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VIA FACSIMILE & E-MAIL

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Re: Public Records Act Request by Public.Resource.Org

Dear Ms. Marvelli:

I am counsel for the National Fire Protection Association (“NFPA”), author and publisher of the *National Electrical Code* (“NEC”). Significant portions of the *NEC* are incorporated into the *California Electrical Code* (“CEC”), which contains additional material that is copyrighted by the California Building Standards Commission (“CBSC”). Under license from NFPA and CBSC, BNi Building News publishes the *CEC*.

NFPA recently learned that, on December 9, 2016, Carl Malamud of Public.Resource.Org (“PRO”) submitted a Public Records Act Request to the CBSC. PRO did not provide a copy of its request to NFPA. PRO requests that the CBSC provide PRO with a text-searchable PDF copy of the 2016 edition of the *CEC*. NFPA objects to PRO’s request to the

Mia Marvelli, Executive Director
December 21, 2016
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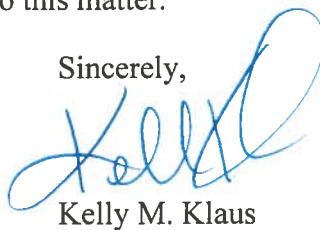
extent it seeks a copy of the *NEC* as embodied in the PDF file. NFPA has not authorized the CBSC to distribute PDF copies of NFPA's copyrighted work.

PRO is well aware that NFPA maintains its copyright claim over the *NEC* and other NFPA publications. NFPA (and other standards-development organizations ("SDO")) currently are engaged in copyright and trademark infringement litigation over PRO's unauthorized copying and distribution of the SDO's copyrighted works. *American Society for Testing & Materials et al. v. Public.Resource.Org, Inc.*, Case No. 1:13-cv-01215 (U.S. District Court, District of Columbia).

If CBSC would like to receive a detailed objection to PRO's request, NFPA will gladly submit one. Given that PRO sent its letter to you without copying NFPA, and given the upcoming holidays, we request that we have at least until January 9, 2017 to submit any such objection.

Thank you for your attention to this matter.

Sincerely,



Kelly M. Klaus

cc: Public.Resource.Org