

THE COPYRIGHT SOCIETY OF THE U.S.A.
A non-profit organization dedicated to copyright law education

QUARTERLY ONLINE NEWSLETTER
Volume 1, No. 4
Summer, 2003

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LETTER FROM THE PRESIDENT

Dear Member,

Welcome to this abbreviated Summer 2003 edition of our online newsletter. As we begin a new year of Copyright Society events, I would like to thank all of our Chapter heads, Committee heads and members who worked so hard last year on an exceptional roster of programs and events to mark our 50th Anniversary. It has been a busy and rewarding twelve months. We held highly successful programs in New York and around the country, including our regular lunch and dinner seminars, programs for Young Lawyers, our Midwinter and Annual Meetings, and our 50th Anniversary Gala. In addition, we inaugurated our online Newsletter, continued work on our FACE initiative and Copyright Awareness Week, and undertook administrative and organizational projects to further strengthen our Society for the benefit of our members and the public.

Our Chapter and Committee heads and members who will be planning events over the next nine months and working and our various educational and administrative committees deserve our support and appreciation. Although we are not including Committee reports in this Newsletter, we have been hard at work this summer planning our programs and working on a number of long- term projects, such as our FACE initiative, Copyright Awareness Week and our website. We will be updating you on these projects as the year progresses.

We are extremely proud of the 50th Anniversary edition of the Journal of the Copyright Society which is about to be mailed to our membership. Our Editor -In Chief, Professor Joseph J. Beard of St. Johns Law School, our Technical Editor, Bill Manz, and our Editorial Board have put together an outstanding collection of 20 articles (some of which are illustrated) by copyright experts from the United States and overseas. This special edition of the Journal is over 600 pages long and includes Judge Posner's 2002 Brace Lecture, as well as a wonderful article by the Honorable Mary-Beth Peters' entitled "Reflections of the Register of Copyrights." As an additional highlight, Professor Beard was able to obtain a copy of the very first issue of the Journal's predecessor publication, The Bulletin of the Copyright Society, which was published in June 1953. It is reproduced in the Journal. We have come a long way since 1953.

Some of the programming highlights of the coming year are noted in this newsletter. Our New York Chapter, headed by Jay Kogan, will be holding a CLE accredited ethics program on September 24th

at the Princeton Club entitled "Negotiation Ethics for the Copyright Lawyer." Our speaker, Michael A. Santoro, J.D., Ph.D. is a highly regarded expert on ethical issues facing lawyers, and is well known as an exciting and engaging speaker. On September 11th, our Northern California Chapter will hold a program on "The Anatomy of a Book Publishing Contract" to be given by Robert G. Pimm, Esq. Both programs are sure to be very worthwhile.

Our Midwinter Meeting will be held February 19 - February 21, 2004 at the Biltmore Hotel in Santa Barbara. This year, we are co-hosting the meeting with the Los Angeles Copyright Society, and our program chairs are Kate Spelman, Scott Martin and Jeffrey Mausner. The Biltmore is a landmark oceanfront luxury resort located in one of the most beautiful cities on the West Coast. Our program committee will be announcing the topics and speakers very soon.

Our Brace Lecturer will be announced in a separate mailing shortly.

I would like to thank our departing Trustees, who ended their three-year term in June at our Annual Meeting. These Trustees are Denise Incorvia Mroz, Mary Rasenberger, C. Paul Spurgeon, Joseph Salvo, Sarah Sully, Jon Tandler, Mark Traphagen, Joella West, and Marya LennYee.

I would also like to welcome our incoming Trustees, Jonathan Band, Terrence Dixon, Corey Field, Marci Hamilton, Hugh Hansen, Marybeth Peters, Andrea Rush, Katherine Spelman, Aarti Tandon, and Jonathan Zavin. The Society is fortunate to have so many dedicated people working to make our organization so successful.

Thank-you for your continued support.

