



33RD ANNUAL
ENTERTAINMENT LAW INSTITUTE



ENTERTAINMENT LAW 101
November 8, 2023

ENTERTAINMENT LAW INSTITUTE
November 9–10, 2023

AT&T Conference Center ■ Austin, Texas

 Live Webcast November 8, 9–10

INSTITUTE SPONSOR

Bell Nunnally

Entertainment Law 101—Earn up to 3.75 Hours of Credit

Entertainment Law Institute—Earn up to 12.50 Hours of Credit Including 2.25 Hours of Ethics Credit
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2023

ENTERTAINMENT LAW 101

November 8, 2023 ■ AT&T Conference Center ■ Austin, Texas

Earn up to 3.75 Hours of Credit

Times listed are in Central Time

WEDNESDAY AFTERNOON, NOV. 8, 2023

Presiding Officer:

**Brent A. Turman, Bell Nunnally,
Dallas, TX**

12:00 p.m. Registration Opens

Includes light refreshments.

12:35 p.m. Welcoming Remarks

12:45 p.m. 1.00 hr

So You Want to Be a Sports Lawyer?

Explore the life of in-house counsel from college to the pros.

Jessica Presnall, Big 12 Conference, Irving, TX
Stephen Starks, Live Nation Entertainment,
Dallas, TX

1:45 p.m. 1.00 hr

Intellectual Property: The Essentials of Copyrights and Trademarks for Creatives

Understand the basic copyright and trademark principles and identify where they apply in music, television/film, podcasting, and influencer deals.

Stephanie K. Hay, The Hay Law Group, PLLC,
Houston, TX

2:45 p.m. 15-Minute Break

3:00 p.m. 1.00 hr

How to Start and Run an Independent Music Business

An overview of business entities and how they may be used by music labels, music publishers, managers, promoters, venues or others in the music business, followed by a discussion of the deluge of data that labels, publishers and managers must deal with in the modern music business.

Craig Crafton, University of North Texas College of Music and 3345 Music, LLC, Denton, TX

4:00 p.m. .75 hr

Lawyers Who Produce: Film and TV Edition

This lively panel discussion explores how the skills developed as a lawyer translate to the skills needed by film and television producers. Hear insider tips based on the panelists' productions and reveal what they wished they'd known sooner.

Moderator:

Amy E. Mitchell, Amy E. Mitchell, PLLC, Austin, TX

Panelists:

Duncan C. Montgomery, High Frequency Entertainment, LLC, Austin, TX
Lisa Normand, CAMP LUCKY, Dallas, TX

4:45 p.m. Adjourn

ELI WELCOME EVENT

Following the 101 program, join TESLAW at Scholz's Biergarten and Bowling Alley for food, fun and bowling! Free for all conference attendees and faculty. Further details will be provided closer to the event.

ENTERTAINMENT LAW 101 AND INSTITUTE PLANNING COMMITTEE

AMY E. MITCHELL—CHAIR

Amy E. Mitchell, PLLC
Austin, TX

TAMERA H. BENNETT

Bennett Law Office, PC
Lewisville, TX

GWENDOLYN SEALE

Mike Tolleson and Associates
Austin, TX

STAN SOOCHER

Entertainment Law & Finance
Denver, CO

BRENT A. TURMAN

Bell Nunnally
Dallas, TX

M
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E

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 3.75 hours. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

Are you a 1st or 2nd year attorney? Attend most UT Law CLE conferences for just \$195!

Call 512.475.6700 to register.

TEXAS ENTERTAINMENT AND SPORTS LAW SECTION OF THE STATE BAR OF TEXAS

Formed in 1989, the Entertainment and Sports Law Section consists of more than 600 licensed attorneys throughout the state who practice entertainment and sports law. Section members represent a wide variety of clients including artists, filmmakers, athletes, media companies, employers, employees, and entertainment and sports organizations, in both the private and public sectors. The purpose of the Entertainment and Sports Law Section is to promote and enhance the practice of law by all lawyers who concentrate or have an interest in entertainment and sports law. Join today and get involved in the Section's activities. Some of the areas in which you can serve are legislative (state and federal), merchandising, website, social networking, event planning, marketing and more. Section dues are \$30, and membership is from June 1 to May 31. To join, visit your My Bar Page and join online, or download a membership form from [TexasBar.com/sections](https://www.texasbar.com/sections) to pay by mail.



