

USC UNIVERSITY PARK CAMPUS
LOS ANGELES, CALIFORNIA

SATURDAY
OCTOBER 21, 2017

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School of Law

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Association**
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USC GOULD SCHOOL OF LAW – BEVERLY HILLS BAR ASSOCIATION

2017 INSTITUTE ON ENTERTAINMENT LAW AND BUSINESS

KEYNOTE SPEAKER

BEN SHERWOOD

CO-CHAIRMAN, DISNEY MEDIA NETWORKS
PRESIDENT, DISNEY/ABC TELEVISION GROUP

It's All About the Money: Shifting Revenue in the Digital Age



FEE INCLUDES CONTINUING
EDUCATION CREDIT FOR ATTORNEYS
(MCLE) AND ACCOUNTANTS (CPE),
MEALS, BREAKS, PARKING AND
ELECTRONIC SYLLABUS

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network

Join over 800 of the Industry's prime movers for an unrivaled networking and learning opportunity.

get the inside scoop

Whether you are a lawyer, executive, agent, producer or accountant, you will get up-to-date information you need to navigate the Industry successfully.

don't miss out

For almost 60 years, the USC-BHBA Institute on Entertainment Law and Business has been the premiere conference in the nation for entertainment professionals. Join the Industry's most powerful players for an in-depth examination of the hottest entertainment law issues, latest deals and up-to-the-minute business perspectives.

sign up now!

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8:45 AM

Welcome and Introductions

USC Bovard Auditorium

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Institute Chair
Gang, Tyre, Ramer & Brown, Inc.

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Institute Co-Chair

Mary S. Ledding

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Leeanna Izuel

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Marc R. Staenberg

Chief Executive Officer
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9:00 AM

The Industry: Trends, Fads and Transformation

Returning again this year is our digital and entertainment futurist, Jeff Cole, sharing highlights from his ongoing study of how the Internet impacts content and society. Using data from the study, he provides eye-opening facts on consumers' use of media, including the scope of user-generated and professionally-produced content and its effect on traditional media content.

Jeffrey Cole, Ph.D.

Director
Center for the Digital Future
Research Professor
USC Annenberg School for
Communication and Journalism

9:45 AM

Where the Money Is in Music These Days

Four leading practitioners, all connected to world class musical talent, will observe, from different perspectives, paradigm shifts in supply and demand; content delivery systems; market concentration; talent monetization and product deal structures; evolving business models; and dynamic interaction with music consumers. Together they will share their insights on where the best and most reliable revenue streams and growth opportunities are, and how they are likely to materialize in the years to come.

Marc Geiger

Worldwide Head of Music
WME Entertainment

Jeffrey S. Harleston

General Counsel
Executive Vice President,
Business and Legal Affairs
Universal Music Group

Ron Laffitte

President
Patriot Management

MODERATOR

Donald S. Passman

Gang, Tyre, Ramer & Brown, Inc.

10:45 AM

Networking Break

Sponsored by SESAC, Inc.



11:00 AM

Hidden Figures: Profit Participations
in a Studio-Dominated Foreign,
Digital and Vertical World

The messy world of the “back-end” and the “waterfall” is examined in this all-hands panel that looks at major issues from the viewpoints of the studio/distributor, the talent, the auditor and the litigator. Current and future issues in participations include continued vertical integration; premium video on demand; what is included in home entertainment; and audit restrictions (including access to foreign information and tolling of audit statutes).

12:00 PM

Popularity Is Where the Money Is:
The Economics of Branding Deals
in the Social Media Age

Popularity drives stardom. It brings endorsements, sponsorships, licensing and branding. Social media is rapidly changing the entertainment landscape for both traditional movie and TV stars and digitally native talent, having created new popularity matrices (e.g., Instagram followers) as well as generating new revenue streams for sponsors of products on the Internet. Hear a panel of experts discuss emerging trends and how the “likeability factor” drives celebrity status.

The panel will explore how popularity is measured both online and offline and what the new financial opportunities for purveyors of their images look like. Learn how these deals are structured, the legal pitfalls for online “talent” and how they are addressed. A lot of popularity and a little creativity can lead to substantial financial success.

1:00 PM

Morning Program Adjournment

1:20 PM

**Luncheon and Keynote Presentation:
Interview with Ben Sherwood**

USC Ronald Tutor Campus Center Ballroom

Join Disney Media Networks Co-Chairman Ben Sherwood for a 30 minute conversation with Bruce Ramer about the current landscape of the entertainment industry.

