UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division
CASE NO. 97-3924-CIV-LENARD-SIMONTON

JERRY GREENBERG, *individually*,
and IDAZ GREENBERG, individually,

Plaintiffs,

vs.

NATIONAL GEOGRAPHIC SOCIETY, a District of Columbia corporation, NATIONAL GEOGRAPHIC ENTERPRISES, INC., a corporation, and MINDSCAPE, INC., a California corporation,

Defendants.
_____/

AFFIDAVIT OF JERRY GREENBERG

1. My name is Jerry Greenberg. I am a plaintiff in the above-captioned action. The statements in this affidavit are based on my personal knowledge.

2. On December 18, 1985, the National Geographic Society ("the Society") conveyed to me "all right, title and interest, including copyright" to photographs taken by me that had appeared in articles in the Society's monthly magazine in 1962, 1968 and 1971. Ex. A.[1] In 1988 I filed a Certificate of Recordation with the U.S. Copyright Office to give public notice of my ownership of the copyrights encompassed in the conveyance document. Ex. B.

[1] All exhibits referenced in this affidavit are attached hereto and incorporated herein.

3. I filed three renewal certificates with the Copyright Office, each relating to, and limited to, the photographs published in the 1962, 1968 and 1971 issues of the monthly magazine discussed above. Exhibit E.

4. On June 14, 1989, the Society agreed to convey to me "all rights" to photographs taken by me for inclusion in an article that was published in the Society's monthly magazine in July of 1990. Ex. C. The 1989 agreement said that "all photographs will be returned to you along with all rights to said photographs." Ex. C. In the agreement, certain conditions were attached to the conveyance of rights, all of which I complied with. All photographs were returned to me by the Society by July 1990 (color plates for printing the article already had been prepared).

5. In July of that year, after all of those photographs, and the rights to those photographs, had been returned to me, I filed with the Copyright Office a Certificate of Copyright Registration with respect to photographs used in the July 1990 article. Ex. D. In box 2 of the registration form is a request to describe the "nature of the material created by this author in which copyright is claimed." In that space I inserted "photographs on pages 114, 115, 118, 119, 120, 121, 122, 123, 126, 127, 130, 132." I intended to register nothing else.

6. On the 1990 registration form, Exhibit D, in box 6, is a reference to a "derivative work" that originally appeared in the January 1962 magazine, and which consisted of a composite panoramic view, made from five photographs, of the Carysfort Reef in the Pennekamp State Park (an underwater park). That panoramic view was re-printed in the July 1990 article on pages 118, 119 and 120. When I completed the form, I did not know whether the panoramic view from the 1962 article legally qualified as a derivative work. On those same pages in the

1990 article appeared a single photograph, taken in 1989 from the same location as in the 1962 photographs, intended to show how the Carysfort Reef had disintegrated with time. The "reconstruction" mentioned in box 6 of the 1990 registration referenced the single photograph taken in 1989, because the photograph reconstructed the 1962 view.

7. Another comparative set of photographs, both showing the same view of the Molasses Reef, appeared on pages 121, 122 and 123 in the 1990 article. The first set was made by me in 1983. The second, shot at the same spot underwater, I made in 1989. Each set consisted of two photographs spliced into a panoramic view of the Molasses Reef.

8. In January 1962, 31 separate photographs taken by me, and encompassed in the 1985 transfer of rights, were published in the Society's monthly magazine. The number 31 does not include the cover photograph for that issue, which displayed a photograph included within the article in that issue. The number 31 does include the composite panoramic view of the Carysfort Reef, which is counted as one photograph. Copies of my photographs in that issue of the magazine are attached as Exhibit F.

9. In February 1968, 10 separate photographs taken by me, and encompassed in the 1985 transfer of rights, were published in the Society's monthly magazine. The number 10 does not include the cover photograph for that issue, which displayed a photograph included within the article in that issue. Copies of my photographs in that issue of the magazine are attached as Exhibit G.

10. In May 1971, 8 separate photographs taken by me, and encompassed in the 1985 transfer of rights, were published in the Society's monthly magazine. Copies of my photographs in that issue of the magazine are attached as Exhibit H.

11. In July 1990, 12 separate photographs taken by me, and encompassed in the 1989 agreement to transfer rights to me, were published in the Society's monthly magazine. The number 12 includes the single-photo panoramic view of the Carysfort Reef that I shot in 1989. The number 12 includes the two panoramic views of the Molasses Reef described in paragraph 5 above, each of which is counted as one photograph. The number 12 does not include the panoramic view of Carysfort Reef which had been published originally in the January 1962 article and was re-printed in the July 1990 article. Copies of my photographs in the July 1990 issue of the magazine are attached as Exhibit J.

12. After rights to the photographs described in the paragraphs above were returned to me, I had various opportunities to make other commercial use of the photographs. I licensed the use of certain of the photographs to an advertising agency and to a publisher, for agreed compensation. Numerous photographs among those discussed in this affidavit have been re-printed by my wife and myself in various books marketed through our own company, Seahawk Press, particularly in the period between 1985 and 1997. Still other overtures were made to me in that period by other parties regarding the republication of certain of the photographs, but for various reasons I declined those proposals.

AFFIANT SAYS NOTHING FURTHER.

Jerry Greenberg

Jerry Greenberg

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

This acknowledges that Jerry Greenberg appeared personally before me and stated under oath that the facts contained in the affidavit above are true and correct. Mr. Greenberg is

personally known to me _____, or
provided his Florida Drivers License as identification.

Executed by me this 19th day of April, 2002.

Notary Public signature

CECILIA V. CONLON
MY COMMISSION # DD 081092
EXPIRES: December 26, 2005
Bonded Thru Notary Public Underwriters

EXHIBIT A

VOL 2391 PAGE 422

National Geographic Society

WASHINGTON, D.C. 20036

SEP 16 1988

SUZANNE DUPRÉ
CORPORATE COUNSEL

December 18, 1985

Mr. Jerry Greenberg
SEAHAWK PRESS
6840 SW 92nd Street
Miami, Florida 33156

Dear Mr. Greenberg:

In reply to your letter of November 15th to Mr. Garrett, the National Geographic Society hereby assigns to you all right, title and interest, including copyright, in your photographs appearing in National Geographic Magazine, as follows:

-- January, 1962
Vol. 121, No. 1

Photos on cover and
pages 58 through 89

Registration No. B-960824
Date: March 22, 1962

-- February, 1968
Vol. 133, No. 2

Photos on cover and pages 222-223, 225, 226-227, 238, 240-241 and 251

Registration No. B-402772
Date: January 31, 1968

-- May, 1971
Vol. 139, No. 5

Photos on pages 674 through 683

Registration No. B-701984
Date: July 15, 1971

Sincerely yours,

Suzanne Dupré

District of Columbia
:ss:
Subscribed and sworn to before me this 18TH day of DECEMBER 1985

Jeremiah R. Bannon
Notary Public
WASHINGTON, D. C.

My Commission Expires January 31, 1986

EXHIBIT A

M. E. Garrett, Editor

EXHIBIT B

Copyright Office of the United States

THE LIBRARY OF CONGRESS

Certificate of Recordation

THIS IS TO CERTIFY THAT THE ATTACHED DOCUMENT WAS RECORDED IN THE COPYRIGHT OFFICE ON THE DATE AND IN THE PLACE SHOWN BELOW.

THIS CERTIFICATE IS ISSUED UNDER THE SEAL OF THE COPYRIGHT OFFICE.

DATE OF RECORDATION	
16Sep88	
VOLUME	**PAGE**
2391	422
VOLUME	**PAGE**

OFFICIAL SEAL

Register of Copyrights and Assistant Librarian for Copyright Services

Certificate of Recordation
C-762 September 1987—40,000

EXHIBIT B

EXHIBIT C

National Geographic Magazine

WASHINGTON, D. C. 20036

KENT J. KOBERSTEEN
ASSISTANT DIRECTOR OF PHOTOGRAPHY

June 14, 1989

Mr. Jerry Greenberg
6840 S.W. 92nd Street
Miami, FL 33156

Dear Jerry:

This letter, when signed by both parties, will constitute your agreement as a freelance photographer with the National Geographic Society ("NGS") to photograph **Pennekamp Reef Park(#05738)** for National Geographic Magazine.

