

LUBELL, LUBELL AND JONES

ATTORNEYS AT LAW

OCT 28 1963

October 25, 1963

DAVID G. LUBELL
JONATHAN W. LUBELL
CLARENCE B. JONES
STEVEN L. WERNER

File

165 BROADWAY
NEW YORK 6, N. Y.
BEEKMAN 3-3690
CABLE: LUBELLEO

Miss Dora Mac Donald
334 Auburn Avenue, N.E.
Atlanta 3, Georgia

CERTIFIED MAIL

Dear Dora:

Enclosed for your files is a Copyright Certificate, No. "C 16099", duly evidencing Dr. King's registration with the United States Copyright Office, Library of Congress, Washington, D.C. of his claim to copyright as an unpublished work, in and to his speech entitled "I HAVE A DREAM". Dr. King became the proprietor of a valid subsisting statutory copyright in and to his speech as an unpublished (unpublished within the meaning of copyright statute) product of intellectual production on October 2, 1963. Application was filed by me on his behalf on September 30, 1963.

To prevent Martin from becoming divested of his validly acquired copyright in and to his speech by his authorized production and sale of records of the speech by the Council for a United Civil Rights Leadership, I filed and took the requisite steps to obtain copyright in and to his speech as a published work. An application for registration of a claim to copyright in Martin's speech as a published work was filed on October 18, 1963. Such application was duly approved on October 21, 1963. A photostatic copy of the Certificate thereof is also enclosed (Certificate Registration No. A 653834). This latter certificate gives to Martin's speech at Washington on August 28, 1963 statutory copyright protection as a published work.

Because the concept or doctrine of "publication" has a technical meaning under the United States copyright statute, as well as in the judicial decisions thereunder, please be advised that:

1. No permission should be given to reproduce the speech as a printed booklet or in mimeographed form unless such permission is in writing and clearly specifies that the requisite copyright notice be inserted on all copies thereof.

PRIVILEGED

CONFIDENTIAL

K-C 00131

Miss Dora MacDonald

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October 25, 1963

2. No copies should be reproduced and sent out from the SCLC office unless the requisite copyright notice is affixed thereon.

3. The form of the copyright notice required in "1" and "2" above must be either:

a) "Copyright, 1963 by Dr. Martin Luther King, Jr."

or

b) " © Copyright, 1963 by Dr. Martin Luther King, Jr."

This latter form of notice in "3 b)" is recommended because it will give the speech copyright protection not only within and throughout the continental United States, but will also give it copyright protection within and throughout all countries of the world that are signatories to the Universal Copyright Convention.

I must emphasize that a failure to comply with the above procedures creates a substantial likelihood that the statutory copyright protection carefully obtained, in the face of certain hair-line decisions at the United States Copyright Office, will be lost.

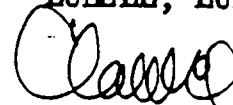
As the copyright proprietor of the Washington speech, Martin has granted the Council for United Civil Rights Leadership the exclusive license, for a period of twenty-eight (28) years, in and to only the sound recording rights of his speech. All other rights in and to his speech, such as the world-wide dramatic, dramatico-musical, publishing, anthology, motion picture, television and radio rights, have been reserved to Martin and are subject to his sole disposition.

If "I HAVE A DREAM" is as significant as the press and general public acclaim has indicated, the total value of these rights reserved measured against the potential market for their economic exploitation, is, conservatively, in the thousands of dollars.

Best wishes.

Sincerely,

LUBELL, LUBELL AND JONES



Clarence B. Jones

PRIVILEGED

cbj/pl
encls.

cc: Dr. Martin L. King, Jr.
Chauncey Eskridge, Esq.
Edward Clayton

CONFIDENTIAL

K-C 00132

Application for Registration of a Claim to Copyright
in a lecture or similar production prepared for oral delivery

C C 16099
DO NOT WRITE HERE

Instructions: Make sure that all applicable spaces have been completed before you submit the form. The application must be signed at line 8. For further information, see page 4. Pages 1 and 2 should be typewritten or printed with pen and ink. Pages 3 and 4 should contain exactly the same information as pages 1 and 2, but may be carbon copies.

Mail all pages of the application to the Register of Copyrights, Library of Congress, Washington 25, D. C., together with one complete copy of the work and the registration fee of \$4. Make your remittance payable to the Register of Copyrights.

1. Copyright Claimant(s) and Address(es): Give the name(s) and address(es) of the copyright owner(s).

Name Martin Luther King, Jr.

