

ENTERTAINMENT LAW
PL33 #4658
WEST LOS ANGELES COLLEGE
SPRING 2015

Text: Entertainment Law

Instructor: Deanna Newell, Esq.

Meeting Time: Thursdays, 6:45 – 10:00 pm Phone number: (310) 922-2578

Room No. GC 140

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Prerequisites: Paralegal Studies 10 and English 101 (all paralegal students are required to take and pass English 101 prior to taking any paralegal course other than Paralegal Studies 10). All paralegal students are required to follow the necessary course sequencing as designated in the college catalog.

Major Code Notice: All paralegal students must change their major codes with the admissions office to 1402. Otherwise they will not be considered as part of the program and will not receive any necessary updates, information and job posting.

Paralegal Program E-mail List: It is recommended that all paralegal program students subscribe to the paralegal program's e-mail list by contacting by emailing the Paralegal Program Office at paralegal@wla.edu.

Students with Disabilities: Students with disabilities who believe they may need accommodations in this class are encouraged to contact Supportive Services in ***HRLC 119 or via telephone at (310) 287-4450*** as soon as possible to better ensure such accommodations are implemented in a timely fashion.

Course Description:

An overview of the legal aspects of the entertainment industry. The student will be exposed to legal aspects of contractual agreements; copyright requirements; privacy; regulations of the Federal Communications Commission; libel and slander; freedom of speech and press; publishing rights; trademarks; unions; and related concerns.

This course is intended to provide the student with an in-depth analysis of the law pertaining to preparation of entertainment industry contracts and intellectual property infringement claims within the industry; and to thoroughly understand the elements of the entertainment industry's contracts' formation; resolution of contract disputes and intellectual property infringement claims; and the impact of the United States Copyright Office and the United States Department of Patent and Trademark. Moreover, to provide students with the business formation setup in which the entertainment industry operates.

Student Learning Outcomes:

This course will help students achieve the following Institutional Student learning Outcomes:

- A. **Critical Thinking:** Analyze problems by differentiating fact from opinions by using evidence and sound reasoning to specify multiple solutions and their consequences.
 - **Assessment:** The student will 1) complete a case briefing exercise interpreting case law; 2) complete exercises in which the student will interpret and apply the law to numerous hypothetical legal problems as he/she would confront in the entertainment industry; and 3) complete two different contract-drafting exercises which will call for the student to apply his/her knowledge of contracts to a fact-based scenario.

- B. **Ethics:** Practice and demonstrate standards of personal and professional integrity, honesty and fairness and apply ethical principles in submission of all college work.
 - **Assessment:** The student will read articles and handouts about legal ethics in the entertainment industry and prepare outlines and summaries to gain knowledge of necessary legal ethics.

- C. **Quantitative Reasoning:** Identify, analyze, and solve problems that are quantitative in nature.
 - **Assessment:** The student will complete a business formation assignment in which the student will analyze 3 different fact scenarios to determine the best business formation to set up.

- D. **Technical Competence:** Utilize the appropriate technology effectively for informational, academic, personal and professional needs.
 - **Assessment:** The student will complete exercises in which the student has to explore and find applicable documents on the United States Copyright Office website, the United States Patent and Trademark Office website and the California Business Portal website.

Career Competencies To Be Developed:

At the conclusion of this class, the students will be able to:

- Demonstrate an understanding of the main types of Intellectual Property;
- Demonstrate an ability to perform legal reasoning;
- Demonstrate the ability to analyze, interpret and apply contract law and intellectual property law to the entertainment law practice;
- Demonstrate an ability to recognize the elemental parts of an entertainment contract and conclude whether a valid contract exists;
- Demonstrate an ability to recognize the advantages and disadvantages of common entertainment industry business formations and their tax consequences; and
- Demonstrate an ability to determine the tax consequences, advantages and disadvantages of a sole proprietorship, a general partnership, a limited partnership, a limited liability company, a limited liability partnership and a corporation.

Evaluation of Student Performance:

Midterm Examination	25%
Final Examination	25%
Homework exercises recognizing, analyzing and applying contract and intellectual property law and quizzes	20%
Contract drafting exercise	20%
Attendance and in-class participation	10%

Course Materials:

Entertainment Law by Jeffrey Helewitz and Leah Edwards, published by Thomson Delmar Learning.

Scantron forms #882-ES and #2 pencils with erasers.

All written assignments must be typed, double-spaced, 1 inch margin, and at least 12 point font.

All assignments must have your name, description of assignment, class name and number and date.

Grades and E-mail List:

Throughout the semester, grades will be calculated and posted for your private review on www.engrade.com. I will give you a flyer with your access code within the next few weeks so you can access your grades and assignments.

Course Policies:

10% will be deducted for late work that is assigned and not received on time.

The final exam must be taken on the date indicated in the college catalogue.

Attendance is mandatory. You are receiving hands-on application of how to perform in an actual law office or production company, which you cannot receive if you are absent. Your attendance will be recorded for each class. It is your responsibility to make sure that you sign the attendance sign-in sheet each week. **The instructor has the discretion to drop any student who has more than 3 absences (excused or unexcused) during the semester.** Attendance and participation will count as 10% of your overall grade.