1) This assignment will extend for 20 days. Your compensation will be at the rate of:

(a) $350 per day for days spent shooting or in field research (i.e., research directly germane to producing the coverage); and

(b) one half of the above rate per day for days spent in travel (including arranging or waiting for travel); on standby, in the field or elsewhere; or in consulting with NGS editors ("editorial days").

2) Your compensation is subject to the following provisions:

(a) Work beyond the anticipated assignment days mentioned above will be compensated at the same daily rates as above. Should it become necessary to extend this assignment for additional days, you must get authorization to do so from the Director of Photography, the Assistant Director of Photography or the Illustrations Editor assigned to the project.

(b) The total compensation paid to you for this assignment will be applied against the page rate of $300 a page for the National Geographic Magazine, or a minimum of $100 a transparency, whichever is greater.

3) When working for NGS, you will carefully avoid doing similar work for publications which NGS would consider to be editorially competitive with it. You will advise NGS promptly of any possible conflict of interest that may develop. You also will take care not to grant any prepublication interviews or assist in any way in the preparation of any prepublication articles or other press coverage in any medium which would reveal the subject matter, editorial content or the scheduling of an assignment, article or story for the National Geographic Society.

EXHIBIT C

29'd

89:81 701 29-02-89

4) By this Agreement you warrant to NGS that publication of any photographs taken by you on this assignment will not infringe upon any right of privacy, copyright or any other proprietary right of a third party.

5) All photographs taken by you under this Agreement will be considered as specially commissioned for use by NGS and upon creation all rights, including the copyright and world publication rights, to these photographs will automatically, by virtue of this Agreement, be deemed transferred exclusively and indefinitely to NGS, subject to the following provisions:

(a) all photographs will be returned to you along with all rights to said photographs under the following conditions: (i) none may be made available to anyone for publication until sixty days after NGS has published its selections; (ii) it is understood that any necessary rights clearance or release for non-NGS publication is your independent responsibility; and (iii) NGS may make and retain copies of some of the photographs ("reference selects") for reference purposes only in its Illustrations Library;

(b) you grant to NGS without additional charge the right to use your name, likeness and biographical material in connection with the publication of any photographs retained by NGS under this Agreement;

(c) NGS may crop your photographs.

6) You undertake all work under this Agreement as an independent contractor. NGS assumes no responsibility for your health, safety or property or that of any person accompanying or assisting you. While on assignment in the field you will be covered by NGS's accident insurance policy, which provides a payment of $200,000 to you in the event of total disability or to your beneficiary, specified below, in the event of death, and lesser coverage for other injuries. The policy also provides up to $10,000 for excess medical coverage, i.e. for costs beyond those covered by your own personal accident and health coverages. The above coverage is restricted to you alone.

7) While you are on NGS assignment, NGS will pay or reimburse you for all reasonable expenses and will supply you with film and processing. At the close of this assignment you will provide NGS with a diary of your activities while on assignment, including an accurate and complete record of the people and places represented in your photographs. A final accounting of expenses, supplies, etc. for an assignment will be due to NGS no later than two weeks after the work on that assignment is finished. Failure to reconcile expense/supply accounts with NGS in a timely manner may impede payment of fees.

8) Your work on this assignment will not be considered complete until so indicated by the Illustrations Editor. At the end of the assignment you will deliver to NGS all photographs you have taken on this assignment as well as complete captions for your photographs. You will be available for a projection session with the editor to explain your work. If you are

called back for editorial consultation, you will be paid a fee of $175 per day plus expenses.

9) This agreement cannot be modified except by written instrument signed by both of us.

If the foregoing is acceptable, please sign and return the enclosed copy of the Agreement to me.

Sincerely yours,
NATIONAL GEOGRAPHIC SOCIETY

By _____
Kent J. Kobersteen

Agreed to and Accepted:

Jerry Greenberg
Name

JUNE 14, 1989
Date

#431-523-822
Social Security/
Federal ID#

JERRY GREENBERG
Check to be Written
to the Order of

© JERRY GREENBERG
Credit Line to read

ALL RIGHTS RESERVED

IDAZ GREENBERG
Insurance Beneficiary

WIFE
Relationship to you

6840 SW 92 ND ST
MIAMI, FL. 33156
Address

(For NGS records):
Executed copy received:

_____
Date

KJK/mac

EXHIBIT D

CERTIFICATE OF COPYRIGHT REGISTRATION

FORM VA
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER
VA 417 426

VA VAU

EFFECTIVE DATE OF REGISTRATION
JUL 27 1990
Month Day Year

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

REGISTER OF COPYRIGHTS
United States of America

OFFICIAL SEAL

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼
FLORIDA'S CORAL REEFS ARE IMPERILED

NATURE OF THIS WORK ▼ See instructions
photographs

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼
National Geographic Magazine

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼
Vol. 178, No.1 July, 1990 pgs. 114-132 + assgnt

2 a NAME OF AUTHOR ▼
Jerry Greenberg

DATES OF BIRTH AND DEATH
Year Born ▼ 1927 Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country
OR Citizen of ▶ USA
Domiciled in ▶ USA
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No
If the answer to either of these questions is "Yes," see detailed instructions.

NOTE Under the law, the "author" of a

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼
photographs on pages 114, 115, 118, 119, 120, 121, 122, 123, 126, 127,130, 132 +

b NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼ On Assignm

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country
OR Citizen of ▶
Domiciled in ▶
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☐ No
Pseudonymous? ☐ Yes ☐ No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

c NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country
OR Citizen of ▶
Domiciled in ▶
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☐ No
Pseudonymous? ☐ Yes ☐ No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

037711684
037711684

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED This information must be given in all cases.
1990 ◀ Year

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Complete this information ONLY if this work has been published.
Month ▶ July Day ▶ 1 Year ▶ 1990 ◀ Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
Jerry Greenberg
6840 SW 92nd Street
Miami, Florida 33156

See instructions before completing this space.

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

DO NOT WRITE HERE OFFICE USE ONLY
APPLICATION RECEIVED
JUL 27 1990
ONE DEPOSIT RECEIVED
JUL 27 1990
TWO DEPOSITS RECEIVED
REMITTANCE NUMBER AND DATE

MORE ON BACK ▶ • Complete all applicable spaces (numbers 1-11) on this page. • See detailed instructions. • Sign line 8.

DO NOT WRITE HERE
Page 1 of 2 pages

EXHIBIT D

* Amended by C.O. per authority of telephone call on October 17, 1990 with Jerry Greenberg.

VA 417 426

EXAMINED BY

CHECKED BY

☐ CORRESPONDENCE Yes

FORM VA

FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

☐ This is the first published edition of a work previously registered in unpublished form.

☐ This is the first application submitted by this author as copyright claimant.

☐ This is a changed version of the work, as shown by space 6 on this application.

5

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

B-960824 March 22, 1962

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

U/W panorama on pages 118, 119 & 120 originally appeared on pages 58-59 in January, 1962 edition Vol. 121, No.1 issue of National Geographic Magazin

6

See instructions before completing this space.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

Reconstruction of coral reef panorama in color and details on pages 118, 119, & 120 and additional new photographs listed at space 2.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Account Number ▼

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Jerry Greenberg
6840 SW 92nd Street
Miami, Florida 33156

Area Code & Telephone Number ▶ 305/ 667-4051

Be sure to give your daytime phone number

CERTIFICATION* I, the undersigned, hereby certify that I am the

8

Check only one ▼

☐ author

☒ other copyright claimant

☐ owner of exclusive right(s)

☐ authorized agent of _____
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Jerry Greenberg date ▶ July 25, 1990

Handwritten signature (X) ▼ Jerry Greenberg

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

Name ▼
Jerry Greenberg

Number/Street/Apartment Number ▼
6840 SW 92nd Street

City/State/ZIP ▼
Miami, Florida 33156

9

YOU MUST:
- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:
1. Application form
2. Non-refundable $10 filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO: Register of Copyrights, Library of Congress, Washington, D.C. 20559

17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than $2,500.