Address 563 Johnson Avenue, N.E., Atlanta, Georgia

Name _____

Address _____

2. Title: " I HAVE A DREAM "
(Give the title of the work as it appears on the copies)

3. Authors: Citizenship and domicile information must be given. Where a work was made for hire, the employer is the author. The citizenship of organizations formed under U. S. Federal or State law should be stated as U. S. A. If the copyright claim is based on new matter (see line 4 (b)) give information about the author of the new matter.

Name Martin Luther King, Jr. W Citizenship U.S.A.
(Give legal name followed by pseudonym if latter appears on the copies) (Name of country)

Domiciled in U. S. A. Yes No Address 563 Johnson Ave., N.E., Atlanta, Georgia

Name _____ Citizenship _____
(Give legal name followed by pseudonym if latter appears on the copies) (Name of country)

Domiciled in U. S. A. Yes No Address _____

Name _____ Citizenship _____
(Give legal name followed by pseudonym if latter appears on the copies) (Name of country)

Domiciled in U. S. A. Yes No Address _____

(NOTE: Leave all spaces of line 4 blank unless the instructions apply to your work.)

4. (a) Previous Registration or Publication: If a claim to copyright in any substantial part of this work was previously registered in unpublished form, or if a substantial part of the work was previously published, check one or both of the boxes.

Previous registration

Previous publication

(b) New Matter in This Version: If you have checked either of the boxes in line 4 (a), give a brief, general statement of the nature of any substantial new matter in this version. New matter may consist of translation, editorial revision, and the like, as well as additional text.

Complete all applicable spaces on next page

7. If registration fee is to be charged to a deposit account established in the Copyright Office, give name of account:

8. Name and address of person or organization to whom correspondence or refund, if any, should be sent:
Name Clarence B. Jones Address 165 Broadway, New York 6, N.Y.

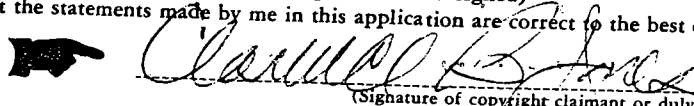
9. Send certificate to:

(Type or print name and address)

Name	<u>Clarence B. Jones, Esq.</u>	
Address	<u>c/o Lubell, Lubell and Jones</u>	
	<u>165 Broadway</u>	
	(Number and street)	
	<u>New York</u>	<u>New York</u>
	6	New York
	(City)	(State)

10. Certification: (NOTE: Application not acceptable unless signed)

I CERTIFY that the statements made by me in this application are correct to the best of my knowledge.


(Signature of copyright claimant or duly authorized agent)

11. Affidavit (required by law). Instructions: (1) Fill in the blank spaces with special attention to those marked "(X)." (2) Sign the affidavit before an officer authorized to administer oaths within the United States, such as a notary public. (3) Have the officer sign and seal the affidavit and fill in the date of execution.

NOTE: The affidavit must be signed and notarized only on or after the date of publication or completion of printing which it states. The affidavit must be signed by an individual.

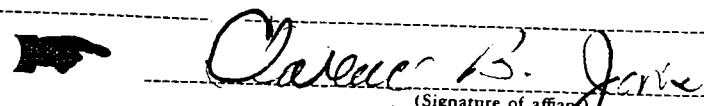
STATE OF NEW YORK
COUNTY OF NEW YORK ss:

- I, the undersigned, depose and say that I am the Person claiming copyright in the book described in this application;
- The duly authorized agent of the person or organization claiming copyright in the book described in this application;
- The printer of the book described in this application.

That the book was published or the printing was completed on: (X) October 13, 1963
(Give, month, day, and year)

That of the various processes employed in the production of the copies deposited, the setting of the type and the making of plates, or the lithographic or photoengraving processes used in producing the text, were performed within the limits of the United States, and that the printing of the text and the binding (if any) were also performed within the limits of the United States. That these processes were performed by the following establishments or individuals at the following addresses: (GIVE THE NAMES AND ADDRESSES OF THE PERSONS OR ORGANIZATIONS WHO PRODUCED THE COPIES—TYPESETTERS, PRINTERS, BINDERS, ETC.)

