

3. The copyrighted works, i.e., the copyrighted characters described in Paragraph 2, were included in the following non-network or syndicated television programs or series broadcast during 1978:

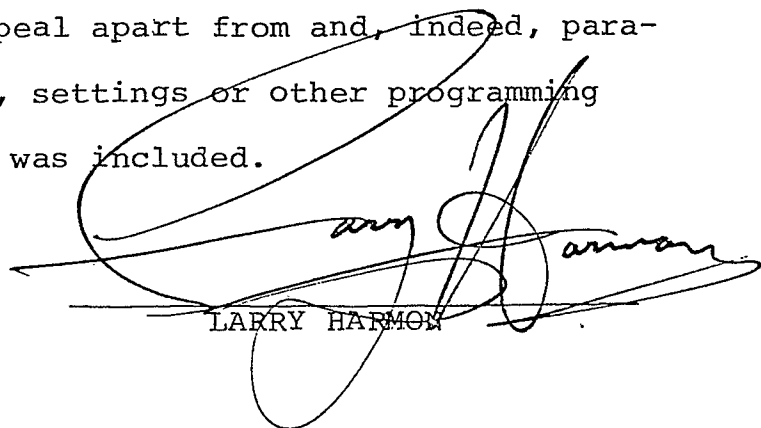
- (a) "THE LAUREL AND HARDY CARTOON SHOW", featuring LAUREL AND HARDY;
- (b) "BOZO'S BIG TOP", featuring BOZO; and
- (c) "BOZO'S CIRCUS", featuring BOZO, LAUREL and HARDY.

4. Of the programs listed above, "BOZO'S BIG TOP" and "BOZO'S CIRCUS", incorporating parts of "THE LAUREL AND HARDY CARTOON SHOW", and designated BOZO LIVE, were included in the Arbitron Television Syndicated Program Analysis Audience Estimates of November 1978, and there are attached hereto copies of the reports of the Arbitron Analysis showing the markets and broadcast stations on which such programs were syndicated in 1978.

5. To the best of my knowledge and belief, each of the foregoing copyrighted works or characters were likewise included in distant non-network retransmissions made by cable systems during 1978. For example, the character BOZO was included in retransmission of "BOZO'S BIG TOP" by Warner Cable of Claremont from Station WLBI. In addition, BOZO and the other characters featured in "BOZO'S CIRCUS", including the LAUREL and HARDY cartoon characters, were included in the retransmission of "BOZO'S CIRCUS" (BOZO LIVE) by Warner Cable of Danville from Station WGN. Furthermore, Ted Turner's Atlanta station picks up "BOZO'S CIRCUS" out of WGN in Chicago and, through United Video, its sales arm, sells "BOZO'S

CIRCUS" across the country. As a result, the characters featured in "BOZO'S CIRCUS", including the LAUREL and HARDY cartoon characters, appear on large, medium and small systems, as distant signals, including, for example, Theta Cable in Los Angeles.

6. Visual representations of our characters are annexed to this affidavit. Our copyrighted characters were included without transformation in appearance or identity in the television programs identified above. Thus, each character continued to retain its independent existence, its immediately recognizable identity and its distinctive appeal apart from and, indeed, paramount to the particular stories, settings or other programming material in which the character was included.


LARRY HARMON

Subscribed and sworn to before me
this 13th day of March, 1980.

Barbara A. Lynch
Notary Public