EXHIBIT E

CERTIFICATE OF RENEWAL EGISTRATION

OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 304 of title 17, United States Code, attests that renewal registration has been made for the work identified below. The information has been made a part of the Copyright Office records.

REGISTER OF COPYRIGHTS
United States of America

FORM RE
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER
RE 478-546

EFFECTIVE DATE OF REGISTRATION
DEC 29 1989
(Month) (Day) (Year)

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

1 Renewal Claimant(s)

RENEWAL CLAIMANT(S), ADDRESS(ES), AND STATEMENT OF CLAIM: (See Instructions)

1
Name Jerry Greenberg
Address 6840 SW 92nd Street Miami, FL 33156
Claiming as ~~author~~ Proprietor of copyright in a work made for hire *
(Use appropriate statement from instructions)

2
Name
Address
Claiming as
(Use appropriate statement from instructions)

3
Name
Address
Claiming as
(Use appropriate statement from instructions)

LE OF WORK IN WHICH RENEWAL IS CLAIMED:

National Geographic

032462447 * 032462447 *

NEWABLE MATTER:

photographs appearing on cover and pages 58 thru 89

ONTRIBUTION TO PERIODICAL OR COMPOSITE WORK: Florida's Coral City Beneath the Sea.

Title of periodical or composite work: Key Largo Reef:America's First Undersea Park

If a periodical or other serial, give: Vol. 121 No. 1 Issue Date January, 1962

3 Author(s)

AUTHOR(S) OF RENEWABLE MATTER:

National Geographic Society *

4 Facts of Original Registration

ORIGINAL REGISTRATION NUMBER:
* VA 402-545

ORIGINAL COPYRIGHT CLAIMANT:
National Geographic Society : original claimant assignment of copyright to Jerry Greenberg 12/18/85 Cert. of Recordation 16/Sept88, Vol 2391, pg.422

ORIGINAL DATE OF COPYRIGHT:
• If the original registration for this work was made in published form, give:
DATE OF PUBLICATION: March 22, 1962
(Month) (Day) (Year)

OR

• If the original registration for this work was made in unpublished form, give:
DATE OF REGISTRATION: (Month) (Day) (Year)

EXHIBIT E

*Amended by Copyright Office
RE 478-546

EXAMINED BY: BC	RENEWAL APPLICATION RECEIVED: JAN 23 1990 ~~DEC 2 6 1989~~	FOR COPYRIGHT OFFICE USE ONLY
CHECKED BY:		
DEPOSIT ACCOUNT FUNDS USED: ☐	REMITTANCE NUMBER AND DATE:	

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

RENEWAL FOR GROUP OF WORKS BY SAME AUTHOR: To make a single registration for a group of works by the same individual author published as contributions to periodicals (see instructions), give full information about each contribution. If more space is needed, request continuation sheet (Form RE/CON).

5 Renewal for Group of Works

1
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

2
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

3
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

4
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

5
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

6
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

7
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

DEPOSIT ACCOUNT: (If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.)

Name: .....
Account Number: .....

CORRESPONDENCE: (Give name and address to which correspondence about this application should be sent.) 305/667-4051

Name: Jerry Greenberg
Address: 6840 SW 92nd Street (Apt.)
Miami, (City) Florida (State) 33156 (ZIP)

6 Fee and Correspondence

CERTIFICATION: I, the undersigned, hereby certify that I am the: (Check one)

☒ renewal claimant ☐ duly authorized agent of: ..... (Name of renewal claimant)

of the work identified in this application, and that the statements made by me in this application are correct to the best of my knowledge.

Handwritten signature: (X) Jerry Greenberg

Typed or printed name: Jerry Greenberg

Date: January 16, 1990

7 Certification (Application must be signed)

Jerry Greenberg (Name)
6840 SW 92nd Street (Number, Street and Apartment Number)
Miami, (City) Florida (State) 33156 (ZIP code)

MAIL CERTIFICATE TO

(Certificate will be mailed in window envelope)

8 Address for Return of Certificate

U.S. GOVERNMENT PRINTING OFFICE: 1978—261-022/10

Apr. 1978—500,000

CERTIFICATE OF REGISTRATION

FORM RE

UNITED STATES COPYRIGHT OFFICE

OFFICIAL SEAL

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

RE 723-710

EFFECTIVE DATE OF RENEWAL REGISTRATION
March 12 1996
(Month) (Day) (Year)

Marybeth Peters
REGISTER OF COPYRIGHTS
United States of America

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

1 Renewal claimant(s)

RENEWAL CLAIMANT(S), ADDRESS(ES), AND STATEMENT OF CLAIM: (See Instructions)

1
Name: Jerry Greenberg
Address: 6840 SW 92nd Street, Miami, Florida 33156
Claiming as: Proprietor of copyright in a work made for hire
(Use appropriate statement from instructions)

2
Name:
Address:
Claiming as:
(Use appropriate statement from instructions)

3
Name:
Address:
Claiming as:
(Use appropriate statement from instructions)

TITLE OF WORK IN WHICH RENEWAL IS CLAIMED:

NATIONAL GEOGRAPHIC Sharks: Wolves of the Sea

RENEWABLE MATTER:

photographs appearing on cover and on pages 222, 223, 225, 226, 227, 238, 240, 241, 251, 256 & 257

CONTRIBUTION TO PERIODICAL OR COMPOSITE WORK: SHARKS: Wolves of the Sea.

Title of periodical or composite work: SHARKS: Wolves of the Sea

If a periodical or other serial, give: Vol. 133 No. 2 Issue Date February, 1968

3 Author(s)

AUTHOR(S) OF RENEWABLE MATTER:

National Geographic Society

4 Facts of Original Registration

ORIGINAL REGISTRATION NUMBER:

B-402-772

ORIGINAL COPYRIGHT CLAIMANT:

National Geographic Society: original claimant
Assignment of copyright to Jerry Greenberg 12/18/85
Corticate of Recordation 16/Sept 88, Vol.2391 page 422

ORIGINAL DATE OF COPYRIGHT:

* If the original registration for this work was made in published form, give:
DATE OF PUBLICATION: January 12, 31, 1968
(Month) (Day) (Year)

OR

* If the original registration for this work was made in unpublished form, give:
DATE OF REGISTRATION:
(Month) (Day) (Year)

0801959886

• Amended by Copyright Office

EXAMINED BY:	RENEWAL APPLICATION RECEIVED:	FOR COPYRIGHT OFFICE USE ONLY
CHECKED BY:	JAN 11 1996	
DEPOSIT ACCOUNT FUNDS USED: ☐	REMITTANCE NUMBER AND DATE: FUND RECEIVED MAR 12 1996	

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

RENEWAL FOR GROUP OF WORKS BY SAME AUTHOR: To make a single registration for a group of works by the same individual author published as contributions to periodicals (see instructions), give full information about each contribution. If more space is needed, request continuation sheet (Form RE/CON).

5 Renewal for Group of Works

1
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

2
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

3
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

4
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

5
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

6
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

7
Title of Contribution: .....
Title of Periodical: ..... Vol. ..... No. ..... Issue Date .....
Date of Publication: ..... (Month) (Day) (Year) Registration Number: .....

DEPOSIT ACCOUNT: (If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.)

Name: .....
Account Number: .....

CORRESPONDENCE: (Give name and address to which correspondence about this application should be sent.)

Name: Jerry Greenberg
Address: 6840 SW 92nd Street
Miami, (City) Florida (State) 33156 (ZIP) (Apt.)

