Case: 17-11589 Date Filed: 07/14/2017 Page: 1 of 39

IN THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

Appeal No. 17-11589-HH District Court No. 1:15-CV-2594-RWS

PUBLIC.RESOURCE.ORG, INC.

Defendant/Appellant,

CODE REVISION COMMISSION ET AL,

Plaintiffs/Appellees.

On Appeal from the United States District Court for the Northern District of Georgia

APPELLANT'S REPLY BRIEF

Elizabeth H. Rader ALSTON & BIRD LLP The Atlantic Building 950 F. Street, N.W. Washington, DC 20004 (202) 239-3008 elizabeth.rader@alston.com Sarah P. LaFantano ALSTON & BIRD LLP 1201 W. Peachtree Street Atlanta, GA 30309 (404) 881-7000 sarah.lafantano@alston.com



CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and Eleventh Circuit Rule 26.1, Appellant Public.Resource.Org, Inc. provides the following Certificate of Interested Persons and Corporate Disclosure Statement:

- Acton, Anne M. (Amicus Curiae)
- Adelman, Beth (Amicus Curiae)
- Alston & Bird, LLP (Counsel for Defendant-Appellant)
- American Civil Liberties Union Foundation (Amicus Curiae)
- American Civil Liberties Union Foundation of Georgia, Inc. (Amicus Curiae)
- Anazalone, Filippa Marullo (Amicus Curiae)
- Askew, Anthony B. (Counsel for Plaintiff-Appellees)
- Bhandari, Esha (Counsel for Amici Curiae American Civil Liberties Union Foundation and American Civil Liberties Union Foundation of Georgia, Inc.)
- Bowler, John M. (Counsel for Amicus Matthew Bender & Co., Inc.)
- Butler, Brandon C. (Amicus Curiae)
- Carrier, Michael A. (Amicus Curiae)
- CaseText (Amicus Curiae)



Case: 17-11589 Date Filed: 07/14/2017 Page: 3 of 39 Public.Resource.Org., Inc. v. Code Revision Commission et al.
No. 17-11589-HH

- Chisolm, Tuneen (Amicus Curiae)
- Clifford, Ralph D. (Amicus Curiae)
- Code Revision Commission (Plaintiff-Appellee, on behalf of and for the benefit of the General Assembly and the State of Georgia)
- Cohen, Hon. Mark H. (U.S. District Court Judge for the Northern District of Georgia (originally assigned))
- Courtney, Kyle K. (Amicus Curiae)
- Danner, Richard A. (Amicus Curiae)
- Duan, Charles (Counsel for Amici Curiae Public Knowledge, The American Library Association, The Association of Research Libraries, The Organization for Transformative Works, The Institute of Intellectual Property and Social Justice and forty-one (41) librarians and professors of law)
- Durie Tangri, LLP (Counsel for Defendant-Appellant)
- Emerson, Amy A. (Amicus Curiae)
- Fastcase, Inc. (Legal publisher having an interest in offering its subscribers the Official Code of Georgia, Annotated without the need for a license)
- Ford, Roger Allan (Amicus Curiae)
- Fortney, Katie (Amicus Curiae)



Case: 17-11589 Date Filed: 07/14/2017 Page: 4 of 39 Public.Resource.Org., Inc. v. Code Revision Commission et al. No. 17-11589-HH

- Free Law Project (Amicus Curiae)
- Frye, Brian L. (Amicus Curiae)
- General Assembly of Georgia (Beneficiary of Plaintiffs-Appellees)
- Georgia Attorney General's Office (Counsel for State of Georgia)
- Ghosh Shubha (Amicus Curiae)
- Gratz, Joseph C. (Counsel for Defendant-Appellant)
- Halperin, David (Counsel for Defendant-Appellant)
- Hansen, David R. (Amicus Curiae)
- Heald, Paul Justin (Amicus Curiae)
- Hirsch, Kenneth J. (Amicus Curiae)
- Hirsch, Michelle J. (Counsel for State of Georgia)
- Hobbs, Michael B. (Counsel for Amicus Matthew Bender & Co., Inc.)
- Joergensen, John (Amicus Curiae)
- Johnson, Eric E. (Amicus Curiae)
- Judicata (Amicus Curiae)
- Juelsgaard Intellectual Property and Innovation Clinic (Counsel for Amici Curiae Casetext, Free Law Project, Judicata, OpenGov Foundation, and Ravel)
- Keele, Benjamin J. (Amicus Curiae)



Case: 17-11589 Date Filed: 07/14/2017 Page: 5 of 39 Public.Resource.Org., Inc. v. Code Revision Commission et al. No. 17-11589-HH

- Kennedy, Jocelyn (Amicus Curiae)
- Klinefelter, Anne (Amicus Curiae)
- LaFantano, Sarah Parker (Counsel for Defendant-Appellant)
- Lantagne, Stacey M. (Amicus Curiae)
- Lee, Sarah Hooke (Amicus Curiae)
- Leiter, Richard (Amicus Curiae)
- Lexis/Nexis Group (Parent of Amicus Matthew Bender & Co., Inc.)
- Liebesman, Yvette Joy (Amicus Curiae)
- Macklin, Lisa A. (Amicus Curiae)
- Malamud, Carl (President and Founder of Defendant-Appellant)
- Malone, Phillip R. (Counsel for Amici Curiae Casetext, Free Law Project, Judicata, OpenGov Foundation, and Ravel)
- Matthew Bender & Co., Inc. (Amicus and licensee of Plaintiffs-Appellees)
- Mayer, John (Amicus Curiae)
- Meunier Carlin & Curfman LLC (Counsel for Plaintiffs-Appellees)
- Mills Legal Clinic at Stanford Law School (Counsel for Amici Curiae
 Casetext, Free Law Project, Judicata, OpenGov Foundation, and Ravel)
- Mtima, Lateef L. (Amicus Curiae)
- OpenGov Foundation (Amicus Curiae)



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

