**2015 CUTTING EDGE ENTERTAINMENT LAW SEMINAR**

**Making the Deal**

Strategies, Tactics, and Winning Techniques

August 27, 28 & 29, 2015

Location: Marriott at the Convention Center, New Orleans

Changes in areas of Collective Bargaining, Publishing, Copyrights, Trademarks and new Transactional solutions in representing clients makes the Art of the Deal more complex, knowledge is important for making money in today’s music, film and sports industries. Experience is essential for making a deal.

**Approved for 16 hours of Mandatory Continuing Legal Education (MCLE) credits, including 1 hr of Ethics, 1 hr of Professionalism and 1 hr of Legal Practice by the Louisiana Supreme Court MCLE Committee.**

**Thursday, August 27, 2015**

**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

**Lou Illar**, Baton Rouge, LA

**10:15 – 12:00 pm “STOP! Don’t sign that contract” Pitfalls of Recording, Film and Management Agreements.** **[Legal/CLE 1.75 cr. hrs.]** 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

**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

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

**12 Noon Lunch**

**12:45 – 1:45 pm Ask A Lawyer - Legal Mentorship [Legal/Business/CLE – credits applied] –** Law student, new to the practice of law or just have an entertainment law legal question. Find a mentor at this session.

**Mentors:**

**Suzette Toledano, Esq.,** Toledano Entertainment & Arts Law, NOLA

**Jeffrey S Becker, Esq.,** Swanson Martin & Bel, LLP Chicago

**Brandon J Frank, Esq.,** Pro Entertainment Law, New Orleans

**1:30 – 2:30 pm 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.

**Speakers:**

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

**Judy Defraites, Esq.,** New Orleans, LA

**Honorable Nadine Ramsey, Esq.**, Councilmember District C, NOLA

**2:45 – 3:45 pm Damage Control: Representing Athletes and Celebrities in the Media, and the Courtroom [Legal/CLE 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

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

**Sabrina Ment, Esq.,** LaPolt Law

**4:00 – 5:15 pm Music and Beer: Getting Booked! Reviewing Booking Agreements to Protect Clients Rights in Content generated from LIVE Performances [Legal/CLE 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

**John Bradley, Esq.** Bradley Legal Group, Fort Lauderdale, Fl

**﻿Linda Mensch, Esq.**﻿, Of Counsel Bryan Cave, Chicago, IL

**5:30 pm Networking Event**

**Friday, August 28, 2015**

**9:00 – 10:15 am First Amendment and Publicity/Privacy Issues in Entertainment Litigation [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.,** Mitchell Silberberg & Krupp, LLP, Los Angeles

**10:30 – 12:00 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**

**12:45 – 2:00 pm Cutting Edge Entertainment Law Seminar \*\*Special Event\*\* A Keynote Presentation**

**“The Politics of Copyright” – An interview of Jay Rosenthal by Emmanuel Legrand, followed by a discussion on Neighboring Rights: The growth engine of the music industry**

The Interview:

“The Politics of Copyright” - An interview of Jay Rosenthal by Emmanuel Legrand.

“Music Copyright issues are dominating the IP agenda in Washington, D.C.  Political activism in Congress, the Copyright Office, the USPTO, the Justice Department, the FCC, and even the White House, are at a fever pitch – and music issues are at the heart of it all.  This interview with Jay Rosenthal, the former General Counsel at the National Music Publishers’ Association, will provide a roadmap to the issues, the parties, and the politics behind this unprecedented inside-the-beltway phenomenon.”

The Presentation:

“Neighboring rights: The growth engine of the music industry

The business of neighboring rights is the fastest growing segment in the music industry, benefiting performers and owners of sound recordings. Learn more about this $2bn global business with an exclusive presentation of a worldwide report on neighboring rights by Music Week US editor Emmanuel Legrand.

2:00 – 3:15 pm Hot Issues in Copyrights, Trademarks, Patents and the Business Issues in Making a Deal for New Technology Entrepreneurs. [Legal/CLE 1.25 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, Moderator

Stephanie Adwar, Esq., Furgang Adwar, LLP NY NY

**﻿Linda Mensch, Esq.**﻿, Of Counsel Bryan Cave, Chicago, IL

**3:30 – 4:45 pm A Film Deal in a Box Toolkit [Legal/Flim/CLE 1.75 cr. hrs]** Filmmakers and Attorneys will draw from their experience and take the audience step by step on how a deal come together, acquisition of rights, option agreement, copyrights issues, the panel cover production, financing and distribution sources and agreements and problems that can change everything. Included in the discussion will be talent agreements and music rights.

**Speakers:**

**Allen Fredric, Esq.,** Jones Walker, New Orleans, LA, Moderator

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

**David Fink, Esq.,** Kelly Drye, Los Angeles

**Kevin Mills, Esq.,** Kaye & Mills, Los Angeles, CA

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

**4:45 – 5:30 pm Keynote Interview [Legal/Film/CLE .75 cr. hrs]**

**Subject: Trey Burvant**, Director of Operations, Second Line Studios, New Orleans, LA

**Interviewer: Allen Fredric, Esq.,** Jones Walker, New Orleans, LA

**Saturday, August 29, 2015**

**9:00 – 10:15 am Publishing Income Update [Legal/CLE 1.25 cr. hrs]** – What and where are the new sources of income for publishers and how should attorneys advise their clients to avail themselves of these sources. Areas covered include new mechanical streaming, download and locker rates, apps, e-cards, advertising commercials, remixes and samples, interactive dolls and toys, slot machines, digital jukeboxes, live performances and much more.

**Speakers:**

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

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

**Wallace Collins, Esq.,** NYNY

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

**10:20 – 11:35 am The Performance Right- a World in Transition Songs and Sound Recordings- the cornerstone of the worldwide music business. [Legal/CLE 1.25 cr. hrs.]** The Performance Right- responsible for a substantial portion of song and record royalties. This panel will discuss the 3 billion dollar world of ASCAP, BMI, SESAC and SoundExchange and how these organizations generate income for songwriters, recording artists, music publishers and record companies as well as how foreign country performance song and record royalties are handled and distributed. Challenges to these collection societies will also be discussed as well as alternative licensing strategies and the viability of new competing business models and entities.

**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

**11:45 – 12:45 pm Legal Practice Management: Building a Successful Independent Filmmaking- Reality TV Legal Practice [Legal/Film/CLE 1.0 cr. hrs]–** New Orleans has become a hub for the film and TV industry but what does that mean for an attorney and their independent filmmaker client. This panel will walk you through the process of maintaining communication with the filmmaker, the client funds management, making sure filmmaker/client engagement letter are correct. Review user generated content rights and procedures with filmmaker client. Establishing a disbursement system for staff fees payment. Review production agreements, tax credit financing incentives and distribution.

**Speakers:**

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

**Kevin Mills, Esq.,** Kaye & Mills, Los Angeles, CA

**Ellis Pailet, Esq.,** Pailet & Ostendoff LLP, New Orleans, LA

**Christoper Szapary, Esq.,** Provosty & Gankendoff, LLC, NOLA

**1:00 – 1:45 pm – Keynote Speaker [Legal/Business/CLE .75 cr. hrs] – Linda Septien,** Septien Entertainment Group