6 Fee and Correspondence

CERTIFICATION: I, the undersigned, hereby certify that I am the: (Check one)

■ renewal claimant ☐ duly authorized agent of: ..... (Name of renewal claimant)

of the work identified in this application, and that the statements made by me in this application are correct to the best of my knowledge.

Handwritten signature: (X) Jerry Greenberg

Typed or printed name: Jerry Greenberg Date: January 10,1996

7 Certification (Application must be signed)

MAIL CERTIFICATE TO

(Certificate will be mailed in window envelope)

Jerry Greenberg
(Name)
6840 SW 92nd Street
(Number, Street and Apartment Number)
Miami, (City) Florida (State) 33156 (ZIP code)

8 Address for Return of Certificate

☆U.S. GOVERNMENT PRINTING OFFICE: 1978—281-022/10

Apr. 1978- 500,000

CERTIFICATE OF REGISTRATION

FORM RE
UNITED STATES COPYRIGHT OFFICE

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

RE 803-552

EFFECTIVE DATE OF RENEWAL REGISTRATION
JAN 2 0 1999
(Month) (Day) (Year)

Marybeth Peters
REGISTER OF COPYRIGHTS
United States of America

OFFICIAL SEAL

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

1 Renewal Claimant(s)

RENEWAL CLAIMANT(S), ADDRESS(ES), AND STATEMENT OF CLAIM: (See Instructions)

1
Name Jerry Greenberg
Address 6840 SW 92nd Street, Miami, Florida 33156
Claiming as author-proprietor of copyright in a work made for hire
(Use appropriate statement from instructions)

2
Name
Address
Claiming as
(Use appropriate statement from instructions)

3
Name
Address
Claiming as
(Use appropriate statement from instructions)

2 Work Renewed

TITLE OF WORK IN WHICH RENEWAL IS CLAIMED:
NATIONAL GEOGRAPHIC Buck Island- Underwater Jewel

RENEWABLE MATTER:
photographs on pages 674 - 683

CONTRIBUTION TO PERIODICAL OR COMPOSITE WORK:
Title of periodical or composite work: National Geographic Buck Island - Underwater Jewel
If a periodical or other serial, give: Vol. 139 No. 5 Issue Date May, 1971

3 Author(s)

AUTHOR(S) OF RENEWABLE MATTER:
Jerry Greenberg
6840 SW 92nd Street
Miami, Florida 33156

4

ORIGINAL REGISTRATION NUMBER:
B-701-984

ORIGINAL COPYRIGHT CLAIMANT:
National Geographic Society: original claimant
Assignment of copyright to Jerry Greenberg 12/18/85

Facts of Original Registration

D-701-904

Assignment of copyright to Jerry Greenberg 12/18/85
Certificate of Recordation 16/Sept/88, Vol 2391
page 422

ORIGINAL DATE OF COPYRIGHT:

- If the original registration for this work was made in published form, give: ~~July 15, 1971~~ 4/13/71
  DATE OF PUBLICATION: (Month) (Day) (Year)

OR

- If the original registration for this work was made in unpublished form, give:
  DATE OF REGISTRATION: (Month) (Day) (Year)

*Amended by C.O. per authority call of 7/2/99 with Jerry Greenberg.

EXAMINED BY:	RENEWAL APPLICATION RECEIVED:	FOR COPYRIGHT OFFICE USE ONLY
CHECKED BY:	JAN 20 1999	
DEPOSIT ACCOUNT FUNDS USED: ☐	REMITTANCE NUMBER AND DATE:	

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

RENEWAL FOR GROUP OF WORKS BY SAME AUTHOR: To make a single registration for a group of works by the same individual author published as contributions to periodicals (see instructions), give full information about each contribution. If more space is needed, request continuation sheet (Form RE/CON).

5 Renewal for Group of Works

1	Title of Contribution:		
	Title of Periodical:	Vol.	No. Issue Date
	Date of Publication: (Month) (Day) (Year)	Registration Number:	
2	Title of Contribution:		
	Title of Periodical:	Vol.	No. Issue Date
	Date of Publication: (Month) (Day) (Year)	Registration Number:	
3	Title of Contribution:		
	Title of Periodical:	Vol.	No. Issue Date
	Date of Publication: (Month) (Day) (Year)	Registration Number:	
4	Title of Contribution:		
	Title of Periodical:	Vol.	No. Issue Date
	Date of Publication: (Month) (Day) (Year)	Registration Number:	
5	Title of Contribution:		
	Title of Periodical:	Vol.	No. Issue Date
	Date of Publication: (Month) (Day) (Year)	Registration Number:	
6	Title of Contribution:		
	Title of Periodical:	Vol.	No. Issue Date
	Date of Publication: (Month) (Day) (Year)	Registration Number:	
7	Title of Contribution:		
	Title of Periodical:	Vol.	No. Issue Date
	Date of Publication: (Month) (Day) (Year)	Registration Number:	

DEPOSIT ACCOUNT: (If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.)

Name:

Account Number:

CORRESPONDENCE: (Give name and address to which correspondence about this application should be sent.)

Name: Jerry Greenberg 305-667-7051

Address: 6840 SW 92nd Street (Apt.)

Miami, Florida 33156 (City) (State) (ZIP)

6 Fee and Correspondence

CERTIFICATION: I, the undersigned, hereby certify that I am the: (Check one)

☒ renewal claimant ☐ duly authorized agent of: (Name of renewal claimant)

of the work identified in this application, and that the statements made by me in this application are correct to the best of my knowledge.

Handwritten signature: (X) Jerry Greenberg

Typed or printed name: Jerry Greenberg

Date: January 16, 1999

7 Certification (Application must be signed)

Jerry Greenberg (Name)

6840 SW 92nd Street (Number, Street and Apartment Number)

Miami, Florida 33156 (City) (State) (ZIP code)

