KENNETH BERLAND

1046 DUDLEY AVE. #1 LOUISVILLE, KY 40204 (310) 393-7981 ken@hero.com

June 7, 2006

To Whom It May Concern:

Please consider this letter and the attached resume, writing sample, and official law school transcript as my application for employment with your firm. My list of references follows the body of this letter. The attached writing sample is an excerpt, the complete sample is available at http://www.hero.com/public/copydrm.pdf

If needed, I may be able to obtain a ranking letter from my law school. There were just over 200 graduates, I was ranked among the top 20. The law school does not ordinarily disclose ranking with more specificity.

My work experience is more varied than that of the average recent law school graduate, reflecting a continued involvement in cutting-edge technologies. I am intensely interested in Internet and open source applications . My law review Note, available at http://hero.com/public/Triple_Play.pdf explored market-based solutions to monopoly problems in broadband.

Thank you for your time and consideration. Please do not hesitate to contact me with any questions or requests. I can also be reached at Kenneth_Berland@ca6.uscourts.gov or (502) 625-3921.

References:

Judge Danny J. Boggs
Chief Judge
U.S. Sixth Circuit Court of Appeals
601 West Broadway
Louisville, KY 40202
(502) 625-3900
ca06-boggs_chambers@ca6.uscourts.gov

Matthew Spitzer
Dean of the Law School
University of Southern California,
Gould School of Law
699 Exposition Blvd.
Los Angeles, CA 90089-0071
mspitzer@law.usc.edu

Bennett Hirschhorn
Sr. Pervasive Tech. Specialist
IBM
425 Market Street
San Francisco, CA 94123
(415) 294-5432
hbennett@us.ibm.com

Sincerely,
/Kenneth Berland/
Kenneth Berland

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Education

University of Southern California School of Law
J.D., 2005; *Order of the Coif*; *Southern California Law Review*, Articles Editor

University of Wisconsin, Madison
B.S., 1991; Political Science & Creative Writing

Experience

Law Clerk to, The Honorable Danny J. Boggs
Chief Judge, U.S. Court of Appeals, Sixth Circuit, Louisville, Kentucky
August 2005–Present

Volunteer Teacher, Save Our Future Charter School, Los Angeles, California
Spring Semester 2005
Taught 14-week program in computer science to at-risk high school youth.

Summer Associate, Susman, Godfrey, Los Angeles, California
Summer Associate, Orrick, Herrington, Sutcliffe, Los Angeles, California
Summer 2004
Worked with attorneys on litigation matters, trial briefs, and other internal memoranda.

Summer Intern, The Advancement Project, Los Angeles, California
Summer 2003
Worked for civil rights attorney Connie Rice, appointed by the Los Angeles Police Commission to form a committee for final review of the Rampart corruption scandal.

Partner, Hero Consulting, Santa Monica, California
February 1998–August 2002
Technical director for digital film and commercial production. Projects included *The Core*, *Pearl Harbor*, *Driven*, *Energizer Titanium*, and *AT&T Ants*. Clients included Rhythm & Hues, Asylum, Method Studios, Zen Kitty, and Ring of Fire.

Chief Technology Officer, Filmson.com, Santa Monica, California
August 1999–August 2001
Internet guide to online films. Advised and supervised web and database operations. Designed data gathering and entry system. Headed information technology team.

Partner, Idea Technologies Corporation, Santa Monica, California
November 1998–July 2000
Held exclusive contract with West Publishing Group to design and deploy *Pocket Paralegal*, a wireless information retrieval system for attorneys. Programmed client and server. User's guide at http://www.hero.com/itcor/online/ug16.htm

Technical Director, VIFX, Twentieth Century Fox, Los Angeles, California
April 1996–February 1998
Created digital effects for feature films including *Volcano*, *Jingle All the Way* and *Face/Off*. Supervised teams in creating systems for the visualization of special effects. Provided in-house consulting for complex aspects of digital film-making.

