Cal Code Civ Proc § 1013a (2004)

§ 1013a. Proof of service by mail

Proof of service by mail may be made by one of the following methods:

- (1) An affidavit setting forth the exact title of the document served and filed in the cause, showing the name and residence or business address of the person making the service, showing that he or she is a resident of or employed in the county where the mailing occurs, that he or she is over the age of 18 years and not a party to the cause, and showing the date and place of deposit in the mail, the name and address of the person served as shown on the envelope, and also showing that the envelope was sealed and deposited in the mail with the postage thereon fully prepaid.
- (2) A certificate setting forth the exact title of the document served and filed in the cause, showing the name and business address of the person making the service, showing that he or she is an active member of the State Bar of California and is not a party to the cause, and showing the date and place of deposit in the mail, the name and address of the person served as shown on the envelope, and also showing that the envelope was sealed and deposited in the mail with the postage thereon fully prepaid.
- (3) An affidavit setting forth the exact title of the document served and filed in the cause, showing (A) the name and residence or business address of the person making the service, (B) that he or she is a resident of, or employed in, the county where the mailing occurs, (C) that he or she is over the age of 18 years and not a party to the cause, (D) that he or she is readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service, (E) that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business, (F) the name and address of the person served as shown on the envelope, and the date and place of business where the correspondence was placed for deposit in the United States Postal Service, and (G) that the envelope was sealed and placed for collection and mailing on that date following ordinary business practices. Service made pursuant to this paragraph, upon motion of a party served, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained in the affidavit.

NOTE FROM ED (Service would be presumed invalid under this section because of your employee vacation issue. I would recommend dismissal of the citation rather then have it raised in court).

(4) In case of service by the clerk of a court of record, a certificate by that clerk setting forth the exact title of the document served and filed in the cause, showing the name of the clerk and the name of the court of which he or she is the clerk, and that he or she is not a party to the cause, and showing the date and place of deposit in the mail, the name and address of the person served as shown on the envelope, and also showing that the envelope was sealed and deposited in the mail with the postage thereon fully prepaid. This form of proof is sufficient for service of process in which the clerk or deputy clerk signing the certificate places the document for collection and mailing on the date shown thereon, so as to cause it to be mailed in an envelope so sealed and so addressed on that date following standard court practices. Service made pursuant to this paragraph, upon motion of a party served and a finding of good cause by the court, shall be deemed to have occurred on the date of postage cancellation or postage meter imprint as shown on the envelope if that date is more than one day after the date of deposit for mailing contained in the

certificate.

HISTORY:

Added Stats 1931 ch 739 § 3. Amended Stats 1953 ch 1110 § 1; Stats 1955 ch 779 § 1; Stats 1959 ch 345 § 1; Stats 1972 ch 601 § 3, ch 1083 § 1; Stats 1973 ch 302 § 1; Stats 1974 ch 282 § 3, effective May 28, 1974; Stats 1980 ch 196 § 3; Stats 1987 ch 190 § 24; Stats 1988 ch 160 § 18; Stats 1995 ch 576 § 4 (AB 1225).

NOTES:

AMENDMENTS:

1953 Amendment:

Prior to 1953 the section read: "Proof of service by mail may be made by affidavit affixed to the original, or to a true copy, of the document served and filed in the cause, showing the name and residence or business address of the person making the service, showing that he is a citizen of the United States and resident in the county where the mailing occurs, that he is over the age of 18 years and not a party to the cause, and showing the date and place of deposit in the mail, the name and address of the person served as shown on the envelope, and also showing that the envelope was sealed and deposited in the mail with the postage thereon fully prepaid, and that there is delivery service by United States mail at the place so addressed, or that there is regular communication by mail between the place of mailing and the place so addressed."

1953 Amendment added "or employed" before "in the county where the mailing occurs."

1955 Amendment:

Amended the section to read: "Proof of service by mail may be made by one of the following methods:

- "(1) An affidavit affixed to the original, or to a true copy, of the document served and filed in the cause, showing the name and residence or business address of the person making the service, showing that he is a citizen of the United States and resident or employed in the county where the mailing occurs, that he is over the age of 18 years and not a party to the cause, and showing the date and place of deposit in the mail, the name and address of the person served as shown on the envelope, and also showing that the envelope was sealed and deposited in the mail with the postage thereon fully prepaid.
- "(2) A certificate affixed to the original, or to a true copy, of the document served and filed in the cause, showing the name and business address of the person making the service, showing that he is an active member of the State Bar of California and is not a party to the cause, and showing the date and place of deposit in the mail, the name and address of the person served as shown on the envelope, and also showing that the envelope was sealed and deposited in the mail with the postage thereon fully prepaid."

