

September 28, 2026

The Hon. Susan Wiles
Chief of Staff
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Notice of Copyright Infringement and Violation of the Lanham Act and Demand to
Cease and Desist Immediately

Dear Ms. Wiles:

We represent artist Christian Berishaj, who performs under the name JMSN. JMSN is the owner of the copyright in the musical composition titled “Love Me” and a sound recording of this composition (the “Song”). It has come to our attention that the Trump Administration has produced and caused to be broadcast a television advertisement titled or known as “The Country He Loves” (the “Advertisement”), which reproduces and synchronizes the Song with visual images without a synchronization license, master use license, or any other authorization from the copyright holder. Nor would permission have been granted if requested. I therefore write to demand that the government immediately cease and desist from any further use of “Love Me.” I further insist that the government refrain from using any of JMSN’s music in the future.

The government has violated the federal Copyright Law, 17 U.S.C. §§ 101 *et seq.* JMSN owns the copyright in both the musical composition of the Song, as well as the sound recording of it. These copyrighted works may not be used for any purpose without his prior consent. You neither requested nor received such permission. The use of “Love Me” in the Advertisement therefore violated JMSN’s exclusive rights to the Song.

Further, the government’s unauthorized use does not qualify for any exemption to the copyright statute, including fair use. Among other things, (1) the use here is not transformative, and there is no attempt to parody or comment on the Song itself, (2) the musical composition and sound recording of the Song are highly creative and expressive works, (3) the portion of the Song used is the heart of the copyrighted works, and (4) the government’s use here will have a negative effect on JMSN’s ability to license the Song, and others, in the future. Simply put, as the President is no doubt aware, “the video’s overarching political purpose does not automatically render its use of any non-political work,” such as the Song here, a fair one. *Grant v. Trump*, 563 F.Supp.3d 278, 285 (S.D.N.Y. 2021) (denying motion to dismiss copyright infringement claim over Trump campaign’s unauthorized use of “Electric Avenue” in political advertisement) (collecting cases).

The government’s misleading use of “Love Me” also violates the Lanham Act, 15 U.S.C. § 1125. It creates a false endorsement or association, suggesting that JMSN is connected with or affiliated with this Administration. *See Browne v. McCain*, 612 F.Supp.2d 1125, (C.D. Cal.

2009) (denying motion to dismiss over Senator John McCain's and Republican National Committee's unauthorized use of "Running on Empty" in political advertisement). He is not.

To be absolutely clear, JMSN does not want to be viewed as directly or indirectly affiliated with the President or his Administration. As he said in his Instagram post denouncing the Advertisement,¹ he "would never authorize [his] music to be used for ANY political agenda or campaign." Thus, the use of the Song in this context, as part of an overtly partisan, political advertisement, is particularly damaging, as it could cause others to call into question JMSN's artistic independence and integrity.

The unauthorized use does further harm because it associates JMSN and the Song with apparent violations of federal laws prohibiting the use of taxpayer dollars for political purposes. The Advertisement appears to violate appropriations laws prohibiting the use of funds for "publicity or propaganda purposes within the United States," such as Section 718 of the Consolidated Appropriations Act, 2026, Pub. L. 119-75, as well as apparently transgressing the Purpose Statute, 31 U.S.C. § 1301(a) (which prohibits using money for any purpose other than is provided by law) and the Antideficiency Act, 31 U.S.C. § 1341(a)(1)(A) (which prohibits any government official from using money in excess of the amount provided for by Congress). To the extent that others than the President are involved, which they clearly are, the Advertisement appears to violate the Hatch Act, 5 U.S.C. § 7323(a)(1) (which bars employees from using "official authority or influence for the purpose of interfering with or affecting the result of an election"); *see also* 5 U.S.C. § 7324(a) (barring any employees from engaging in political activity while, *inter alia*, on duty or in a government building).

For these reasons, the government's unlawful conduct is causing JMSN serious and irreparable harm. JMSN demands that the government immediately take the following steps:

- (1) Cease and desist any use of the Song and/or any of the intellectual property of JMSN, including in the Advertisement or any other advertisement, broadcast, or promotional material.
- (2) Immediately withdraw the Advertisement from all scheduled airings and instruct, in writing, every network, station, cable or satellite provider, streaming service, and media buyer carrying the Advertisement to stop airing it.
- (3) Remove and take down all online copies of the Advertisement and any other videos or posts containing the Song, including but not limited to those on Facebook, X, TikTok, or YouTube.
- (4) Provide a written accounting of every airing and posting of the Advertisement, including the date, time, network or station, market, program, and total media spend.

¹ https://www.instagram.com/p/DdrpVBHgXaM/?utm_source=ig_embed&ig_rid=AIUCBsUpEF1dOKub2vjk2yg.

Please provide us with written confirmation **by 5 pm ET on Thursday, October 1** that the government has ceased its infringing activities.

In the meantime, all documents in your possession, custody or control relating in any manner to this matter, including without limitation any and all electronic records, must be retained and not destroyed. To the extent you believe that this notice has been directed to you in error, or that there are other agencies involved in these events in addition to The White House, please forward this correspondence to the appropriate agencies and let me know when and to whom you have done so.

This letter is not intended to be a full statement of the facts in this matter, nor is it an exhaustive list of all claims and remedies our client may have against the United States government. Nothing in this letter constitutes a waiver of any of JMSN's rights or remedies; our client reserves his right to pursue all available legal remedies in connection with this matter and those remedies are under active consideration.

Sincerely,

/s/ Norman L. Eisen

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