

THE COPYRIGHT SOCIETY OF THE U.S.A.

New York Chapter

Rose Auslander and Jonathan Purow, Co-Chairs

April 16, 2009

Dear Members of the New York Chapter of the Copyright Society:

We are delighted to invite you to our final event of the 2008-2009 Season! Co-hosted by the International Intellectual Property Society (IIPS), this **EVENING** panel will be held Wednesday, **April 22th, 2009**, at the **Princeton Club**, 15 West 43rd Street, New York, NY. The panel will start **promptly at 6 p.m.**, followed an open bar (wine and beer) and hors d'oeuvres in celebration of our successful New York season. **We are pleased to announce two additional panelists: Perfumer Kari Arienti and perfume writer Victoria Frolova will be joining Charles Cronin, Tobias Cohen Jehoram, and our moderator, Professor Derek Bambauer.**

“THE SWEET SMELL OF COPYRIGHT PROTECTION”

Fragrance is fleeting, but these days, copyright seems to live forever. Now take perfume . . . or can you? It depends on where you dab it on. In the Netherlands, be careful about following another's scent. Elsewhere in Europe, you may, or may not, be safe to do so. For over thirty years, European courts have debated the subject and the resulting decisions have been wildly inconsistent.

In the United States, perfume -- like fashion designs and hairstyles -- still is not copyrightable. Is this a remnant of sexism against a field associated more with women than with men, or is it sound policy? Are perfume creations capable only of sensual appreciation, and does that mean they are not original works protectable by copyright? Is perfume a “solidarity good” that derives value not from its inherent fragrance, but from consumer desire to participate in trends and fashions -- and would the scent of innovation be soured by rights enforcement?

Please join members of the IIPS for a discussion of both sides of this fragrance fracas, with experts **Kari Arienti** (perfumer from Symrise), **Charles Cronin** (Visiting Fellow at Yale University), **Victoria Frolova** (editor of Bois de Jasmin), **Tobias Cohen Jehoram** (who successfully argued before the Netherlands' Supreme Court to uphold copyright for perfume) and our moderator, **Professor Derek Bambauer** (Brooklyn Law School).

To attend this exciting panel discussion, please complete the attached form, and mail or fax it to The Copyright Society of the U.S.A., 352 7th Ave., Suite 739, NY, NY 10001, fax # (212) 354-2847, **by April 20, 2009**. We look forward to seeing you on **April 22, 2009**.

Date: Wednesday evening, April 22, 2008

Time: 6:00 p.m.-7:00 p.m.: Evening Panel Program

(Please note: panel will start promptly, with refreshments to follow)

7:00 p.m.-8:00 p.m.: Open Bar (wine & beer) and Hors d'oeuvres

Place: **The Princeton Club, 15 West 43rd Street, New York, NY**

Cost: \$55.00 (members), \$75.00 (non-members), \$10.00 (students)

CLE: **The Copyright Society of the U.S.A. is a NY CLE Approved Provider. This course is Transitional and Nontransitional, and provides 1.0 Credit (based on 50 minutes).**

SPEAKERS:

KARI ARIENTI is a perfumer from Symrise (<http://www.symrise.com/>) (full biography to follow).

CHARLES CRONIN is a visiting fellow at Yale Law School, where he is working with Yale Libraries to create an interactive online resource to assist librarians in resolving copyright questions. Mr. Cronin has a J.D. from American University, a Ph.D. from Stanford, and an M.I.M.S. from Berkeley. He wrote an article for *J. Copyright Society*, Winter, 2008 edition, on fragrance and copyright. Mr. Cronin is now working on a companion piece on copyright protection for gardens and similarly unpredictable creative endeavors.

VICTORIA FROLOVA is the editor of Bois de Jasmin, <http://www.boisdejasmin.com>, an independent online publication offering articles on perfumery including fragrance reviews, essays on aroma-materials, perfume history and interviews with industry professionals. In May of 2005, while working on her Ph.D., she created this website, to offer tribute to everything she finds fascinating about perfume. Besides Bois de Jasmin, her writing has appeared on the pages of [Perfumer and Flavorist Magazine](#). Since May of 2007, she has also held a position with International Flavors & Fragrances (IFF) (unaffiliated with Bois de Jasmin.)

