FOURTH EDITION

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ABOUT THE EDITOR-IN-CHIEF

HOWARD SIEGEL, ESQ.

Howard Siegel is a senior partner at Pryor Cashman LLP in New York City, concentrating in entertainment law. He is the former Chair of the Enter-tainment, Arts and Sports Law Section of the New York State Bar Association, former Chair of the New York State Bar Association Committee on the Music and Recording Industry, and is an Associate Member of the National Academy of Recording Arts and Sciences.

Mr. Siegel has been selected every year since 2007 as one of New York's "Super Lawyers," a distinction limited to the top 5% of all attorneys in the New York metropolitan area. He has also repeatedly been recognized as one of the entertainment industry's "Top 100 Power Lawyers" as com-piled and published by The Hollywood Reporter, and has been consistently recognized as one of America's "Leading Lawyers" in the annual Chambers USA Client Guide.

Mr. Siegel is a lecturer for the Practising Law Institute, the New York Law Journal Seminars Press and the Continuing Legal Education Seminars of the New York State Bar Association. He served as judicial clerk at the New York State Court of Appeals from 1970 to 1972. He is an Adjunct Pro-fessor of Law at Fordham University Law School and a member of the Edi-torial Boards of Entertainment Law and Finance and Multimedia Web Strategist. Mr. Siegel has served as the Editor-in-Chief of the nationally dis-tributed book Entertainment Law since its initial publication in 1989. He is also author of several articles dealing with entertainment, music and copy-right practice.

Mr. Siegel is a member of the New York, Nevada, and California Bars and is a summa cum laude graduate of Syracuse University College of Law, where he was Editor-in-Chief of the Syracuse Law Review.

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ROBERT C. HARRIS, ESQ.

Robert Harris is a founding partner of the New York City law firm of Lazarus & Harris LLP and has been practicing entertainment and intellec-tual property law in New York City for more than three decades, represent-ing clients in a broad range of entertainment media; counseling and handling transactional matters for theatrical producers and creative person-nel on various Broadway and off-Broadway productions; and representing publishers, authors, and agents in the publishing and theatrical fields. Mr. Harris counsels clients regarding the protection, licensing, acquisition, use and misuse of content in a broad range of contexts and media, and has sub-stantial experience in copyright and trademark law, including clearance, prosecution and licensing, and advises clients regarding ownership of copyright, licensing of copyrights, and analysis of rights under copyright in both traditional media and new media. In the area of trademarks, Mr. Harris advises clients regarding the selection and use of trademarks, service marks, and Internet domain names, in prosecuting trademark applications, and in negotiating and drafting licensing agreements. He also has extensive experience negotiating and drafting programming and network affiliation agreements for cable television, and represents producers of television pro-gramming. He also offers counsel in the areas of the right of publicity, the right of privacy and defamation.

Mr. Harris has represented the heirs of both Ernest Hemingway and F. Scott Fitzgerald with respect to trademark prosecution and merchandise licensing, and has supervised copyright and trademark enforcement and prosecution for a number of properties, including the stage musicals Phan-tom of the Opera, Les Miserables and Miss Saigon. He has acted as pro-duction counsel or counsel to talent on numerous acclaimed Broadway

productions, including Beauty and the Beast; Crazy for You; Chicago; Cabaret; Monty Python's Spamalot; Spring Awakening; The History Boys; Frost/Nixon; August: Osage County; Hair; American Idiot; The Book of Mormon; War Horse; The Gershwins; Porgy and Bess; One Man, Two Guvnors; Nice Work If You Can Get It; and the revivals of Glengarry Glen Ross and Annie. Literary clients have included John Irving, John Kander, Fred Ebb, Dorothy Fields, Paddy Chayefsky, William Goldman, Burt Bacharach, and Hal David, as well as other accomplished fiction and non-fiction authors. Mr. Harris also counsels clients in independent film and television production.

Mr. Harris is a graduate of New York University School of Law, for-mer Chairman of the Entertainment Law Committee of the Association of the Bar of the City of New York, a member of the American Bar Associa-tion Section of Intellectual Property Law, and a member of the Entertain-ment, Arts and Sports Law Section of the New York State Bar Association. For a decade he served as special professor at Hofstra Univer-sity School of Law, where he taught entertainment law; he has been a lec-turer for PLI and Commercial Theater Institute; and has appeared as a guest commentator on Court TV. Together with his partner, Scott Lazarus, Mr. Harris has authored the chapter entitled "Legal Aspects of Producing in the Commercial Theater" in Entertainment Law, Third Edition, since 2004. Mr. Harris is a member of the New York State Bar Association and, under his auspices as Chairman of the Entertainment Law Committee of the Association of the Bar of the City of New York, the committee pub-lished Music Rights Primer in 2003, explaining music and sound record-ing rights.

