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In The  
**Supreme Court of the United States**

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LAWRENCE GOLAN et al.,  
*Petitioners,*

v.

ERIC H. HOLDER, JR. et al.,  
*Respondents.*

—◆—  
**On Writ Of Certiorari To The  
United States Court Of Appeals  
For The Tenth Circuit**

—◆—  
**BRIEF FOR THE PETITIONERS**  
—◆—

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## QUESTIONS PRESENTED

Section 514 of the Uruguay Round Agreements Act of 1994 granted copyright protection to millions of works that the Copyright Act had placed in the public domain of the United States, where they had remained for years as the common property of all Americans and free to use without restriction. The questions presented here are:

1. Does the Copyright Clause of the United States Constitution prohibit Congress from taking works out of the public domain?
2. Does Section 514 violate the First Amendment of the United States Constitution?

**PARTIES TO THE PROCEEDINGS AND  
CORPORATE DISCLOSURE STATEMENT**

Petitioners are Lawrence Golan, Estate of Richard Kapp, S.A. Publishing Co., Inc., d/b/a Ess.A.Y. Recordings, Symphony of the Canyons, Ron Hall, d/b/a Festival Films, and John McDonough, d/b/a Timeless Video Alternatives International. Petitioners certify that they have no parent corporation, nor do any publicly held corporations own 10% or more of their stock. Respondents are Eric H. Holder, Jr., in his official capacity as Attorney General of the United States, and Maria Pallante, in her official capacity as Register of Copyrights.

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