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Experience (cont'd)

Proprietor, The Heroic Sandwich Cafe, New York, New York
November 1994–October 1995
Founding partner of pioneering internet cafe in New York City. The Heroic Sandwich offered gourmet cuisine, internet access, and comic books in an intimate setting.

Freelance Digital Artist
New York, New York
September 1994–January 1996
Worked one-on-one with directors and advertising creative directors creating film and video effects. Projects included *Sense and Sensibility, Everyone Says I Love You, World Series Logo*, *1994 World Cup* and *Wayne's World 2.* Clients included Charlex, Sony Music Studios, and Peter Max.

Digital Artist
Rutt Video Post Production, RVI, New York, New York
October 1993–September 1994
Worked with post-production software to provide animation for in-house projects. Projects included commercials for Buick, the Royalton Hotel, Peter Max, and Propaganda Films.

Freelance Photographic Assistant
New York, New York
January 1993–September 1993
First Assistant and Production Coordinator. Clients included David LaChapelle, Brian Smale, Andrew Eccles, and Michael Lavine.

Photographic Assistant
Michael Lavine Photography, New York, New York
August 1991–January 1993
Assisted over 150 photo shoots for major record labels, magazines, and commercial clients. Managed accounts payable, accounts receivable, and shooting schedule.

Survival of Fair Use

Kenneth Berland

November 2004

Introduction

The advancement of digital technology is beginning to make a world without analog tools possible. No videotape, no paper, no phonographs. A world of all digital content and hardware will further challenge the existing common law and statutory doctrines of copyright infringement and fair use. Courts have previously been capable of including new hardware in the old framework of copyright utilizing the "staple item of commerce" doctrine[1], but the battle has quickly shifted to software and its myriad implications.[2] This Paper argues that this shift is temporary, and irreconcilable, that the real battle for an effective and just copyright regime in the United States will be fought within the realm of hardware. Further, controls over the specifications for and production of networking and computing hardware will most likely emanate from all three branches of government[3]—each fighting to alter the balance of copyright.

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[1] *See* Sony Corp. of Am. v. Universal Studios, Inc., 464 U.S. 417, 426 (1984) [hereinafter *Betamax*] ("if deemed sufficient as a basis for liability, would expand the theory beyond precedent and arguably beyond judicial management.").

[2] *See* Metro-Goldwyn-Mayer Studios, Inc. v. Grokster Ltd., 380 F.3d 1154 (9th Cir. 2004); A&M Records, Inc. v. Napster, Inc., 284 F.3d 1091 (9th Cir. 2002)

[3] In fact, the Executive and Judicial branches have already mandated hardware specifications and it is possible that a recent FCC order could be challenged in the courts. *See* Digital Broadcast Content Protection, Report and Order and Further Notice of Proposed Rulemaking, 18 F.C.C.R. 23,550 (2003) (creating hardware specifications preventing ATSC demodulators from digitally outputting specified copyrighted and flagged content). Further, courts have in the past created rules effecting hardware. *See, e.g.*, Universal City Studios, Inc. v. Sony Corp. of Am., 659 F.2d 963, 977 (1981) (finding "no Congressional intent to create a blanket home use exception to copyright protection and that home videorecording does not constitute fair use" and instructing the district court to "fashion appropriate relief."), *overruled by, Sony*, 464 U.S. 417 (1984).

Before the advent of digital technologies there existed a merger of the form and substance of copyright protected works. A book is at once a work protected by copyright and the only practical method of viewing that copy.[4] A book can, in effect, play itself back. The current frictions in copyright stem from the versatility of the personal computer (PC) and its ability to both present copyrighted works to the user and copy those works. The PC is both a reader and duplicator, as if one could rip a book in two and at once have two copies of the work. The PC simultaneously allows access and duplication.

This Paper will first survey the underpinnings of copyright in both law and policy. Attention will be paid to the delicate balance that copyright seeks to strike and whether or not any period of time can be located that best expressed that balance. It will then explore some of the hardware based technological developments that present the greatest risks to an optimum balance in the law. Finally, it will present some policy prescriptions that could help guide courts in the future when deciding these issues. Namely, that regulators (courts, Congress, and arms of the Executive) should be aware of analog's eventual extinction and should mandate that the fair uses available in the analog world be preserved in an all digital one.

