

18th Annual

Entertainment Law Institute

Legal and Business Aspects of

FILM *Music* SPORTS and digital media

October 2-3, 2008 Austin Hyatt Regency Hotel



Entertainment Law Institute

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Cosponsored by the Entertainment and Sports Law Section of the State Bar of Texas

Thursday 7.25 hrs (.5 ethics)

- 7:45 **Registration and Continental Breakfast**
- 8:30 **Welcoming Remarks**
Course Director
Mike Tolleson, *Austin*
Mike Tolleson & Associates
- 8:45 **Recent Court Cases Impacting the Entertainment Industry** 1 hr
Stan Soocher, *Denver, CO*
Editor-in-Chief
Entertainment Law & Finance
- 9:45 **Review of Recent and Proposed Legislation** .75 hr
Stan Soocher, *Denver, CO*
Editor-in-Chief
Entertainment Law & Finance
- Jay Rosenthal, *Washington, D.C.*
Senior VP and General Counsel
National Music Publishers' Association
- 10:30 **Break**
- 10:45 **Let the Radio Play: Fleeting Expletives, Payola, Content, Consolidation and Other Hot Topics in Radio** 1 hr / .25 ethics
Dale Anthony Head, *Houston*
Phillips & Reiter
- Michael Newman, *Houston*
New Music Server
- Laura Lee Prather, *Austin*
Sedgwick, Detert, Moran & Arnold
- 11:45 **Break - Lunch Served**
- 12:05 **Texas Star Award Presentation**
Honoring Donald S. Passman, recipient of the 2008 Texas Star Award for Outstanding Achievement in the field of Entertainment Law
- 12:15 **Luncheon Presentation: Texas Star Award Recipient** .5 hr
Donald S. Passman, *Hollywood, CA*
Gang, Tyre, Ramer & Brown
- 12:45 **Break**

TRACK ONE Copyrights and Film

- 1:00 **Fundamentals of Copyright Terminations - When an Irrevocable Grant of a Copyright Interest is Revocable** 1 hr
Michael Perlstein, *Los Angeles, CA*
Fischbach, Perlstein, Lieberman & Almond
- 2:00 **"She Got the Goldmine, I Got the Shaft" - When Copyright Collides with Community Property Rights, What Gives?** 1 hr / .25 ethics
Michael Perlstein, *Los Angeles, CA*
Fischbach, Perlstein, Lieberman & Almond
- J. Craig Barker, *Austin*
Law Office of Craig Barker
- Barbara A. Kazen, *Austin*
Friday, Friday & Kazen
- 3:00 **Break**
- 3:15 **Voodoo Film Production: Film-making Louisiana Style** 1 hr
Michael Arata, *New Orleans, LA*
Voodoo Pictures, LLC
Seven Arts Pictures Louisiana, LLC
- Louisiana Film Commission invited
- 4:15 **Working with the Guilds: Independent Producer's Guide to Hiring WGA and SAG Members in Film, Video-Gaming, and New Media** 1 hr
Lise Anderson, *Los Angeles, CA*
Writers Guild of America, West
- Maureen A. Doherty, *Houston*
Doherty Legal
- Bob Jensen, *Los Angeles, CA*
Screen Actors Guild
- 5:15 **Adjourn**

TRACK TWO Music

- 1:00 **Doing It Yourself: Opportunities for Bands in the Digital Era (Texas attorneys talk about the trends)** 1 hr
J. Craig Barker, *Austin*
Law Office of Craig Barker
- Edward Z. Fair, *Austin*
Law Offices of Ed Fair
- Buck McKinney, *Austin*
Attorney at Law
- Kenneth William Pajak, *Austin*
The Bannerot Law Firm
- 2:00 **Getting Organized: What Bands Need to Know to Launch a Successful Career** 1 hr
Edward Z. Fair, *Austin*
Law Offices of Ed Fair
- Kenneth William Pajak, *Austin*
The Bannerot Law Firm
- 3:00 **Break**
- 3:15 **Management Agreements - The Prenuptial Agreement Between Artists and Managers** .5 hr
Buck McKinney, *Austin*
Attorney at Law
- 3:45 **Music Publishing Agreements for Bands - All for One, or One for All?** .75 hr
Steve Winogradsky, *N. Hollywood, CA*
The Winogradsky Company
- 4:30 **Music Distribution - Licensing Recordings in the Digital Era** .75 hr
Steven Corn, *Valley Village, CA*
BFM Digital
- 5:15 **Adjourn**



