

**From:** Carl Malamud <carl@media.org>  
**To:** "Bridy, Annemarie (abridy@uidaho.edu)" <abridy@uidaho.edu>  
**Cc:** "Sprigman, Christopher" <SprigmanC@exchange.law.nyu.edu>  
**Subject:** Idaho Code/Public Domain Project  
**Date:** November 13, 2014 at 2:28:22 PM PST

Hi Annemarie -

You can tweak the scheduling if you want. For example, if it's too late to sign up a reasonably-sized batch of students for this semester, we can maybe see if one or two want to do some prep work this term as directed study and then this summer we do the more extended circus.

Or, students could try and do some term papers on the general topic (I'm more than happy to help, there are some other folks like Peter Martin they could interact with .... it's actually a nice offer for a couple of bright students who might want to reach out).

Let's figure out how to salvage this thing ... I think there is great promise when a state legislator, even a very junior minority party legislator, is willing to lend credence to an analysis of why policy is perhaps broken. Students get to put that they did some important work commissioned by the legislature on their resume as well. I don't care how long it takes, I'm more interested in seeing that the work somehow get underway.

Carl

Begin forwarded message:

**From:** Ilana Rubel <[IRubel@fenwick.com](mailto:IRubel@fenwick.com)>  
**To:** "'Bridy, Annemarie ([abridy@uidaho.edu](mailto:abridy@uidaho.edu))'" <[abridy@uidaho.edu](mailto:abridy@uidaho.edu)>, "'Carl Malamud'" <[carl@media.org](mailto:carl@media.org)>  
**Subject:** RE: Idaho Code/Public Domain Project  
**Date:** November 13, 2014 at 2:20:07 PM PST

Here you go – I just dropped a hard copy in the mail.

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**From:** Bridy, Annemarie ([abridy@uidaho.edu](mailto:abridy@uidaho.edu)) [<mailto:abridy@uidaho.edu>]  
**Sent:** Thursday, November 13, 2014 1:53 PM  
**To:** Ilana Rubel; 'Carl Malamud'  
**Subject:** RE: Idaho Code/Public Domain Project

That sounds good. Thanks!

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**From:** Ilana Rubel [<mailto:IRubel@fenwick.com>]  
**Sent:** Thursday, November 13, 2014 1:48 PM  
**To:** Bridy, Annemarie ([abridy@uidaho.edu](mailto:abridy@uidaho.edu)); 'Carl Malamud'  
**Subject:** RE: Idaho Code/Public Domain Project

OK. I'm about to leave town and don't want to leave you hanging while I'm out, so maybe I'll just go ahead and mail this to you now, and if you choose not to run with it that's fine, but you'll have it in hand if it's useful.

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**From:** Bridy, Annemarie ([abridy@uidaho.edu](mailto:abridy@uidaho.edu)) [<mailto:abridy@uidaho.edu>]  
**Sent:** Thursday, November 13, 2014 1:46 PM  
**To:** Ilana Rubel; 'Carl Malamud'  
**Subject:** RE: Idaho Code/Public Domain Project

Let me see where the students are in their thinking about this.

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**From:** Ilana Rubel [<mailto:IRubel@fenwick.com>]  
**Sent:** Thursday, November 13, 2014 1:40 PM  
**To:** Bridy, Annemarie ([abridy@uidaho.edu](mailto:abridy@uidaho.edu)); 'Carl Malamud'  
**Subject:** RE: Idaho Code/Public Domain Project

Thanks, both of you. It was quite a slog and am glad to have the campaign behind me, and am back at work for a couple of months. I have the letter here drafted and ready to go, except am waiting to hear back from Luke Malek on whether he wants to co-sign. If you need it right away, I can just sign and send as-is. Let me know. Thanks.

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**From:** Bridy, Annemarie ([abridy@uidaho.edu](mailto:abridy@uidaho.edu)) [<mailto:abridy@uidaho.edu>]  
**Sent:** Wednesday, November 05, 2014 4:21 PM  
**To:** Carl Malamud  
**Cc:** Ilana Rubel  
**Subject:** RE: Idaho Code/Public Domain Project

Congratulations, Ilana!! A rare win for a Dem in Idaho. Let me know if you'd like to proceed with this. If so, I'll need to reach out again to the students ASAP to check their plans.

