

Lawyers for the Creative Arts
and
The Illinois Institute for Continuing Legal Education
Present:



Music Law Boot Camp 101



“Music Meets the Law”

August 2, 2016
8:30 am to 5:00 pm

Perkins Coie, LLP
131 S. Dearborn St.
Chicago, IL

Join us for this CLE* music law symposium, featuring a blue ribbon panel of top, peer-rated practitioners, corporate counsel, a GRAMMY AWARD winning songwriter and the head of the Board of Governors for the Recording Academy’s Chicago Chapter. They’ll provide practical guidance on both business considerations and legal issues in the production, distribution and commercial use of music, including issues relating to digital downloads, streaming and other media.

The presentation will appeal to attorneys at all levels of experience, from the curious novice to the seasoned entertainment lawyer seeking the latest information about this rapidly expanding area of law.

**6.5 hours General/1.0 Hour Professional Responsibility CLE accreditation pending.*

All registrants will receive a *free* copy of:

Music Law for the General Practitioner (ABA 2013)

(a \$79.95 value)

by

Thomas R. Leavens

- and -

Band Law for Bands (2d ed., LCA 2016)

(a \$20 value)

by

Barry F. Irwin

Jason Koransky and Adam Reis

DETAILS:

Registration fee is \$185. Discounted fee of \$125 available to law students, 2014-2016 law school graduates, public interest law attorneys and those with financial hardship. Contact Marci Rolnik Walker (312-837-3517 or mrolnik@law-arts.org) for approval.

In Person/Live
Registration

Webinar
Registration

TOPICS and SPEAKERS:

Fundamentals of Music Copyright (1 hour MCLE)

Understanding music-based transactions requires the evaluation of claims in a song's lyrics, musical composition, and sound recording to determine if co-writers intended their individual contributions to be merged into joint works. Our speakers will review copyright fundamentals in these distinct but often blurred works of authorship and how copyright laws have evolved over the past century and continue to change to try to keep pace with technological changes in music production. They will cover basics of U.S. copyright law pertaining to musical compositions and sound recordings, including broadcast rights, digital downloads, streaming, and media for music distribution and performance.

[William McGrath](#), Partner, Davis McGrath LLC; Associate Director, Center for Intellectual Property Law at John Marshall Law School; frequent contributor on copyright and trademark matters to *The Chicago Daily Law Bulletin*. Author of copyright chapters in *Intellectual Property Law (IICLE 2008)*.

[Steven Wisner](#), Director, Trademark Law Clinic of the John Marshall Law School; Attorney, Thorelli & Associates; Adjunct Professor in Intellectual Property LL.M. program at John Marshall Law School.

Emerging Issues in Music Law (1 hour MCLE)

Recent decisions concerning music rights, distribution, and content sharing have had an impact in the music industry. This session will highlight well-known and controversial legal and factual findings in litigation involving the songs *Stairway to Heaven*, *Blurred Lines*, and *Happy Birthday*, among others, as well as recent and pending decisions on streaming and other modes of distributing pre-1972 sound recordings.

[Barry F. Irwin](#), Founder of Irwin IP LLC; Adjunct Professor at Notre Dame Law School teaching Patent Litigation and Advanced Copyright/Entertainment Law; Fellow of Litigation Counsel of America; Vice President of Lawyers for the Creative Arts; Author of *Band Law for Bands* (LCA, 2013; 2d ed. 2016).

Copyright Clearance (45 minutes MCLE)

Sorting out song ownership and licensing music for use in films, television programs, and advertising, in broadcast and new media use can be a daunting task. Determining public domain status, ownership of the composition and sound recording copyrights, as well as compensation due the songwriters,

musicians, and performers under collective bargaining agreements can be complex. This session will provide guidance in negotiating performance rights in commercial, new media and promotional settings.

[Sandra Leib](#), Vice President and General Counsel of [DDB Chicago, Inc.](#) (2008-present); Vice President and General Counsel of Element 79 Partners LLC (2002-2008); Vice President and Associate General Counsel of True North Communications (1997-2002); former clerk for the Honorable Thomas E. Fairchild on the Seventh Circuit Court of Appeals and the Honorable Richard M. Bilby in the U.S. District Court for the District of Arizona.

Lunch Talk: Breaking Down Song Splits (1 hour MCLE)

Songwriting is a craft, an art, a profession, and often a complicated business that causes confusion and contention among band members. It is important for musicians and their lawyers to know what songs are made of, what songwriting is and what it isn't, and how songwriters get paid. A GRAMMY Award winning songwriter and nationally recognized band attorney (and musician in his own right) will discuss the elements of a song and the process of songwriting in a collaborative environment, and provide valuable guidance on preparing song splits and other song revenue sharing agreements that will recognize and capture the value of each songwriter's contribution.

[Jim Peterik](#), Singer, Songwriter and Co-Founder of *Ides of March* and *Survivor* rock bands. Multi-hit songwriter, including GRAMMY-winning, double-platinum, #1 hit, *Eye of the Tiger*, theme song from *Rocky III*, and *Burning Heart* from *Rocky IV*. Author of *Through the Eye of the Tiger: The Rock 'n' Roll Life of Survivor's Founding Member* (BenBella Books, 2014). Jim Peterik continues to perform with *Ides of March*, as well as the *Fabulous Armadillos* and *Pride of Lions*.