Background

Most sources, whether they be the Constitution, courts, commentators, or

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[4] *See* U.S. Copyright Office, Summary, The Digital Millennium Copyright Act of 1998, *available at* http://www.copyright.gov/legislation/dmca.pdf (Dec. 1998). Distinctions between copy protection and access were, until recently, not applicable. When all works are goods, access is possession. *Id.* (noting, "section 1201 does not prohibit the act of circumventing a technological measure that prevents copying. By contrast, since the fair use doctrine is not a defense to the act of gaining unauthorized access to a work, the act of circumventing a technological measure in order to gain access is prohibited.").

outlaws[5], agree that copyright ultimately seeks to balance the rights of authors and the public. The Framers sought to increase the Nation's creative output by granting authors a limited monopoly to their works.[6] Comments can be found that recognize this delicate balance even while obviously skewing the balance in one direction or the other—"The sole interest of the United States and the primary object in conferring the monopoly lie in the general benefits derived by the public from the labors of authors."[7]—or "[copyright] may also provide greater incentive for American and other authors to create and disseminate their work in the United States."[8] Finally, Nimmer informs us that the Framer's believed copyright to be a right created *per se* in the public interest:

> [T]he authorization to grant to individual authors the limited monopoly of copyright is predicated upon the dual premises that the public benefits from the creative activities of authors, and that the copyright monopoly is a necessary condition to the full realization of such creative activities. Implicit in this rationale is the assumption that in the absence of such public benefit, the grant of a copyright monopoly to individuals would be unjustified.[9]

If there ever existed a Golden Age of copyright balance it is certainly not now. Not according to either content creators[10] or advocates for the public interest. Perhaps, however, the time between the 1909 Copyright Act and the 1976 Copyright Act can be cited as a period in which the challenges of today's world did not exist or were extant in a

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[5] *See* Anonymous (Beale Screamer), *Mad as Hell about the DMCA*, *at* http://www.spinnaker.com/crypt/drm/freeme/Philosopy (last visited Nov. 15, 2004) (including this statement of purpose inside a source code distribution that disables Digital Rights Management software created by the Microsoft Corporation to "give people the tools to regain the rights that have existed for centuries with respect to copyright, and are now in danger of being taken away in a most uncompromising manner.").

[6] *See* U.S. CONST. art. I, § 8.

[7] Fox Film Corp. v. Doyal, 286 U.S. 123, 127 (1932), *accord,* Sony Corp. of Am. v. Universal City Studios, Inc., 464 U.S. 417, 429 (1984).

[8] Eldred v. Ashcroft, 537 U.S. 186, 188 (2003) (upholding the constitutionality of the Sonny Bono Copyright Term Extension Act, Pub. L. 105-298, 112 Stat. 2827 (codified in scattered sections of 17 U.S.C. (1998))).

[9] 1 Nimmer on Copyright, §1.03 (2004).

copyright doctrine so difficult to implement that copyright does, indeed, become an area governed solely by contract.[57]

Digital Rights Management (DRM) and Trusted Computing

DRM and trusted computing are the next generation of digital content protection. DRM seeks to control both access and duplication of content through contractual relations and technology. It allows copyright holders to monetize their content through subscription, limited time purchases, video on demand, and pay-per-view revenue models.[58] Any digital media can be protected in this fashion. Even text can be protected

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[56] A typical Broadcast Flag scheme is "Digital Transmission Content Protection" (DTCP) created by Hitachi, Ltd., Intel Corporation, Matsushita Electrical Industrial, Co., Ltd., Sony Corporation and Toshiba Corporation. "DTCP uses authentication, key exchange techniques, and content encryption as part of its protection system. Under this system, a connected device must first verify through the exchange of keys that another connected device is 'authentic,' meaning also DTCP-compliant, before sharing protected information." *Id.* (footnote omitted).