1959 Amendment:

Added subd (3).

1972 Amendment:

(1) Deleted "citizen of the United States and" before "resident" in subd (1); and (2) added "of" after "resident" in subd (1). (As amended Stats 1972 ch 1083, compared to the section as it read prior to 1972. This section was also amended by an earlier chapter, ch 601. See Gov C § 9605.)

1973 Amendment:

Added (1) "(a)" at the beginning of the section; and (2) subd (b).

1974 Amendment:

Deleted (1) "(a)" at the beginning of the section; and (2) former subd (b) which read: "Every copy served pursuant to this section shall bear a notation of the date and place of its mailing, or be accompanied by an unsigned copy of the affidavit or certificate of mailing."

1980 Amendment:

(1) Substituted "setting forth the exact title" for "affixed to the original, or to a true copy," near the beginning of subds (1) and (2); (2) added "or she" after "he" wherever it appears; and (3) substituted "that clerk setting forth the exact title" for "said clerk affixed to the original, or to a true copy" after "a certificate by" in subd (3).

1987 Amendment:

(1) Added subd (3); and (2) redesignated former subd (3) to be subd (4).

(NOTE FORM ED 1987 added the regular business service.)

1988 Amendment:

Routine code maintenance.

1995 Amendment:

Added the second and third sentences of subd (4).

NOTE-

Stats 1973 ch 302 provides:

SEC. 2. In enacting this act, the Legislature hereby determines and finds that any duties, obligations or responsibilities imposed on local government are minor in nature and do not result in a significant new program for local government or a significant increase in level of service of an existing mandated program, and no additional economic burden or cost is intended to be imposed hereby. Therefore, there are no state-mandated costs in this act which require reimbursement under Section 2164.3 of the Revenue and Taxation Code.

CROSS REFERENCES:

Use of affidavit to verify service: CCP § 2009.

COLLATERAL REFERENCES:

Cal Forms Pl & Practice (Matthew Bender) ch 15 "Affidavits, Certificates, and Declarations," ch 440 "Probate (Pts IX, XXIII, XXVII)," ch 518 "Service of Summons and Papers" §§ 518.35,518.36.

Matthew Bender(R) Practice Guide: California Pretrial Civil Procedure, 27.07, 27.26, 27.31, 27.32, 27.50-27.52.

Cal Jur 3d (Rev) Process, Notices, and Subpoenas § 97.

FORMS:

See also forms set out below, following Notes of Decisions.

LAW REVIEW ARTICLES:

Changes made by 1955 amendment. 29 SCLR 103.

ANNOTATIONS:

Effort of plaintiff or plaintiff's agent for service of process as constituting or supporting finding of "good cause," under Rule 4(j) of Federal Rules of Civil Procedure, for failure to timely serve process upon defendant. 111 ALR Fed 503.

NOTES OF DECISIONS

- 1. In General
- 2. Jurisdiction Not Dependent on Proof of Service
- 3. Compliance with Statutory Requirements
- 4. Receipt of Notice; Presumptions and Burden of Proof
- 5. --Effect of Failure to Receive
- 6. Particular Circumstances

1. In General

An affidavit of service of notice by mail not showing the name and address of the party serving, the name and address of the party served, and the residence or place of business, or post office address, is insufficient to give the court jurisdiction to enter a default judgment. Carlon v Gray (1935) 10 Cal App 2d 658, 52 P2d 966 (disapproved on other grounds by Barquis v Merchants Collection Asso., 7 Cal 3d 94, 101 Cal Rptr 745, 496 P2d 817).