MAIL CERTIFICATE TO

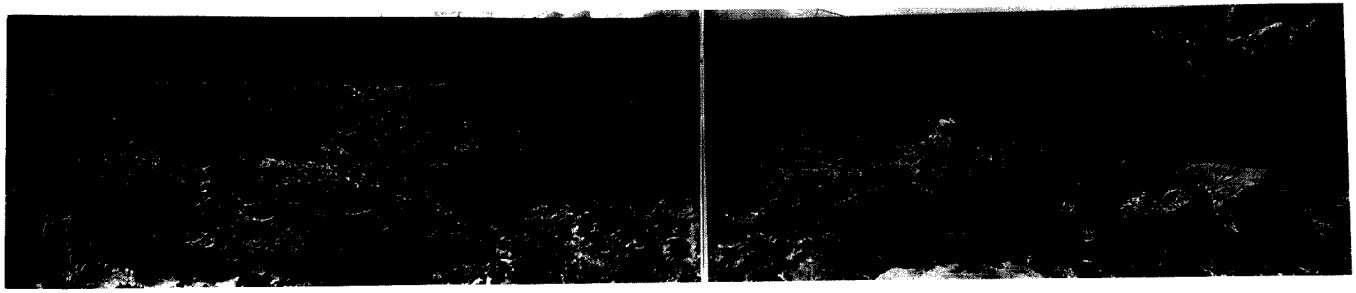
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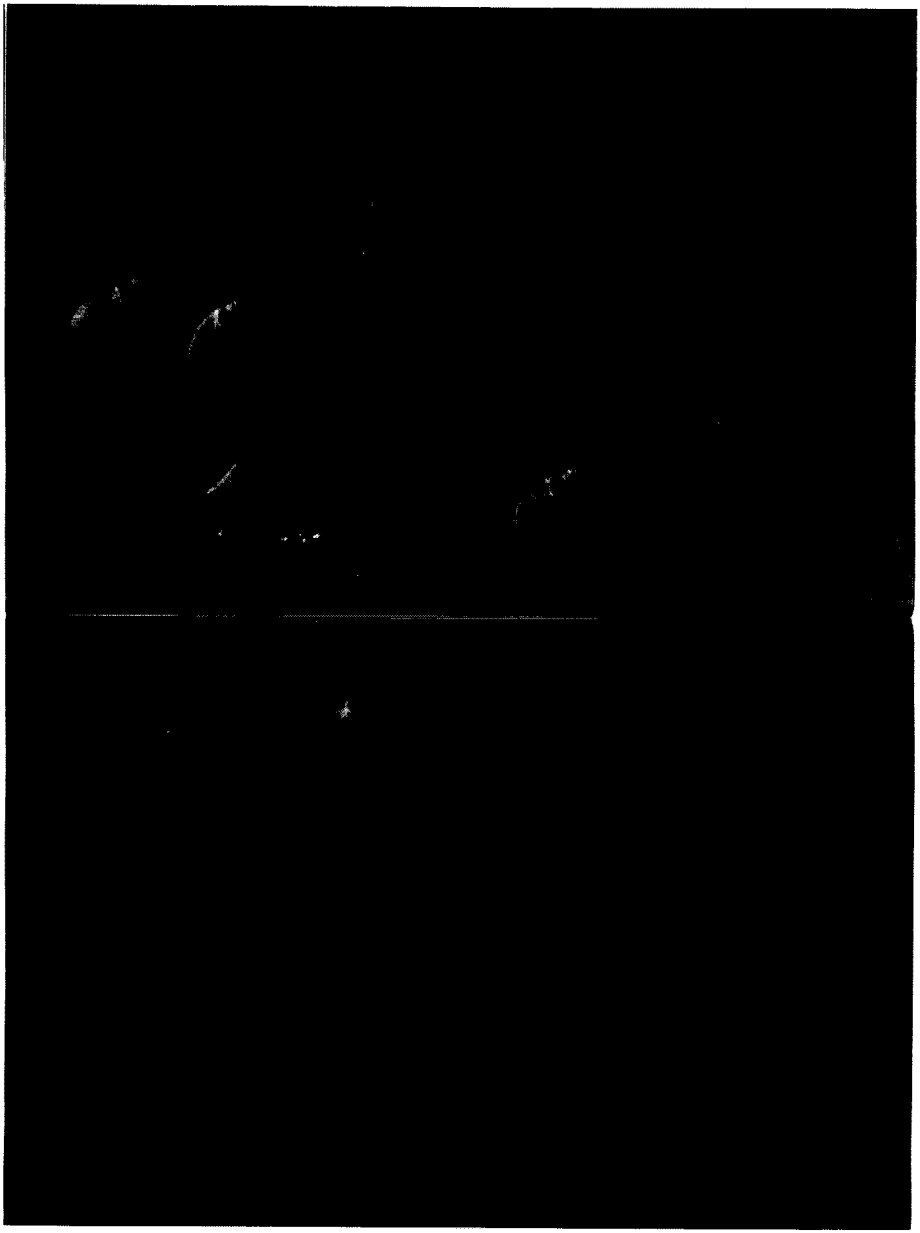
8 Address for Return of Certificate

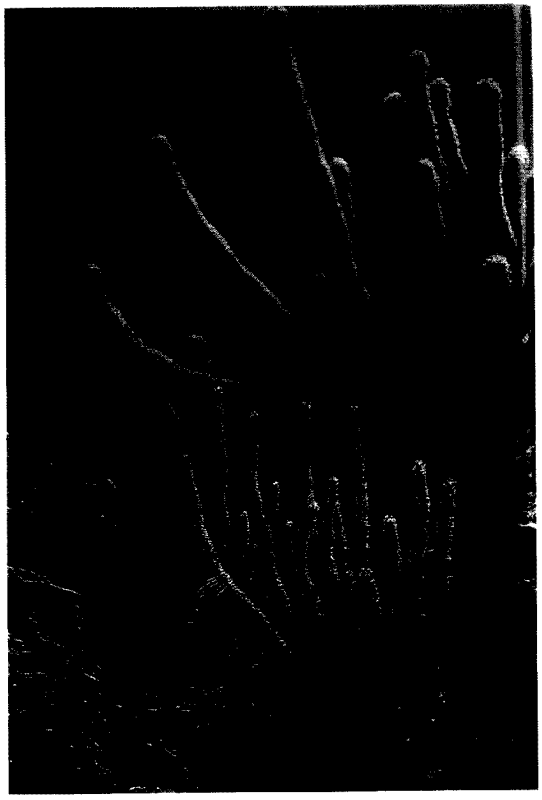
☆ U.S. GOVERNMENT PRINTING OFFICE: 1978—261-822/18