[57] Although Lessig warned of copyright being conducted through contract in the future, *see* Lessig *supra* note 13 at 529 (noting that trusted systems are private law) two recent decisions have reinforced fair use and dealt a blow to the use of the DMCA in creating new rights for copyright holders. In Chamberlain Grp. v. Skylink Techs., 381 F.3d 1178 (Fed. Cir. 2004), the court held:

> The anticircumvention provisions convey no additional property rights in and of themselves; they simply provide property owners with new ways to secure their property. Like all property owners taking legitimate steps to protect their property, however, copyright owners relying on the anticircumvention provisions remain bound by all other relevant bodies of law.

Also in Lexmark Int'l Inc., Static Control Components, Inc., --- F.3d ----, No. 03-5400 (6th Cir., Oct. 26, 2004), the court vindicated the fair use rights of a replacement parts manufacturer who duplicated code to facilitate the creation of replacement printer ink cartridges. The court appears to deny copyright to those schemes that do not eventually "create any protected expression". *Id.* at 17. Only code that eventually results in a "video or audio manifestation generated by the code's execution" is eligible for copyright protection. *Id.* Yet, ominously, the court suggests that Lexmark's lack of encryption and Static Control's easy access to the code might be a controlling factor. *Id.*

[58] *See* Microsoft, *Windows Media Digital Rights Management, at* http://www.microsoft.com/windows/windowsmedia/drm/default.aspx noting (last visited Nov. 15, 2004) ("Scenarios The following scenarios demonstrate just a few of the innovative business models and acquisition scenarios that Windows Media DRM can enable. Direct License Acquisition, Indirect License Acquisition, Subscription Services, Purchase and Download Single Tracks, Rental Services, Video-on-Demand and Pay-Per-View").

through the disabling of copy, paste and save functions.[59]

Of course, these DRM schemes depend upon the security of the underlying hardware. If the computer user can successfully monitor or emulate the internal functioning of the computer, the unprotected digital content can be copied from memory or accessed in an intermediate form—attacks the original programmer had not anticipated.[60] The problem is, with "low-level access, end users can attack the digital file itself, intercept digital information as a program executes (through an emulator or debugger), or access the end result (through screen or audio capture programs)."[61]

Trusted Computing, in theory, solves this problem. The concept seeks to transport software-like control to the hardware based internals of the computer, creating walls between the user and key elements of the hardware. It necessitates physically sealed hardware, immune to hacks conducted with soldering irons and jumper wire as well as traditional software hacking. Trusted Computing removes a portion of the computer from the user's control. It has many people worried.[62] However, because the Napster model

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[59] *See* Peter Sayer, *Government, Microsoft haggle over documentation*, InfoWorld, *at* http://www.infworld.com/article/04/10/11/HNmshaggle_1.html?source=rss&url=http://www.infoworld.com/article/04/10/11/HNmshaggle_1.html (Oct. 11, 2004) ("…Microsoft, asked to open up and document the interfaces to its communication protocols for licensees, has chosen to issue the documentation in a rights-protected file format called MHT, readable only with its own Web browser, Internet Explorer. This means licensees can neither annotate nor effectively search the information, according to the plaintiffs.").

[60] *See, e.g.* Paul Thurrott, *Hacker Breaks DRM, Microsoft Looks Into Legal Action*, Windows IT Pro, *at* http://www.winnetmag.com/Article/ArticleID/23000/23000.html (Oct. 23, 2001); Anonymous, *supra* note 5.

[61] Ryan Roemer, *Trusted Computing, Digital Rights Management, and the Fight for Copyright Control on Your Computer*, 2003 UCLA J. OF L. & TECH. 8 (2003). Note that screen capture and audio capture are, generally, digital copies, so long as the data is obtained before it is processed by a digital to analog converter.