Erik Hyman

Loeb & Loeb LLP

Mark D. Passin

Robins Kaplan LLP

Mansi K. Shah

Vice President

Senior Participations Counsel
Warner Bros. Entertainment

MODERATOR

Steven D. Sills

Green Hasson Janks

Heather Kamins

Senior Vice President,
Business and Legal Affairs
CAA-GBG Global Brand
Management Group

Sara Perry

Vice President, Head of Marketing
Business & Legal Affairs
Universal Filmed Entertainment Group

Kimberly B. Rosenblum

Weintraub Tobin

MODERATOR

Jenna Z. Gambaro

Business Affairs Executive
Creative Artists Agency

Ben Sherwood

Co-Chairman, Disney Media Networks
President, Disney/ABC Television Group

Bruce M. Ramer

Gang, Tyre, Ramer & Brown, Inc.

continuing education credits

ATTORNEYS. Minimum Continuing Legal Education (MCLE): USC Gould School of Law, a State Bar of California-approved MCLE provider, certifies that this activity qualifies for minimum continuing legal education credit in the amount of 6.25 hours, of which 1 hour may apply to legal ethics credit. This event may or may not meet the requirements for continuing legal education in other states. Please check with the bar association or Supreme Court in the state in which you are seeking credit to determine if this event is eligible.

e indicates the number of hours of MCLE legal ethics credit available for a particular session.

ACCOUNTANTS. Continuing Professional Education (CPE): This program meets the guidelines set by the California State Board of Accountancy in the amount of 5 hours.

luncheon keynote speaker

BEN SHERWOOD

**CO-CHAIRMAN, DISNEY MEDIA NETWORKS
PRESIDENT, DISNEY/ABC TELEVISION GROUP**



As Co-Chairman, Disney Media Networks, and President, Disney/ABC Television Group, Mr. Sherwood oversees The Walt Disney Company's global entertainment and news television properties, owned television stations group and radio business. This includes ABC Studios, a global leader in the development, production and distribution of entertainment content across broadcast, cable and on-demand platforms; the ABC Owned Television Stations Group; the ABC Television Network, which provides entertainment, news and kids programming to viewers via more than 200 affiliated stations across the U.S.; Disney Channels Worldwide, a portfolio of 116 kid-driven, family-inclusive entertainment channels; Radio Disney; and millennial-targeted cable network Freeform. Disney/ABC Home Entertainment and Television Distribution and Disney Media Distribution round out the portfolio. Mr. Sherwood also oversees the Company's equity interests in A+E Networks and Hulu. The Disney/ABC portfolio is responsible for the creation of more than 24,000 hours of original content each year.

Prior to this, Mr. Sherwood was president, ABC News, a position he had held since December 2010. Mr. Sherwood began his career in journalism in 1989 when he joined ABC News as an investigative associate producer and then producer for ABC News' "PrimeTime Live." In 1997, he joined NBC's "Nightly News with Tom Brokaw," first as broadcast producer, then senior producer, and ultimately senior broadcast producer. Mr. Sherwood returned to ABC News in April 2004 as executive producer of "Good Morning America."

Mr. Sherwood's journalism and non-fiction essays have been published in many respected publications. He is the author of three critically acclaimed best-sellers: *The Man Who Ate the 747* (2000), *The Death and Life of Charlie St. Cloud* (2004) and *The Survivors Club* (2009).

Mr. Sherwood earned an A.B. degree in American government and history from Harvard College, where he graduated Phi Beta Kappa. He was a Rhodes Scholar at Magdalen College, Oxford, where he earned master's degrees in British imperial history and development economics.

syllabus

Your registration fee includes a practical and up-to-date analysis of Institute topics transmitted via an **electronic download** prior to the Institute. **Print copies of the Syllabus can be purchased in advance of the Institute** at a discounted price, as set forth on the inside back cover of this brochure. **The Syllabus can be purchased online after the Institute at <http://gould.usc.edu/cle/entertainment> for \$60 (electronic download format) or \$150 (print format).** For more information, email clereg@law.usc.edu or call our office at **(213) 821-3580**.

2:45 PM

Afternoon Panels – First Session

USC Gould School of Law

**Foreign Financing and Distribution
in an Evolving Market**

With the continuing consolidation of traditional media groups and the rapid growth of powerful new players such as Amazon and Netflix, all seeking to build worldwide footprints, tension is developing between global and national forces at play in foreign sales markets. This panel will provide an overview of the current state of the European and Asian markets. It will drill down into certain hot topics such as the impact of Brexit and recent cases involving European Union competition laws, as well as the influence of the continued growth of the Chinese box office, all of which may upset traditional territorial models underlying the financing and distribution of feature films and television programming.