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Marc Jacobson is the Founding Chairman of the Section on Entertain-ment, Arts & Sports Law of the New York State Bar Association (EASL). He currently practices Media, Entertainment and Technology law at Marc Jacobson, PC, a boutique law firm in New York, N.Y. Selected by Chambers USA every year since 2005 and by Super Lawyers since 2008 as one of the top Entertainment Lawyers in New York City, Jacobson built his practice focusing on his two passions, music and film. He has held senior executive positions at several major Internet companies. He served as a member of the Editorial Board at Entertainment Law & Finance, and speaks regularly on topics as diverse as international digital music publishing and film tax cred-its. His articles have appeared in Billboard magazine, the Journal published by EASL, St. John's Law Review, and he was profiled in In Tune. He was also Chairman of The Internet Alliance; testified before Congress and WIPO regarding the Digital Millennium Copyright Act; and was Adjunct Professor of Entertainment Law at Fordham University Law School, CUNY Law School and The New School. He is licensed to practice law in New York, California (inactive) and Florida (inactive).

PAMELA C. JONES, ESQ.

Pamela Jones has managed the business and legal affairs departments for television networks, studios and production companies, including BBC Worldwide Americas, CBS Entertainment (East Coast business affairs), MTV Network's LOGO channel, and Unapix Entertainment. Ms.

Jones focuses on television music publishing and television business operations. At CBS, she ran the CBS Television Network music services department and CBS's music publishing business. Ms. Jones initiated the launch of A+E Networks' global music publishing business and managed business opera-tions for the \$30 million television division of Martha Stewart Living Omnimedia. She serves as outside to various top U.S. cable television networks and production companies, negotiating and drafting development and pro-duction deals and guiding the monetization of ancillary revenue streams, both internationally and domestically. She served as Adjunct Professor of Entertainment Law at New York Law School and plans to teach at Quinnip-iac University School of Law in 2014.

Prior to becoming a lawyer, Jones was an award-winning investigative documentary filmmaker. Ms. Jones is a graduate of Middlebury College and Quinnipiac University School of Law. For additional information visit www.pamelajonesesg.com.

SCOTT R. LAZARUS, ESQ.

Scott Lazarus is a founding partner of Lazarus & Harris LLP and has represented more than 90 Broadway, West End, and national touring pro-ductions, including the Tony Award®-winning productions of Porgy and Bess (2012 Best Revival of a Musical); The Book of Mormon (2011 Best Musical); War Horse (2011 Best Play); The Normal Heart (2011 Best Revival of a Play); Red (2010 Best Play); Hair (2009 Best Revival of a Musical); August: Osage County (2008 Best Play); Boeing-Boeing (2008 Best Revival of a Play); Spring Awakening (2007 Best Musical); Journey's End (2007 Best Revival of a Play); The History Boys (2006 Best Play); and Monty Python's Spamalot (2005 Best Musical). A veteran in the practice of theatre law, Mr. Lazarus represents the Broadway and national touring pro-ductions of Mamma Mia!; the Broadway, national touring and West End productions of The Book of Mormon; the Broadway productions of Nice Work If You Can Get It; Annie; Vanya and Sonia and Masha and Spike; Ann; Kinky Boots; I'll Eat You Last with Bette Midler; and the national touring productions of War Horse and Green Day's American Idiot.

Past productions represented by Mr. Lazarus include the Broadway productions of Edward Albee's Who's Afraid of Virginia Woolf?; The Heir-ess; Glengarry Glen Ross with Al Pacino; One Man, Two Guvnors; Green Day's American Idiot; the West End and national touring productions of Hair; the national touring production of South Pacific; the Broadway and national touring productions of Frost/Nixon; Billy Joel's and Twyla Tharp's Movin' Out; and the Broadway transfers of the National Theatre of Great Britain's productions of The Seafarer; Coram Boy; The Pillow-man; Democracy; and Jumpers.

Mr. Lazarus received the highest ranking in the 2012 edition of Chambers USA, America's Leading Lawyers for Business in the category of New York Media & Entertainment: Film, Music, Television & Theater, and also was listed in the 2010–2012 Manhattan editions of New York Super Lawyers in Entertainment & Sports. He achieved the highest AV Preeminent (5 out of 5) professional rating from the Martindale-Hubbell Law Directory. He is a graduate of New York Law School and was admitted to the New York State Bar in 1991.

MICHAEL PERLSTEIN, ESQ.

Michael Perlstein has practiced law for more than 45 years with the focus of his practice on music publishing and recording industry transac-tions. He represents leading artists, writers, music publishers, and the estates of deceased artists and songwriters. A significant element of his practice is analysis and resolution of complex copyright issues involved in the pur-chase and sale of music publishing companies and record labels and individ-ual copyrighted works, estate planning and separation agreements, and divorce settlement agreements.