[62] *See* Richard Stallman, *Can You Trust Your Computer? in* FREE SOFTWARE, FREE SOCIETY: SELECTED ESSAYS OF RICHARD M. STALLMAN (2002), *available at* http://www.gnu.org/philosophy/can-you-trust.html:

requires only a single, unprotected, copy of a work to become available through the network, query whether all computing must be subject to licensing restrictions, in addition to access to component parts and the microprocessors that make computing possible; lest one user construct a machine unrestricted by trusted computing regimes with which to make illegal copies.[63]

Conclusion & Policy prescription

Preservation of Analog Holes

As digital methods displace even more of the analog world it becomes important that courts and regulators preserve the ability of the public to make fair use of copyrighted material. In the trusted computing and DRM environment outlined above, consumers might try to record news or share a political program only to be thwarted by the underlying technology. Few consumers would be aware of their rights when their video recorder informs them, perhaps through a pop-up, that "You are not allowed to perform this action." When awareness of a right wanes, so does its practice. Rights atrophy without exercise. Courts and regulators should press devices makers to enable analog duplication where digital reproduction has been disabled.

In the Macrovision example, many fair users would be hard-pressed to locate the

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> The technical idea underlying treacherous [trusted] computing is that the computer includes a digital encryption and signature device, and the keys are kept secret from you. Proprietary programs will use this device to control which other programs you can run, which documents or data you can access, and what programs you can pass them to. These programs will continually download new authorization rules through the Internet, and impose those rules automatically on your work. If you don't allow your computer to obtain the new rules periodically from the Internet, some capabilities will automatically cease to function.

Id.

cause of their poorly recorded copy. Equipment manufacturers should be pressured to inform the consumer about the copy protection features of the devices they sell. Disclosure through the interface itself or in printed material packaged with the device would enable consumers and the public more fully to understand and exercise their rights.

Circumvention Devices

Technology to combat illegal copying has much more momentum than does technology to enable fair use. Companies are currently experimenting with a system that blocks video camcorders from recording projected feature films.[64] Technology also exists that allows for recording devices to recognize the title and artist of the song they have recorded or are recording.[65] With a small expansion of wireless networks it is not difficult to imagine an environment where all recording devices contact copyright holders, e.g. the Motion Picture Association of America or the Recording Industry Association of America, to identify the material they are about to record and obtain permission. In this possible world, audio recorders refuse to duplicate copyrighted songs and camcorders refuse to record from television screens.

In the face of this threat, courts and regulators should be vigilant in providing that circumvention devices that enable fair use remain available. This should involve preserving the holding of the *Betamax* case and promoting the idea of substantial, non-infringing uses. Courts and regulators should also seek to tailor technologically based copyright

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63 *See supra*, note 61.

64 *See* Sarah McBride, *The Hunt For Movie Pirates*, WALL ST. J., Apr. 12, 2004, at B1.

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Berland, Kenneth	156-58-9428	10-03-2005	1 of 3

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Kenneth L. Servis
Dean of Academic Records and Registrar

---------- Current Program of Study ----------

---------- USC Degrees Awarded ----------

05/13/2005 Juris Doctor
Law
Order of the Coif

---------- USC Cumulative Totals ----------

Law Units Attempted: 88.0 Earned: 88.0 Available: 88.0 GPA Units: 68.0 Grade Points: 255.60 GPA: 3.75

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Fall Semester 2002 (08-26-2002 to 12-18-2002) **Class Level: Graduate**

LAW-512		3.0	3.0	Law, Language, and Ethics
LAW-511A		CR	1.0	Introduction to Lawyering Skills
LAW-510		CR	0.0	Legal Research
LAW-509		2.9	4.0	Torts I
LAW-503		4.1	4.0	Contracts
LAW-502		3.9	4.0	Procedure I

Term Units Attempted	Term Units Earned	Term GPA Units	Term Grade Points	Term GPA
16.0	16.0	15.0	52.60	3.50

Spring Semester 2003 (01-13-2003 to 05-16-2003) **Class Level: Graduate**

LAW-511B		CR	1.0	Introduction to Lawyering Skills
LAW-510		CR	0.0	Legal Research
LAW-508		3.7	4.0	Constitutional Law I
LAW-507		3.6	4.0	Property
LAW-505		3.8	3.0	Legal Profession
LAW-504		4.1	3.0	Criminal Law