The provisions of Code Civ Proc, § 1013a, providing methods by which proof of service may be made, are not exclusive and do not forbid the method adopted by the Workmen's Compensation Appeals Board for proof of service in Calif Admin Code, tit 8, § 10520, providing that proof of service may be made by indorsement on the document served, setting forth the fact of service on the persons listed on the official address record on the date of service and stating whether such service was made personally or by mail, the date of service, and the signature of the person making the service. Cavanaugh v Workmen's Compensation Appeals Board (1967, 4th Dist) 255 Cal App 2d 181, 62 Cal Rptr 871.

A "paper to bring a party into contempt" which, under CCP § 1016, is specifically made not subject to the notice, filing and service provisions of former CCP §§ 1010-1015, refers to a paper commanding an initial appearance, before the person to be made a defending litigant has an attorney of record; such a paper must have generally been served on a defendant personally, in accordance with former CCP § 411, as in the case of serving a summons. In re Morelli (1970, 2nd Dist) 11 Cal App 3d 819, 91 Cal Rptr 72.

A claim for malpractice was timely filed on defendant county in compliance with Gov C § 911.2, requiring presentation within 100 days (now no later than one year) after accrual, although it was actually received after the 100th day, where the claim was duly mailed on the 100th day by certified mail, return receipt requested, and where by virtue of Gov C § 915.2, the claim would be deemed to have been presented and received at the date of mailing. Thus, a trial court erred in denying a motion to vacate and set aside an order of dismissal, based on an alleged failure to file a timely claim, reasoning incorrectly that noncompliance with CCP § 1013a, precluded the application of Gov C § 915.2, since § 1013a merely provides how date of mailing may be proved rather than establishing when notice shall be deemed to have been presented and received. Call v Los Angeles County General Hospital-USC Medical Center (1978, 2nd Dist) 77 Cal App 3d 911, 143 Cal Rptr 845.

In a civil action in which the trail court issued a tentative decision, the period for requesting a statement of decision ran, not from the date on which the court's mailing envelope was postmarked, but from the date of the court's filing and proof of service of the tentative decision. Service by mail is normally deemed complete at the time of deposit (Code Civ. Proc., § 1013, subd. (a)). Because the date of postage cancellation was only one day after the date of deposit for mailing shown on the proof of service, it could not be deemed the actual date of service under Code Civ. Proc., § 1013a, subd. (4), which makes an exception when the date of postage cancellation or postage meter imprint as shown on the envelope is more than one day after the date of deposit for mailing contained in the certificate. Staten v Heale (1997, 3d Dist) 57 Cal App 4th 1084, 86 Cal Rptr 2d 35.

It is the fact of proper service and not the proof of the fact which gives a court jurisdiction, so that, when the facts conferring jurisdiction exist, but the record of them by way of return is defective, great liberality is allowed in permitting amended returns to be filed; as such amendments affect the record, they may not be made as matter of course, but under permission of the court in the exercise of a sound discretion. Morrissey v Gray (1911) 160 Cal 390, 117 P 438

Where the order for the publication of summons on a nonresident defendant in a divorce action directs that, in addition to the publication thereof, a copy of the complaint and summons be mailed to the defendant at his last known place of residence as set forth in plaintiff's affidavit for publication, and such order is complied with, but no affidavit of mailing is made or filed, a recital in the interlocutory decree granted after the entry of the defendant's default "that summons had been served upon the defendant by publication in the manner, and for the period of time required by law," is consistent with the facts; and, on a motion by the defendant to vacate and set aside his default on the ground that the court never required jurisdiction of his person, the court has authority to permit the filing of the affidavit of mailing in support of the service; in such a case, jurisdiction of the person of the defendant does not depend on the proof of service, but on the fact that service has been made; and the affidavit of service, although filed subsequent to the entry of the decree, supports such decree as fully as though of record before its entry. Lindley v Lindley (1920) 49 Cal App 631, 194 P 85.

Jurisdiction does not depend on the proof of service, but on the fact that service has been made. Vail v Jones (1930) 209 Cal 251, 287 P 99.

It is the fact that service of process or notice was made, rather than the proof of service, that vests the court with jurisdiction to act. Otsuka v Balangue (1949) 92 Cal App 2d 788, 208 P2d 65.

It is service of notice of trial on absent adverse party that vests court with jurisdiction to proceed to trial, not proof of service of notice of trial on absent party. San Francisco v Carraro (1963, 1st Dist) 220 Cal App 2d 509, 33 Cal Rptr 696.

