

Except it didn't work. Warner/Chappell's sweetheart deal abruptly ended last year on September 22, 2015 when Judge George H. King of the U.S. District Court in Los Angeles invalidated Warner/Chappell's copyright filing. The two songs were different, the judge explained, so Warner/Chappell cannot transfer its expiring "Good Morning to All" copyright to the newer birthday version. So now, the song is in the public domain: "Happy Birthday" belongs to the ages.

Pentecost is the day the church of Jesus Christ entered the public domain, and it's today that we can also say to the church, "Happy birthday to you!" Until Jesus' little band of disciples experienced the descending dove, the tongues of fire, and the babble of ecstatic voices they weren't ready for prime time. Their faith was exclusive and private; but after those remarkable events their old song suddenly became new.

The Pentecost miracle could easily not have happened at all. After Jesus' crucifixion, the disciples scattered like roaches scurrying to the four corners of a room when the lights go on; but they didn't go far, and the good news of Easter gathered them once again, to enjoy a few brief weeks of wonder in the presence of their risen Lord.

Then there was the Ascension of Jesus into heaven. That experience made a mighty satisfying bookend for their years of wandering the countryside. No one would have blamed them if they'd simply turned around and returned home after all that. Were it not for the miracle of Pentecost, the church might never have come to be.

Without Pentecost, more than a few of them would have come, eventually, to regard the ascension as something like a graduation: the disciples would have signed each other's yearbooks, vowed undying friendship, hugged one another, and then gone their separate ways. Had that occurred, the gospel message would have remained under copyright: a quirky tale that meant a great deal to the disciples, but with little impact on anyone else. But with the roaring wind and the tongues of fire, everything's different. The disciples are now apostles

with a story that belongs to the world, it's entered the public domain, and it begins to spread throughout the world.

Which brings us to today, and a question: What about us? We each have our own faith stories, based on our own spiritual experiences, and for many of us the subject of our relationship with God seems intensely private. We'd like to imagine that faith is a private matter, but after Pentecost, it can never really be that way.

The work of the Holy Spirit is to loose God's people on the world to witness to the good news of Jesus Christ. We aren't meant to hum our hymns quietly under our breath: the resounding strains of Christian praise are meant to echo off the walls of cities and towns large and small, on every continent. "The church exists for mission," theologian Emil Brunner famously remarked, "as a fire exists for burning." The good news is not ours exclusively: it is meant to be shared.

In 1955, famed TV newsman Edward R. Murrow interviewed Jonas Salk, inventor of the first vaccine for infantile paralysis, or polio. Until that time, polio had been a dreaded scourge, striking down teenagers and young adults at the prime of their lives. Some survivors spent the rest of their lives lying on their backs in "iron lungs," crude respiratory machines that did their breathing for them. Others, like President Franklin D. Roosevelt, lost forever the ability to walk.

But then came Dr. Salk with his miraculous vaccine. It was cheap, easy to produce and so effective, it promised to rid the world of polio (which it soon did). It was during the first rush of enthusiasm for the new treatment that Murrow interviewed Salk. "Who owns the patent on this vaccine?" the reporter asked.

"Well, the people, I would say," replied Dr. Salk. "There is no patent. Could you patent the sun?" Dr. Salk could have been a very rich man, had he successfully applied for a patent on his vaccine, but he decided against it. Some claim that such an application would have been inadmissible on legal grounds, but even so, Salk never attempted it. A

patent would have slowed down production. A patent would have hiked the medicine's price out of reach of some of the poorest people it intended to help. A patent would have meant more young people dying of the disease, or being permanently paralyzed.

"Could you patent the sun?" No more than we can confine the good news of Jesus Christ. The apostles realized this in a powerful way on the day of Pentecost. The question is: do we still believe it? As we sing "Happy Birthday" to the church today, will we ask ourselves what more we can do to let the world know the good news about Jesus and his gospel of grace? The Church has a really great song to sing, a song that will change the world, if there are enough singers willing to lift their voices. Let's sing "Happy Birthday" to God's church!

Prayer: Gracious God, what a gift it is to be your church. We do not take this role lightly. We need unity; we need your guidance; we want to represent you well to a broken world. Thank you for rooting us in Christ, and gifting us with the Holy Spirit. Open our eyes to the Spirit's presence. When the church fails, give us grace. When we succeed, may we give you all the glory. May all that we do and say be only for your sake and for the greatness of your name. We are your church. Amen.

**Source:** Sisario, Ben. "'Happy Birthday' copyright invalidated by judge." *The New York Times*, September 22, 2015. nytimes.com. Retrieved November 30, 2015.

# Happy Birthday to You, Church!

**Pentecost Sunday, May 15, 2016**

**The Federated Church, Fergus Falls, MN**

## ***Acts 2:1-21***

There is a Swedish proverb that says: "Those who wish to sing always find a song." Singing is universal: every people, every culture, every nation sings. There are even some songs that find their way into the national consciousness. We have many common tunes in the American repertoire: "The Star Spangled Banner" is one such song; "Take Me Out to the Ball Game" is another. Every school student learns "Yankee Doodle," and everyone (I mean everyone) knows the little ditty, "Happy Birthday to You." Four simple lines, three of them exactly the same, which just may be the most universally recognized song in the world; an American song that is now sung in 18 languages worldwide.

One thing you may not know about "Happy Birthday to You" is who composed it: Mildred Hill and her sister Patty, a Kentucky kindergarten teacher, published the tune in 1893. Originally titled "Good Morning to All," the sisters intended it as a cheery way to start the school day. Early in the 20<sup>th</sup> century, someone thought up the "Happy Birthday" version, and the new song became an instant classic.

Until last year the song was under copyright to Warner/Chappell Music who bought the rights from the original publisher in 1935. Knowing a good thing when they had it, Warner/Chappell held the "Good Morning to All" copyright until it expired, and then tried to renew the copyright based on the date "Happy Birthday to You" first appeared in print (1912). It was a slick legal move, resetting the copyright-expiration clock for a few more years, and enabling Warner/Chappell to keep raking in the royalties from anyone who used the song in a commercial setting: film studios, radio and TV stations, other music companies and restaurants.