

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

REMARK, LLC,

Plaintiff,

v.

**ADELL BROADCASTING
CORPORATION, doing business
as WADL-TV,**

Defendant.

CASE NO. 2:10-cv-12767-GCS-MKM
HONORABLE GEORGE CARAM STEEH
MAGISTRATE JUDGE MONA K. MAJZOUB

**REPLY BRIEF ON DEFENDANT'S MOTION TO
DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT
PURSUANT TO FED. R. CIV. P. 12(b)(6)**

A. Reply on the Copyright Infringement Claim

The critical defect in Remark's efforts to plead a copyright infringement claim, in both the original Complaint and the First Amended Complaint, is its failure to identify any original, and hence protectable, matter contained in the "Remarkable Mouth" television commercial, of Copyright Reg. No. PA 64-936, or any other work for which it asserts copyright ownership. The "chart" on page 6 of Remark's opposition brief identifies no original content.

Remark misstates the proof elements of a copyright infringement claim on page 5 of its opposition brief, arguing that "access" and "substantial similarity" are all that need be recited in pleading a claim for copyright infringement. The correct statement of the proof elements is from *Feist Publications, Inc. v. Rural Telephone Service Company*, 499 U.S. 340, 361, 111 S. Ct.

State Criminal Charges Motion Manual Michigan

**United States. National Archives and
Records Administration. Great Lakes
Region**

State Criminal Charges Motion Manual Michigan:

Michigan Township Officers' Guide ... Michigan. Legislature, 1926 *Handbook on Moving Corrections and Sentencing Forward* Pamela K. Lattimore, Beth M. Huebner, Faye S. Taxman, 2020-11-10 This volume addresses major issues and research in corrections and sentencing with the goal of using previous research and findings as a platform for recommendations about future research evaluation and policy The last several decades witnessed major policy changes in sentencing and corrections in the United States as well as considerable research to identify the most effective strategies for addressing criminal behavior These efforts included changes in sentencing that eliminated parole and imposed draconian sentences for violent and drug crimes The federal government followed by most states implemented sentencing guidelines that greatly reduced the discretion of the courts to impose sentences The results were a multifold increase in the numbers of individuals in jails and prisons and on community supervision increases that have only recently crested There were also efforts to engage prosecutors and the courts in diversion and oversight including the development of prosecutorial diversion programs as well as a variety of specialty courts Penal reform has included efforts to understand the transitions from prison to the community including federal led efforts focused on reentry programming Community corrections reforms have ranged from increased surveillance through drug testing electronic monitoring and in some cases judicial oversight to rehabilitative efforts driven by risk and needs assessment More recently the focus has included pretrial reform to reduce the number of people held in jail pending trial efforts that have brought attention to the use of bail and its disproportionate impact on people of color and the poor This collection of chapters from leading researchers addresses a wide array of the latest research in the field A unique approach featuring responses to the original essays by active researchers spurs discussion and provides a foundation for developing directions for future research and policymaking **Digest of Decisions Rendered by the Supreme Court of Michigan at the ...** Henry Allen Chaney, 1873 **A Guide to Material on Crime and Criminal Justice** Augustus Frederick Kuhlman, Social Science Research Council (U.S.). Committee on Survey of Research on Crime and Criminal Justice, 1929 Matthews v. Blue Cross and Blue Shield of Michigan, 456 MICH 365 (1998) , 1998 104011

Guide to Records in the National Archives-- Great Lakes Region United States. National Archives and Records Administration. Great Lakes Region, 1996 **The Essential Guide to the Best (and Worst) Legal Sites on the Web** Robert J. Ambrogi, 2004 This comprehensive resource helps lawyers and non lawyers know which legal web sites are worth their time which aren't and why Organized into more than 30 specific areas of legal expertise it includes information about web sites on administrative law bankruptcy consumer protection estate planning immigration intellectual property Internet law job listings legal news public records and real estate Each site is reviewed and assigned a rating of up to five stars creating an invaluable research tool for lawyers law librarians paralegals and anyone interested in legal resources on the web This replaces 0970597037 A Guide to Sources of Texas Criminal Justice Statistics R. Scott Harnsberger, 2011 This

reference work was compiled as a resource for those needing assistance in locating Texas criminal justice statistics R Scott Harnsberger has compiled more than 600 entries describing statistical sources for Texas crime criminals law enforcement courts and sentencing adult and juvenile corrections capital punishment and death row victims of crime driving boating under the influence traffic fatalities substance abuse and treatment polls and rankings and fiscal topics such as appropriations revenues expenditures and federal aid The sources for these statistics originate primarily but not exclusively from federal and State of Texas agencies boards bureaus commissions and departments The following types of publications are included annual biennial and biannual reports reports issued in series analytic and research reports statistical compilations budgets and other fiscal documents audits inspections and investigations census publications polls projections rankings surveys continuously updated online resources and datasets Harnsberger has annotated the entries to provide sufficient detail to enable users to decide whether the listed resources merit further investigation Additional notes contain URLs and information regarding the scope of the published data title changes related publications and the availability of earlier data previous editions online tables and datasets This book will prove to be a valuable resource for students faculty researchers government officials and individuals in the law enforcement correctional and judicial professions

Labor Relations Reference Manual, 1982 Vols 9 17 include decisions of the War Labor Board

The Lawyer's Retirement Planning Guide Susan A. Berson, 2010 This practical book provides guidance on investing your money to produce sufficient funds for the lifestyle you want to lead and then on managing your retirement withdrawals so that your money will last you a lifetime You ll discover how you can combat inflation plan for expenses and protect against overall portfolio risks

Document Retrieval Index, 1976

Legal Looseleafs in Print, 2005

Monthly Catalog of United States Government Publications, 1999-07

Judicial Jurisdiction Patrick Baude, 2007-02-28 One of the ways in which the American constitution is unique among the world s mature democracies is the vesting of the power of constitutional review in the ordinary courts rather than in a specialized constitutional body Baude uses frank understandable language to explain the relationship between the constition and our rule of law Without technical jurisdictional jargon Baude is able to survey historical cases to analyze Article III section 2 of the United States Constitution However Baude s work is vastly different from analytical works based on philosophical and technicalities of judicial jurisdiction This work explores the relationship between the two without drawing on the covert ideological premises of legal liberalism

Congressional Record United States. Congress, 2000 The Congressional Record is the official record of the proceedings and debates of the United States Congress It is published daily when Congress is in session The Congressional Record began publication in 1873 Debates for sessions prior to 1873 are recorded in The Debates and Proceedings in the Congress of the United States 1789 1824 the Register of Debates in Congress 1824 1837 and the Congressional Globe 1833 1873

Prisoners' Self-help Litigation Manual John Boston, Daniel E. Manville, 2010 Clear comprehensive practical advice provides prisoners with everything they

need to know on conditions of confinement civil liberties in prison procedural due process the legal system how to litigate conducting effective legal research and writing legal documents This new edition is updated to include the most relevant prisoners rights topics and approaches to litigation types of legal remedies and how to effectively use those remedies

Monthly Catalogue, United States Public Documents ,1992-10 **SNI Documents** National Criminal Justice Reference Service (U.S.),1978 *Clearinghouse Review* ,1988-05 *People v. Anderson; People v. Overby*, 398 MICH 361 (1976) ,1976 56278

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