer network that is dispersed over a limited, defined geographic area, such as a university campus, through which a user computer can interact with all other user computers on the network. In many respects, a university LAN operates as a "mini-internet" for university users only.

33. Without a Napster equivalent system, LAN users cannot effectively search for and transfer song recordings over the network. On a typical LAN, there is no centralized index of all sound recordings that users have designated for copying and transfer over the network. As a result, there is no efficient way for a user to know which

sound recordings are available on which computers, or for users to gain access to available sound recordings.

DEFENDANT'S INFRINGING CONDUCT

34. Defendant created a system that is designed to enable and facilitate the widespread unauthorized copying and distribution of sound recordings over Rensselaer Polytechnic Institute's LAN. Defendant has installed, operates, and maintains a computer server that provides indexing and search processing functions for users of that LAN. Defendant's server actively scours the network for files that others have designated for copying and distribution, and indexes the names of those files even without the knowledge or acquiescence of network users who have so designated those files, and without the consent of the copyright owners of the works embodied in those files. Defendant's server inventories the music files each user has designated for copying and distribution, maintains a centralized index of the names of those music files, and makes that index available to users of the LAN. In this manner, files that a user maintains on his or her hard drive are made available for copying and distribution by all users of the LAN regardless of the intention of the users who initially designated those files, and often without their knowledge.

35. Defendant further has established and maintains an Internet site accessible over the World Wide Web at the URL <http://www.chewplastic.com/>. By accessing that web site, users of the LAN search for and locate sound recordings that Defendant has indexed for copying and distribution by typing in search terms into a search window provided by Defendant. Results of the search are then returned to the user. These results include the file names of the sound recordings that match the search term and the location on the LAN of users' computers that are making those sound recordings available for

copying and distribution over the LAN. A user need only click on a particular search result, and the file containing the sound recording is automatically downloaded – i.e., copied and saved – directly from the offering user's computer to the hard drive of the requesting user's computer.

36. Through the centralized indexing, searching, and file transfer functions provided and maintained by Defendant, Defendant has functionally replicated the unlawful systems that facilitate and enable the massive infringement of copyrighted sound recordings on the Internet, and that have been enjoined by courts in other cases, such as Napster, Aimster, and AudioGalaxy. The centralized index, search, transfer, and other functions provided by Defendant are equivalent to the functions that were provided by the notorious Napster system, which was enjoined and ultimately shut down as a consequence of the copyright infringement that it enabled and facilitated. In at least one way, however, Defendant's system is even a more efficient and effective infringement system than was Napster's. In Napster, a user affirmatively was required to log on to the system in order to make available MP3 files for copying and distribution. As averred above, however, Defendant's system actively searches for, inventories, and indexes all filenames that are being made available on the network regardless of whether the user offering the files has intended them to be made available to all other users on the network or not.

37. Defendant is well aware of the widespread piracy of copyrighted recordings over his system. Defendant maintains on his web site "general statistics" relating to his service and that information indicates that the majority of files that are available on Defendant's service are MP3 files – computer files that contain sound recordings. Most telling of Defendant's knowledge of the widespread piracy conducted over his system is that Defendant himself uses this system to distribute MP3 files, many

of which contain songs owned by Plaintiffs. Defendant has made available for widespread distribution on his system hundreds of copyrighted recordings owned by Plaintiffs, including works by Santana, Usher, Smashing Pumpkins, Pink, David Gray, and Dave Matthews Band.

38. The system that Defendant has created, controls, and maintains thus enables and facilitates the large-scale unauthorized copying and distribution of the copyrighted recordings over Rensselaer Polytechnic Institute's LAN. Such infringements would not occur on the scale or the manner in which they do without the conduct and participation of Defendant, who provides the infrastructure and technological means to accomplish these infringements. Schedule A provides only a subset of the recordings that are being unlawfully copied through Defendant's system. As detailed in Schedule A, the Copyrighted Recordings copied and distributed without authorization over Defendant's system include many of the most popular recordings by the most popular recording artists, including, but in no way limited to, Eminem, Whitney Houston, Bruce Springsteen, Christina Aguilera, Jennifer Lopez, Michael Jackson and Madonna.

39. Defendant's unlawful conduct does not end there, however. Defendant himself is distributing hundreds of copyrighted sound recordings without authorization that he unlawfully downloaded and thus copied. From a web site he maintains, Defendant has distributed and continues to distribute, for unauthorized copying by others, hundreds of copyrighted sound recordings, including the Copyrighted Recordings. Through this conduct, Defendant is distributing, without authorization, Plaintiffs' Copyrighted Recordings for copying by anyone on the LAN who accesses his web site.