3. Compliance with Statutory Requirements

In making service by mail of an amended complaint, in order to show jurisdiction to proceed in the case strict compliance must be had with §§ 1012, 1013, and this section, and it must appear in the affidavit of service that the pleading was sent to the office or residence address of the person to be served. Carlon v Gray (1935) 10 Cal App 2d 658, 52 P2d 966 (disapproved on other grounds by Barquis v Merchants Collection Asso., 7 Cal 3d 94, 101 Cal Rptr 745, 496 P2d 817).

In proving service by mail, strict compliance must be had with this section. Marsden v Collins (1937) 23 Cal App 2d 148, 72 P2d 247.

Proof of service of notice by mail should show compliance with the conditions of its existence, and show that notice properly addressed, with postage prepaid, was duly deposited in the mail. Johnson v Barreiro (1943) 59 Cal App 2d 213, 138 P2d 746.

In making service by mail there must be strict compliance with this section. Forslund v Forslund (1964, 1st Dist) 225 Cal App 2d 476, 37 Cal Rptr 489.

A successful service by mail requires strict compliance with the statute. (Code Civ Proc, §§ 1012, 1013, 1013a.) Valley Vista Land Co. v Nipomo Water & Sewer Co. (1967, 2nd Dist) 255 Cal App 2d 172, 63 Cal Rptr 78.

It is necessary to serve notice on the party himself in order to modify a judgment or order after the final decree of dissolution has been entered (former

CC § 4809, see now Fam C § 215). Such notice may be by mail under CCP § 1013, which does not require the mail be certified or sent with return receipt requested. However, it does require proof of service including an affidavit detailing how and when service was attempted (CCP § 1013a). Courts require strict compliance with the sections and failure to comply deprives the court of jurisdiction. West v West (1979, 4th Dist) 92 Cal App 3d 120, 154 Cal Rptr 667.

Notice to a former husband living in California of a hearing to modify an English divorce with respect to spousal and child support was ineffective where there was no allegation service was acknowledged or the registrar made inquiry as required by British law, and where there was no evidence the notice was accompanied by an affidavit detailing how and when service was attempted as required by Code of Civil Procedure, § 1013a. West v West (1979, 4th Dist) 92 Cal App 3d 120, 154 Cal Rptr 667.

A successful service by mail requires strict compliance with the statute. Thus, effective service requires strict compliance with CCP §§ 1012, 1013, and 1013a. Silver v McNamee (1999, 4th Dist) 69 Cal App 4th 269, 81 Cal Rptr 2d 445, 279.

4. Receipt of Notice; Presumptions and Burden of Proof

Where an affidavit of one party recites that papers were "deposited in the mail" in a certain city, addressed to the other party's attorneys at their offices in another city, it will be presumed that they were received by the addressees in the regular course of mail. Otsuka v Balangue (1949) 92 Cal App 2d 788, 208 P2d 65.

Burden is not on sender to show that notice served by mail was actually received by addressee. Caldwell v Geldreich (1955, 4th Dist) 137 Cal App 2d 78, 289 P2d 832.

In absence of affidavit or other affirmative proof to contrary, it must be presumed that notice of entry of judgment mailed to addressee residing in same city as where mail was received by him on following day. Fritz v Foote (1958, 1st Dist) 162 Cal App 2d 622, 328 P2d 522.

After granting a petition for a writ of mandate upon defendant's failure to appear at the hearing, the trial court erred in denying defendant's motion under Code Civ. Proc., § 473, to set aside the judgment on the ground that defendant had not received actual notice of the hearing. The only evidence that notice had actually been received was a proof of service declaration pursuant to Code Civ. Proc., § 1013a, subd. (3) (proof of service by mailing in ordinary course of business). This declaration created a rebuttable presumption that the notice had been received (Evid. Code, § 641), but, upon presentation of defendant's evidence of no actual notice, which consisted of six declarations that were neither impeached nor contradicted, the presumption ceased to exist (Evid. Code, § 604). Since, in the face of defendant's declarations, any inference that notice had actually been received would have been, as a matter of law, inappropriate, the trial court's denial of defendant's motion was a clear abuse of discretion. Bonzer v City of Huntington Park (1993, 2nd Dist) 20 Cal App 4th 1474, 25 Cal Rptr 2d 278.