Apr. 1978—500,000

EXHIBIT F

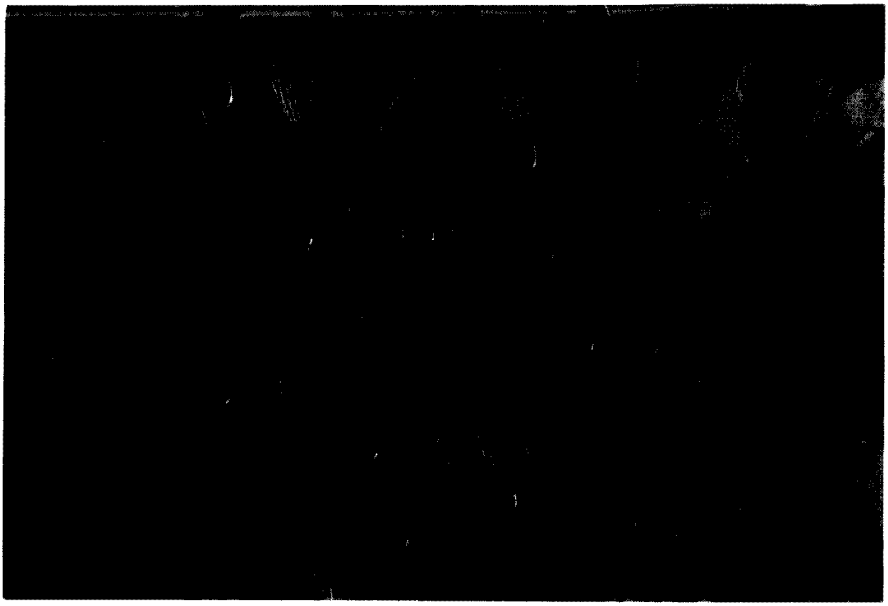




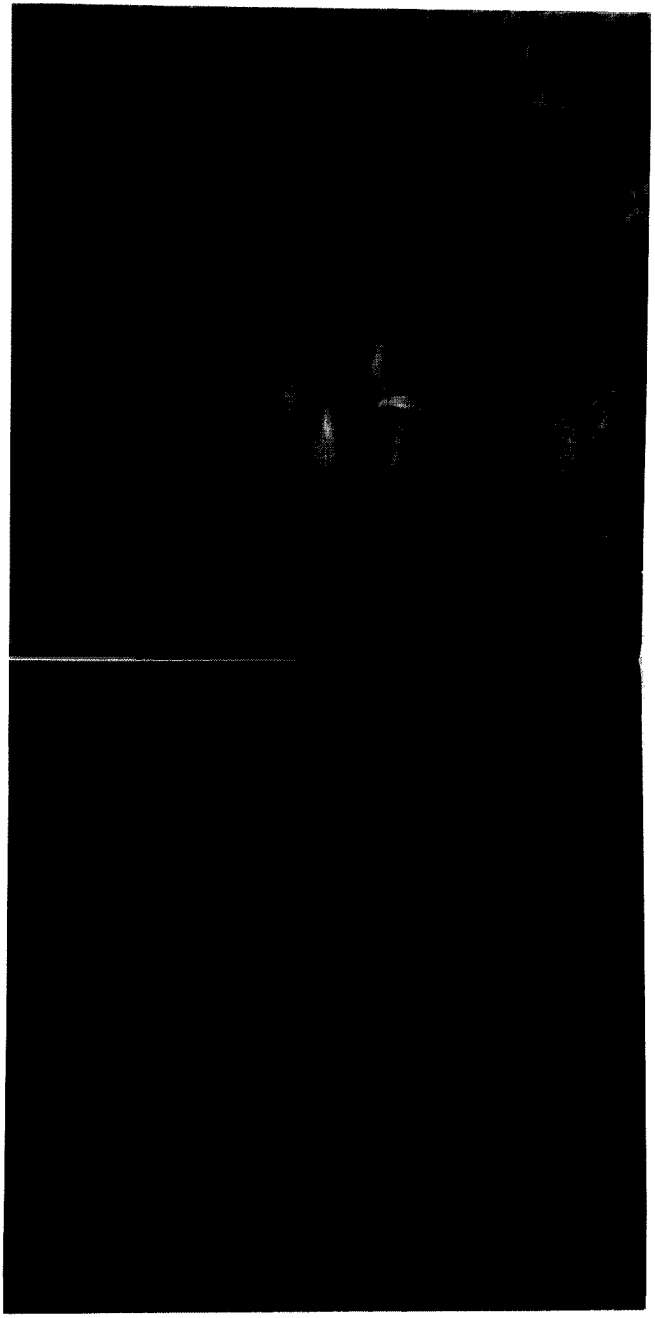












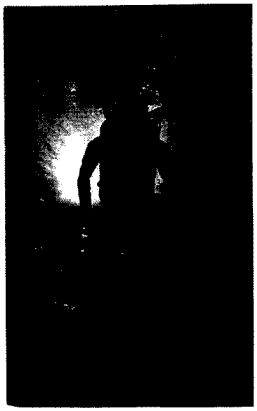




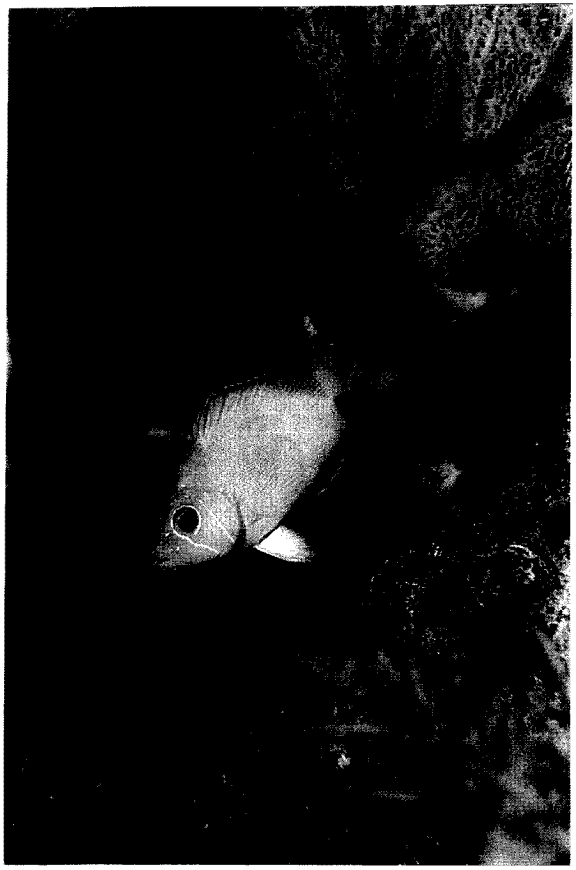




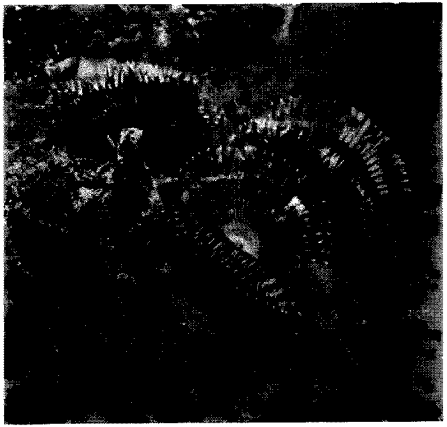


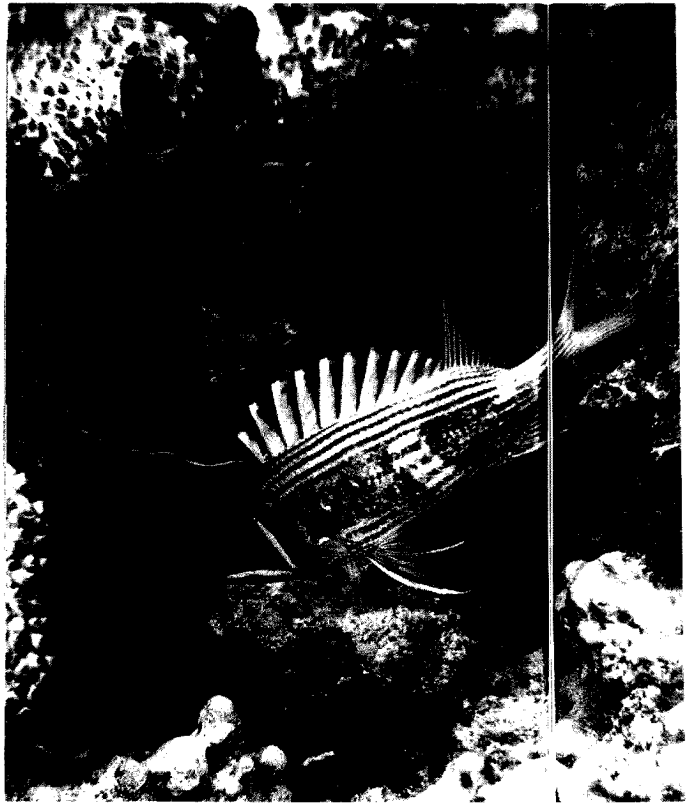






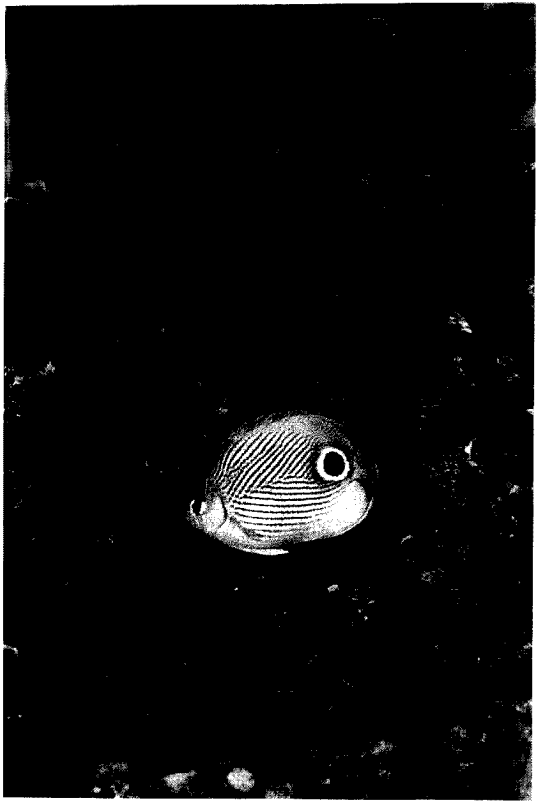


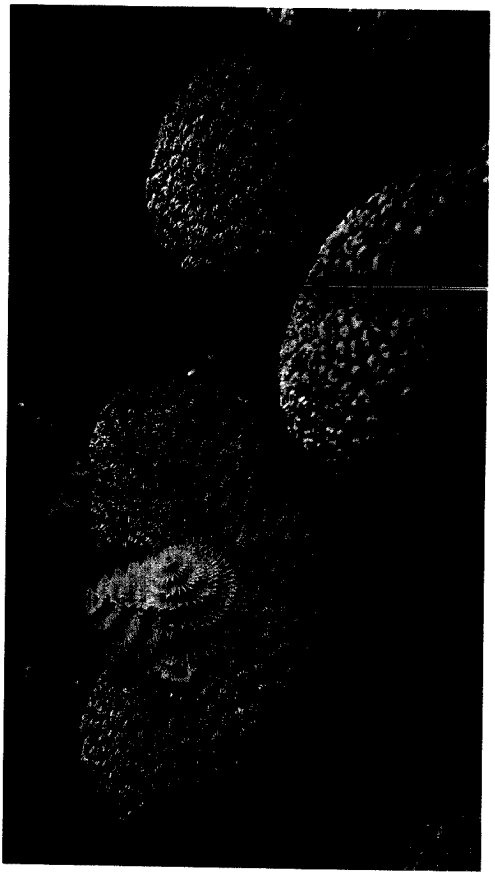












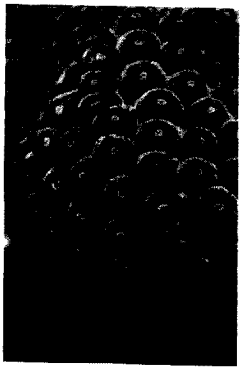






EXHIBIT G

SHARKS: Wolves of the Sea

By NATHANIEL T. KENNEY
National Geographic Senior Staff

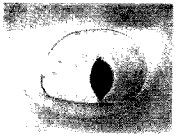
BARING RAZOR-SHARP TEETH, *a nine-foot great hammerhead prowls off Key Largo, Florida. Placement of eyes and nostrils on the ends of lobes, coupled with the head's swinging movements, broadens this shark's food-sensing swath through the sea. The flattened head, like an airplane's wing, aids maneuverability* (painting, page 232).

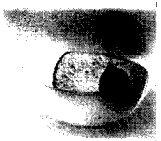
IN MASK AND SNORKEL I was diving in 15 feet of water off the western shore of North Bimini, tiny Bahama island. A jumble of coral-encrusted boulders lies on the bottom sands at this point; among them dwell thousands of brilliantly colored small fishes.

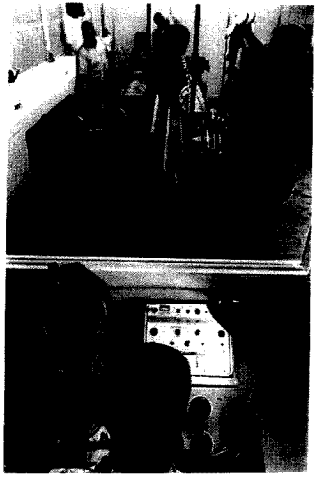
One moment I was surrounded by these vivid jewels of the warm salt seas. In the next I was uneasily alone, for my small friends had all dashed for shelter into crevices in the rocks or to concealing jungles of grass and sea fans. Turning seaward to discover what had alarmed them, I saw a shadow in the depths grow into an eight-foot-long torpedo headed directly at me.

