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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.

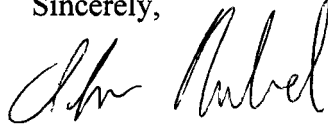
PRO-001054

Professor Annemarie Bridy
November 13, 2014
Page 2

Even if we can't do a hearing, if they could prepare a report for us by mid-March, we will see if we can enter this information in our records.

The question of who owns the law and how citizens can access the law is important to our democracy. We hope your students would find this an interesting and informative exercise, and it would be helpful for us to have their insights as we in the Idaho Legislature begin to deliberate on this question.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ilana Rubel".

Representative Ilana Rubel
Idaho House of Representative, Seat 18A