Sincerely,

Maria A. Danzilo

NATIONAL EVENTS CALENDAR
(Further details are available on our web site: www.csusa.org)

THE BRACE LECTURE, SPECIAL 50TH ANNIVERSARY YEAR:

The Brace Lecture is an annual event sponsored by the Copyright Society and endowed by the Brace family of the Harcourt Brace publishing company. The speakers invited include distinguished judges, scholars, and practitioners. Details of the 50th Anniversary year lecture, to be held in New York City, will be announced soon.

THE MID-WINTER MEETING

February 19-21, 2004 at the Santa Barbara Biltmore, in Santa Barbara, California. Details to be announced.

THE ANNUAL MEETING

June 13-15, 2004 at The Sagamore Hotel, Bolton Landing, NY.

COMMITTEE REPORTS

Committee Reports will return in the Autumn Edition of the Online Newsletter.

REGIONAL CHAPTER EVENTS

MIDWEST CHAPTER:

October 24, 2003

Henry Root and Peter Strand discuss "DVDs, Downloads and Burns: Production and Distribution of Copyrighted Musical Works in a Changing Digital Landscape"

Topics:

Exclusive Artist Recording Agreements: Copyright Ownership of Master Recordings

Musical Compositions, DVDs and Television Productions: Is it a mechanical license? A Synchronization License? Or a Horse of a Different Color?

New Financing, Production and Distribution Models: A Discussion of Digital Audio and Audio-Visual Distribution Models, Including Video On Demand Services, DVDs and iTunes.

WHEN: October 24, 2003, 12:00 P.M. - 1:30 P.M.

WHERE: John Marshall Law School, 315 S. Plymouth Court, Room 1200, Chicago IL

PRICE: \$20 (Copyright Society Members) \$25 (Non-Members) Lunch will be provided

Midwest Chapter Upcoming Events:

December, 2003: Fair Use Interactive Panel

January, 2004: Liu Case (Dean Monco)

February, 2004: Technology Issues Panel

April, 2004: Lon Sobel, publisher Entertainment Law Reporter

June, 2004: Steve Weissman, Time Inc. on Publishing Issues

For further information contact Angela Washelesky, Sachnoff & Weaver, Ltd., Tel.: (312) 207-3854, Email: awashel@sachnoff.com

NEW ENGLAND CHAPTER:

For information on upcoming events, please contact please contact William S. Strong, Kotin, Crabtree & Strong, Tel: (617) 227-7031, Fax: (617) 367-2988, Email: wstrong@kcslegal.com.

NEW YORK CHAPTER:

September 24, 2003

We are pleased to announce the first of our monthly seminar meetings of the 2003-2004 season, "Negotiation Ethics for the Copyright Lawyer" - an Ethics CLE-accredited program to be held on Wednesday, September 24, 2003 at the Princeton Club, 15 West 43rd Street, starting at 12:30 PM, preceded by cocktails. This program is scheduled to run until 2:15 [for a total of 1 1/2 CLE ethics credits].

Our speaker, Michael A. Santoro, J.D., Ph.D. will engage the audience in an interactive examination of various ethical issues that arise in the course of negotiation between lawyers with copyright-specific hypothetical problems.

Dr. Santoro is is an Associate Professor at Rutgers Business School where he teaches courses in the Ethical and Legal Aspects of the Pharmaceutical Business, Business Ethics, Business Law, Human Rights, and Business, Government and Society. He holds a Ph.D. in Public Policy from Harvard University, a J.D. from New York University, and an undergraduate degree from Oberlin College. He is a frequent lecturer on legal and business ethics.

Save the date!

Wednesday, October 29, 2003 Luncheon: The Interplay of Copyright and Trademark Law in the Protection of Character Rights.

Thursday, November 20, 2003 Dinner: Surprise Topic to be Announced.

New York Chapter Luncheons are held at the Princeton Club, 15 W. 43rd Street, New York, unless otherwise announced. Contact: Jay Kogan, DC Comics, Tel.: (212) 636-5465, Fax: (212) 636-5595, Email: jay.kogan@dccomics.com.