[Peter J. Strand](#), Co-Founder of the entertainment law firm, Leavens, Strand & Glover, LLC; Adjunct Professor at Chicago Kent College of Law; Two term National Trustee of the Recording Academy (Grammys) representing the Chicago Chapter; Founding Chair of the Volunteer Lawyers for the Arts Division of the ABA Forum on Entertainment & Sports Industries. Member of the Honors Council of Lawyers for the Creative Arts. Formerly a full-time touring and recording musician.

Two Hats: Attorneys as Artist Management (1 hour Ethics MCLE)

Attorneys are often called on to provide both legal and management services, especially for start-up music groups. Our panel will identify the legal and ethical issues that accompany this dual role as business and legal advisor, and provide guidance on how to navigate these issues.

[Hillel Frankel](#), Partner at Leavens Strand & Glover, LLC, currently heading its Nashville office; Artist manager who works with JC Brooks & the Uptown Sound and Poi Dog Pondering; Former Adjunct Professor, DePaul College of Law; formerly known as musician "Frankie Hill," who recorded and toured internationally on keyboards and saxophone for bands such as GRAMMY-nominated Liquid Soul, LA's Bonedaddys, UK's General Public, and Chicago's own P-1 and Heavy Manners.

[Jeffrey S. Becker](#), Partner and Chair of Swanson Martin & Bell, LLP's Entertainment and Media Law Practice Group; Adjunct Professor at DePaul University College of Law, teaching Music Law; Former Vice-Chairman and Legislative Liaison of the YLS Creative Arts Committee of the Chicago Bar Association; Vice President of the Associate Board of Lawyers for the Creative Arts.

Dollars & Statutory Licenses (1 hour MCLE)

Statutory licenses are often an important source of revenue for songwriters and recording artists. Our speakers will discuss the rights they monetize (and the rights they do not), how artists secure those rights, how the performance rights organizations resolve disputes that arise in connection with those rights, and the revenue streams that can be anticipated for certain artist categories.

[Thomas R. Leavens](#), Co-Founder of the entertainment law firm, Leavens Strand & Glover, LLC; prior positions include General Counsel for LRSmedia, LLC, a media and brand development company, General Counsel for MusicNow LLC, a pioneer digital music company in subscription music service, webcasting and music downloads, General Counsel and Senior Executive Vice President of Platinum Entertainment, Inc.; Adjunct Professor, Northwestern University Law School and University of Utah; Author, *Music Law for the General Practitioner* (ABA 2013); LCA Honors Council member and first recipient of the Thomas R. Leavens Award of Lawyers for the Creative Arts.

[Justin Roberts](#), President of the Recording Academy, Chicago Chapter; GRAMMY Award nominated and award-winning singer-songwriter with nine CD releases for children and families; Member of nationally touring band, *Not Ready for Naptime Players*; Founder of Carpet Square Records Co.

Dollars & Deals (1 hour MCLE)

Our panelists will discuss income streams from exploitation of musical intellectual property: musical compositions, sound recordings, trademarks, and publicity rights and the structure of agreements for publishing, recording, merchandise licensing, endorsements and sponsorships.

[Linda Mensch](#), Of Counsel, Leavens, Strand & Glover, LLC; Executive Producer of *The Ella Jenkins Story*, recipient of Illinois Emmy Award for co-production of the documentary, *Find Yourself a Dream! – The Bob Love Story (2008)* and a Midwest and Heartland Emmy for producing *The Wayman Tisdale Story (2012)*; Former President and current Board Member of Lawyers for the Creative Arts.

[Travis Life](#), Associate, Leavens Strand & Glover, LLC; Adjunct Professor at DePaul University College of Law, teaching Entertainment Law; Membership Chair of the ABA's Forum on the Entertainment and Sports Industries; President of the Associate Board of Lawyers for the Creative Arts; Former Chair, YLS Creative Arts and the Media & Entertainment Committees of the Chicago Bar Association.

Music and Film Festivals (45 Minutes MCLE)

Music and film festivals are a burgeoning industry. They require legal input on a dizzying range of matters, from intellectual property, to insurance, to zoning, permitting, public use and employment. Our panelists head up legal departments for some of the most famous music festivals in the U.S. and will provide an overview of the kinds of legal issues involved in these multi-media, multi-venue festivals, and the interaction between in-house corporate counsel and attorneys for artists, local government and other involved parties.

[Heather R. Liberman](#), General Counsel for **[South by Southwest](#)** Conference & Festivals (SXSW, LLC); Prior Adjunct Faculty, DePaul University College of Law, teaching Entertainment Law; Former Chair, Media & Entertainment Committee of the Chicago Bar Association; Co-author and Researcher for *Music Law for the General Practitioner* by Thomas R. Leavens (ABA, 2013).

[Frank Nicotera](#), Chief Administrative Officer/General Counsel at [Milwaukee World Festival, Inc.](#), handling all legal and administrative matters for the non-profit corporation that owns and produces Summerfest, The World's Largest Music Festival®; Former Chief Deputy City Attorney, City of New Orleans; Prior Adjunct Professor, Delgado College Music Department, teaching Copyright and Music Publishing; accomplished drummer who has performed at the New Orleans Jazz and Heritage Festival, French Quarter Festival, Summerfest, and other events throughout North and South America.