Some 20 feet away it turned broadside. An eye the size

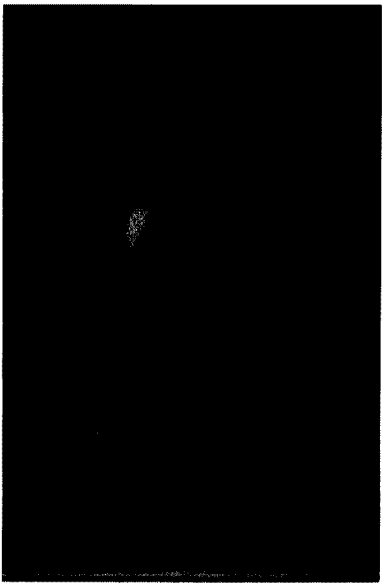


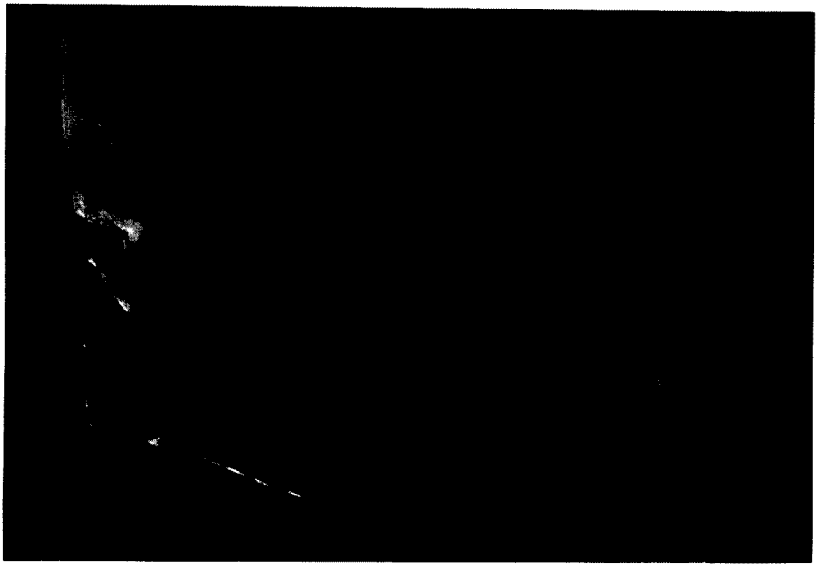


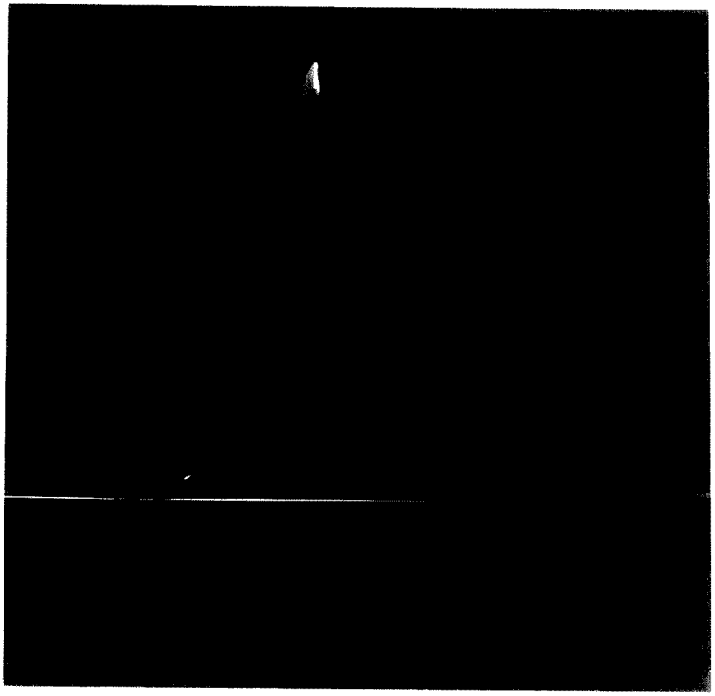












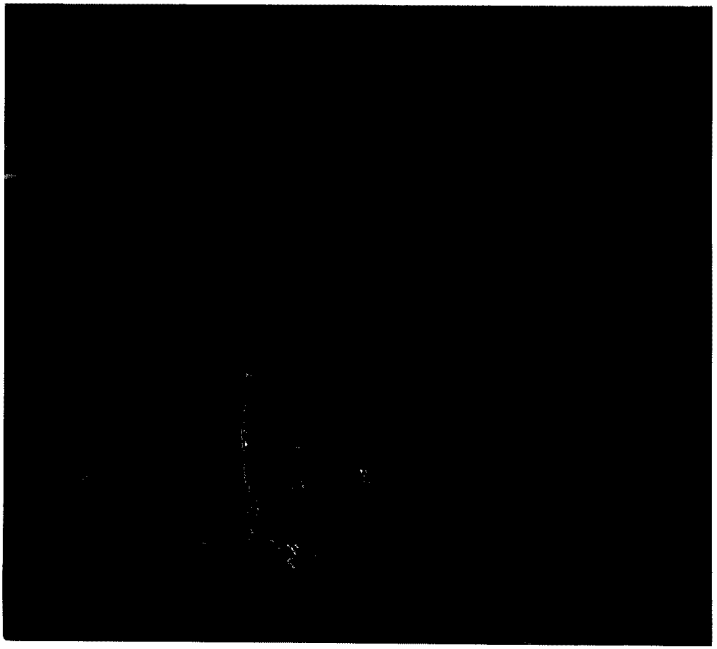
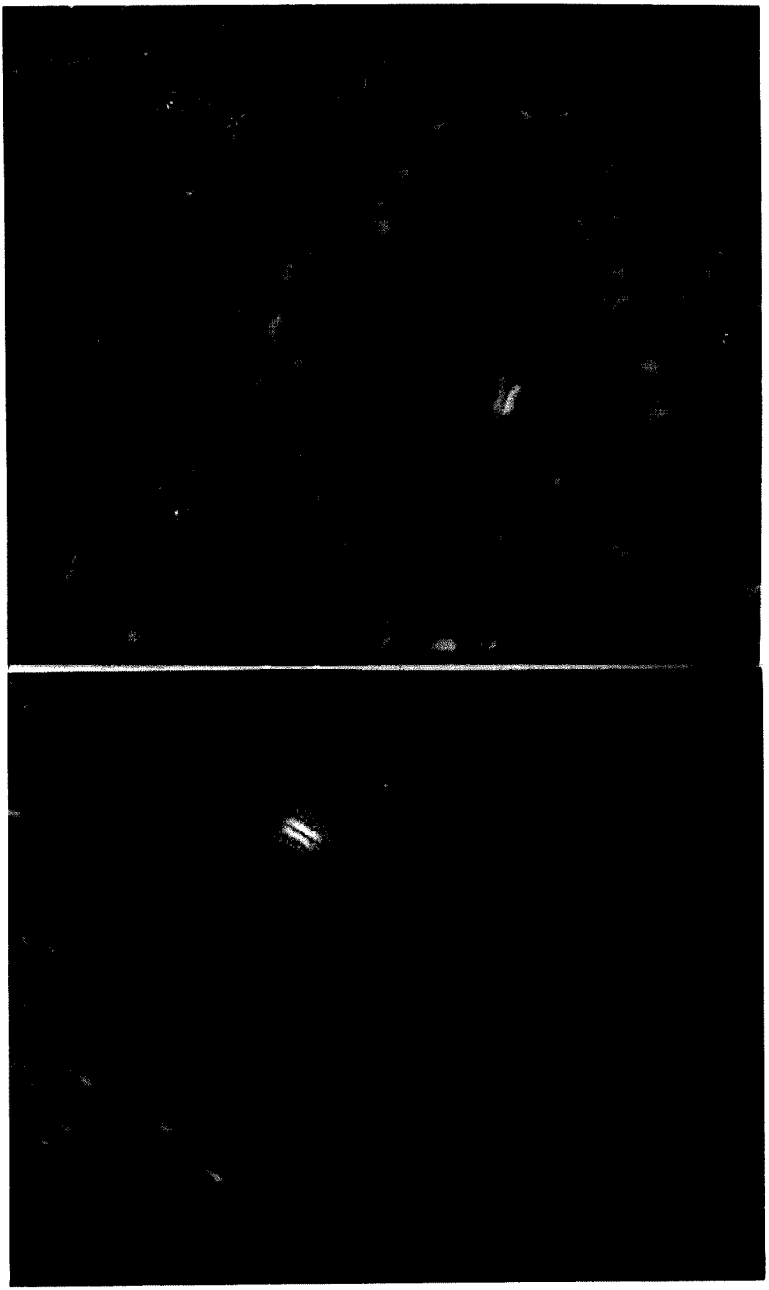
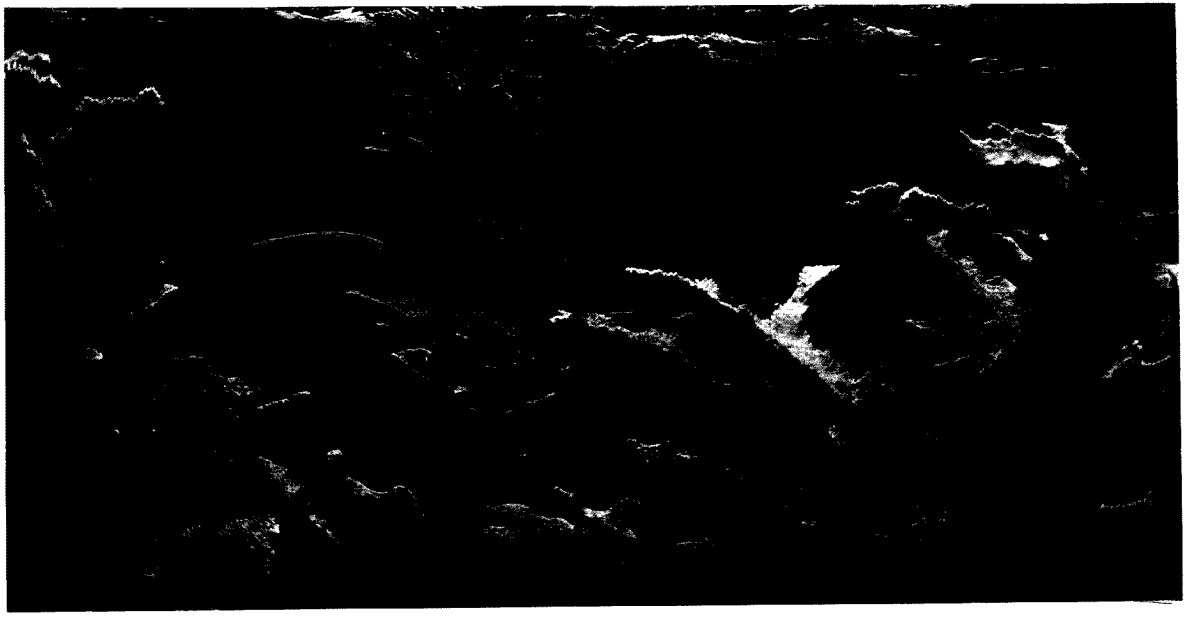


EXHIBIT H











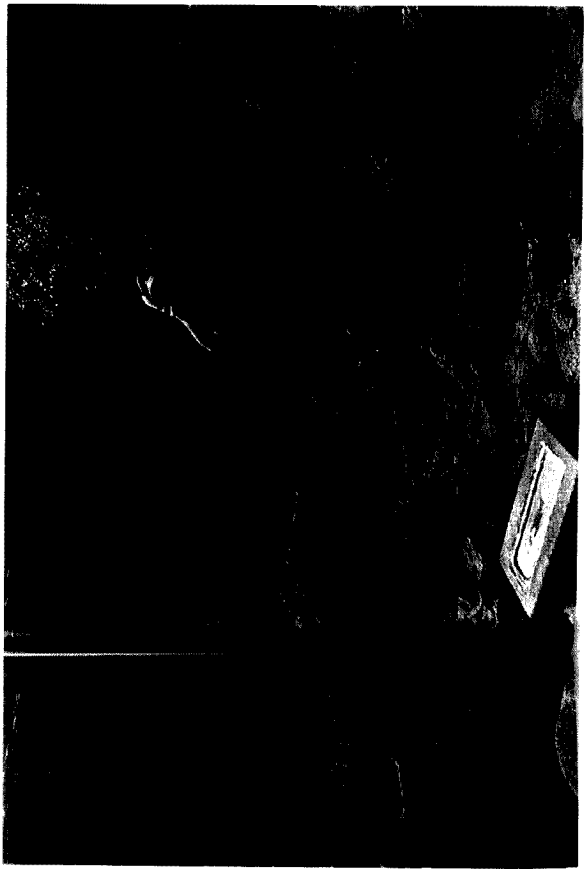






EXHIBIT J





BOTH BY JERRY GREENE