FIRST CLAIM FOR RELIEF

DIRECT INFRINGEMENT OF COPYRIGHTS

[By All Plaintiffs Against Defendant]

40. Plaintiffs incorporate herein by this reference each and every averment contained in paragraphs 1 through 39 inclusive.
41. Defendant, without the permission or consent of Plaintiffs who hold valid copyrights on the Copyrighted Recordings, has reproduced and distributed and/or has caused the reproduction and distribution of the Copyrighted Recordings.
42. The infringement of Plaintiffs' rights in and to each of the Copyrighted Recordings constitutes a separate and distinct act of infringement.
43. The foregoing acts of infringement have been willful, intentional, and purposeful, in disregard of and indifference to the rights of Plaintiffs.
44. The acts of Defendant complained of herein constitute infringement of Plaintiffs' registered copyrights and exclusive rights under copyright in violation of 17 U.S.C. sections 106 and 501.
45. As a direct and proximate result of Defendant's infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to the maximum statutory damages, pursuant to 17 U.S.C. section 504(c), in the amount of \$150,000 with respect to each work infringed, or such other amounts as may be proper under 17 U.S.C. section 504(c).

46. Plaintiffs further are entitled to their attorneys' fees and full costs pursuant to 17 U.S.C. section 505.

47. Defendant's conduct, as hereinabove averred, is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law. Pursuant to 17 U.S.C. section 502, Plaintiffs are entitled to preliminary and permanent injunctions prohibiting further infringements of Plaintiffs' copyrights and exclusive rights under copyright.

SECOND CLAIM FOR RELIEF

CONTRIBUTORY INFRINGEMENT OF COPYRIGHTS

[By All Plaintiffs Against Defendant]

48. Plaintiffs incorporate herein by this reference each and every averment contained in Paragraphs 1 through 39 inclusive.

49. Defendant has knowingly and systematically induced, caused, and materially contributed to the above-described unauthorized copying and distribution of the Copyrighted Recordings and thus to the infringement of Plaintiffs' copyrights and exclusive rights under copyright in the Copyrighted Recordings.

50. The infringement of each of Plaintiffs' rights in and to the Copyrighted Recordings constitutes a separate and distinct act of infringement.

51. The foregoing acts of infringement by Defendant have been willful, intentional, and purposeful, in disregard of and indifference to the rights of Plaintiffs.

52. Defendant's conduct constitutes contributory infringement of Plaintiffs' copyrights and Plaintiffs' exclusive rights under copyright in violation of 17 U.S.C. sections 106 and 501.

53. As a direct and proximate result of Defendant's infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to the maximum statutory damages, pursuant to 17 U.S.C. section 504(c), in the amount of \$150,000 with respect to each work infringed, or such other amounts as may be proper under 17 U.S.C. section 504(c).

54. Plaintiffs further are entitled to their attorneys' fees and full costs pursuant to 17 U.S.C. section 505.

55. Defendant's conduct, as hereinabove averred, is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law. Pursuant to 17 U.S.C. section 502, Plaintiffs are entitled to preliminary and permanent injunctions prohibiting further contributory infringements of Plaintiffs' copyrights and exclusive rights under copyright.

WHEREFORE, Plaintiffs pray for judgment against Defendant as follows:

1. For a preliminary and a permanent injunction enjoining Defendant, and all persons acting in concert or participation with him, from: (i) directly or indirectly infringing in any manner any of Plaintiffs' respective copyrights (whether now in existence or hereafter created), and exclusive rights under copyright, including without

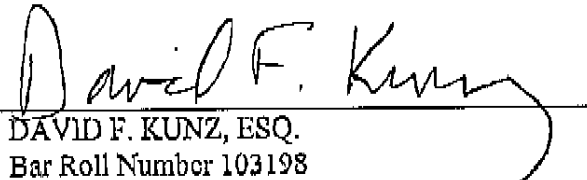
limitation, the Copyrighted Recordings listed on Schedule A, and (ii) from causing, contributing to, enabling, facilitating, or participating in the infringement of any of Plaintiffs' respective copyrights, and exclusive rights under copyright, including without limitation, the Copyrighted Recordings listed on Schedule A.