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THURSDAY MORNING, NOV. 9, 2023

Presiding Officer:

**Amy E. Mitchell, Amy E. Mitchell, PLLC,
Austin, TX**

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. 1.00 hr | .25 hr ethics

Name, Image, and Likeness (NIL) in College Sports, Year Three

A discussion of where things stand in the world of NIL and where they could be headed. Topics include NCAA policy, state and federal legislation, IRS and tax issues, international student-athletes, donor collectives, group licensing, and more.

Moderator:

Daniel Hare, Varsity Search and Baylor University,
Waco, TX

Panelists:

Jeremy M. Evans, California Sports Lawyer, Newport
Beach, CA
Jessica Presnall, Big 12 Conference, Irving, TX

9:30 a.m. .75 hr

On The Road Again: Legal Issues with Music Touring

Whether they're taking an Econoline van or a Gulfstream private jet, your music clients are bound to have questions relating to their tours. From insurance coverage to crew agreements to immigration issues and more, discover what you need to know to advise your clients properly.

Stephen Henderson, Cassels Brock & Blackwell LLP,
Toronto, ON

Vikram O. Kadiri, Bell Nunnally & Martin LLP,
Dallas, TX

Andrew Littlejohn, Higginbotham, Fort Worth, TX

10:15 a.m. 15-Minute Break

10:30 a.m. 1.00 hr | .25 hr ethics

Case Law Update

An annual roundup of notable court rulings, including Texas judicial decisions, that impact the practice of entertainment law.

Stan Soocher, Entertainment Law & Finance,
Denver, CO

11:30 a.m. .75 hr

Intro to AI: Registering Works that Incorporate Artificial Intelligence

The last year has seen a dramatic expansion in the use of generative AI technologies, which has prompted questions about the copyrightability of AI-generated works. Get up to speed on the U.S. Copyright Office's AI initiative, walk through the Office's views on registering works generated in whole or in part by AI, and answer some frequently asked questions.

John R. Riley, U.S. Copyright Office, Washington, DC

12:15 p.m. .25 hr ethics

Chatting ChatGPT

Get a fast-paced introduction to emerging AI technologies that lawyers need to know about, including a demonstration of these breakthroughs with a focus on the risks of using these technologies without understanding how they work.

Stephen Henderson, Cassels Brock & Blackwell LLP,
Toronto, ON

Brent A. Turman, Bell Nunnally, Dallas, TX

12:30 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

**Gwendolyn Seale, Mike Tolleson and
Associates, Austin, TX**

**TEXAS STAR AWARD AND
LUNCHEON PRESENTATION**

12:50 p.m. Texas Star Award Presentation

Presented by: Tamera H. Bennett, Bennett Law
Office, PC, Lewisville, TX

1:00 p.m. .75 hr

Legal and Business Concerns in True Crime Podcasting

Gordon Firemark, The Podcast Lawyer™ provides an in-depth analysis of the legal landscape, issues and considerations that arise when producing true crime podcasts, including intellectual property, plagiarism, defamation, privacy concerns, and more. Gain valuable insights that can be applied to your practice and clients in the podcasting industry.

Gordon P. Firemark, Law Offices of Gordon P.
Firemark, Los Angeles, CA

1:45 p.m. 15-Minute Break

TEXAS STAR AWARD RECIPIENT GORDON FIREMARK

Gordon Firemark practices entertainment, media and business law in Los Angeles. He helps creative industry professionals make deals that make sense, and that get their productions developed, financed, produced and distributed. His practice also covers intellectual property, cyberspace, new media, business transactions, and corporate matters for clients in the fields of media, entertainment, content and digital business.

Mr. Firemark is frequently referred to as "The Podcast Lawyer™", and is the author of The Podcast, Blog, & New Media Producers' Legal Survival Guide. (podcastlawbook.com)

He is also a podcaster himself. Since 2009, he has produced and hosted "Entertainment Law Update" (entertainmentlawupdate.com), which provides a monthly roundup of news and commentary about the field of entertainment

law for artists, lawyers, and other professionals in the industry. In 2022, he launched a livestream and audio podcast, "Legit Podcast Pro" to offer tips, strategies and advice to creators in podcasting and digital media.

