



THE STATE BAR OF CALIFORNIA
INTELLECTUAL PROPERTY SECTION
PRESENTS

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IP in Entertainment & Media

JUNE 27, 2013

The Luxe Hotel
11461 Sunset Blvd.
Los Angeles, CA 90049

Register Online:
www.ipsection.calbar.ca.gov

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PROGRAM SCHEDULE

REGISTRATION & CONTINENTAL BREAKFAST

8:00 am – 8:45 am

OPENING REMARKS AND WELCOME

8:45 am – 9:00 am

- Elizabeth J. Rest, *Hiaring + Smith, LLP*

PROTECTING THE IMAGE AND BRAND OF ENTERTAINERS AND ATHLETES

9:00 am – 10:15 am

The panel will provide an overview of right of publicity and trademark laws as they apply to entertainers, celebrities, and athletes. We will also discuss issues that arise over uses of their images and “brands” in the media, in advertising, and in merchandise, including games for example, and potential strategies for handling such issues. The panel will also discuss recent cases on point and special issues in the context of user-generated content, the internet, and social media.

Speakers:

Ron Katz, Partner, *Manatt, Phelps & Phillips, LLP*

Maidie E. Oliveau, Counsel, *Arent Fox LLP*

Frederick Felman, Chief Marketing Officer, *MarkMonitor, Part of Thomson Reuters*

Cydney Tune, Senior Counsel, *Pillsbury*

NETWORKING BREAK

10:15 am – 10:30 am

SOMETHING FAMILIAR, SOMETHING PECULIAR: THE TRAVAILS OF BRINGING BROADWAY TO FILM AND BACK

10:30 am – 11:45 am

In one medium or another, motion pictures, live plays, and musicals provide entertainment for us all. But taking a successful production from one stage to another involves a host of IP issues. This entertaining session will cover some of the following IP issues that must be considered:

- **I WANNA BE A PRODUCER:** Why are the studios getting into the live stage business (525,600 titles) and what role do they take on? Licensor only or Rights Grantor & Producer?
- **BIT BY BIT, PUTTING IT TOGETHER:** What IP issues arise when taking a film to the stage? What is the source material? Are anyone else's rights needed?
- **EVERYTHING'S COMING UP GROSSES:** The success or failure of a live stage production can lead to other IP issues in the (sub) rights (stock, amateur, commercial use products, etc.)
- **THE CIRCLE OF LIFE:** Bringing a popular film-based stage production back to the screen. Should it be done and if so, how, and when?

Moderator: Sean Sullivan, *Davis Wright Tremaine LLP*

Speakers:

Keith Blau, Vice President, Legal Affairs, *Universal Pictures/Universal Stage Productions*

Robbin Kelley, Head of Motion Picture and Live Stage Legal Affairs, *DreamWorks Animation*

Alan U. Schwartz, Partner, *Greenberg Traurig*

NETWORKING LUNCH

11:45 am – 1:00 pm

SOCIALLY INTERACTIVE: IP AND DIGITAL PRIVACY ISSUES WITH SOCIAL MEDIA

1:00 pm – 2:15 pm

Social media provide powerful platforms to deliver entertainment content and information to consumers, but have also triggered a wave of IP and privacy risks. This dynamic session will cover some cutting edge IP and digital privacy issues that arise when companies use social media to engage consumers:

- Social game and app cloning – copyright infringement cases
- Social media apps – issues with DMCA safe harbor qualification
- Ownership of employee social media accounts – trade secret and Lanham Act issues
- Social media marketing campaigns – right of publicity issues
- Digital privacy issues with social media, mobile apps, and online video services

Speaker: Jimmy Nguyen, Partner, *Davis Wright Tremaine LLP*

GAMER OR GAME DEVELOPER? THE LAW OF VIDEO GAME TRANSFORMATION

2:15 pm – 3:30 pm

There has been a seismic shift in the world of video games. Hardcore fans are now cloning games, modifying core aspects of them, or even creating new works based on them (machinima). Do the fan boys and girls have the right to do this? How much? And what can the game developers and publishers do about it - if they even want to? This panel will discuss these and related developments in video game law, as well as the right of publicity in games.