2. For maximum statutory damages in the amount of \$150,000 with respect to each copyrighted work infringed, or for such other amounts as may be proper pursuant to 17 U.S.C. section 504(c);

3. For Plaintiffs' attorneys' fees, full costs, and disbursements in this action; and

4. For such other and further relief as the Court may deem just and proper.

By:



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Date: April 3, 2003

Schedule A

COPYRIGHT PLAINTIFF	ARTIST	SONG	ALBUM	SR
Arista Records, Inc.	Ace of Base	All That She Wants	The Sign	169-749
Arista Records, Inc.	Adema	Giving In	Adema	302-233
Arista Records, Inc.	Adema	The Way You Like It	Adema	302-233
Arista Records, Inc.	Alan Jackson	WWW/Memory	When Somebody Loves You	289-367
Arista Records, Inc.	Avril Lavigne	Complicated	Let Go	312-786
Arista Records, Inc.	Dido	I'm No Angel	No Angel	289-904
Arista Records, Inc.	Kenny G	What a Wonderful World	Classics in the Key of G	289-898
Arista Records, Inc.	Monica	The Boy Is Mine	The Boy Is Mine	263-982
Arista Records, Inc.	Next	Willey	Wakeme II Nextasy	284-980
Arista Records, Inc.	No Mercy	Where Do You Go	No Mercy	251-426
Arista Records, Inc.	Outkast	Ms. Jackson	Stankonia	306-741
Arista Records, Inc.	Phil Vassar	Just Another Day in Paradise	Phil Vassar	284-145
Arista Records, Inc.	Pink	Most Girls	Can't Take Me Home	279-958
Arista Records, Inc.	Pink	You Make Me Sick	Can't Take Me Home	279-958
Arista Records, Inc.	Robert Miles	One and One	Dreamland	225-337
Arista Records, Inc.	Santana	Maria Maria	Supernatural	289-833
Arista Records, Inc.	TLC	Waterfalls	Crazysexycool	196-743
Arista Records, Inc.	Usher	You Make Me Wanna	My Way	257-730
Arista Records, Inc.	Westlife	Foot Again	Westlife	284-150
Arista Records, Inc.	Whitney Houston	My Love Is Your Love	My Love Is Your Love	298-453
Arista Records, Inc.	Bad Religion	American Jesus	Recipe for Hate	172-147
Arista Records, Inc.	Brandy	Have You Ever	Never Say Never	256-701
Arista Records, Inc.	Collective Soul	Perfect Day	Blender	303-603
Arista Records, Inc.	Corts	Breathless	In Blue	311-809
Arista Records, Inc.	Deborah Morgan	Dance With Me	Dance With Me	303-745
Arista Records, Inc.	Jewel	You Were Meant for Me	Pieces of You	198-481
Arista Records, Inc.	Matchbox 20	Real World	Yourself, or Someone Like You	227-755
Arista Records, Inc.	matchbox twenty	Bent	Mad Season	305-708
Arista Records, Inc.	ORPN	Heaven is a Halpiped	Menace to Sobriety	303-751
Arista Records, Inc.	Phil Collins	In the Air Tonight	Face Value	24-682
Arista Records, Inc.	Sugar Ray	Someday	14:59	262-149
Arista Records, Inc.	Taproot	Believed	Gift	305-703
Arista Records, Inc.	Trans-Siberian Orchestra	A Final Dream	Beethoven's Last Night	284-961
Arista Records, Inc.	Alicia Keys	Fahr!	Songs in A Minor	239-410
BMG Music	Bruce Hornsby	The Way It Is	The Way It Is	71-024
BMG Music	Busta Rhymes	Break Ya Neck	Genesis	312-547