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**From:** Carl Malamud [<mailto:carl@media.org>]

**Sent:** Wednesday, November 05, 2014 4:17 PM  
**To:** Bridy, Annemarie ([abridy@uidaho.edu](mailto:abridy@uidaho.edu))  
**Cc:** Ilana Rubel  
**Subject:** Re: Idaho Code/Public Domain Project

Ilana ... you rock! 63%!! Congratulations.

Are we going to do the Idaho code? I'd love to see it happen.

I think we're going to be able to clear title on the Delaware code (they have a 3 month jail term on the books for unauthorized copying!!), but the incoming Attorney General aware of this and we sent him a book, I think he's going to get the provision stricken.

Would love to see Idaho resolve itself as well.

Congrats again. That's a pretty decisive mandate.

On Sep 23, 2014, at 2:15 PM, Bridy, Annemarie ([abridy@uidaho.edu](mailto:abridy@uidaho.edu)) <[abridy@uidaho.edu](mailto:abridy@uidaho.edu)> wrote:

Hi Ilana,

I wanted to touch base with you about the Idaho Code project. In the way of timing, registration for Spring classes opens for my students on November 10th. They'll need to know by then whether there's a for-credit project for them to do. I know that's close in time to the election, so I thought I should flag it for planning purposes. I know we talked about your writing a letter to formally invite me and my students (and, by extension, the College) to become involved, and I continue to think that's the best way to initiate things on our end.

All the best,

Annemarie

-----Original Appointment-----

**From:** Ilana Rubel

[<mailto:IRubel@fenwick.com>]

**Sent:** Thursday, August 07, 2014

4:36 PM

**To:** Bridy, Annemarie

([abridy@uidaho.edu](mailto:abridy@uidaho.edu))

**Subject:** Accepted: Idaho

Code/Public Domain Project

**When:** Wednesday, August 13,

2014 10:00 AM-11:00 AM (UTC-

08:00) Pacific Time (US & Canada).

**Where:** Teleconference

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## House of Representatives State of Idaho

November 13, 2014

### VIA E-MAIL AND U.S. MAIL

Professor Annemarie Bridy  
College of Law  
University of Idaho  
875 Perimeter Drive, MS 2321  
Moscow, ID 83844-2321

Re: Copyright assertion over Idaho code

Dear Professor Bridy:

I'm writing to you about the issue of copyright assertions over Idaho state law which we discussed. As you know, there has been some controversy over whether it is proper to prohibit redistribution or reproduction of the Idaho Code or the annotations to the Idaho Code. I was hoping you and your students might help us gather some information on this issue.

The question we have is whether such assertions are typical in other states. We would also like to know what happens when states do assert control over the use of their state laws. Are there benefits to such assertions, such as integrity? Is copyright the proper tool for addressing such issues? Conversely, what happens when prohibitions on reuse are removed from state codes? Does that result in beneficial innovation? Are there examples at the federal or state levels that we should be looking at?

As we discussed, this inquiry might be an interesting assignment for students in your upcoming Intellectual Property class starting in January, and we would be delighted if they could spend some time to help us out. As our legislative sessions are fairly short, it would be most useful if they could prepare an initial briefing for us by mid-February. If they have any suggested legislative fixes, that would also be useful to have at that time.

Because the press of legislative business is unpredictable, I don't know if we will be having hearings on this subject, but after the initial briefing we would be happy to discuss that with our committee chairmen and see if we could schedule a hearing for the students to testify.

mailcow:MessageHeader:0:76:572:4630 Message-ID: 6849186f-8ca1-4bbe-b0cc-5c97df3f8e55@media.org References: 151400937654d543872349a8bf9e8e510101018a9758695VCXU10M82 from fowick.1p1 From: mailcow:Address:0:76:572:45:50 Carl Malamud <cm1@media.org> To: mailcow:Address:0:76:572:68:40 Bridy, Annemarie <bridy@uidaho.edu> <bridy@uidaho.edu> | Cc: mailcow:Address:0:76:572:46:40 Sprigman, Christopher <SprigmanC@exchange.law.yale.edu> | Subject: Fwd: Idaho Code Public Domain Project Content-Type: multipart/alternative; boundary="Apple-Mail\_07EE9D9\_37EA\_47AE\_BBD6\_829FE734B9D9" X-Samp-Server: smtp.resource.org:cat Mime-Version: 1.0 (Mac OS X Mail 8.0 (1990.1)) X-University-Unique-Identifier: 145D6694-0272-430C-91D3-5D66F33394D5 >

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