**20-915 UNICOLORS, INC. V. H&M HENNES & MAURITZ, L.P.**

DECISION BELOW: 959 F.3d 1194

LOWER COURT CASE NUMBER: 18-56253, 18-56548

QUESTION PRESENTED:

1. Did the Ninth Circuit err in breaking with its own prior precedent and the findings of other circuits and the Copyright Office in holding that 17 U.S.C. § 411 requires referral to the Copyright Office where there is no indicia of fraud or material error as to the work at issue in the subject copyright registration?

2. Did the Ninth Circuit misapply the publication standard by both applying Copyright Office requirements that were not in place at the time of registration and analyzing publication as of the date of registration as opposed to the later registration application date, and, if so, did the evidence support referral to the Copyright Office?

LIMITED TO QUESTION 1 PRESENTED BY THE PETITION.

CERT. GRANTED 6/1/2021