Term Units Attempted	Term Units Earned	Term GPA Units	Term Grade Points	Term GPA
15.0	15.0	14.0	52.90	3.77

Fall Semester 2003 (08-25-2003 to 12-17-2003) **Class Level: Graduate**

LAW-772		3.9	3.0	Intellectual Property	
LAW-768A	IP	3.8	1.0	Law Review Writing	
LAW-767A	IP	CR	1.0	Law Review Staff	Completion of a sequence course (CR/NC)
LAW-662		4.1	4.0	Public International Law	
LAW-603		4.3	4.0	Business Organizations	
LAW-781		CR	2.0	Clinical Internship/Externship I	

Term Units Attempted	Term Units Earned	Term GPA Units	Term Grade Points	Term GPA
15.0	15.0	12.0	49.10	4.09

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Berland, Kenneth	156-58-9428	10-03-2005	3 of 3

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Spring Semester 2004 (01-12-2004 to 05-14-2004) **Class Level: Graduate**

LAW-767B		CR	1.0	Law Review Staff
LAW-768B		3.8	2.0	Law Review Writing
LAW-600		3.8	4.0	Taxation
LAW-621		3.9	3.0	Gender Discrimination
LAW-602		3.6	3.0	Criminal Procedure

Term Units Attempted	Term Units Earned	Term GPA Units	Term Grade Points	Term GPA
13.0	13.0	12.0	45.30	3.77

Fall Semester 2004 (08-23-2004 to 12-15-2004) **Class Level: Graduate**

LAW-773		3.4	2.0	Internet Law	
LAW-704		3.6	3.0	Poverty Law	
LAW-769A	IP	CR	3.0	Law Review Editing	Completion of a sequence course (CR/NC)
LAW-605		CR	4.0	Real Estate Transactions	
LAW-753		3.3	3.0	Antitrust Law I	

Term Units Attempted	Term Units Earned	Term GPA Units	Term Grade Points	Term GPA
15.0	15.0	8.0	27.50	3.43

Spring Semester 2005 (01-10-2005 to 05-13-2005) **Class Level: Graduate**

LAW-890		CR	1.0	Directed Research
LAW-763		4.2	3.0	Federal Courts: The Federal System II
LAW-769B		CR	3.0	Law Review Editing
LAW-608		3.9	4.0	Evidence
LAW-871		CR	3.0	Constitutional Law II

Term Units Attempted	Term Units Earned	Term GPA Units	Term Grade Points	Term GPA
14.0	14.0	7.0	28.20	4.02

End Of Transcript

ACADEMIC TRANSCRIPT INFORMATION

The University seal and signature of the registrar will only appear on the first page. The face of this document has a colored background with the words "University of Southern California" in small print throughout the document. Erasures, stains or alterations of any type invalidate the record. When this document is photocopied in color or on the darker settings of a black and white copier, the word "VOID" will appear repeatedly in large letters. A black and white transcript is not an original and is therefore not an official document. Only official transcripts bear the University seal and signature of the Registrar. The control number that appears at the top of the first page is a unique number used to reference information regarding the issuance of the transcript. Further information or authentication can be obtained by calling the Office of the Registrar (213) 740-9230. Alterations or misrepresentations of this record may result in criminal charges and/or disciplinary sanctions consistent with the University's Student Conduct Code.

This record has been released according to provisions of the Family Rights and Privacy Act of 1974 (FERPA). Release of this record or disclosure of its contents to any third party without the written consent of the student is prohibited. Possession of this record requires compliance with FERPA.

NOTE: The information that follows represents current University polices. Questions regarding historical University policies and/or transcript notations should be addressed to the Office of the Registrar.

COURSE CREDIT/UNIT VALUE

A semester unit is a credit of one hour per week for one semester (14 to 15 weeks in length).