Moderator: George M. Borkowski, Partner, *Freeman, Freeman & Smiley, LLP*

Speakers:

Betsy Rosenblatt, Assistant Professor and Director, *Center for Intellectual Property Law, Whittier Law School*

Kerry Hopkins, Senior Director, Intellectual Property, *Electronic Arts*

Laura Franco, Senior Corporate Counsel, *CAPCOM U.S.A., Inc.*

NETWORKING BREAK

3:30 pm – 3:45 pm

MID-YEAR REVIEW: A DISCUSSION OF SOME OF THE MOST SIGNIFICANT IP DECISIONS FROM THE FIRST HALF OF 2013

3:45 pm – 5:00 pm

The first half of 2013 has seen a collection of significant IP decisions handed down by the U.S. Supreme Court and the U.S. Courts of Appeals for the Ninth and Second Circuits. Those decisions touch upon such important issues as the first sale doctrine and the Digital Millennium Copyright Act's safe harbor provisions. As a result, they have real-world implications for the entertainment and media industries and IP practitioners alike. This panel will explain the rationales behind some of those decisions and explore their potential long-term implications.

Speakers:

Robert A. Jacobs, Partner & Chair, Entertainment Litigation Practice Group, *Manatt, Phelps & Phillips*

Elizabeth Valentina, Vice President, Content Protection Litigation, *Fox Entertainment Group*

Harvey Geller, Of Counsel, *Steptoe & Johnson, LLP*

NETWORKING COCKTAIL RECEPTION

5:00 pm – 6:30 pm

Sponsored by MarkMonitor, Inc.



REGISTRATION INFORMATION

Deadlines: Pre-register by June 20, 2013.

Registration by Mail: Your registration must be received no later than Thursday, June 20, 2013. Please send your completed registration form and check made payable to The State Bar of California:

Program Registrations
180 Howard Street, 4th Floor
San Francisco, CA 94105-1639

Cancellations/Refunds: Cancellations and request for refunds must be received in writing no later than Thursday, June 20, 2013, and are subject to a \$25 cancellation fee. Substitute registrations are allowed, but must register in their own name.

MCLE Credit: The Intellectual Property Law Section of The State Bar of California is a State Bar approved MCLE provider. This activity has been approved for 6.25 hours.

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

Questions: For registration information call (415) 538-2508. Telephone registrations are not accepted. For program content and/or Section information call (415) 538-2375.

Special Assistance: For special assistance, please call (415) 538-2375.

Between Job? Contact Kristina Robledo at Kristina.robledo@calbar.ca.gov for special pricing. A reduced registration fee is available for persons with financial hardships. Call (415) 538-2375.

CYLA Members: Now offering 25% off registration. Call (415) 538-2375.

PROGRAM PLANNING COMMITTEE

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REGISTRATION FORM

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

Bar Number: _____

Name: _____

Firm: _____

Firm Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

(Required for email confirmation)

Program package includes 6.25 hours MCLE Credit, program materials, continental breakfast, lunch, and reception.

PRE-REGISTRATION FEES (check the appropriate circle)

- \$395 Members of the Intellectual Property Law Section
- \$470 Non-Section Members (includes enrollment in the Intellectual Property Section for 2013)
- \$470 All registrations after Thursday, June 20, 2013
- \$270 Law Clerks/paralegals/non-attorneys
- \$100 Students (non-attorney)
- \$296 CYLA-California Young Lawyers Association

AMOUNT ENCLOSED OR TO BE CHARGED

\$ _____

CREDIT CARD INFORMATION (VISA/MasterCard Only)

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

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Deadlines: Your registration must be received no later than Thursday, June 20, 2013. Please send your completed registration form and check made payable to The State Bar of California, or credit card information.

Register Online: www.ipsection.calbar.ca.gov

Mail To: Program Registrations, State Bar of California,
180 Howard Street, San Francisco, CA 94105.

Fax To: Program Registration at 415-538-2368. In order to fax your registration, credit card information is MANDATORY.
(Photocopies of checks will NOT be accepted.)



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