TOBIAS COHEN JEHORAM successfully represented l'Oréal before the Netherlands' Supreme Court in defending its copyrights, and has been involved in most of the landmark IP cases decided by that court in the past five years. He lectures on IP law at Erasmus University in Rotterdam, and is the author of the leading handbook on Benelux and Community Trademark law, published in fall 2008. He is an arbitrator for the World Intellectual Property Organization (WIPO), and has advanced Dutch intellectual property law through his work for the Association Littéraire et Artistique Internationale (ALAI).

MODERATOR

PROFESSOR DEREK BAMBAUER teaches Internet law and intellectual property at Brooklyn Law School. A former principal systems engineer at Lotus Development Corp. (part of IBM), Bambauer spent two years as a Research Fellow at the Berkman Center for Internet & Society at Harvard Law School. Bambauer is one of the authors of [Info/Law](#) and has published widely on many topics, including articles on intellectual property in the *Alabama Law Review*, *Harvard Journal of Law & Technology*, and *Information Technology and International Development*. He holds a J.D. (magna cum laude) from Harvard Law School, and an A.B. (summa cum laude) from Harvard College.

Very truly yours,

Rose Auslander
Jonathan Purow
New York Chapter Co-Chairs

THE COPYRIGHT SOCIETY OF THE USA
Registration Form – New York Chapter

Return This Form To: 352 Seventh Avenue, Suite 739 New York, NY 10001 Telephone: (212) 354-6401 Fax: (212) 354-2847 Email: amy@csusa.org	Event: “The Sweet Smell of International Copyright Protection” Wednesday, April 22, 2008, at 6 p.m. The Princeton Club 15 West 43 rd Street New York, NY10036-7497
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Please print clearly:

NAME: _____

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Registration Fees:

Payment by check or credit card *must* accompany this form.

Type	Cost	After 4/ 20	Quantity	Total	Total
Cost					
<input type="radio"/> Members	\$55.00	\$65.00	_____	_____	_____
<input type="radio"/> Nonmembers	\$75.00	\$75.00	_____	_____	_____
<input type="radio"/> Students	\$10.00	\$10.00	_____	_____	_____

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Please make check payable to “THE COPYRIGHT SOCIETY OF THE USA”

Cancellation and Refund Policy:

Full refund will be issued if a cancellation is received in writing 5 days prior to the event. No refunds or credits will be issued for cancellations 3 business days before the event. Registrations are transferable.

Additional Registrants:

First Name	Last Name	Email

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**Telephone: (212) 354-6401 • Fax: (212) 354-2847 • e-mail:
amy@csusa.org**

Scholarship / Financial Hardship Policy

A limited number of scholarships are available to judges, law clerks, law professors, law students, attorneys, pro bono attorneys and paralegals who work for nonprofit organizations, legal service organizations or government agencies, recent graduates not yet employed, and unemployed attorneys who must take CLE courses in order to meet their state requirements.

All requests must be made in writing accompanied by a completed registration form. No more than three requests per person will be considered in any one year. Requests should describe the applicant's interest in the topic and justification for a waiver of fees.

Requests should be accompanied by a recommendation from an instructor in the case of students, or supervisors in the case of law clerks or paralegals.

Requests and scholarships are not transferable. Approval will be based on need and funds available on a first come first served basis. If approved, the scholarship will result in a waiver of the course fees for the specific program application. To apply, please send your request, in writing, prior to the reservation form deadline. Students must submit a copy of their student identification cards.

All requests for scholarships should be sent to: The Copyright Society of the U.S.A, 352 Seventh Avenue, Suite 739, New York, NY 10001. Please call (212) 354-6401 or e-mail amy@csusa.org for further information.