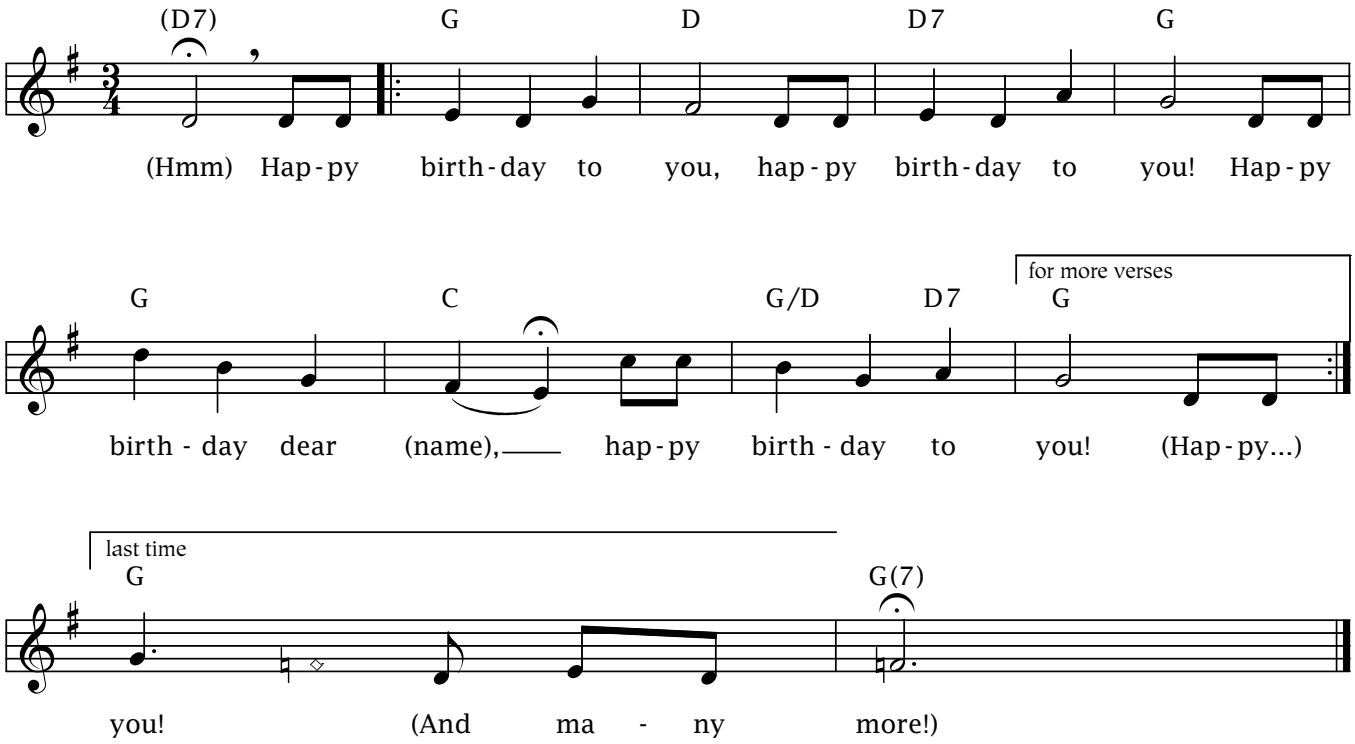
Happy Birthday To You

Patty Hill and Mildred J. Hill, published 1893



The history of this song is inextricably bound to the history of copyright law in the United States. Patty Hill (schoolteacher) and her sister Mildred Hill (pianist and composer) first paired this tune with these lyrics, as a second verse of the song "Good Morning to All," which they introduced to Patty's kindergarten students in Kentucky. They subsequently published the song in their Song Stories for Kindergarten in 1893. (Many similar "greeting" songs had been in print in the US since at least 1858, but with different melodies.) Piano arrangements of the song, and a generally unused second verse, were published and copyrighted by the Summy Company in 1935, crediting Preston Ware Orem as the composer-for-hire and Mrs. R. R. Forman as the lyricist-for-hire. (The Summy Company had previously published "Good Morning to All.")

In 1957 the Summy Company was acquired by the C. C. Birch Company, which in the 1970s became part of Birch Tree Group Limited, which was subsequently purchased by Warner/Chappell Music in 1988 (for $28 million). Warner/Chappell insisted on its copyright of "Happy Birthday To You" and collected royalties on the song's use, amounting to nearly $2 million annually by 2008.

A class-action lawsuit was filed against Warner/Chappell in 2013 by documentary filmmaker Jennifer Nelson, contesting their copyright ownership of the song. On September 22, 2015, federal judge George H. King ruled that Warner/Chappell's copyright claim was invalid (their 1935 copyright applied only to a specific piano arrangement, not the tune or the lyrics). While the decision was widely interpreted as placing the song in the public domain, in fact it only established that Warner/Chappell failed to prove they held copyright of the tune and lyrics; since no one else has claimed historical ownership, the song has been characterized as *effectively* being in the public domain.

Quite apart from all this, in the European Union the song will officially enter the public domain after 12/31/2016 (copyright there lasts the lifetime of the author plus 70 years, and the last surviving author Patty Hill died in 1946).

The "many more" tag, and various other verses, are folkloric additions and not part of the original song.