Property owners' action against a county for damages caused by the county's roadside drainage system was properly shown to have not been commenced timely pursuant to Gov C §§ 913, 915.2, and 915.4 and CCP § 1013a because a declaration of an assistant claims manager and of an office technician for the county established the date of the mailing of a notice of rejection to the owners, because proof of service by mail did not require personal knowledge of the date, and because it was enough for an individual to testify to the county's business practice for collecting and processing outgoing mail. Katelaris v County of

5. -- Effect of Failure to Receive

Mere fact that person to be served with document may not have received it through mail does not establish that affidavit of mailing is false. Miller v Cortese (1955, 2nd Dist) 136 Cal App 2d 47, 288 P2d 297.

The mere fact that a notice of entry of judgment alleged to have been served by mail was not received by the person to whom it was sent or that it was lost in the mail or misplaced would not support a finding that an affidavit of mailing the notice is false or fraudulent. Caldwell v Geldreich (1955, 4th Dist) 137 Cal App 2d 78, 289 P2d 832.

6. Particular Circumstances

Where the affidavit of service by mail of notice of intention to move for a new trial on behalf of the plaintiff, set forth the San Francisco office addresses of the attorneys for the defendants, and that the affiant mailed copies of the notice to said attorneys by inclosing the same in sealed envelopes with proper postage prepaid, addressed to said attorneys, naming them, at their San Francisco offices, and that there was a regular mail delivery in that city, the affidavit was legally sufficient under the 1931 amendment to CCP § 1012. Leplat v Raley Wiles Auto Sales (1944) 62 Cal App 2d 628, 145 P2d 350.

Certificate of mailing showing that notice of entry of judgment was mailed in certain city on December 27 of designated year, in envelope addressed to counsel of party to be served at his office in same city, was adequate proof of service, and showed that such party's time to institute new trial proceedings began to run on December 28, and where that day was not holiday it must also be deemed to be day on which he received notice of entry. Fritz v Foote (1958, 1st Dist) 162 Cal App 2d 622, 328 P2d 522.

With regard to single certificate of mailing showing mailing of both entry of judgment and costs bill on December 27 of certain year, fact that costs bill bore notary jurat dated December 28 did not show that such bill could not have been mailed on December 27, where it was possible that copy of costs bill, original of which was not filed until December 31, was mailed before it was sworn to. Fritz v Foote (1958, 1st Dist) 162 Cal App 2d 622, 328 P2d 522.

Order modifying prior custody award was not void for lack of jurisdiction over plaintiff, custodial parent, where plaintiff, his attorney of record and county clerk were personally served in state by mail, within the meaning of § 1011, with copies of order to show cause why prior custody award should not be modified and affidavit in support thereof, where certificate showing such service were in strict compliance with §§ 1012-1013a, where no showing was made that plaintiff was not California resident and no proceedings were taken by him to overcome effect of such certificates of mailing, and where, although plaintiff appeared in propria persona at earlier custody hearing, nothing in record showed discharge or substitution of his attorney of record. Forslund v Forslund (1964, 1st Dist) 225 Cal App 2d 476, 37 Cal Rptr 489.

Where record as to service of notice of Industrial Accident Commission's original order for disability award showed only notation "Parties Served 11/22/63 AY." there was total failure to comply with requirements of this section and § 1013 for service of notice of award on employer. Bethlehem Steel Co. v Industrial Acci. Com. (1964, 2nd Dist) 227 Cal App 2d 781, 39 Cal Rptr 41. On appeal from an order granting a new trial, a deficiency in the record, in

that the transcript contained neither a copy of the clerk's notice of hearing for a new trial nor a copy of the certificate of service, was immaterial where the transcript recited that on a certain date counsel were notified by U. S. mail of the hearing set for a specified time and date. Jones v Evans (1970, 2nd Dist) 4 Cal App 3d 115, 84 Cal Rptr 6.