Schedule A

COPYRIGHT PLANTIFF	ARTIST	SONG	ALBUM	SR
BMG Music	Christina Aguilera	Gentle in a Bottle	Christina Aguilera	274-004
BMG Music	Dave Matthews Band	Crush	Before These Crowded Streets	257-982
BMG Music	Dave Matthews Band	Crash Into Me	Crash	212-572
BMG Music	Dave Matthews Band	I Did It	Everyday	300-313
BMG Music	Dave Matthews Band	Dancing Nancies	Under the Table and Dreaming	285-888
BMG Music	David Gray	Babylon	White Ladder	297-324
BMG Music	Foo Fighters	Everlong	The Colour and the Shape	297-253
BMG Music	George Winston	Night	December	42-427
BMG Music	Jerry Rivera	Quiero	Rivera	291-696
BMG Music	Kenny Chesney	How Forever Feels	Everywhere We Go	263-302
BMG Music	LFO	Every Other Time	Life is Good	300-386
BMG Music	Li	My Own Worst Enemy	Place in the Sun	264-272
BMG Music	Li	Amazed	Lonely Grill	187-003
BMG Music	Lonestar	Good As I Was To You	Greater Need	222-871
BMG Music	Lorrie Morgan	Good As I Was To You	A Little Bit of Mambo	286-646
BMG Music	Lou Bega	Mambo No. 5	Luther Vandross	298-047
BMG Music	Luther Vandross	Take You Out	White Lies Island	312-739
BMG Music	Natalie Imbruglia	That Day	White Lies Island	294-872
BMG Music	O-Town	All For Love	O-Town	294-872
BMG Music	Vertical Horizon	Best I Ever Had (Grey Sky Morning)	Everything You Want	268-875
BMG Music	Verve Pipe	The Freshman	Everything You Want	219-544
BMG Music	Verve Pipe	People Everyday	Villains	143-502
Capitol Records, Inc.	Arrested Development	People Everyday	3 Years, 5 Months & 2 Days in the Life of...	277-731
Capitol Records, Inc.	Beastie Boys	Intergalactic	Hell's Nasty	39-673
Capitol Records, Inc.	Billy Idol	Dancing With Myself	Billy Idol	52-131
Capitol Records, Inc.	Billy Idol	Rebel Yell	Rebel Yell	17-910
Capitol Records, Inc.	Bob Seger	Against the Wind	Against The Wind	5-591
Capitol Records, Inc.	Bob Seger	Old Time Rock and Roll	Stranger In Town	58-461
Capitol Records, Inc.	Duran Duran	Wild Boys	Arena	284-811
Capitol Records, Inc.	Duran Duran	Wonderful	Songs From an American Movie: Vol. 1, Learning How to Smile	181-328
Capitol Records, Inc.	Everclear	Santa Monica	Sparke and Fade	N-20414
Capitol Records, Inc.	Grand Funk Railroad	Some Kind of Wonderful	All the Girls in the World Beware!	273-265
Capitol Records, Inc.	Keith Urban	Where the Bricktop Ends	Keith Urban	33-474
Capitol Records, Inc.	Kim Wilde	Kids in America	Kim Wilde	240-954
Capitol Records, Inc.	Marcy Playground	Sex and Candy	Marcy Playground	133-683
Capitol Records, Inc.	Marcy Playground	Sex and Candy	Please Hammer, Don't Hurt'em	133-683
Capitol Records, Inc.	MC Hammer	U Cant Touch This	Please Hammer, Don't Hurt'em	133-683

Schedule A

COPYRIGHT PLANTIFF	ARTIST	SONG	ALBUM	SR
Capitol Records, Inc.	MC Hammer	Too Legit to Quit	Too Legit to Quit	136-387
Capitol Records, Inc.	Megadeth	Peace Sells	Peace Sells...But Who's Buying So Far?	81-043
Capitol Records, Inc.	Radiohead	National Anthem	Kid A	289-381
Capitol Records, Inc.	Radiohead	Black Star	The Bends	280-260
Capitol Records, Inc.	Thomas Dolby	She Blinded Me With Science	The Golden Age of Wireless	46-842
Elektra Entertainment Group Inc.	MC Lyte	Keep on Keepin' On	Bad As I Wanna Be	225-726
Elektra Entertainment Group Inc.	Missy Elliott	One Minute Man	Miss E... So Addictive	297-686
Elektra Entertainment Group Inc.	Moby	Go	mobysongs	267-237
Elektra Entertainment Group Inc.	Phish	Farmhouse	Farmhouse	281-388
Elektra Entertainment Group Inc.	Tania	Stranger In My House	A Nu Day	293-084
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
Elektra Entertainment Group Inc.	Tracy Chapman	Fast Car	Tracy Chapman	92-491
Elektra Entertainment Group Inc.	Vasek	Free	Music for People	267-227
Elektra Entertainment Group Inc.	William C	The Ich	More	290-005
Interscope Records	Blackstreet	No Diggity	Another Level	229-817
Interscope Records	Dr. Dre	Some L.A. Niggaz	2001	277-983
Interscope Records	Enthem	The Real Slim Shady	The Marshall Mathers, LP	287-944
Interscope Records	Enthem	Role Model	The Slim Shady LP	262-686
Interscope Records	Enrique Iglesias	Bailamos	Enrique	214-257
Interscope Records	Eve	Love Is Blind	Let There Be Eve...Ruff Ryders's First La	265-925
Interscope Records	Limp Bizkit	Break Stuff	Significant Other	279-827
Interscope Records	Limp Bizkit	Stuck	Three Dollar Bill, Y'all\$	238-798
Interscope Records	Mya	Case of the Ex	Fear of Flying	279-309
Interscope Records	No Doubt	Bathtub	Return of Saturn	279-727
Interscope Records	No Doubt	Sixteen	Tragic Kingdom	206-724
Interscope Records	Puddle of Mudd	Blurry	Come Clean	301-465
Interscope Records	Smash Mouth	Walkin' On The Sun	Fush Yu Mang	238-756
Lava Records LLC	Uncle Kracker	Fedlow' Me	Double Wide	284-346
Loud Records LLC	Mobb Deep	Murda Muzik	Murda Muzik	293-229
Loud Records LLC	Tash	Bermuda Triangle	Rap Life	278-729
Maverick Recording Company	Alanis Morissette	Ironic	Jagged Little Pill	213-545
Maverick Recording Company	Deftones	My Own Summer	Around the Fur	244-493
Motown Record Company, L.P.	Boyz II Men	4 Seasons of Loneliness	Evolution	240-088
Motown Record Company, L.P.	Brian McKnight	Back at One	Back at One	279-471