NORTHERN CALIFORNIA CHAPTER:

September 11, 2003

The Copyright Society of Northern California is pleased to welcome

ROBERT G. PIMM, ESQ.

presenting

THE ANATOMY OF A BOOK PUBLISHING CONTRACT

Thursday, September 11, 2003
12:00 Noon at
Pillsbury Winthrop LLP, 50 Fremont Street, San Francisco, CA 94105

\$15 Members, \$20 Non-Members

Lunch Included / 1 hour MCLE credit

For more information on upcoming events, please contact Cydney A. Tune, Pillsbury Winthrop LLP, 415.983.6486, Email ctune@pillsburywinthrop.com

PHILADELPHIA CHAPTER:

October 8, 2003

The Philadelphia Chapter is pleased to present Kelly Tillery of Leonard Tillery & Sciolla LLP speaking on "Vicarious and Contributory Copyright and Trademark Liability: Are The Pirate's Mates On The Hook?"

The location will be the Conference Center at Ballard Spahr Andrews & Ingersoll, LLP, 1735 Market Street, Philadelphia, PA 19103. The presentation will be from 5:30pm to 7:30 pm. Wine and appetizers will be provided.

For further information, please contact Jamie B. Bischoff, Ballard Spahr Andrews & Ingersoll, LLP, Tel.: (215) 864-8207, Email: bischoff@ballardspahr.com, or Paul Lantieri III, Tel: 215.864.8279, Email: lantierip@ballardspahr.com

ROCKY MOUNTAIN CHAPTER:

September 23, 2003

The Rocky Mountain Chapter of The Copyright Society of the U.S.A and the Patent, Trademark and Copyright Section of the Colorado Bar Association are co?sponsoring a luncheon meeting on Tuesday, September 23, 2003.

This meeting will be held at:

Time: 11:45 a.m. to 1:30 p.m.
Place: The Pinnacle Club, Club Room, 555 17th Street, 37th Floor, Denver, Colorado
Cost: \$35.00 (including lunch)
CLE: 1 Hour General CLE Credit (applied for)

Katherine C. Spelman, Esq. will speak on Current Developments Generally and the Current State of the Confluence Between Copyright Protectability and Functionality.

Please RSVP for the September meeting by contacting Pam Kleiner at Townsend & Townsend & Crew, LLP at 303-571-4000 or by email at pok@townsend.com.

Upcoming Rocky Mountain Chapter Events:

October 22, 2003 Peter Kinsella, Esq., of Faegre & Benson, will speak on "Clean Room" procedures for documenting the independent creation of software and other technology. Mr. Kinsella will discuss examples of procedures and counseling for clients to help them avoid claims of copyright infringement through the defense of independent creation.

November 19, 2003 Pamela Johnson, Esq., of Isaacson, Rosenbaum, Woods & Levy, will speak on Dilution of Trademark: The Victoria's Secret case.

For information on upcoming events, please contact Jon Tandler, Isaacson, Rosenbaum, Woods & Levy, P.C. at 303-256-3987, Email: jtandler@irwl.com. Or contact Co-chair Christopher P. Beall, Faegre & Benson LLP, Tel.: 303-607-3500, Email: cbeall@faegre.com

SOUTHEASTERN CHAPTER:

For information on upcoming events, please contact Bobby Rosenbloum, Greenberg Traurig, LLP, Tel: (678) 553-2250, Fax: (630) 604-3574, Email: rosenbloumb@gtlaw.com

WASHINGTON, D.C. CHAPTER:

For information on upcoming events, contact: Kenneth M. Kaufman, Skadden, Arps, Slate, Meagher & Flom LLP, Tel.: (202) 371-7170; Email: kaufman@skadden.com

OTHER EVENTS

ABA FORUM ON THE ENTERTAINMENT AND SPORTS INDUSTRIES ANNUAL MEETING

OCTOBER 10-11, 2003

The American Bar Association Forum on the Entertainment and Sports Industries 2003 Annual Meeting: "The Entertainment Industries and Intellectual Property"

Westin Times Square Hotel, New York

Information available at: <http://www.abanet.org/forums/entsports/programs.html>

The National Advertising Review Council Presents: A National Advertising Division (NAD) Conference:

