



October 23, 2020

VIA E-MAIL AND U.S. MAIL

( [REDACTED] )  
  
Donald J. Trump for President, Inc.  
[REDACTED]

Attn: Jenna Ellis, Esq., Senior Legal Advisor

Re: **Unauthorized Use of Phil Collins' Music**

Dear Donald and Attn:

As you know, we are counsel for Phil Collins and for his service company, Philip Collins Limited.

We wrote you on June 24, 2020 demanding that the Trump campaign cease infringing the musical copyright in the musical work "In the Air Tonight." Another copy of our June 24, 2020 letter is attached. Our previous letter also noted that the campaign's use of the work constituted an implied and false endorsement of Mr. Trump. It also noted Mr. Collin's express and unequivocal statement that he wants no affiliation whatsoever with The President or the Trump campaign.

We did not receive the courtesy of a response to our letter.

We now have learned that the Trump campaign has continued its improper use of "In the Air Tonight." Most recently, the Trump campaign used that work during an Iowa campaign rally on October 14, 2020. That use was not only wholly unauthorized but, as various press articles have commented, particularly inappropriate since it was apparently intended as a satirical reference to Covid-19. That reference was made at a time when Iowa was suffering from an acceleration of Covid-19 infection. Mr. Collins does not condone the apparent trivialization of Covid-19. Moreover, Mr. Collins has serious concerns that the manner in which the Trump campaign has used "In the Air Tonight" has caused, and will cause, damage to Mr. Collins' reputation and popularity with the public.

Under the circumstances, we renew our demand for immediate assurances that the Trump campaign will permanently cease and desist from any further use of Mr. Collins' name, performance and music at any future rallies or otherwise.

Donald J. Trump for President, Inc.  
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Please acknowledge receipt of this letter. In the meantime, all rights are reserved.

Sincerely,



David A. Steinberg  
A Professional Corporation of  
MITCHELL SILBERBERG & KNUPP LLP

TMZ



June 24, 2020

VIA E-MAIL AND U.S. MAIL

Brad Parscale  
Donald J. Trump for President, Inc.

**Re: Unauthorized Use of Phil Collins' Music**

Dear Mr. Parscale:

We are counsel for Phil Collins and for his service company, Philip Collins Limited ("PCL").

Phil Collins directly and through his service company owns the musical copyright in the musical work "In the Air Tonight" and performed the recording of the same for Warner Records, which owns the copyright in the sound recording of that performance.

We understand that "In the Air Tonight" was used at the June 20, 2020 Trump for President rally at the BOK Center in Tulsa, Oklahoma before it commenced (see <https://twitter.com/JoshuaPotash/status/1274452478826815488>). The film was taken by someone at the rally.

We hereby demand that you immediately cease and desist from any further use of "In the Air Tonight" or any of Mr. Collins' music in the future and that you make no further use of any recordings of any such use, including any recording(s) of the rally at BOK Center in Tulsa.

No permission was requested for use of Mr. Collins' performance or copyrighted music, nor would any permission have been granted, even if requested. Use of this music potentially constitutes a violation of the Copyright Law.

In addition, such misleading use of Mr. Collins' music may also violate the Lanham Act by creating a false endorsement, suggesting he is connected with or affiliated with Mr Trump. Finally, the unauthorized use of Mr. Collins' music and his uniquely recognizable voice raises significant issues under Oklahoma's right of publicity statutes.

Moreover, to be absolutely clear, Mr. Collins does not want to be viewed as directly or indirectly affiliated with The President, his campaign or any 2020 Trump for President rally. Mr. Collins does not agree with or support The President's positions and statements.

Brad Parscale  
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Please provide us with immediate assurances that you will immediately cease and desist from any further use of Mr. Collins' name, performance and music in the future and that you will make no further use of any recordings of this prior unauthorized use.

All rights are reserved.

Thank you.

Sincerely,



David A. Steinberg  
A Professional Corporation of  
MITCHELL SILBERBERG & KNUPP LLP

