



THE STATE BAR OF CALIFORNIA
INTELLECTUAL PROPERTY LAW SECTION
PRESENTS

Earn 6.0
Hours MCLE Credit



INTELLECTUAL PROPERTY IN

Entertainment & Media

JUNE 25, 2009

The Beverly Hills Hotel and Bungalows

9641 Sunset Boulevard
Beverly Hills, California 90210

Tel: +1 310 276 2251

Fax: +1 310 887 2887

www.thebeverlyhillshotel.com

Register Online: www.ipsection.org



co-sponsored by



PROGRAM SCHEDULE

8:00-8:45

Registration

Continental Breakfast provided

8:45-9:00

Welcome & Opening Remarks

9:00-10:15

Approaching Web and Mobile 3.0: IP Issues with Digital Advertising and Marketing

Marketing and promotion in the digital world continue to evolve methods of marketing to, and interacting with, consumers. Social networking, user generated content, mash-ups, online and mobile contests and sweepstakes (including instant win and text to win promotions), widgets, apps, buzz and stealth marketing, online word of mouth, recommendation marketing, sms text, WAP sites, mobile coupons, virtual reality, shareware, blogging, branded online music offerings, advergames, pre-recorded call messaging "games" and other techniques present intellectual property issues and regulatory hurdles that must be addressed.

In this session, the speakers will use examples of these types of marketing techniques, based on real life campaigns on which they have been involved, to illustrate cutting edge digital marketing and promotional practices and their legal implications, including:

- effect of terms of use for third party sites when content provider pushes content to a promotional widget or web app it gave users to install on third party sites;
- IP issues relating to mashups and user generated content campaigns;
- license issues regarding repurposing content for promotional use on web and mobile;
- the effect of using creative commons and open source materials; and
- proper documentation of interactive agency vendor arrangements

MODERATOR: Alan Friel, Partner, Wildman, Harrold, Allen & Dixon LLP

PANELISTS: Joel A. Goldberg, Vice President, Business & Legal Affairs, Fox Interactive Media

Jordan McCollum, Vice President and Counsel, Walt Disney Internet Group

10:15-11:15

Protection and Theft of Ideas

Ideas are not "free as air" in California courts. To the contrary, California provides broad protection of ideas. Idea theft claims are commonplace in the entertainment industry.

This panel will address:

- Numerous forms of idea protection and idea submission law including implied-in-fact contracts
- Claims including breach of contract implied-in-fact, breach of confidence, trade secret misappropriation, conversion, and copyright infringement
- Viable defenses to idea theft claims
- Practical business tips to avoid having your ideas stolen and to prevent against assertion of idea claims against your company

MODERATOR: Rebecca Edelson, Partner, Steptoe & Johnson LLP

PANELISTS: Randall E. Kay, Partner, DLA Piper LLP (US)

David Matlin, Vice President, Legal Affairs, Scripps Networks

11:15-11:30

Break

11:30-12:45

Internet Image: Right of Publicity Issues on the Internet

The Internet has created new business opportunities for rights-holders to exploit celebrity and personal images and names. But the World Wide Web has also opened up rampant means for violating publicity rights. In this session, industry leaders will help you stay abreast of cutting-edge right of publicity issues evolving on the Internet:

- First Amendment and fair use defenses in the Internet and blogging era
- Display of photographs on products by online retailers
- Interplay between right of publicity and copyright with online licensing
- Personal jurisdiction and statute of limitation issues for claims related to the Internet
- Domain names containing celebrity names
- Rights of publicity for the non-celebrity

MODERATOR: James D. Nguyen, Partner, Wildman, Harrold, Allen & Dixon LLP

PANELISTS: Jonathan Seiden, Vice President, Senior Intellectual Property Counsel, CKx, Inc. (New York City)

Adam Hime, Senior Counsel, IP & Litigation, MTV Networks (Santa Monica, CA)

12:45-2:00

Networking Luncheon

2:00-3:15

The Evolving World Of Music Licensing In The Digital World

In this panel, industry experts will discuss the many new forms of music licensing, negotiations and royalties involved in digital media. Among other topics, the panel will cover:

- The new digital download, streaming and ringtone rates;
- The role in this new world of the collection organizations ASCAP, BMI, SESAC and the Harry Fox Agency representing songwriters, composers and music publishers and SoundExchange representing recording artists, record companies and producers;
- Recent U.S. court decisions and foreign country Tribunal and Copyright Board rulings;
- New licensing models for television, videogame and other audio visual products.

MODERATOR: Cydney A. Tune, Counsel, Pillsbury Winthrop Shaw Pittman LLP

PANELISTS: Jeff Brabec, Vice President, Business Affairs, Chrysalis Music Group

Todd Brabec, Author *Music Money and Success*; Music Licensing Consultant; Former Executive Vice President, ASCAP

Henry W. Root, Law Offices of Henry W. Root, PC

3:15-4:30

Meeting IP Needs of Entertainment Clients in a Cost-Effective Manner

Most multi-national entertainment and media companies are slashing their intellectual property budgets. Non critical travel is curtailed, and you've got to do three times the work with thirty percent less budget. In turn, major entertainment law firms are contracting in response to the loss of work! How can you, an in house IP counsel continue to recognize, capture and produce solid patents, copyrights and trade marks in a cash poor environment? How can you possibly handle litigation and discovery with an empty purse? How can you, outside counsel, step in with valuable cost cutting measures and tools to keep your own work growing in a dwindling market place? This panel of in house and outside counsel will provide:

- A point, counter-point to the issues of in house budget shrinkage and the challenge to produce quality registration and litigation work;
- Practical recommendations from in house counsel, outside firms and Department of Commerce insiders to help you create cost effective portfolios, manage litigation and get a deep drink. . .when the well is low!

