

Exhibit L
to the Declaration of Bikram
Choudhury in Support of His
Opposition to OSYU's Motion
for Partial Summary Judgment
on Claim 1



Fax Transmission

Examining Division

U. S. Copyright Office

To: Jacob Reinbolt
 Procopio, Cory, Hargreaves & Savitch LLP
 Fax number: 619 235-0398

Date: November 27, 2002

From: James Holloway
 Senior Examiner, Performing Arts Section
 Fax number: 202-707-1236
 Phone number: 202-707-1948

Re: BIKRAM'S ASANA SEQUENCE

MESSAGE

Dear Mr. Reinbolt:

I consulted the head of the Performing Arts Section (Linda Gill) about this case and she came to the same conclusion we discussed. A supplemental registration on Form CA is the appropriate means to show your client's claim in our records and we would not accept another basic registration. She also pointed out the additional benefits of using the 1979 registration as a foundation of your client's claim, and you will find them in sections 410-412 of the statute.

The reference to "inseparability" in the third paragraph of my letter bears a little more explanation. Yes, the compilation of movements may be fixed in different formats such as text or videotape, but the form in which it was presented to us for registration was text. Unlike a song with easily separable words and music, the text and the compilation of movements described by the words are inseparable, rather like a musical arrangement (orchestration, harmonization) where the arrangement cannot be separated from the music on which it is based.

Sincerely,

James Holloway

P.S. I received your message about the gymnastic floor exercise. I believe I mis-spoke in our earlier conversation - we do not register such claims as choreography, but rather a compilation of floor exercises.

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Hard copy to follow with enclosures. JH.

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November 27, 2002

PROCOPIO CORY HARGREAVES AND SAVITCH
ATTN: JACOB C REINBOLT
530 B STREET SUITE 2100
SAN DIEGO CALIFORNIA 92101-4469



Control Number: 81-211-9880(P)
Re: BIKRAM'S ASANA SEQUENCE

Dear Mr. Reinbolt:

This letter follows recent telephone conversations in which you explained that the videotape deposit we received is not the published edition of the work being claimed. The basis of your registration is the compilation of exercises shown on the videotape. This compilation, you explained, was fixed in text form and published early in 1979 as "Bikram's Beginning Yoga Class." The copyright claim was registered in this Office under number TX 179-160 and it names Bikram Choudhury as author and claimant.

In our conversation, you said that you thought it was necessary to have a registration on Form PA for the compilation of exercises in order to pursue legal action because of the type of authorship being claimed. This is not the case. As a practical matter, a claim in any copyrightable work of authorship may be registered on any standard form with the exception of sound recordings and certain special categories (e.g. vessel hulls and mask works).

You also said that the ownership of the copyright in the compilation was the same as the ownership of the book. Given the previous registration's unlimited claim in text and the fact that the compilation and the text in which the compilation is fixed are owned by the same claimant and are inseparable elements, an additional basic registration is not appropriate. You may, however, further refine the basic registration made in 1979 by adding the term "compilation of exercises" or "selection and arrangement of exercises" to the nature of authorship line of the basic registration by using a Form CA.

This supplemental registration will augment but not supercede the previous registration, and a supplemental registration will not stand on its own apart from the basic registration. We will cross-reference the supplemental registration to the original registration only if the CA is signed by the claimant named on the original or that claimant's authorized agent. Moreover, there is no deposit requirement for Form CA. This is because the work has already been deposited with the original registration, and the purpose of the CA application is to augment or correct *information* given on the application. See Circular 8.

The filing fee for Form CA is \$100. We can apply the current \$30 filing fee towards the CA and the remaining \$70 would be drawn from your deposit account when we

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PROCOPIO CORY HARGREAVES AND SAVITCH
SAN DIEGO CALIFORNIA 92101-4469

Control No. 81-211-9880(P)
November 27, 2002

receive the CA application.

We would like to point out the benefit of using the 1979 registration *with* a 2002 supplemental registration as the foundation of your client's claim. The additional benefits described in sections 410 through 412 of the copyright law apply to the original claim. The court would grant *prima facie* status to the facts given on that application because registration was made within the first five years of publication. Because the original registration was filed within the first three months of publication, and the ability to pursue court costs and attorneys' fees would be preserved.

Therefore, we are filing the application Form PA and the videotapes you sent without action. If you want to augment the previous registration, please send Form CA and authorize us to draw the remaining fees from your deposit account. If you want to appeal this action, however, you may write a formal appeal as we discussed in our telephone conversation giving your reasons why this claim should be reconsidered. See the enclosed Appeals leaflet.

To insure that your reply is given the appropriate special attention, it is very important that you use *only* the following address:

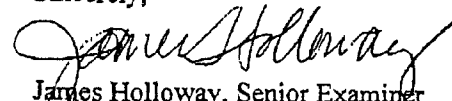
Library of Congress
Department 100, SPECIAL HANDLING
101 Independence Ave., SE
Washington, DC 20540

A pre-printed label is enclosed for your use.

When you reply, please return the enclosed Reply Sheet referring to our Control Number.

Note: The Copyright Office is still experiencing some delays in processing mail sent through the U.S. Postal Service, as a result of a disruption in mail service earlier in the year due to concerns about anthrax. U.S. Postal Service mail delivery is improving. Shipments by private carriers, such as Fedex, UPS, DHL, and Airborne Express, generally arrive without delay.

Sincerely,


James Holloway, Senior Examiner
Performing Arts Section

Enclosures:
Special Handling Label
Form CA
Circulars 4, 8
SL 4a Appeals Leaflet
USC 17 Sec 410-41
Reply Sheet