He holds a B.A. in Radio, Television and Film from the University of Oregon, and earned his law degree at Southwestern University School of Law. He has taught courses in Entertainment Law at Columbia College Hollywood, Intellectual Property and Media Law at Fashion Institute of Design and Merchandising, and Contracts at Pepperdine Law School.

More about Gordon at www.firemark.com



2:00 p.m. 1.00 hr | .25 hr ethics

Protecting an Artist's Legacy with Estate and Intellectual Property Succession Planning

Discover the untold consequences of neglecting estate and IP succession planning as a recording artist/songwriter and delve into the complex web of copyrights, trademarks, and publicity rights arising posthumously. Hear practical steps and real-world examples to make a plan and to tackle a failure to plan.

Tamera H. Bennett, Bennett Law Office, PC, Lewisville, TX
Daniel L. White, Ward White PLLC, McKinney, TX

3:00 p.m. 1.00 hr | .50 hr ethics

Tales from the Trenches: Recurring Litigation Practice Minefields in Entertainment Law Cases

Enjoy tales of litigation in entertainment and media cases including net profits in motion pictures and TV, theft of idea and copyright infringement cases, libel, and class actions against record companies, talent unions and movie studios.

Moderator:
Stan Soocher, Entertainment Law & Finance, Denver, CO

Panelist:
Neville L. Johnson, Johnson & Johnson LLP, Beverly Hills, CA

4:00 p.m. Adjourn to Reception

NETWORKING RECEPTION

4:00 p.m. – 5:00 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

FRIDAY MORNING, NOV. 10, 2023

Presiding Officer:

Brent A. Turman, Bell Nunnally, Dallas, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

LIVE EDITION! Entertainment Law Update Podcast

Join us for a special live edition of the Entertainment Law Update Podcast, where you'll get an exclusive behind-the-scenes look as co-hosts Tamera Bennett and Gordon Firemark produce the November episode of our groundbreaking podcast. Don't miss this unique opportunity to see the magic happen and stay up-to-date on the latest legal developments in the entertainment industry!

Tamera H. Bennett, Bennett Law Office, PC, Lewisville, TX
Gordon P. Firemark, Law Offices of Gordon P. Firemark, Los Angeles, CA

9:30 a.m. 1.00 hr

Drafting Fair Use Opinion Letters and Defamation Letters for Your Productions

What do clearance attorneys need to think about when drafting opinion letters regarding rights issues for their clients? Hear from an expert who has written rights clearance opinion letters for hundreds of projects, ranging from true crime documentaries to scripted films based on or inspired by true stories. Learn what clients, insurance companies, distributors and other stakeholders come to expect when reviewing an opinion letter for films and television programs.

Christopher Perez, Donaldson Callif Perez LLP, Los Angeles, CA

10:30 a.m. 15-Minute Break

10:45 a.m. .25 hr

Lazzari Prize Award Presentation and Paper Summary

Award Recipient TBD

11:00 a.m. .75 hr

Navigating the Complexities of Copyright Termination and Recapture Rights

The realm of termination and recapture rights under the U.S. Copyright Act presents a labyrinth full of pitfalls for practitioners which can result in their clients losing their "second bite at the apple." Hear an overview of Sections 203 and 304 of the Copyright Act, discuss the termination process in the context of music from providing notice to potentially settling and negotiating new deals with publishers and labels, and examine the results of recent court cases in this ever-evolving area of copyright law practice.

Adam Rich, Davis Wright Tremaine LLP, New York, NY
Gwendolyn Seale, Mike Tolleson and Associates, Austin, TX

FRIDAY AFTERNOON

Presiding Officer:

Amy E. Mitchell, Amy E. Mitchell, PLLC, Austin, TX

NETWORKING LUNCH AND MENTORSHIP OPPORTUNITY

In Austin Only

11:45 a.m.

Network with colleagues and converse with conference faculty and other entertainment law experts in multiple practice areas and firm sizes. Lunch is included in registration.

Check out our special rate for small firms (5 or fewer attorneys) and solo practitioners! Get \$100 off your Institute registration and \$50 off your 101 registration. See order form for details.

1:00 p.m. 1.00 hr | .50 hr ethics

Navigating the Minefield of AI-Generated Content

The spread of generative artificial intelligence has raised a host of questions in areas of law spanning copyright, right of publicity, privacy and others. Hear perspectives on those emerging questions and where the law may be headed.