Friday

6 hrs including 1 hr ethics

- 8:00 **Continental Breakfast**
- 8:20 **Announcements**
- 8:30 **Music Royalties in the Digital Space: Brave New World or Apocalypse Now?** 1 hr
 Kerri Howland-Kruse, *New York, NY*
 BMI
- Susan B. Chertkof, *Washington, D.C.*
 Recording Industry Association of America
- Kathryn Wagner, *New York, NY*
 National Music Publisher's Association
- Steve Winogradsky, *N. Hollywood, CA*
 The Winogradsky Company
- 9:30 **Latest Trends in the Music Business including 360 Deals and Digital Media** 1 hr
 Donald S. Passman, *Hollywood, CA*
 Gang, Tyre, Ramer & Brown
- 10:30 **Break**
- 10:45 **They're Coming to Take Us Away: Orphan Works and ISP Licensing in the Google Nation** 1 hr
 Chris Castle, *Sherman Oaks, CA*
 Christian L. Castle, Attorneys
- Jay Rosenthal, *Washington, D.C.*
 Senior VP and General Counsel
 National Music Publishers' Association
- 11:45 **Lunch On Your Own**
- 1:00 **Ethics: Not a Game** 1 hr ethics
 Tamera H. Bennett, *Lewisville*
 Bennett Law Office
- Coyt Randal Johnston, *Dallas*
 Johnston-Tobey
- 2:00 **Break**

TRACK ONE

Music and Digital Media

- 2:15 **Insurance Issues in the Music Business** 1 hr
 James Chippendale, *Dallas*
 CSI Entertainment Insurance
- Edward Z. Fair, *Austin*
 Law Offices of Ed Fair
- Lawrence Temple, *Austin*
 Capitol Sports and Entertainment
- 3:15 **Digital Equivalency and the Law: Teaching Old Lawyers New Tricks in the World of Digital Media Convergence** 1 hr
 Gregg Perry, J.D., *Austin*
 Assistant Professor, Digital Media Management Program
 St. Edwards University
- 4:15 **Adjourn**

TRACK TWO

Sports

- 2:15 **Sponsorship and Endorsement Deals for Celebrity Athletes** 1 hr
 Bill Henkel, *Houston & Kansas City, KS*
 Managing Partner, 10 Sports Marketing, LLC
 A Sanders Morris Harris Group Co.
- Jeff Nalley, *Houston*
 Chief Operating Officer & General Counsel, Select Sports Group, LLC
 A Sanders Morris Harris Group Co.
- Melissa Ravenscroft, *Austin*
 President, Corvosi
- 3:15 **Injury Grievances and Workers' Comp for NFL Players** 1 hr
 John Edward Collins, *Dallas*
 Burleson Pate Gibson
- Brian Michael Cooper, *Houston*
 Haynes and Boone
- 4:15 **Adjourn**

13.25 HOURS (1.5 HOUR ETHICS) MCLE COURSE NO: 900047457

Applies to the College of the State Bar of Texas.

For their generous support of this program, we would like to recognize and thank:



2008 TEXAS STAR AWARD RECIPIENT



DONALD S. PASSMAN is the author of *All You Need To Know About The Music Business* and a graduate of the University of Texas and Harvard Law School. He practices law with the Los Angeles firm of Gang, Tyre, Ramer & Brown and has specialized in the music business for over thirty years.

