

REVISED

A motion by Oklahoma, Kentucky and Michigan to amend the Agreement by adding new definitions to Part II of the Library of Definitions relating to specified digital products:

PART II

Product Definitions

NEW DEFINITION

DIGITAL PRODUCTS DEFINITIONS

“Specified digital products” means electronically transferred:

1. “**Digital Audio-Visual Works**” which means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any,
2. “**Digital Audio Works**” which means works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones, and
3. “**Digital Books**” which means works that are generally recognized in the ordinary and usual sense as “books”.

For purposes of the definition of “digital audio works”, “ringtones” means digitized sound files that are downloaded onto a device and that may be used to alert the customer with respect to a communication.

For purposes of the definitions of specified digital products, “transferred electronically” means obtained by the purchaser by means other than tangible storage media.

NOTE: The amendment would become effective January 1, 2009.