He is the author of several articles and program presentations, including "In re Marriage of Worth—Copyright as Community Property: Ques-tions About Worth are More than Merely Trivial" (April 1988, Entertainment Law Reporter); "Contracts With Kids: A Limited Discussion of Entertainment Industry Contracts Involving Minors Under California Law" (1992–1993, Entertainment Publishing and the Arts Handbook); "Music Publishing" in all editions of Entertainment Law (1989, 1996, 2004 and 2013, New York State Bar Association); "A Cue Sheet Primer" (March 2000 edition of The Score, the Journal of the Society of Composers and Lyri-cists); "Some Aspects of United States Music Publishing Agreements: The Exclusive Term Copublishing Agreement and the Minimum Delivery Com-mitment" (January 2001 Journal of the International Association of Enter-tainment Lawyers); "Fundamentals of Termination Rights" (2007 and 2008 syllabi of the Entertainment Law Institute of the Texas State Bar); "She Got the Goldmine, I Got the Shaft: When Copyright Collides with Community Property" (2008) syllabus of the Entertainment Law Institute of the Texas State Bar); and the chapter entitled "International Copyright Basics" (2008, Copyright Practice, HalfMoon, LLC); "Termination Rights" in Sound Recordings" (2012 syllabus of the Copyright Society of the USA winter symposium); "Fundamentals of Termination Rights" (2012 syllabus of the California CPA Entertainment Law symposium); and "Confronting Con-founding Issues in Termination Rights: Analysis and Guidance for the Prac-titioner" (2012 syllabus of the Entertainment Law Institute of the Texas State Bar).

He is a former adjunct associate professor of law at Southwestern Law School in Los Angeles, teaching the law and business of music publishing for which he created the case book. He is a frequent lecturer and panelist on music industry and copyright topics. Mr. Perlstein holds an LLB degree from the University of California Berkeley School of Law (Boalt Hall). He is a former trustee and president (2011–2012) of the Los Angeles Copyright Society, and is a member of the Bars of California, New York and Illinois.

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FRANK P. SCIBILIA, ESQ.

Frank P. Scibilia is an intellectual property and entertainment litigation partner at Pryor Cashman LLP and the Co-Chair of the firm's Digital Media Practice Group. He was involved in several seminal cases establishing the boundary of liability in connection with the copying and distribution of copyrighted content via the Internet, including A&M Records, Inc. v. Nap-ster, Inc.; Zomba Enterprises, Inc. v. MP3.com, Inc.; and Paramount Pic-tures Corp. v. ReplayTV, Inc. He also played a key role in the first case to successfully enforce the anti-circumvention provisions of the Digital Millen-nium Copyright Act (Universal City Studies v. Reimerdes), and co-authored amicus briefs to the Supreme Court in MGM Inc. v. Grokster, Ltd. and Eldred v. Ashcroft. Mr. Scibilia has extensive experience negotiating and drafting agreements licensing content, including licenses for the worldwide exploitation of sound recordings and musical compositions via various new digital media platforms and services. He regularly advises clients on com-plex copyright issues, and has led teams conducting due diligence of copy-right assets, including major music publishing and sound recording catalogs, on behalf of prospective purchasers of, and those wishing to securitize, such assets. He earned his B.A. magna cum laude from New York University and his J.D. from the University of California Berkeley School of Law (Boalt Hall).

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MARK G. TRATOS, ESQ.

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Mr. Tratos teaches Entertainment Law, Cyberlaw and Rights of Public-ity/Privacy at the University of Nevada-Las Vegas's William S. Boyd School of Law. He also teaches Media Entertainment—the Business of Entertain-ment at the UNLV College of Hotel Administration, and Entertainment and Fine Arts Law for the UNLV College of Fine Arts. He is a frequent lecturer in the fields of entertainment, intellectual property and Internet law for the Practising Law Institute, National Business Associates, AIPLA and numer-ous other continuing legal education providers, including the New York State Bar Association.

He has written the Nevada chapter of the International Trademark Association's State Trademark and Unfair Competition handbook for almost 20 years and is the author of numerous articles in the field of entertainment and Internet law, including "Gaming on the Internet" (Stanford Journal of Law, Business & Finance) "Intellectual Property Considerations Every Entertainment Lawyer Should Know" (the Practising Law Institute); and "Intellectual Property Considerations in the Licensing of Pre-Existing Mate-rials for Use in Multimedia." Mr. Tratos serves as the Chairman of the Board of the National Judicial College. He is also a Trustee for and Chair of the Board of Advisors for The Smith Center for the Performing Arts, Chair of the Board of Advisors for Lewis and Clark Law School and First Vice Chair of the Board of Trustees for Lewis & Clark College. Mr. Tratos is past Chair of the Board for the Entertainment Development Corporation and the CineVegas Film Festival, and past President of the Allied Arts Council of Nevada and the Lied Dis-covery Children's Museum.

MARY ANN ZIMMER, ESQ.

Mary Ann Zimmer is an entertainment lawyer with clients in televi-sion, film, video and Internet production and distribution, in all areas includ-ing intellectual property, publishing and

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