

ORAL ARGUMENT NOT YET SCHEDULED  
No. 23-1311

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**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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PUBLIC.RESOURCE.ORG, INC., ET AL.,

*Petitioners,*

v.

FEDERAL COMMUNICATIONS COMMISSION, ET AL.,

*Respondents.*

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On Petition for Review of an Order of the Federal Communications Commission

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**NOTICE OF INTENTION OF AMERICAN NATIONAL STANDARDS  
INSTITUTE AND 16 STANDARDS ORGANIZATIONS TO FILE A BRIEF  
AS *AMICI CURIAE* IN SUPPORT OF RESPONDENTS**

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*On behalf of Amici Curiae American  
National Standards Institute and 16  
Standards Organizations and as  
Counsel for IEEE*

**CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, each *Amici Curiae* represents that it has no parent corporation<sup>1</sup> and no publicly held corporation owns 10% or more of any of *Amici Curiae*'s stock.

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<sup>1</sup> ULSE Inc. has one corporate member—Underwriters Laboratories Inc., which is herein referred to as ULSE Inc.'s “parent.” However, both Underwriters Laboratories Inc. and ULSE Inc. are nonprofit nonstock corporations.

## **CERTIFICATE AS TO PARTIES, RULINGS, & RELATED CASES**

Pursuant to Circuit Rule 28(a)(1), the *Amici Curiae* certify that:

### **(A) Parties and Amici:**

Except for the following, all parties, intervenors, and *amici* appearing in this Court are listed in the Brief for Petitioners filed March 27, 2024, Brief for Respondents filed May 13, 2024, and any *amicus* briefs filed before this one:

- American National Standards Institute, Incorporated
- The American Petroleum Institute;
- American Society for Testing and Materials d/b/a/ ASTM International;
- American Society of Civil Engineers;
- American Society of Heating, Refrigerating and Air-Conditioning Engineers;
- American Society of Safety Professionals;
- Consumer Technology Association;
- International Association of Plumbing & Mechanical Officials;
- International Code Council, Inc.;
- The Institute of Electrical and Electronics Engineers, Incorporated;
- The International Electrotechnical Commission;
- The International Organization for Standardization;
- The National Fire Protection Association;
- North American Energy Standards Board;
- National Electrical Manufacturers Association;

- Telecommunications Industry Association; and
- ULSE Incorporated.

**(B) Ruling under Review:**

References to the rulings at issue appear in the Brief for Petitioners filed March 27, 2024.

**(C) Related Cases:**

The *Amici Curiae* are not aware of any related cases.

## NOTICE OF INTENT TO FILE AMICUS BRIEF

Pursuant to D.C. Circuit Rule 29(b), the organizations listed below notify this Court of their intention to file an *amicus curiae* brief in support of the Respondents in the above captioned matter.

The organizations intend to file an *amicus* brief of no more than 6,500 words, addressing points not made by the Respondents in order to aid the Court's consideration of this case. Pursuant to D.C. Circuit Rule 29(d), the organizations have coordinated to file a single brief addressing their shared interests in this matter.

The *Amici's* brief is necessary to address the consequences of Petitioners' arguments on copyright protections and the ability of *Amici* to develop publicly beneficial technical and specialized standards.

Petitioners and Respondents have consented to the filing of this brief. *See* Fed. R. App. P. 29(a)(2); D.C. Cir. Rule 29(a)(2).

*Amici Curiae* include American National Standards Institute, Incorporated, a national standards coordinating institution, along with 16 standards development organizations ("SDOs") that participate in developing technical and specialized standards. The *Amici* SDOs are:

- The American Petroleum Institute;
- American Society for Testing and Materials d/b/a/ ASTM International;
- American Society of Civil Engineers;

- American Society of Heating, Refrigerating and Air-Conditioning Engineers;
- American Society of Safety Professionals;
- Consumer Technology Association;
- International Association of Plumbing & Mechanical Officials;
- International Code Council, Inc.;
- The Institute of Electrical and Electronics Engineers, Incorporated;
- The International Electrotechnical Commission;
- The International Organization for Standardization;
- The National Fire Protection Association;
- North American Energy Standards Board;
- National Electrical Manufacturers Association;
- Telecommunications Industry Association; and
- ULSE Incorporated.

Respectfully submitted,

Dated May 20, 2024

/s/ Creighton R. Magid

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National Standards Institute and 16  
Standards Organizations and as  
Counsel for IEEE*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 20, 2024, I caused the foregoing Notice to be electronically filed with the Clerk of the Court using CM/ECF, which will automatically send email notification of such filing to all counsel of record.

Dated May 20, 2024

*/s/ Creighton R. Magid*

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