Attend every class and be prepared. **If you are absent, you are responsible for the work which is due upon your return. Thus, obtain several students' telephone numbers and e-mail addresses in order to obtain any homework assignments/notes that you miss so that you can properly prepare for class prior to your return.**

Please turn off all cell phones.

Office Hours:

Fifteen minutes before and after class.

COURSE OUTLINE:

PLEASE BE ADVISED THAT THE COURSE OUTLINE IS SUBJECT TO CHANGE THEREFORE ALL STUDENTS ARE REQUIRED TO ATTEND CLASS EACH WEEK TO RECEIVE CORRECT READING/HOMEWORK ASSIGNMENTS.

Date	Course Topics	Assignment (due next class meeting)
2/12/15	Introduction to Entertainment Law; Review of Case Briefing; Introduction to Intellectual Property Law; Copyright Law- What is copyrightable?	<ul style="list-style-type: none">• Read pages 29-35 and 40-49 of Chapter 2.• Read the “FIRAC Method of Case Briefing” handout then brief the <i>Sony</i> case.
2/19/15	Copyright Law- Elements of Copyright Protection	<ul style="list-style-type: none">• Do exercises 1 and 10 on page 50 of textbook (for exercise 1, just <u>list</u> three different notices that you find).• Next, go to United States Copyright website (www.copyright.gov) and locate and print (1) the fees for filing a copyright and (2) the Form PA along with the instructions for completing the Form PA.• Do the copyright search assignment handed out in class.
2/26/15	Copyright Law- Elements of Copyright Protection (continued) and Infringement.	<ul style="list-style-type: none">• In-class practical copyright application exercise.• Homework due next class: Read pages 35-39 of Chapter 2.• Do exercises 4 and 7 on page 50. Study for Quiz #1.
3/5/15	Trademark Law- Overview of Trademark Law; Quiz #1	<ul style="list-style-type: none">• Do a trademark search based on a fact scenario given in class.• Go to California Business Portal website (http://www.ss.ca.gov/business/business.htm) and print off a trademark registration form for a Trademark/Service Mark.
3/12/15	Trademark Law- Trademark Registration and Infringement; In-class Trademark application exercise	<ul style="list-style-type: none">• Read pages 53- 81 of Chapter 3.• Review exercises 2, 8 and 10 on pages 87-88 for in-class discussion.
3/19/15	Legal Structures of the Entertainment Industry; In-class business formation exercise (business organization table); Ethics in Entertainment	<ul style="list-style-type: none">• Go to California Business Portal website (www.ss.ca.gov/business/business.htm) and print off a LLC application form based on the fact scenario given in class. Do a search for three company names of your choice in the California Business Search engine, then fill out application. Do exercise 9 on page 88 of textbook.• Do ethics assignment.

3/26/15	Contract Formation; Mid-term Review.	Study for Mid-Term
4/2/15	Mid-term Examination. Review of the practical contract drafting assignment due on 4/24; Turn in business organization table.	Rest after Mid-Term. ☺
4/9/15	SPRING BREAK	<ul style="list-style-type: none"> • Read pages 81-85 of Chapter 3. • Start contract drafting assignment. • Possible extra-credit assignment.
4/16/15	Elements of Contract Negotiation, Drafting and Redlining; Contracts –Entertainment Contracts and the Standard Terms and Conditions Pertaining There to, Breach of Contract and Contract Remedies.	<ul style="list-style-type: none"> • Read pages 1-8 of Chapter 1. • Finish contract drafting assignment.
4/23/15	First Amendment Rights, Right to Privacy and Obscenity; In-class review of contract drafting exercise.	<ul style="list-style-type: none"> • Read pages 8-26 of Chapter 1 • Review exercises 1-5, 7 and 10 on pages 26-27 for in-class discussion.
4/30/15	Control of Name & Likeness and Defamation.	<ul style="list-style-type: none"> • Read pages 121-132 of Chapter 4 . • Review exercises 1, 4, 5, 7, 8, 10 on page 43 for in-class discussion. • Read pages 145-158 of Chapter 5 • Review exercises 2, 3 and 8 on page 161. • Study for Quiz #2.
5/7/15	Television and Motion Picture; Quiz #2 In-class guild assignment.	<ul style="list-style-type: none"> • Read pages 231-241 of Chapter 6. Read pages 249-262 of Chapter 7 • Do exercises 4, 5 and 10 on page 278 (assume that the packaging deduction is \$4.00 and 1 million records were sold). • Read pages 286-288 of Chapter 8.
5/14/15	Live Stage and Music	<ul style="list-style-type: none"> • Read pages 309-333 of Chapter 9 • Do exercises 2, 5, and 9. • Read pages 279-291 of Chapter 8. • Study for Quiz #3.
5/21/15	Sports and Publishing; Quiz #3	<ul style="list-style-type: none"> • Read pages 341-352 of Chapter 10. • Read pages 262-276 (<i>A&M Records, Inc. v. NAPSTER, Inc. et al.</i>) and brief the <i>NAPSTER</i> case.
5/28/15	Entertainment Law and Cyberspace. Discussion of <i>NAPSTER</i> case; Final Exam Review.	Study for Final Exam
6/4/15	Final Exam.	Enjoy the summer!