

SOUTHWESTERN LAW SCHOOL'S
BIEDERMAN ENTERTAINMENT AND MEDIA LAW INSTITUTE
& THE MEDIA LAW RESOURCE CENTER PRESENT
THE 14TH ANNUAL ENTERTAINMENT & MEDIA LAW CONFERENCE

KEEPING THE BEAT IN A CRAZY YEAR: BLURRED LINES AND BORDER CROSSINGS

Thursday, January 19, 2017

CO-SPONSORS

AXIS US Services
Cowan, DeBaets, Abrahams & Sheppard LLP
Davis Wright Tremaine LLP
Fox Networks Group & Fox Group Legal
Fox Rothschild LLP
Frankfurt Kurnit Klein & Selz, PC
Hiscox Media
Jassy Vick Carolan LLP
Jenner & Block LLP
Katten Muchin Rosenman LLP
Kelley Drye & Warren LLP
Leopold, Petrich & Smith PC
Levine Sullivan Koch & Schulz, LLP
QBE Insurance Corporation
Sidley Austin LLP

SOUTHWESTERN LAW SCHOOL'S
BIEDERMAN ENTERTAINMENT AND MEDIA LAW INSTITUTE
& THE MEDIA LAW RESOURCE CENTER PRESENT
THE 14TH ANNUAL ENTERTAINMENT & MEDIA LAW CONFERENCE

KEEPING THE BEAT IN A CRAZY YEAR: BLURRED LINES AND BORDER CROSSINGS

Thursday, January 19, 2017

PLANNING COMMITTEE

David Aronoff, Fox Rothschild LLP

David Cohen, ABC, Inc.

George Freeman, Media Law Resource Center

Jeffrey Hermes, Media Law Resource Center

Tania Hoff, NBCUniversal Television Group

Steven G. Krone, Mitchell Silberberg & Knupp LLP

Robert Lind, Donald E. Biederman Entertainment and
Media Law Institute, Southwestern Law School

Tamara D. Moore, Donald E. Biederman Entertainment
and Media Law Institute, Southwestern Law School

The 14th Annual Entertainment & Media Law Conference

Keeping the Beat in a Crazy Year: Blurred Lines and Border Crossings

CONFERENCE AGENDA

- 1:00 – 2:15 p.m.** **Registration**
- 2:15 – 2:20 p.m.** **Welcome and Introductions**
- 2:30 – 3:50 p.m.** **Does the Song Remain the Same? Stairway to Heaven and Other Recent Music Copyright Battles**

Over the past year or so, the music industry has watched two high-profile copyright infringement cases go to the jury in the *Stairway to Heaven* and *Blurred Lines* trials. Our panel of experienced practitioners – three of whom participated in these trials – will discuss the law and the music theory underlying these cases and the difficulties of presenting them to juries. Among other topics, they will delve into the murky standards for determining substantial similarity in music infringement actions, the differences between composition and sound recording sampling claims, the application of fair use as a defense, the roles of judges, juries, and musicologists in music cases, the challenges in clearing musical pieces that share similar elements, and anticipated future trends in music copyright battles.

Moderator: David Aronoff, Fox Rothschild LLP

Panelists: Peter J. Anderson, The Law Offices of Peter J. Anderson, PC
Dr. Lawrence Ferrara, Professor of Music, New York University
Neville L. Johnson, Johnson & Johnson, LLP
Howard E. King, King, Holmes, Paterno & Soriano, LLP

3:50 – 4:05 p.m. **Break**

4:05 – 5:25 p.m. **China and Hollywood: Distribution and Censorship in a Cross-Pacific Partnership**

The Chinese market has become an inescapable element of the distribution plan for film studios and other content producers. But figuring China into a new production requires adaption (and perhaps censorship) for local expectations, law and culture; interaction with a different distribution network; and other unique challenges not found in other markets. A panel of speakers that have addressed and resolved these challenges will discuss how to think about China – and how China is thinking about the United States entertainment industry as well.

Moderator: Nicholas Francescon, Covington & Burling LLP

Panelists: Mathew Alderson, Harris Bricken
J. Martin Willhite, Legendary Pictures
Sheri Jeffrey, Hogan Lovells

5:25 – 5:40 p.m. Break

5:40 – 7:00 p.m. Hollywood and the Web: An Internet Update

This panel will explore online liability issues that shape Hollywood's relationship with the internet. Among other issues, we will tackle: new challenges facing industry networking websites, including California's recently enacted actor age law and the implications of the Ninth Circuit's *Model Mayhem* Section 230 decision; current issues for right of publicity and trademark claims based on user-generated content; and more.

Moderator: John C. Greiner, Graydon Head & Ritchey LLP

Panelists: Patrick J. Carome, Wilmer Cutler Pickering Hale and Dorr LLP
Jeremy S. Goldman, Frankfurt Kurnit Klein & Selz PC
John Hueston, Hueston Hennigan LLP
Eleanor M. Lackman, Cowan, DeBaets, Abrahams & Sheppard LLP

5:45 – 6:00 p.m. Break

6:00 – 7:00 p.m. The Final Frontier of Fandom: Dealing with Fan-Produced Works

With the advent of digital tools and online marketplaces, fan-created works have evolved to incredible levels of quality, are easily reproduced and distributed worldwide, and may compete with licensed products. But how far does fair use extend, and how do you protect your intellectual property without alienating your biggest fans? We'll explore these and other questions through hypotheticals that will take us into the wilds of fan culture, copyright, and trademark law.

Moderator: David Cohen, ABC, Inc.

Panelists: Eva Feder, Lionsgate Entertainment Inc.
David Grossman, Loeb & Loeb LLP
Professor Betsy Rosenblatt, Whittier Law School and Organization for Transformative Works
Joshua S. Wattles, deviantART, Inc.

7:00 – 8:00 p.m. Reception