Names (X) Loder Appeal Press, Inc. Addresses (X) 41 Vesey Street
New York, New York


(Signature of affiant)

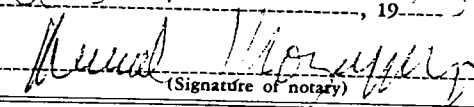
(Sign and notarize only on or after date given above)

PLACE NOTARIAL SEAL HERE

Subscribed and sworn to before me this 15th

HAROLD D. KOZUPSKY
NOTARY PUBLIC, State of New York
No. 30-7348825
Qualified in Nassau County
Commission Expires March 30, 1964

October, 1963


(Signature of notary)

FOR COPYRIGHT OFFICE USE ONLY	
Application and affidavit received <u>OCT 21 1963</u>	*Added by Copyright Office.(cert.)
Two copies received <u>OCT 21 1963</u>	
Fee received <u>00501 OCT 21 63</u>	
Renewal <u>560-427</u>	

AFFIDAVIT OF CLARENCE B. JONES IN SUPPORT
OF CLAIMANT MARTIN LUTHER KING, JR.'S
APPLICATION FOR REGISTRATION OF COPYRIGHT
IN AND TO A SPEECH PREPARED FOR ORAL
DELIVERY ENTITLED "I HAVE A DREAM".

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

CLARENCE B. JONES, being duly sworn, deposes and
says:

1. I am the attorney, with offices at 165 Broad-
way, City, County and State of New York, for the Rev. Dr.
Martin Luther King, Jr., claimant for copyright as an
unpublished work in and to a speech prepared for oral
delivery entitled "I Have A Dream".

2. The speech for which claim for copyright is
being sought was orally delivered before the Lincoln Mem-
orial, Washington, D. C., on August 23, 1963 at approxi-
mately 4:00 p.m.

3. On September 30, 1963 claimant formally filed,
by mailing certified mail, return receipt requested, to the
United States Copyright Office, Washington 25, D. C., his
application for registration of a claim to copyright in
and to his speech as an unpublished work, said application
which was received in the Office of the Register of Copy-
rights on October 2, 1963.

4. Claimant is a resident of the City of Atlanta,
State of Georgia, and in the course of his duties as Presi-
dent of the Southern Christian Leadership Conference he has
for the past week or so been traveling from place to place
throughout the United States and, consequently, has been

unable to personally, as of the date of this affidavit, make arrangements to submit his own affidavit in support of the facts set forth herein.

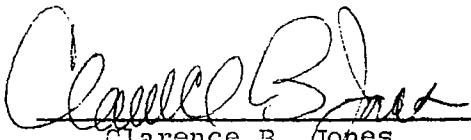
5. On information and belief, based upon information which has been communicated to me over the telephone ⁱⁿ with/the last two days by the copyright claimant hereinbefore mentioned, as attorney for the claimant I am submitting this affidavit to set forth certain facts relating to the appearance of excerpts from claimant's speech which appeared in the form of a press release on the date of August 23, 1963 entitled "ADVANCE TEXT OF SPEECH TO BE DELIVERED BY DR. MARTIN LUTHER KING, JR."

6. Claimant's speech was delivered as part of the program or proceedings of the national "March On Washington For Jobs And Freedom" which took place on August 23, 1963 as hereinbefore described. Claimant was requested on or about August 27, 1963 to give to the press liason officer or person for the national committee of the "March On Washington" organization a summary or excerpts of his intended speech and, pursuant to said request, claimant gave a portion of his speech for the express and limited purpose that said portions would be read at a press conference and briefing of the press in the Statler Hilton Hotel ^{in Washington, D.C.} on the evening of August 27, 1963. Said excerpts were not intended by claimant to be generally distributed or generally made available to the public at large but were specifically limited to the oral presentation thereof by the press officer of the "March On Washington" committee.

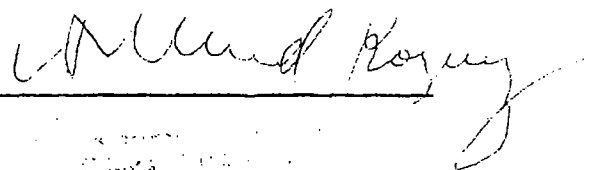
7. On information and belief, some time between approximately 6:00 p.m. of August 27 and the early morning

hours of August 28 the excerpts so made available by claimant to the press officer or liason person hereinbefore described for the limited purpose of the press conference were mimeographed by persons in the press or publicity committee or organization of the Washington office of the "March On Washington" committee and inserted, along with other materials, into a so-called "press kit" containing the advance text or excerpts and other materials of claimant and some of the other speakers who took part in the "March On Washington" program.