Schedule A

COPYRIGHT PLANTIFF	ARTIST	SONG	ALBUM	SR
Motown Record Company, L.P.	Enkash Badu	Bag Lady	Mama's Gun	295-614
Priority Records LLC	EPMD	You Got 2 Chill	Sticky Business	223-866
Priority Records LLC	Ice Cube	It Was A Good Day	The Predator	169-617
Priority Records LLC	N.W.A.	F The Police	Straight Outta Compton	150-531
Sony Music Entertainment Inc.	Ashure	All Cried Out	Allure	241-069
Sony Music Entertainment Inc.	B2K	Gots Ta Be	B2K	308-430
Sony Music Entertainment Inc.	Babyface	Never Keeping Faces	For the Cool in You	184-540
Sony Music Entertainment Inc.	Big Punisher	Still Not A Player	Capital Punishment	260-263
Sony Music Entertainment Inc.	Billy Joel	Piano Man	Piano Man	N11702
Sony Music Entertainment Inc.	Bonnie Tyler	Total Eclipse of the Heart	Faster Than the Speed of Light	50-641
Sony Music Entertainment Inc.	Bruce Springsteen	Downbound Train	Born in the U.S.A.	55-647
Sony Music Entertainment Inc.	Bruce Springsteen	Streets of Philadelphia	Greatest Hits	198-948
Sony Music Entertainment Inc.	Crazy Town	Butterfly	The Gift of Game	294-083
Sony Music Entertainment Inc.	Destiny's Child	Jumpin Jumpin	Writings On the Wall	258-936
Sony Music Entertainment Inc.	Dixie Chicks	Goodbye Earl	Fly	275-086
Sony Music Entertainment Inc.	Five for Fighting	Supernan (It's Not Easy)	America Town	267-198
Sony Music Entertainment Inc.	Incubus	Drive	Make Yourself	278-818
Sony Music Entertainment Inc.	Jagged Edge	Where the Party At	Jagged Little Thrill	302-328
Sony Music Entertainment Inc.	Jennifer Lopez	If You Had My Love	On the 6	267-571
Sony Music Entertainment Inc.	Jennifer Lopez	Waiting For Tonight	On the 6	267-571
Sony Music Entertainment Inc.	Mandy Moore	I Wanna Be With You	I Wanna Be With You	305-059
Sony Music Entertainment Inc.	Michael Jackson	Smooth Criminal	Bad	84-256
Sony Music Entertainment Inc.	Michael Jackson	Butterflies	Invincible	304-780
Sony Music Entertainment Inc.	Nine Days	Absolutely (Story of a Girl)	The Maddening Crowd	267-204
Sony Music Entertainment Inc.	Rage Against the Machine	Renegades of Funk	Renegades	297-090
Sony Music Entertainment Inc.	Ricky Martin	Livin' la Vida Loca	Ricky Martin	278-159
Sony Music Entertainment Inc.	System of a Down	Toxicity	Toxicity	301-897
Sony Music Entertainment Inc.	The Fugees	Ready or Not	The Score	222-005
Sony Music Entertainment Inc.	Will Smith	Gettin Jiggy Will Ii	Big Willie Style	249-123
UMG Recordings, Inc.	3 Doors Down	Losar	The Better Life	277-407
UMG Recordings, Inc.	American Hi-Fi	Flavor of the Weak	American Hi-Fi	294-967
UMG Recordings, Inc.	Aqua	An Apple a Day	Aquarius	243-903
UMG Recordings, Inc.	Beck	Losar	Mellow-Gold	185-369
UMG Recordings, Inc.	Bee Gees	Stayin Alive	Saturday Night Fever (O.S.T)	5-560
UMG Recordings, Inc.	Blink 182	All the Small Things	Enema of the State	279-828
UMG Recordings, Inc.	Bloodhound Gang	RSVP	Honkey for Boobies	278-185