Moderator:
Ken Pajak, Pajak Law, PLLC, Austin, TX

Panelist:
Sy Damle, Latham & Watkins LLP, Washington, DC
Ken Doroshov, Recording Industry Association of America, Washington, DC

2:00 p.m. 15-Minute Break

2:15 p.m. 1.00 hr

The Impact of Warhol v. Goldsmith: In Conversation with Lynn Goldsmith

In May of 2023, the US Supreme Court released its landmark decision in *Andy Warhol Foundation v. Lynn Goldsmith*. Join Lynn Goldsmith herself in conversation with photography attorney Thomas Maddrey, and hear the story behind the case that signals a generational shift in what courts deem "transformational" use.

Moderator:
Thomas Maddrey, American Society of Media Photographers, Dallas, TX

Panelist:
Lynn Goldsmith, Lynn Goldsmith Photography, Nashville, TN

3:15 p.m. 1.00 hr | .25 hr ethics

Everything's Bigger in Texas! A Texas Live Event GC Roundtable

Explore legal issues facing major entertainment events, from the bid process through the after-action report, and look behind the curtain at what goes into the show.

Moderator:
Stephen Starks, Live Nation Entertainment, Dallas, TX

Panelists:
J. Carlos Kuri, SXSW, Austin, TX
Monica Paul, Dallas Sports Commission, Dallas, TX

4:15 p.m. Adjourn

Learn more about TESLAW membership and events at TESLAW.org

TESLAW'S TOP EVENT PICK!

Faculty member, Lynn Goldsmith, will host a photography exhibit at Modern Rocks Gallery on Friday November 10 from 6:00 p.m. – 9:00 p.m.

REGISTRATION FORM

ETP23/ET23

Register:
www.utcle.org/conferences/ET23/signup
www.utcle.org/conferences/ETP23/signup

Mail:
The University of Texas School of Law
ATTN: Registration
PO Box 7759
Austin, TX 78713-7759

Fax:
512.475.6876

Questions?
512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 business days prior to the conference.

PLEASE PRINT CLEARLY

Bar Card # _____ TX Other State: _____ N/A

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Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____ Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

CONFERENCE REGISTRATION

LIVE EVENT REGISTRATION

Special group registration rates available. Call 512.475.6700

Entertainment Law 101 Registration

Includes Electronic Course Binder Download (PDF) in "Your Briefcase."

Please select location type:

- Live, In-Person Event Registration
 Live Webcast Registration

Please select registration type:

- Individual Registration \$195 | \$295 after October 25
 Small Firm (5 or fewer attorneys) Registration \$155 | \$255 after October 25

Entertainment Law 101 Printed and Shipped Binder with Registration (Shipping Included) – Available Through Friday, November 10, 2023

Please Note: Printed binder will arrive 2-3 weeks after the conclusion of the live conference. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

- Printed and Shipped Course Binder \$70.36 (\$65*)

Entertainment Law 101 Webcast Add-on

Register for the in-person conference and add on the webcast format for attendance flexibility.

- Webcast Add-on \$75

Entertainment Law 101 Registration Total \$ _____

Entertainment Law Institute Registration

Includes Electronic Course Binder Download (PDF) in "Your Briefcase."

Please select location type:

- Live, In-Person Event Registration
 Live Webcast Registration

Please select registration type:

- Individual Registration \$595 | \$695 after October 25
 Small Firm (5 or fewer attorneys) Registration \$495 | \$595 after October 25

Entertainment Law Institute Printed and Shipped Binder with Registration (Shipping Included) – Available Through Friday, November 10, 2023

Please Note: Printed binder will arrive 2-3 weeks after the conclusion of the live conference. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

- Printed and Shipped Course Binder \$81.19 (\$75*)

Entertainment Law Institute Webcast Add-on

Register for the in-person conference and add on the webcast format for attendance flexibility.

- Webcast Add-on \$75

Entertainment Law Institute Registration Total \$ _____

REGISTRATION SUBTOTAL \$ _____

POST-CONFERENCE PRODUCTS

Entertainment Law 101 eConference – For Texas and California MCLE Credit

Includes Electronic Course Binder Download (PDF) and program video/audio. Available 4–6 weeks after live event. Hours may vary depending on actual event runtime.

