

THE COPYRIGHT SOCIETY OF THE U.S.A.

Northwest Chapter
Nicholas Mitchell, Chair
nicholasjamesmitchell@gmail.com

March 20, 2009

We are excited to invite you to our Thursday, **April 16th 2009, Panel Discussion and CLE** hosted by Darby and Darby P.C. (1191 Second Avenue 20th Floor, Seattle 98101) and featuring Jay Kogan of DC Comics and Lawrence Siskind of Harvey Siskind LLP. Registration begins at 5:30 p.m. with a reception to follow. Please RSVP no later than **Monday, April 13th**. RSVP's can be made by e-mailing Nick Mitchell at nicholasjamesmitchell@gmail.com.

YOU LOOK FAMILIAR: THE RIGHTS OF PUBLICITY FOR FICTIONAL AND NONFICTIONAL CHARACTERS

Join us for an evening of discussion and examination of the intersection of publicity rights for fictional and non-fictional characters. What are Rights of Publicity? How do they differ between fictional and non-fictional characters? Do fictional characters have broader rights than actual people? How are these rights evolving in a "wired" world?

Join our fantastic panel for a lively discussion as we delve into this evolving and entertaining area of copyright law. We look forward to seeing you on **April 16, 2009**.

Date: Thursday, April 16, 2009

Time: 5:30 p.m. - 6:00 p.m.: Registration
6:00 p.m. - 7:00 p.m.: Panel Discussion and Q&A
7:00 p.m. - 8:00 p.m.: Reception— Meet and Greet (sponsored by Darby & Darby and the CSUSA)

Place: **DARBY &** 1191 Second Avenue
20th Floor, Seattle 98101
DARBY

PROFESSIONAL CORPORATION

www.darbylaw.com

Cost: \$25.00 Attorneys
\$20.00 Non-attorneys
\$15.00 Students

*checks made payable to The Copyright Society of the U.S.A.

CLE Credit: 1.0 (pending)

RSVP: Please RSVP no later than **Monday, April 13th**. RSVP's can be made by e-mailing Nick Mitchell at nicholasjamesmitchell@gmail.com.

DRIVING DIRECTIONS TO DARBY & DARBY

From I-5 going South

From I-5 going South, take the Union St. exit, 165B. Continue on Union until you reach 2nd Ave. and take a left on 2nd. Our office is on the Southwest corner of 2nd Ave. and Seneca St, located on the 20th floor of the Second and Seneca Building. There is a parking garage in our building, with entrances located on Seneca and Spring streets. Please make sure to bring your parking ticket with you, as we can validate your parking before you leave.

From I-5 going North

From I-5 going North, take the Seneca St. exit, 165. Bear left at Seneca and continue until you reach 2nd Ave. Our office is on the Southwest corner of 2nd Ave. and Seneca St, located on the 20th floor of the Second and Seneca Building. There is a parking garage in our building, with entrances located on Seneca and Spring streets. Please make sure to bring your parking ticket with you, as we can validate your parking before you leave.

From WA-99 (Aurora Ave.) Going South

From WA-99 (or Aurora Ave.) going South, take the ramp to Denny Way/Downtown and continue on Aurora Ave. Bear right on Wall St. and take a left when you reach 2nd. Ave. Continue on 2nd Ave. for a little less than a mile until you reach Seneca St. Our office is on the Southwest corner of 2nd Ave. and Seneca St, located on the 20th floor of the Second and Seneca Building. There is a parking garage in our building, with entrances located on Seneca and Spring streets. Please make sure to bring your parking ticket with you, as we can validate your parking before you leave.

From WA-99 going North

From WA-99 going North, take the Seneca St. exit. Go up the hill until you reach 2nd Ave. Our office is on the Southwest corner of 2nd Ave. and Seneca St, located on the 20th floor of the Second and Seneca Building. There is a parking garage in our building, with entrances located on Seneca and Spring streets. Please make sure to bring your parking ticket with you, as we can validate your parking before you leave.

SPEAKERS

JAY KOGAN is the Vice President Business & Legal Affairs and Deputy General Counsel for DC Comics and MAD Magazine. His primary areas of practice include film, television, multimedia, print and online publishing and licensing, and he serves as the companies' chief intellectual property counsel

Jay is also an adjunct professor at New York Law School, where he teaches Intellectual Property Licensing and Drafting. Jay has previously been an adjunct professor at Purchase College, State University of New York, where he has taught courses on copyright law and Internet law, and at New York University School of Continuing and Professional Studies' E-Commerce and E-Business program where he has taught survey courses on intellectual property, both live and online.

