

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

New York Chapter

Rose Auslander and Jonathan Purow, Co-Chairs

March 4, 2010

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

We are excited to invite you to our **Thursday, March 18th, 2010, luncheon program**, at noon, at the **Princeton Club**, 15 West 43rd Street, New York, NY.

## “ROYALTIES AND RIP OFFS!”

Do content owners hemorrhage money on the web? Or are they paid too many times for the same piece of content?

First, should ringbacks be considered public performances, in light of the decision this fall holding that the download of a ringtone is not a public performance-- and the 2007 SDNY decision in which Judge Conner concluded that the downloading of a digital music file, in and of itself, does not constitute a public performance?

And second, is it fair that embedders of YouTube videos should be required to pay public performance royalties in addition to YouTube's payment of such royalties for the very same video streams, as has recently been required -- and is it productive for the marketplace?

Please join us for a stimulating discussion with our highly distinguished panel: Lynn Bayard (Partner, Paul Weiss), Seth D. Greenstein (Partner, Constantine Cannon), and Steve Ochs (Former Senior VP, Digital Integrated Marketing of MTV Networks Music & Logo Group); moderated by Professor Judson Jennings of Seton Hall School of Law.

To attend, please complete the attached form, and email, 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 **March 12, 2010**. We look forward to seeing you!

Date: Thursday, March 18th, 2010

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)

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:**

**LYNN BAYARD** is a partner in the Litigation Department of Paul, Weiss, Rifkind, Wharton & Garrison LLP, with a particular focus on copyright and trademark litigation matters in the media and entertainment industries. Among other matters, she has represented songwriters and music publishers, as well as ASCAP and NMPA, in copyright infringement litigations and ratemaking proceedings to set the royalty rates for the reproduction, distribution and public performance of musical works. She is a member of the Association of the Bar of the City of New York's Women in Intellectual Property Committee, served on the Copyright and Literary Property Committee of the City Bar from 2001 through 2006, and also served as an instructor for the Association's copyright infringement litigation course. She currently serves on the Association's Committee on Civil Rights. She has authored and co-authored many articles related to intellectual property issues. She received her J.D. from Boston University School of Law and her B.A. from the University of Pennsylvania.

**SETH D. GREENSTEIN** is a partner of the Washington D.C. office of Constantine Cannon, with his practice focusing primarily on intellectual property litigation and licensing issues. Seth has litigated copyright, patent, trademark, and trade secret cases involving high technology and software products. He has represented satellite, internet and cable digital music services in federal court, in rate-setting arbitrations before the Copyright Arbitration Royalty Panels and the Copyright Royalty Board, as well as administrative proceedings before the Copyright Office. His other areas include antitrust, unfair competition, and contract and complex business tort issues. Seth remains an active advocate on international and domestic legislative and policy issues relating to intellectual property and high technology products and services. Seth is a member of the bars of the District of Columbia, the state of Maryland, the U.S. Court of Appeals for the Sixth Circuit, the Seventh Circuit, the Ninth Circuit, the D.C. Circuit, and the Federal Circuit and the Supreme Court of the United States. Seth also has published articles on computer law, licensing, and copyright issues. He received his J.D. from Antioch School of Law and his B.A. from University of Maryland.

**STEVE OCHS** was most recently Senior Vice President of Digital Integrated Marketing at MTV Networks Music & Logo Group, where he oversaw the creation and execution of multi-platform marketing partnerships between the network and brand marketers, as well as strategic partners such as Rhapsody and the Rock Band franchise.

Previously to that role, Steve served as the Group VP, Music/Youth at MTVN Digital. Before joining MTV Networks, Steve spent 5 years as the Strategic Director, Music for Yahoo!, Inc. and over 10 years in the music industry, primarily at Capitol Records in various Marketing, A&R and operational roles. Steve also founded his own artist management and consulting firm (rocket science industries). Steve received his MBA (Marketing and Finance) from The Wharton School of the University of Pennsylvania and his Bachelor of Arts in Political Science from Colgate University.

**MODERATOR:**

**PROFESSOR JUDSON JENNINGS** (Seton Hall School of Law) teaches Intellectual Property, Internet Law, and Civil Litigation subjects [Civil Procedure, Evidence, Remedies]. His primary area of interest has been the impact of computer technology, the internet, and web 2.0 phenomena of online social communities upon the development of law and dispute resolution procedure. He has written articles on the FBI's early internet surveillance system Carnivore and the FCC's potential role as an Internet censor. After graduating from Georgetown Law School, Professor Jennings worked in public interest law for nearly ten years, as one of the original "storefront lawyers" at MFY Legal Services on the Lower East Side and in Hell's Kitchen, and the Columbia University Welfare Law Center. He is a member of the board of directors of New Jersey Volunteer Lawyers for the Arts. He holds a J.D. from Georgetown Law School and an A.B. from Princeton University.

Very truly yours,

Rose Auslander  
Jonathan Purow  
Chapter Co-Chairs

**THE COPYRIGHT SOCIETY OF THE USA**

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| <b>Return This Form To:</b><br>352 Seventh Avenue, Suite 739<br>New York, NY 10001<br>Telephone: (212) 354-6401<br>Fax: (212) 354-2847<br>Email: amy@csusa.org | <b>Event: Title</b> <i>“Royalties and Rip Offs!”</i><br>Thursday, March 18, 2010, NOON<br>The Princeton Club<br>15 West 43 <sup>rd</sup> Street<br>New York, NY10036-7497 |
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NAME: \_\_\_\_\_

FIRM: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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**Registration Fees:**

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

| Type                             | Cost    | After 03/12 | Quantity | Total | Total Cost |
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| <input type="radio"/> Members    | \$65.00 | \$75.00     | _____    | _____ | _____      |
| <input type="radio"/> Nonmembers | \$75.00 | \$85.00     | _____    | _____ | _____      |

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

**Special Meal Request:** Vegetarian Vegan Kosher (Minimum 4 business days advance notice)

**Method of Payment:**

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MM YY

Credit Card No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ / \_\_\_\_\_

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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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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.