MODERATOR: Georgann Grunebach, Vice President, Intellectual Property Fox Entertainment Group

PANELISTS: Michael F. Colosi, Senior Vice President, General Counsel & Corporate Secretary, Kenneth Cole Productions, Inc.

Phil G. Hampton II, Partner, Dickstein Shapiro LLP (and former Assistant Commissioner of Trademarks, USPTO)

Rachel Nico, Vice President, Business and Legal Affairs, Hulu, LLC

Ted Russell, Senior Vice President of Litigation, Fox Entertainment Group

REGISTRATION INFORMATION

Online Registration

www.ipsection.org

Registration by Mail

Your registration must be received **no later than Thursday, June 18, 2009**. Please send your completed registration form and check payable to The State Bar of California to:

Program Registrations

The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639

Registration by Fax

Fax to program registrations at 415.538.2368. Visa/MasterCard ONLY. *Credit card information is mandatory. Photocopies of checks will not be accepted.*

On-Site Registrations

On-site registration opens at 8:00am and is subject to space availability.

Cancellations/Refunds

Cancellations and request for refunds must be received in writing **no later than Thursday, June 18, 2009**. Substitute registrants are allowed, but must register in their own name.

MCLE Credit

The State Bar of California and the Intellectual Property Law Section are State Bar of California approved MCLE providers. This activity has been approved for 6.0 hours of MCLE credit.

Special Assistance

Please call 415.528.2071.

Questions

For registration information, please call 415.538.2508. For program content/Section information, please call 415.538.2375 or contact the Intellectual Property Section Coordinator, Mitch Wood at mitch.wood@calbar.ca.gov.

CDs

CDs of the program will be available with a complete set of program materials from Versa-Tape. To order, please call 800.468.2737.

PROGRAM PLANNING COMMITTEE

James D. Nguyen

(Program Chair)
Wildman, Harrold, Allen &
Dixon LLP
Beverly Hills, California
jnguyen@wildman.com

Cydney A. Tune

Pillsbury Winthrop Shaw
Pittman LLP
San Francisco, California
cydney.tune@pillsburylaw.com

Georgann Grunebach

Fox Group Legal
Los Angeles, CA
georgann.grunebach@fox.com

Rebecca J. Edelson

Step toe & Johnson LLP
Los Angeles, California
redelson@step toe.com

Intellectual Property in Entertainment and Media

June 25, 2009 • Beverly Hills, California 90210

REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

REGISTRATION FORM

State Bar Number _____

Name _____

Firm _____

Address _____

City, State, and Zip _____

Phone _____ FAX _____

Email Address* _____

***Required for Email Confirmation**

Program package includes 5.25 hours of MCLE credit, program materials*, continental breakfast and lunch.

*An email will be sent to you 48 hours in advance of this program directing you to our program materials hosting site where you can download the program materials in advance. The materials will also be provided on-site in CD format and on a flash drive to allow you to download the materials to your computer. A printed schedule and bios of panelists will be provided. No other pre-printed materials will be provided.

Registration Fees (check appropriate box)

- \$295** Members of the State Bar of California Intellectual Property Law Section and Members of the Association of Media & Entertainment Counsel (AMEC)
- \$365** Non-Member of the State Bar of California Intellectual Property Law Section (2009 Section Membership Included)
- \$385** All Registrations after Thursday, June 18, 2009 (2009 Section Membership Included)
- \$150** Law Clerks and Paralegals (Non-Attorney)
- \$50** Students (Non-Attorney) and Law Professors

Credit Card Information

I authorize the State Bar of California to charge my program registration fee to my VISA or MasterCard account. (No other credit cards will be accepted.)

Acct. #: _____ Exp. Date: _____
(VISA or MasterCard ONLY)

Cardholder's Name: _____

Cardholder's Signature: _____

Deadline: In order to pre-register, your form and check or credit card information must be received by Thursday, June 18, 2009.

Register Online: www.ipsection.org

Mail to: Program Registrations, The State Bar of California, 180 Howard Street, San Francisco, CA 94105. Make checks payable to The State Bar of California.

FAX to: Program Registration at 415.538.2368. Credit card information is mandatory.

The State Bar of California and the Intellectual Property Law Section are State Bar of California approved MCLE providers.

The State Bar of California and the Intellectual Property Law Section are approved State Bar of California MCLE providers.

Register Online www.ipsection.org



THE STATE BAR OF CALIFORNIA
EDUCATION FOUNDATIONS
Intellectual Property Law Section
180 Howard Street
San Francisco, California 94105

First Class PRSRT
U.S. POSTAGE
PAID
Documentation

Intellectual Property in **Entertainment & Media**

JUNE 25, 2009

The Beverly Hills Hotel and Bungalows

9641 Sunset Boulevard
Beverly Hills, California 90210
Tel: +1 310 276 2251
Fax: +1 310 887 2887
www.thebeverlyhillshotel.com

Earn 6.0 Hours MCLE Credit
REGISTER ONLINE: www.ipsection.org

