

# THE COPYRIGHT SOCIETY OF THE U.S.A.

New York Chapter  
Jonathan Purow and Andrew Sparkler, Co-Chairs  
Ari Abramowitz, Vice-Chair

## **POLITICALLY INCORRECT? FAIR USE AND COPYRIGHT FOR SONGS IN POLITICAL CAMPAIGNS.**

Recently, prominent musicians such as Jackson Browne, David Byrne and Don Henley have brought lawsuits for copyright infringement (among other claims) for the unauthorized use of their music in political campaigns. Which side wins in the battle of copyright versus political speech? Should unauthorized political campaign uses be considered Fair Use? If copyright actions in these cases are unsuccessful, could the plaintiffs have valid claims in Rights of Publicity or Trademark law?

We are honored to present a highly distinguished panel: Jacqueline Charlesworth (Of Counsel, Morrison and Foerster LLP), Robert Clarida (Partner, Cowan, Liebowitz & Latman, P.C.), Anthony Fletcher (Senior Principal, Fish & Richardson P.C.), and moderated by Jason Mazzone (Professor, Brooklyn Law School).

To attend, please complete the form and email ([amy@csusa.org](mailto:amy@csusa.org)) 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 noon on January 6, 2011. We look forward to seeing you!

Date: Tuesday, January 11, 2011

Time: 12:00 p.m.-12:30 p.m.: Networking Reception (cash bar)

12:30 p.m.-1:00 p.m.: LUNCH

1:00 p.m.-2:00 p.m.: Program (Please note: event will end promptly)

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

Cost: \$65.00 (members) \$75.00 (non-members) \$33.00 (students - Limited)

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:**

JACQUELINE CHARLESWORTH is Of Counsel in the litigation department in the New York office of Morrison & Foerster LLP. Ms. Charlesworth's practice focuses on copyright law in the digital environment. She represents media, entertainment, and other clients in litigation, legislative, regulatory, and transactional matters. In addition to handling infringement matters, she has negotiated industry-wide licensing agreements to facilitate the development of online music services. She advises on copyright-related legislation and appears in proceedings before the U.S. Copyright Office.

BOB CLARIDA is the Partner in charge of the copyright practice at the New York firm of Cowan, Liebowitz & Latman, P.C., which was named Copyright Firm of the Year for both 2008 and 2009 by *Managing Intellectual Property* magazine. He has conducted jury trials, argued federal appeals, and served as lead litigation counsel in a number of reported federal copyright cases. He also counsels clients on non-litigious copyright matters, and has been the principal drafter of *amicus curiae* briefs on copyright matters in the U.S. Supreme Court and a number of Circuits, on behalf of organizations including the AIPLA, the Motion Picture Association of America, the New York City Bar Association and the Recording Industry Association of America. He has recently received professional peer recognition for the field of intellectual property in “New York Superlawyers” (2006, 2007, 2008, 2009, 2010), American Lawyer’s “Best Lawyers in the U.S.” (2006, 2007, 2008, 2009, 2010, 2011) and for the field of copyright in *Legal 500* (2007). Bob speaks and writes frequently on copyright issues, is the author of the treatise **Copyright Law Deskbook** (BNA 2009) and the principal author of the annual review of copyright decisions published each year by the Journal of the Copyright Society of the USA. He co-authors the regular copyright law column in the *New York Law Journal*, and teaches a seminar on emerging intellectual property issues at Columbia Law School. He earned his J.D. in 1993 from Columbia University, after earning a Ph.D. in music composition from SUNY Stony Brook in 1987, and receiving a Fulbright fellowship to the Musicology Institute of Gothenburg University, Sweden.

ANTHONY FLETCHER is a Senior Principal in Fish & Richardson P.C.'s New York office. Mr. Fletcher specializes in trademark litigation, counseling and prosecution, with special emphasis on trade dress and trademark survey matters. He began his trademark work in 1966, and has practiced trademark law and such related fields as copyright, false advertising and right of publicity virtually exclusively since 1971. Recently, he argued the Korean War Veterans Memorial case (*Gaylord v. USPS*) in the Federal Circuit a little over a year ago. Prior law firms are Simpson Thacher & Bartlett (1962-71), Conboy, Hewitt, O'Brien & Boardman (1971-1986) and Hunton & Williams (1986-1997), all in New York.

MODERATOR:

JASON MAZZONE is the Gerald Baylin Professor of Law at Brooklyn Law School. He teaches courses in Constitutional Law and Intellectual Property Law. His book, "Copyfraud and Other Abuses of Intellectual Property Law," will be published in 2011 by Stanford University Press. Professor Mazzone is a graduate of Harvard College and Harvard Law School and he received his doctorate from Yale University. Before entering academia, Professor Mazzone was a law clerk to Judge Robert D. Sack of the U.S. Court of Appeals for the Second Circuit and then to Judge John G. Koeltl of the U.S. District Court for the Southern District of New York. Professor Mazzone is a member of the American Law Institute and he serves on the Board of Trustees of the Copyright Society of the USA. His scholarship has been cited by the Supreme Court and he is a frequent media commentator on legal issues. He blogs at Balkinization.

Very truly yours,  
Jonathan Purow  
Andrew Sparkler  
Chapter Co-Chairs

Ari Abramowitz  
Chapter Vice-Chair

# THE COPYRIGHT SOCIETY OF THE USA

<b>Return This Form To:</b> 352 Seventh Avenue, Suite 739 New York, NY 10001 Telephone: (212) 354-6401 Fax: (212) 354-2847 Email: amy@csusa.org	<b>Event: POLITICALLY INCORRECT?</b> Tuesday, January 11, 2011 NOON The Princeton Club 15 West 43 <sup>rd</sup> Street New York, NY 10036-7497
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(There are a limited number of seats for full time students. Requests are taken in the order they are received)

I am not a member of the Copyright Society but would like to be added to the email list.

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**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:**

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**The Copyright Society of the U.S.A.  
 352 SEVENTH AVENUE, SUITE 739**

New York, NY 10001  
Telephone: (212) 354-6401 • Fax: (212) 354-2847  
e-mail: [amy@csusa.org](mailto: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](mailto:amy@csusa.org) for further information.