3. The mimeographing of the excerpts from claimant's speech and the insertion thereof into the press kits for the limited purpose of informing the press and other representatives of news media was done without claimant's advance knowledge or consent. Claimant had no advance knowledge that there would be a press kit into which his speech would be placed. The press kits were available to the press in a press tent which had been constructed to the north of the Lincoln Memorial for the convenience of newspaper correspondents, television crews, radio crews, news-reel crews and persons representing other forms of news media.


Clarence B. Jones

Sworn to before me this
16th day of October, 1963.



4 3



Suite 2800 1100 Peachtree St.
Atlanta GA 30309-4530
t 404 815 6500 f 404 815 6555
www.KilpatrickStockton.com

July 25, 2005

direct dial 404 532 6894
direct fax 404 541 3264
CKellner@KilpatrickStockton.com

VIA E-MAIL AND U.S. MAIL

Ms. Sonya White
Dream Development
730 Riverside Drive, Suite 4BB,
New York, New York 10031

Re: Copyright Materials for "I Have a Dream"

Dear Ms. White:

Enclosed are the materials from our file concerning the copyright registration and related correspondence for the "I Have a Dream" speech.

Kind regards.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Kellner', written over the typed name 'Christopher J. Kellner'.

Christopher J. Kellner

CJK/pmh

Enclosure

cc: Joseph M. Beck, Esq.

UNITED STATES GOVERNMENT

Memorandum

LIBRARY OF CONGRESS

TO : Files

DATE: 10/11

FROM : Barbara A. Ringer *BAR*
Assistant Register of Copyrights for Examining

SUBJECT: "I Have a Dream" by Dr. Martin Luther King.

I called Clarence B. Jones, Esq. of Lubell, Lubell and Jones, 165 Broadway, New York 6, New York, today concerning the application covering this speech. I indicated that, according to information we had received, there had been distribution of some version of the speech to the press before it was delivered, but that portions of the speech had not been included in the text as distributed. I indicated that, if this constituted publication, line 4 should contain a statement of new matter.

Mr. Jones indicated that the question of the previous publication had already been raised in connection with pending litigation, and that he was not completely certain of the facts. However, he believes that there may be considerable question as to whether or not the speech was actually given general publication. Apparently the speech was given some distribution to the press by March officials, but it is not clear whether this reproduction and distribution had been authorized by Dr. King. Mr. Jones indicated that he will obtain an affidavit from Dr. King stating the facts as he remembers them, and will write to us accordingly.

Mr. Jones realizes the dangers of distributing records before statutory copyright has been secured, and said that he had instructed the authorized record company not to release any disks until he authorizes them to do so.

UNITED STATES GOVERNMENT

Memorandum

LIBRARY OF CONGRESS

TO : File

DATE: October 23, 1963

FROM : Richard E. Glasgow *REG*
Head, Miscellaneous Section

SUBJECT: "I Have a Dream" by Dr. Martin Luther King

Upon receiving an application on Form A for registration of a claim in this work as a published work, I phoned Roger C. Algase, Esq. of Lubell, Lubell and Jones. He informed me the work had been first published by the distribution of booklets on October 18, 1963. He also indicated there had been no authorized distribution of records prior to October 19, 1963. He said that the material in the lecture and in the published booklet was identical. I asked and received permission to note on the application and certificate of the Form A that there was a previous registration in Class C.

LIBRARY OF CONGRESS

*Copyright Office
of the United States*

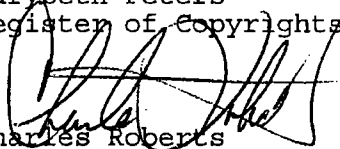
WASHINGTON, D.C.

THIS IS TO CERTIFY that the attached are photocopies of the following items which appear in the correspondence files of the Copyright Office:

1. Photocopy of a Memorandum to Files from Barbara A. Ringer, Assistant Register of Copyrights for Examining dated 10/11.
2. Photocopy of a two page letter addressed to Register of Copyrights, Library of Congress, Washington 25, D.C. dated October 16, 1963 from Clarence B. Jones of Lubell, Lubell and Jones, 165 Broadway, New York 6, N.Y., received in the Copyright Office on October 17, 1963.
3. Photocopies of an affidavit received in the Copyright Office on October 17, 1963 as an enclosure to item 2.
4. Photocopy of a Memorandum to File from Richard E. Glasgow, Head, Miscellaneous Section, dated October 23, 1963.

IN WITNESS WHEREOF, the seal of this Office is affixed hereto on July 22, 1997.

Marybeth Peters
Register of Copyrights

By: 
Charles Roberts
Head
Certifications and Documents
Section
Information and Reference
Division