The record in a divorce proceeding clearly showed that the mother of a minor child who resided in Kingman, Arizona, was properly notified of a hearing on January 10, 1973, on the father's order to show cause why custody of the child should not be transferred to him, where proof of service by mail by deposit thereof pursuant to Code Civ. Proc., § 1013, was filed by the father showing service on December 27, 1972, as to the mother, and on December 28, 1972, as to her attorney, and such service complied with the requirements of Code Civ. Proc., § 1013a, where there was nothing affirmatively showing that the mother did not actually receive the order to show cause with ten days' notice, where it was clear that her counsel did have it within that time, and where, aside from the fact that time begins to run from deposit in the mail, in-court statements of the mother's counsel made on January 10 suggested that she actually received her copies before January 2. Parker v Parker (1974, 2nd Dist) 43 Cal App 3d 610, 117 Cal Rptr 707.

Plaintiff's "proof of service by mail" attached to his notice of entry of judgment in a slander action showed compliance with the requirements of Code Civ. Proc., §§ 1013, 1013a, that a document served by mail be "addressed to the person on whom it is to be served, at this office address as last given by him on any document which he has filed in the cause and served on the party making service by mail" and that the proof of service by mail show the "place of deposit in the mail," even though defense counsel had supplied his suite number in a named building in addition to the street, city address, and zip code on documents served on plaintiff, and plaintiff's declaration of proof of service did not contain the room number and building name, and gave as the place of mailing only the name of a city without indicating a specific mailbox. The required "strict compliance" with the statutes is satisfied by substantial, without literal, compliance, and, in light of the fact that the record showed that counsel for defendant admitted that his office received a copy of the notice of entry in the mail, defendant's entire argument that the notice was defective was hypertechnical. Douglas v Janis (1974, 2nd Dist) 43 Cal App 3d 931, 118 Cal Rptr 280.

SUGGESTED FORMS

Affidavit of Service by Mail Attorney's Certificate of Service by Mail Affidavit of Service by Placement with Business for Deposit with Postal Service

AFFIDAVIT OF SERVICE BY MAIL

[Title of Court and Cause]
State of California
 ss.
County of ----

- I, ---- , being first duly sworn, depose and state:
- 1. I am a citizen of the United States and ---- [a resident of or am employed in] the County of ----, State of California. I am over the age of 18 years, and not a party to the above-entitled cause. My address is ----
- 2. I served the foregoing ---- by depositing a true copy thereof in the United States Mails in ---- , State of California, on ---- , ----,

inclosed in a sealed envelope, with the postage fully prepaid, addressed as follows: ----- .

[Signature]

[Jurat]

ATTORNEY'S CERTIFICATE OF SERVICE BY MAIL

[Title of Court and Cause]

I, ---- , hereby certify as follows:

I am an active member of the State Bar of California and am not a party to the above-entitled action. My business address is ---- . I served the foregoing ---- by depositing a true copy in the United States Mail in ---- , State of California, on ---- , ----, inclosed in a sealed envelope with the postage fully prepaid, addressed as follows: ---- .

[Signature]

[Jurat]

AFFIDAVIT OF SERVICE BY PLACEMENT WITH BUSINESS FOR DEPOSIT WITH POSTAL SERVICE

[Title of Court and Cause] State of California County of -----

I, ----, being first duly sworn, depose and state:

- 1. I am a citizen of the United States and ----- [a resident of or am employed in] the County of -----, State of California. I am over the age of 18 years, and not a party to the above-entitled cause. My business address is -----
- 2. I am familiar with the practice of ----- [name of business] for collection and processing of correspondence for mailing with the United States Postal Service. It is the practice that correspondence is deposited with the United States Postal Service the same day it is submitted for mailing.

 3. I served the foregoing ----- [name of document] by placing a true copy for collection and mailing, in the course of ordinary business practice, with other correspondence of ----- [name of business], located at ----- [address of business], on ------ [date], enclosed in a sealed envelope, with the postage fully prepaid, addressed as follows: -----.

[Signature]

[Jurat]

(NOTE FROM ED (We are immediately changing our proof of service statement to comply with the above, as it is more versital and does not require the employee of TSS to actually go to the US Post Office or US Mail Box to deposite the documents.)

Source: Legal > States Legal - U.S. > California > Statutes & Regulations

> CA - Deering's California Codes Annotated - Selected Documents

Terms: 1013a (Edit Search)

View: Full

Date/Time: Wednesday, January 5, 2005 - 12:49 PM EST

About LexisNexis | Terms and Conditions

Copyright $\ensuremath{\texttt{©}}$ 2005 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.