Don has been listed in the *Best Lawyers in America* for over twenty years, as well as the *Top 100 Lawyers in California*, *Lawdragon's Top 500 Attorneys in America*, and *Southern California Super Lawyers*.

He has lectured extensively on the music industry, including Harvard Law School, Yale Law School, USC Law School, UCLA Law School, the Los Angeles

Copyright Society, and the Beverly Hills Bar Association. Don is also the author of two novels, *The Visionary* and *Mirage*, published by Warner Books.

COURSE INFORMATION

Register Early and Save \$20 by registering at least two weeks before the course. Early registrations help us ensure that sufficient course books, seating, and refreshments are available. Registrations are accepted on a space-available basis. Course materials and seating will be reserved for pre-registrants until the start of the first topic. No confirmation will be sent; pick up your name tag and course materials at the program.

Group Those Registrations and Save! Earn discounts for groups of 5 or more. Contact Legal Education Consultant Laura Angle of TexasBarSolutions at 512-250-5575 or langle@texasbar.com

Entertainment and Sports Law Section Members Can Save up to \$45 because the Section cosponsors this course. If you belong to the Section, or you agree to join by the date of the course, you save \$25. Register early, and save \$45; see the registration form. To join the Section, please contact the State Bar's Sections Coordinator, Kathy Casarez, at 800-204-2222, x1420. Please do not send payment for Section membership with your registration fee.

Qualifying Judges may attend free of charge, provided (1) the course is directly related to the jurisdiction of their tribunal, (2) they are full-time judges or judges retired under the judicial retirement system, and (3) space is available after admission of all paid registrants. Judges must actually attend to receive course materials. This privilege does not extend to receivers, trustees, court staff, or persons serving part-time in any judicial capacity.

If You Register But Cannot Attend you can still earn participatory MCLE credit and receive course materials. First, consider transferring your registration to a later presentation of the course; to do so, call 800-204-2222, x1574. Second, as a registrant, you are entitled to special benefits (see "Two Free Online Benefits For Course Registrants," below). However, if you wish to receive a refund instead, mail or fax (512-427-4111) your request so that we receive it at least one business day before the program. Registrants who do not attend will be sent the course materials.

Two Free Online Benefits for Course Registrants will be available 6-8 weeks after the course: (1) streaming video and audio versions of each presentation and (2) electronic versions of the course materials. (Actual length of a presentation may vary from that which was advertised.) Remember: there's no extra charge. As a registrant, you're already entitled!

MP3 CDs require an MP3-compatible device (e.g., an iPod or a CD/MP3 player) for playback. Older CD Players may not play MP3 CDs. Most computers can play MP3 CDs; many can extract MP3 files and burn them onto audio CDs playable in car stereos. MP3-compatible devices may be combined with a commercially available adaptor to transmit sound to a car's FM radio or audiocassette player.

Persons with Disabilities who need special accommodations to attend should contact us as soon as possible at 800-204-2222, x1797.

Policy of Impartiality. The State Bar of Texas does not endorse political candidates. When a candidate for public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

More Information on the Speakers of this Program. See our online version of this brochure for detailed bios of our wonderful speakers! Just go to TexasBarCLE.com and click on "Seminars" to search for this course.

Parking Information is provided for the convenience of attendees not staying at the hotel, is subject to change without notice and is not a guarantee of availability. Parking at the **Hyatt Regency Hotel** is \$11/day for self parking and \$17 for valet parking.