- Fundamentals eConference \$295

Entertainment Law 101 Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- Electronic Post-Course Download (PDF) \$189.44 (\$175*)
 Printed Post-Course Binder \$243.56 (\$225*)

Entertainment Law 101 Post-Conference Products Subtotal \$ _____

Entertainment Law Institute eConference – For Texas and California MCLE Credit

Includes Electronic Course Binder Download (PDF) and program video/audio. Available 4–6 weeks after live event. Hours may vary depending on actual event runtime.

- Institute eConference \$695

Entertainment Law Institute Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- Electronic Post-Course Download (PDF) \$297.69 (\$275*)
 Printed Post-Course Binder \$351.81 (\$325*)

Entertainment Law Institute Post-Conference Products Subtotal \$ _____

TOTAL POST-CONFERENCE PRODUCTS \$ _____

ORDER GRAND TOTAL \$ _____

METHOD OF PAYMENT

- Check (make check payable to The University of Texas at Austin) VISA MasterCard American Express P.O.

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Authorized Signature _____

* Tax-exempt rate for, e.g., government employees and nonprofits. Include a Texas Sales and Use Tax Exemption Certificate with order.

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AUSTIN

November 8, 9–10, 2023

CONFERENCE LOCATION



AT&T Conference Center

The University of Texas at Austin
1900 University Avenue, Austin, TX 78705
877.744.8822 (reservations)

ACCOMMODATIONS

AC Hotel Austin-University

1901 San Antonio St, Austin, TX 78705

Special Room Rate: \$249

Available through October 17, 2023
(Subject to availability)

Please visit utcle.org/conferences/ET23#venue
for reservation link

Parking:

Please visit utcle.org/conferences/ET23#venue
for parking information

KEY DATES

October 25, 2023

Last day for early registration rates

November 3, 2023

Last day for full refund cancellation

November 6, 2023

Last day for partial refund cancellation
\$50 processing fee applied

November 8, 2023, 12:35 p.m., CT
101 begins

November 9, 2023, 8:20 a.m., CT
Institute begins

November 10, 2023

*Last day to order a printed and shipped course binder
with in-person or webcast conference registration.*

ENTERTAINMENT LAW 101 AND INSTITUTE FACULTY

TAMERA H. BENNETT
Bennett Law Office, PC
Lewisville, TX

CRAIG CRAFTON
University of North Texas College
of Music and 3345 Music, LLC
Denton, TX

SY DAMLE
Latham & Watkins LLP
Washington, DC

KEN DOROSHOW
Recording Industry Association of
America
Washington, DC

JEREMY M. EVANS
California Sports Lawyer
Newport Beach, CA

GORDON P. FIREMARK
Law Offices of Gordon P. Firemark
Los Angeles, CA

LYNN GOLDSMITH
Lynn Goldsmith Photography
Nashville, TN

DANIEL HARE
Varsity Search and Baylor University
Waco, TX

STEPHANIE K. HAY
The Hay Law Group, PLLC
Houston, TX

STEPHEN HENDERSON
Cassels Brock & Blackwell LLP
Toronto, ON

NEVILLE L. JOHNSON
Johnson & Johnson LLP
Beverly Hills, CA

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ANDREW LITTLEJOHN
Higginbotham
Fort Worth, TX

THOMAS MADDREY
American Society of Media
Photographers
Dallas, TX

AMY E. MITCHELL
Amy E. Mitchell, PLLC
Austin, TX

DUNCAN C. MONTGOMERY
High Frequency Entertainment, LLC
Austin, TX

LISA NORMAND
CAMP LUCKY
Dallas, TX

KEN PAJAK
Pajak Law, PLLC
Austin, TX

MONICA PAUL
Dallas Sports Commission
Dallas, TX

CHRISTOPHER PEREZ
Donaldson Callif Perez LLP
Los Angeles, CA

JESSICA PRESNALL
Big 12 Conference
Irving, TX

ADAM RICH
Davis Wright Tremaine LLP
New York, NY

JOHN R. RILEY
U.S. Copyright Office
Washington, DC

GWENDOLYN SEALE
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Entertainment Law & Finance
Denver, CO

STEPHEN STARKS
Live Nation Entertainment
Dallas, TX

BRENT A. TURMAN
Bell Nunnally
Dallas, TX

DANIEL L. WHITE
Ward White PLLC
McKinney, TX

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