COURSE NUMBERING AND CLASSIFICATION

The first digit of the course indicates the year level of the course: 000-preparatory courses; 100-first undergraduate year; 200-second undergraduate year; 300-third and fourth undergraduate years without graduate credit; 400-third and fourth undergraduate year with graduate credit for graduate students; 500-first graduate year; 600-second graduate year; and 700-third graduate year.

GRADING SYSTEM

The following grades are used: A, excellent; B, good; C, fair in undergraduate courses and minimum passing in courses for graduate credit; D, minimum passing in undergraduate courses; and F, failed. Additional grades include CR, credit; NC, no credit; P, pass; and NP, no pass.

The following marks are also used: W, withdrawn; IP, in progress; UW, unofficial withdrawal; MG, missing grade; IN, incomplete; and IX, lapsed incomplete.

GRADE POINT AVERAGE (GPA) CATEGORIES/CLASS LEVEL

A system of grade points is used to determine a student's grade point average. Grade points are assigned to grades as follows for each unit in the credit value of a course: A, 4.0 points; A-, 3.7 points; B+, 3.3 points; B, 3.0 points; B-, 2.7 points; C+, 2.3 points; C, 2.0 points; C-, 1.7 points; D+, 1.3 points; D, 1.0 point; D-, 0.7 points; F, 0 points; UW, 0 points; and IX, 0 points. Marks of CR, NC, P, NP, W, IP, MG and IN do not affect a student's grade point average.

There are four categories of class level and GPA: Undergraduate, Graduate, Law, and Other. UNDERGRADUATE is comprised of Freshman (less than 32 units earned), Sophomore (32 to 63.9 units earned), Junior (64 to 95.9 units earned) and Senior (at least 96 units earned). GRADUATE is comprised of any coursework attempted while pursuing a master's and/or doctoral degree. LAW is comprised of any coursework attempted while pursuing a Juris Doctor or Master of Laws degree. OTHER is comprised of any coursework attempted while not admitted to a degree program or coursework not available for degree credit.

TRANSFER CREDIT

Coursework accepted from other institutions is summarized into undergraduate and graduate areas. The summary information includes the number of units and GPA. The transfer institution(s) and dates of attendance do not appear on the USC transcript.

LAW SCHOOL GRADING SYSTEMS

Beginning in Fall 2001, the grading system uses both numbers and letters in a range from 4.4 to 1.9, with letter-grade equivalents ranging from A+ to F. The grade equivalents are: A+, (4.4 to 4.1); A, (4.0 to 3.8); A-, (3.7 to 3.5); B+, (3.4 to 3.3); B, (3.2 to 3.0); B-, (2.9 to 2.7); C+, (2.6 to 2.5); C, (2.4); D, (2.3 to 2.0); and F, (1.9).

Prior to Fall 2001, the grading system consists of numbers in a range from 90 to 65. A grade of 90 is equivalent to highest honors and is very rare; 89 to 85, high honors; 84 to 80, honors; 79 to 70, satisfactory; 69 to 66, unsatisfactory; and 65, failing.

SCHOOL OF DENTISTRY GRADING SYSTEM

Students admitted to the Doctor of Dental Surgery program in Fall 1990 or later and students admitted to the International Student Program in Summer 1991 or later, are bound by the University's grading system (excluding plus/minus grades), which is detailed above under the heading "GRADING SYSTEM." Academic records for dentistry students who attended prior to the dates listed above are housed independent of the University's central record system. Contact the School of Dentistry directly for this earlier academic record information.

SCHOOL OF MEDICINE TRANSCRIPTS

Transcripts for medical students are housed independent of the University's central record system. Contact the School of Medicine directly for this academic record information.

ACCREDITATION

The University of Southern California is fully accredited by the Western Association of Schools and Colleges. For additional professional accreditation information, please refer to the latest issue of Accredited Institutions of Postsecondary Education published by the American Counsel on Education on Postsecondary Accreditation (COPA).

PLACE FORM ON FLAT SURFACE. RUB AREA FIRMLY AND RAPIDLY WITH FINGER. STRIP MUST DISAPPEAR AND REAPPEAR FOR DOCUMENT TO BE AUTHENTIC.

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