In addition, Jay is a co-chair of the Copyright and Trademark Committee of the New York State Bar Association, Entertainment, Arts and Sports Law Section and an active member of the Copyright Society of the U.S.A., having held the positions of Secretary and New York Chapter Chair.

Jay is a frequent lecturer on copyright and trademark law. He has served as faculty for the Practicing Law Institute's programs on Advanced Licensing, and Representing the New Media Company, the National Business Institute's program on Internet Law, and the National Conference

and Research Group's program on Protecting & Managing Online Content. Jay has had articles published on copyright and trademark law, the protection available to characters, advertising law, and broadcast regulation. He received his J.D. and Masters Degree in Mass Media in a dual degree program at Boston University School of Law and his Bachelor of Arts from the University of Connecticut.

LAWRENCE J. SISKIND has specialized in a variety of intellectual property practice areas for thirty years, including litigation, registration, and transactional advice on domestic and international copyrights, trademarks, trade secrets, and unfair competition.

In the field of publicity rights, Mr. Siskind has represented a wide range of real and unreal figures. He currently represents Will Wright, creator of SimCity, the Sims, and Spore, which are among the highest selling computer games in history. Mr. Siskind has also represented Ubisoft, and developed a plan for protecting the intellectual rights to the famous Rayman character. In the real world, Mr. Siskind has represented such Hollywood notables as Tony Bill, Michael Pressman, and Jane Fonda.

Mr. Siskind has been lead counsel in a number of significant decisions, including Bill v. Superior Court, 137 Cal. App. 3d 1002 (1982) (First Amendment rights of movie producers); Hearst Corp. v. Stark, 639 F. Supp. 970 (N.D. Cal. 1986) (First Amendment and copyright rights involved in the importation of foreign made books); Charles Schwab v. Hibernia Bank, 665 F. Supp. 800 (N.D. Cal. 1987) (trademark dispute over THE EQUALIZER); Lattie v. Murdach, 42 USPQ 2d 1240 (N.D. Cal. 1997) (limits to preemption under the Copyright Act); Oracle Corporation v. LightReading, 233 F.Supp.2d 1228 (N.D. Cal. 2002) (trademark dispute over ORACLE).

In 1987, President Reagan appointed Mr. Siskind to serve as the nation's first Special Counsel for Immigration Related Unfair Employment Practices, after confirmation by the United States Senate. In 1996, Governor Pete Wilson appointed Mr. Siskind to serve as a charter member of the State Commission on Academic Content and Performance Standards. Mr. Siskind chaired the committee drafting history standards. In 1998, Governor Wilson appointed Mr. Siskind to his Advisory Council on Electronic Commerce. Mr. Siskind writes occasional commentary on legal and political matters for the Incisive Media newspaper chain. His writings have also appeared in the Wall Street Journal, the Weekly Standard, the San Francisco Chronicle, and many other national and local publications. He received First Prize for commentary for small dailies from the California Newspaper Publishers Association in 2001.

Mr. Siskind was born on the Fourth of July, 1952. He graduated with high honors in 1974 from Harvard College, where he was a member of Phi Beta Kappa. He received his J.D. degree in 1978 from Harvard Law School, where he co-founded and served as note editor of the Harvard Journal of Law and Public Policy. He and his wife Patricia have three daughters, none of whom are lawyers, yet.

NICHOLAS MITCHELL (MODERATOR) is currently the Chair of the Northwest Chapter of the CSUSA and a senior attorney with Hughes Media Law Group working in a variety of intellectual property disciplines, but primarily focusing on strategic business development, drafting and negotiating various services, media and licensing agreements. Prior to joining Hughes Media Law Group, Nick was with Microsoft Game Studios where he focused on negotiating and drafting copyright, trademark, development and publishing agreements for video game project development and marketing. Additionally, he oversaw Microsoft Game Studios' music strategy and cross-group music initiatives with the Zune Music Player and Service.

Before his legal career, Nick co-owned and operated a successful music promotion and artist management company in the Seattle area specializing in special event booking, onsite event coordination and promotions.