

Sheinberg, Samuel I.

From: [REDACTED]
Sent: Friday, August 7, 2020 4:40 PM
To: Walsh, Kathryn E.; Berg, Karen E.; Carson, Timothy; Sheinberg, Samuel I.; Whitehead, Nora; Musick, Vesselina
Subject: FW: Copyrights

From: Six, Anne
Sent: Friday, August 7, 2020 4:40:26 PM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Copyrights

[REDACTED]

Acquisitions of copyright interests are not reportable.

Best,
Anne

Anne K. Six
Attorney
Premerger Notification Office
Federal Trade Commission
202-326-2799 | asix@ftc.gov

From: [REDACTED]
Sent: Tuesday, August 4, 2020 4:09:34 PM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Subject: Copyrights

Good afternoon. Is there any circumstance in which the acquisition of a portfolio of copyright interests might constitute a potentially reportable acquisition of assets for HSR Act purposes? We can't seem to find any informal interpretations directly on point. Interpretation 26 in the PNPM (5th ed.), which discusses exclusive patent and trademark licenses, does not mention copyrights, but we don't want to draw an unwarranted inference from this.

If the answer to the first question is "yes," would you please let us know the basis for this conclusion? Also, would you please tell us whether the acquisition of only partial copyright interests (e.g., where copyrighted works have multiple authors, and only one author is selling his or her interests) could potentially be reportable?

Thank you in advance for your help with this.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