"The Case for Comparison: How Comparative Advertising Can Meet the Test of Self-Regulation"

October 22, 2003

Pre-conference workshop October 21

The Sheraton New York Hotel and Towers

Information available from:

The National Advertising Review Council
70 W. 36th Street, 13th Floor
New York, NY 10018
Contact: Robin Poindexter at 212.705.0113

The Los Angeles Copyright Society sponsors monthly meetings and other events. For further details, please see their web site: www.copr.org

MEMBER NEWS

Morrison Cohen Singer & Weinstein, LLP, New York City, is pleased to announce that THOMAS A. CANOVA and STEVEN I. WALLACH have become members of the firm.

NOEL L. SILVERMAN, formerly a member of the law firm of Silverman Shulman & Baker, P.C. is pleased to announce the opening of new offices at 200 Park Avenue South, Suite 1614, New York, NY 10003.

SARAH SULLY of Morrison and Foerster, LLC in New York was the Keynote Speaker at the Joint Conference of the American Library Association and the Canadian Library Association Annual Conference, June, 2003, held in Toronto. The Conference title was "Digital Rights, Digital Wrongs." Sarah spoke on the topic "International Copyright: Current Legal Issues Affecting Publishers and Librarians."

M. KELLY TILLERY of Leonard, Tillery & Sciolla, LLP in Philadelphia has been appointed to serve on the National Arbitration Forum's Intellectual Property Arbitration Panel. The National Arbitration Forum is a leading national provider of neutral arbitration, mediation and other alternative dispute resolution services. Tillery is a frequent lecturer and author on intellectual property topics.

Congratulations to copyright lawyer turned Rabbi JAN URBACH who has been installed as Rabbi of the Conservative Synagogue of the Hamptons in Sag Harbor.

It is with great sadness that we report to you that Brian Saffer, longstanding member of the Copyright Society of the USA, and husband of past President Judith Saffer, passed away on 27th May, 2003. Many of our members heard the sad news at the Annual Meeting, but we felt it would be good to share this with all of our membership, many of whom knew Brian. Those of you who might wish to send condolences to Judith, please write in care of Broadcast Music, Inc., 320 West 57th Street, New York, NY 10019.

Comedy writer Eliot Wald, husband of Jane Shay Wald, passed away in July in Los Angeles. In addition to his screen, stage, and television writing credits, Eliot was responsible for bringing together the "dueling critics" Gene Siskel and Roger Ebert for a Chicago television station.

S. Frederick Gronich, a longtime executive with the Motion Picture Association who represented the interests of American film studios abroad, died June 22 in Jerusalem at the age of 87. He represented the American film industry on projects throughout Europe, North Africa, and Israel, working on issues including taxes, censorship, co-production agreements, and publicity.

MEMBER NEWS SUBMISSIONS:

Please submit your Member News via email to the Copyright Society office: bpannone@csusa.org

The publication deadlines are:

Autumn Issue: Submit by August 15
Winter Issue: Submit by December 15
Spring Issue: Submit by March 15
Summer Issue: Submit by June 15

Please note the Copyright Society of the U.S.A. reserves the right to select and edit submissions received.

COPYRIGHT SOCIETY INFORMATION

The Copyright Society of the U.S.A. is a non-profit organization that was organized in 1953 to foster interest in and advance the study of copyright law and the rights in literature, music, art, the theatre, motion pictures, and other forms of intellectual property. Membership supports these goals and has many benefits, including participation in nationwide educational events, meetings, lectures, and educational initiatives, an online newsletter, and a subscription to the prestigious Journal of the Copyright Society of the U.S.A., the leading peer-reviewed journal devoted exclusively to copyright law. For further information on membership, including forms, please see our web site: www.csusa.org

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CHAPTERS

DC Area - Kenneth Kaufman
Denver - Jon Tandler
Mid-West - Angela M. Washelesky
New England - William S. Strong
New York - Jay Kogan
Northern California - Cydney Tune
Philadelphia - Jamie Bischoff
Southeast - Bobby Rosenbloum

The Copyright Society of the U.S.A.
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