

LAW 7538: ENTERTAINMENT LAW

SYLLABUS

Prof. Bell
Spring 2007

COURSE DESCRIPTION AND OBJECTIVES

Entertainment Law surveys the many legal doctrines that shape the entertainment industry and explores how those various doctrines interact. Topics include free speech, defamation, invasion of privacy, publicity rights, copyright, contractual relations in the entertainment industry, and performer organizations. The course also explores practical aspects of entertainment law, such as client counseling and litigation strategy, and theoretical questions raised by the interplay of federal law, state law, and the rules of private organizations.

This course should prepare you to analyze a wide variety of entertainment law issues at a general level. Dealing with more narrow topics such as copyright litigation or union negotiations may require additional, specialized study. This class should also help to polish your legal reasoning skills and introduce you to some of the practical and ethical concerns of a working attorney.

GRADING

Ninety percent of your grade will come from an open-book final exam, based wholly or largely on your essay answers to hypothetical fact patterns. Participation will count for 10%. You can earn one participation point per class by signing a sheet indicating your readiness to discuss the readings if I call on you, and various points for any ungraded quizzes or projects I offer. You may lose some or all of the points allowed for classroom discussion if you sign up to speak but demonstrate lack of preparation.

HOW TO CONTACT ME

I encourage you to contact me if you have questions or comments about what we discuss in class or about law school in general. You can find me in my office, room 438, each Monday, from 9 a.m. until 1 p.m., and Wednesday, from 2:15 until 4:00 p.m. I welcome you to drop by and chat at those times or at other times by appointment. You can also call me at 714/628-2503 or email me at <tbell@chapman.edu>. At <<http://www.tomwbell.com/teaching.html>> you can find course materials, including a statutory supplement for this course.

READING ASSIGNMENTS

This syllabus sets forth the readings assigned for Introduction to Intellectual Property from the course's primary text, Paul C. Weiler, Entertainment, Media, and the Law (3rd ed. 2006). Please note that while I will make a good faith effort to follow this syllabus, I reserve the right to change it. You should also read provisions of the Entertainment Law Statutory Supplement as necessary.

| <u>class #</u> | <u>reading</u> | <u>(# pages)</u> |
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INTRODUCTION AND OVERVIEW

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|----------|---|------|
| Class 1: | pp. 1-14, 134-137, 215, 310-12, 407-08, 539, 642-43, 716-18, 793, 845-47, 912-13, 1157-58 | (29) |
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PART 1: LEGAL RESTRAINTS ON ENTERTAINMENT STORIES: SEX & VIOLENCE

Chapter 1: Sex and Violence in Entertainment and the Law

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| Class 2: | pp. 14-33 | (19) |
| Class 3: | pp. 33-50, 54-63, 67-78 | (37) |
| Class 4: | pp. 78-99, 102-12 | (30) |
| Class 5: | pp. 117-33 | (17) |

Chapter 2: Entertaining the Public with Individual Lives

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| Class 6: | pp. 134-42 (through 1st full ¶), 152 (1st full ¶), 156-69, 177-80, 188-91, 194 (1st two ¶s), 196-98 | (28) |
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Chapter 3: Celebrity Publicity Rights

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| Class 7: | pp. 229-230 (to "* * *"), 232 (1st full ¶)-35, 244-50, 271-72 (to "* * *"), 277-82 (to "* * *"), 284-87 (2nd full ¶), 290 (from 2nd "* * *")-99 (through 1st full ¶), 303-05 | (31) |
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PART 2: INTELLECTUAL PROPERTY IN ENTERTAINMENT ASSETS

Chapter 4: Elements of Copyright Protection

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| Classes 8-9: | pp. 310-17, 326 (2nd full ¶), 332-33, 344-47, 362-85, 396-406 | (44) |
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Chapter 5: Entertainment Innovations and Intellectual Property

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| Classes 10-12: | pp. 408-16, 424-35, 442-45, 452-54, 465-70, 473 (2nd full ¶)-77, 487-88, 492-517, 528-34 | (67) |
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Chapter 6: Alternative Sources of Entertainment Property Rights

Classes 13-14: pp. 539-57, 579-88, 594-98, 604-07,
612-31, 635-39 (58)

PART 3: CONTRACTUAL RELATIONS IN THE ENTERTAINMENT INDUSTRY

Chapter 7: Contract Formation and Duration

Classes 15-16: pp. 642-54, 659-66, 670-705 (52)

Chapter 8: Entertainment Contract Obligations

Classes 17-18: pp. 716-44,
747 (from "***" through next-to-last full ¶),
751 (from "***" through next-to-last full ¶),
753-56 (through first full ¶),
759 (all three full ¶s), 760-87 (51)

Chapter 9: Entertainment Contract Remedies and Liabilities

Classes 19-20: pp. 793-819,
824 (from questions)-27 (through 2nd full ¶),
829 (from questions)-836 (through last full ¶),
840 (from "IV")-42 (to 1st full ¶) (37)

Chapter 10: Entertainment Representation and Regulation

Classes 21-22: pp. 845-909 (54)

PART 4: INDUSTRY ORGANIZATION, ETC.

Chapter 11: Performer Organizations

Classes 23: pp. 912-43, 956-958, 968-74 (35)

EPILOGUE: ENTERTAINMENT IN INTERNATIONAL TRADE

Class 24: pp. 1157-74 (17)

GUEST SPEAKERS

Classes 25-27 (interspersed throughout course)

REVIEW

Class 28: (review) (0)