Education by the Bar, for the BarSM

Course Director

Mike Tolleson Austin

Planning Committee

J. Craig Barker	Austin
Tamera H. Bennett	Lewisville
D'Lesli M. Davis	Dallas
Maureen A. Doherty	Houston
Edward Z. Fair	Austin
Dale Anthony Head	Houston
Buck McKinney	Austin
Kenneth William Pajak	Austin
Russell E. Rains	Austin
Stan Soocher	Denver, CO
Alan W. Tompkins	Dallas
Steve Winogradsky	North Hollywood, CA

TexasBarCLE Planning Team

Montgomery Miller	Sr. Program Attorney
Kandi Botello	Program Coordinator

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Reserve Your Hotel Room Early because a limited number of reduced rate rooms have been blocked at special rates. Inform the hotel that you will be attending the **State Bar of Texas Entertainment Law Institute**.

AUSTIN

Hyatt Regency Hotel
208 Barton Springs Road
(512) 477-1234
\$175 for a single/double
Deadline: September 1, 2008

The reserved block of rooms may fill up before September 1. **Act now!**

Registration Form

Four ways to register

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TexasBarCLE.com
credit card only

■ Phone

800-204-2222, x1574
during business hours
credit card only

■ Fax

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credit card only

■ Mail

State Bar of Texas - CLE
LB #972298
P. O. Box 972298
Dallas, TX 75397-2298
check or credit card

Registering five or more?

Email Laura Angle at
laura.angle@texasbar.com
for group discount
information.

Entertainment Law Institute 2008

8095

1 Check all applicable boxes below to calculate your fee:

- ☐ **\$325 AUSTIN Live, October 2-3** *Early Registration Deadline: September 18*
Includes breakfast both days and a luncheon on Thursday!
- ☐ **Add \$20** if registering **after September 18**.
(If registration is by mail, date of postmark will determine if this fee applies.)
- ☐ **Subtract \$25** if you are a member of the State Bar Entertainment and Sports Law Section -OR- State Bar College -OR- State Bar Legal Administrators or Paralegal Division -OR- licensed two years or less.
- ☐ **No charge** for Qualifying Judge

My registration fee after all calculations: \$ _____

2 I can't attend. Just send course materials.* **FREE Shipping & Handling**

- | | | |
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| <input type="checkbox"/> Course Book | \$155 each [†] | Quantity: _____ |
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*Online versions (PDFs) of course materials will be available for purchase 6-8 weeks after the course in the Online Library at TexasBarCLE.com. Course registrants receive access to the PDFs at no additional charge (see "Two Free Online Benefits for Course Registrants" in this brochure).

[†]Plus 7.25% tax (8.25% for Austin address) on total. Book orders and audio CD orders are shipped separately and filled approximately 4-6 weeks after the live program. You will be billed unless you authorized a credit card charge above.

^{††}CDs require MP3-compatible player for playback. Older CD players may not play MP3s. See "MP3 CDs" under "Course Information."

QUESTIONS? 800-204-2222, ext 1574 • 512-427-1574

Join the Entertainment and Sports Law Section

Formed in 1989, the Entertainment and Sports Law Section has over 500 members. The Section is directed at lawyers who devote a portion of their practice to entertainment and/or sports law and seeks to educate its members on recent developments in entertainment and sports law. Membership in the Section is also available to non-lawyers who have an interest in these areas.



The *Entertainment & Sports Law Journal*, published twice a year by the Section, contains articles and information of professional and academic interest relating to entertainment, sports, intellectual property, art, and related areas. The Section also cosponsors seminars of interest to its members, such as this annual Entertainment Law Institute.

Membership in the Section is from June 1 to May 31. To join, go to TexasBar.com and login to MyBarPage. There you will see "My Sections" and a chance to click on "Purchase Sections." Check "Entertainment & Sports Law" and pay the \$30 annual fee with a credit card. Or complete the information below and forward it with a check in the amount of \$30.00 (made payable to ENTERTAINMENT & SPORTS LAW SECTION) to Entertainment Law Section Treasurer, P.O. Box 12487, Capitol Station, Austin, TX 78711.

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15th Annual Austin Film Festival and Conference (October 16-23).
Check out AustinFilmFestival.com or call 1-800-310-FEST for more information.

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