# MUSIC BUSINESS INSTITUTE

# CUTTING EDGE MUSIC BUSINESS CONFERENCE & EVENTS

## CUTTING EDGE ENTERTAINMENT LAW SEMINAR

**Making The Deal**

# Strategies, Tactics, and Winning Techniques

# New Trends and Hot Topics of Music, Film and Interactive Contracts

## Including…

**Publishing, Copyrights and Trademark Update**

**Other visual medias (TV, Video games, Internet, Advertising, etc.)**

**August 27 – 29, 2015**

**Marriott at the Convention Center**

**New Orleans**

Application for Accreditation of CLE Activity

**By Non-Presumptive Sponsor**

**Overall objective and purpose of the program**

The overall objective and purpose of the program is to present an organized, comprehensive presentation of the major aspects of the legal entertainment industry commencing with basic and fundamental matters which are generally applicable to attorneys who become involved in agreements with the representation of musicians and music businesses and the formation of their business organizations. Continuing with the particular technicalities of the copyright law, music publishing, recording, production agreements and distribution of digital recording through the Internet. Significant time is committed to litigation of entertainment issues. The program’s speakers will include a host of nationally recognized; full time, seasoned entertainment attorneys who have experience in giving similar presentations and will assist with the presentations with the preparation of course materials for the conference.

The program will feature fourteen individual sessions, logically organized to allow both novice and established entertainment law practitioners to participate and obtain meaningful insight into the legal aspects of the music and film entertainment industries.

CUTTING EDGE ENTERTAINMENT LAW SEMINAR

Sessions: Day 1

**Thursday, August 27, 2015**

1. **9:00 – 10:00 am Professionalism – The Ornery Adversary [Legal/CLE 1 cr. hr]** What do you do when the attorney on the other side is being unprofessional, or nasty, or simply impossible? What do you do when you have an adversary who stalls, doesn’t return calls, or simply delays matters? How do you get the most out of your negotiation? How do you save a deal from going south? **(1.0 cr. hr.)**

**Speakers:**

**Vernon P Thomas, Esq.,** New Orleans, LA

**Judith DeFraites, Esq.,** New Orleans, LA

**David Dalia, Esq.**, New Orleans, LA

1. **10:15 – 12:00 pm “STOP! Don’t sign that contract” Pitfalls of Recording, Film and Management Agreements.** A review of important negotiation techniques to help attorneys and music executives protect their clients and companies in a music world of visual medias (Film, TV, Advertising, Theatrical Trailers, Video Games, etc.). Covering essential clauses and transactional issues when considering Double Dipping/360 Deals/Revenue Sharing/Global Rights Deals/Double Distribution Fees (1.75 cr. hrs.)

**Speakers:**

**Marc Stollman, Esq.,** Stollman Law, Boca Raton, FL

**Sabrina Ment, Esq.,** LaPolt Law, Los Angeles, CA

**Edgar “Dino” Gankendoff, Esq.,** Provosty & Gankendoff, LLC, NOLA

**Michael Frisch, Esq.,** Shukat Arrow Hafer Weber & Herbsman, NYNY

**12 Noon Lunch**

1. 2:00 – 3:15 pm Hot Issues in Copyrights, Trademarks, Patents and the Business Issues in Making a Deal for New Technology Entrepreneurs. (1.0 cr. hr.) **Copyright Reform, Termination Rights, possible Trademarks infringement in mobile technology, social media, 3-D printing and the America Invent Act effects on music producer, filmmakers,** **Videogames, apps and software developers – who are the parties, User-Generated Content ownership concerns and the Digital Millennium Copyright Act.**

Speakers:

Jay Rosenthal, Esq., **Mitchell Silberberg & Knupp, Washington, DC**

Scott Keniley, Esq., **Keniley Kumar, LLC, Atlanta, GA**

Stephanie Adward, Esq., **Furgang Adwar, NYNY**

**David S Lessoff, Esq.,** Manatt, Phelps & Phillips, Los Angeles, CA

1. **3:15 – 4:15 pm Damage Control: Representing Athletes and Celebrities in the Media, and the Courtroom [1.0 cr. hr]** The discussion will center on the analysis of the legal issues representing athletes and entertainers in contract negotiation and when there is a crisis and representation is needed with the media and in the court room. The panel will also cover changes in legal business issues under various collective bargaining agreements.

**Speakers:**

**Darryl Cohen, Esq.** Cohen, Cooper Estep & Allen, Atlanta, GA

**Michelle LaMont, LaMonte PR,** Dallas, TX

**Terrel Broussard, Esq.,** Mongomery Barnett, LLP, New Orleans, LA

**Brian Caplan, Esq.,** Reitler Kailas & Rosenblatt, New Orleans, LA

1. **4:30 – 5:45 pm Music and Beer: Getting Booked! Reviewing Booking Agreements to Protect Clients Rights in Content generated from LIVE Performances (1.5 cr. hr.)** Panelists will review important points in booking agreements covering digital content generated (YouTube, live CDs, etc.) and discuss the uses of content generated from performing in nightclubs, festivals and concert venues, the rights of the venue, the artist, and the record.

**Speakers:**

**Wallace Collins, Esq.** NYNY

**Christian Unruh, Esq.** Miami, FL

**6:00 pm Networking Event**

**Sessions: Day 2**

**Friday, August 28, 2015**

1. **9:00 – 10:15 pm First Amendment Issues in Entertainment Litigation: Review of SLAPP cases and Anti-SLAPP Legislation [Legal/CLE 1.25 cr. hrs] –** Free speech and right to petition are key protections in First Amendment. This panel will cover limits and rights issues express in SLAPP (Strategic Lawsuits Against Participation) claims and what are states doing to protect all parties’ rights.

**Speakers:**

**David Fink, Esq.,** Kelley Drye & Warren LLP, Los Angel

**Brian Caplan, Esq.** Reitler Kailas & Rosenblatt, New Orleans, LA

**Stan Soocher, Esq.** Editor-in-Chief of Entertainment Law & Finance

**Bradley Mullins, Esq.**

1. **10:30 – 11:45 pm Music Licensing- New Deals, Negotiations and $ [Legal/CLE 1.25 cr. hrs]**

Opportunities for music use are at an all time high both in the online/ digital world as well as in traditional media. But with these opportunities has come an increasing complexity in deal structure, negotiations and the end result fees and royalties. This panel will discuss many of these new deals, the strategies being employed, the considerations important to both user and copyright owner, the multiple platforms and distribution channels being requested and the money in initial fees and backend royalties being generated.

**Speakers:**

**Todd Brabec, Esq.,** USC Thornton School of Law, Los Angeles, CA

**Jeffery Brabec, Esq.,** Vice President, BMG Chrysalis, Los Angeles, CA

**Henry Root, Esq.,** Lapidus Root Franklin & Sacharow, LLP, Santa Monica, CA

**David Lessoff, Esq.,** Manatt Phelps & Phillips, LLP, Los Angeles, CA

**12:00 pm**

1. **2:00 – 2:45 pm Keynote Interview [Legal/CLE .75 cr. hrs]**

**Buddy Patrick, Esq.,** President & Founder, Windy Hill Pictures, New Orleans, LA

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Sessions: day3

**Saturday, August 29, 2015**

1. **9:00 – 10:00 am Ethics – Conflict of Interest [Legal/CLE 1 cr. hr]–** Lawyers are often in the position of representing more than one related party to a deal. How attorneys address these conflicts can make the difference between an actionable conflict and an ethically represented deal.

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