The Language Labyrinth: Hollywood Terms of Art

This panel will explain some of the unique terms used in Hollywood deals, viewed through the lens of a typical network prime time, scripted creator/show runner agreement. Our experts will explore the process of negotiation using industry “shorthand” that can confuse rather than clarify complex concepts, viewed from various perspectives: networks, studios, agencies and talent lawyers. Some vexatious items to be examined include: “First Negotiation and First/Last Refusal”; “First Look”; “If-Come”; “Pay or Play” vs. “Pay and Play”; “Separated Rights”; “Upset Price”; “Production Season”; “Broadcast Season” and “Production Cycle”; “100 over 5”; “Pro Rata” vs. “Pari Passu”; “MAGR”; and “Net Proceeds” vs. “Net Profits”.

Litigation Update: 2017 Version

Top litigators will update you on recent net profits cases and new case law involving statutes of limitations; current developments in copyright infringement and idea theft cases; issues regarding producer partners who end up in disputes with each other; defamation actions; and the emergence of alternative dispute resolution as the prevalent dispute resolution mechanism at play in the entertainment industry.

The following sessions will run concurrently and repeat at 4:00 PM.

Ken Daly

Sidley Austin LLP
Brussels, Belgium

Chia-Chi Li

Director – Content and Technology
Transactions Groups
Tencent
Shanghai, China

Marc Schaberg

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Chief Operating Officer
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continued>>>

Guild Update

The Industry avoided a labor shutdown within the last year when the DGA, WGA and SAG-AFTRA reached new pacts with the studios and producers. Our panelists were in the rooms when these deals happened and will provide an update on what's new in the latest agreements and how the deals were done. They will also explore the issues looming on the horizon as the Industry continues to change and adapt to new technology and business models.

What is the “Heartland” of Attorney-Client Privilege?

Recent Developments Concerning the Privilege

The attorney-client privilege is a cornerstone of American jurisprudence and of the attorney-client relationship. Last year, the California Supreme Court issued a decision that seemed to examine it in a new light, potentially eroding the privilege. Is the privilege still sacrosanct? Does the strength of the privilege depend on the forum? We will discuss several decisions and verdicts involving in-house counsel's use of privileged information in claims for retaliation or wrongful termination; the issues presented when a client's capacity becomes impaired; and extension of the privilege to a client's agents, managers, publicists and others.

e 1 HOUR OF MCLE LEGAL ETHICS CREDIT AVAILABLE

3:45 PM

Networking Dessert Break

4:00 PM

Afternoon Panels – Second Session

The concurrent sessions held at
2:45 PM repeat at 4:00 PM.
Attend a second session of your choice!

5:00 PM

Lise Anderson

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Writers Guild of America, West

Duncan Crabtree-Ireland

Chief Operating Officer
General Counsel
SAG-AFTRA

Ted Sinclair

Vice President, Labor Relations
CBS Corporation

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Jennifer A. Becker

Long & Levit LLP

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Producer
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The Media, Entertainment & Technology Law Program at the USC Gould School of Law offers students a unique educational experience that addresses the complex mix of legal and business issues in content and technology markets. Our innovative curriculum prepares students for practice through courses in intellectual property and business law taught by our research faculty, skills and simulation workshops taught by senior transactional and litigation attorneys, practice experience through our Intellectual Property and Technology Law Clinic and internship opportunities at leading media and technology firms. Students who wish to specialize in entertainment law have the opportunity to earn a Certificate in Entertainment Law, including courses at the USC School of Cinematic Arts. Interested in learning more about our program, students and graduates? We encourage you to browse our website at <http://gould.usc.edu/academics/certificates/entertainment/standalone/> or contact the Director, Professor Jonathan Barnett, at jbarnett@law.usc.edu. USC Gould School of Law students can earn academic credit through the "entertainment practicum," in which students acquire practical experience in the legal departments of media and entertainment firms. Interested in learning more about this opportunity? Contact Professor Valerie Barreiro at vbarreiro@law.usc.edu.

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frequently asked questions

REGISTRATION

The registration fees are outlined on the inside back cover of this brochure and include all sessions, the luncheon featuring Ben Sherwood, all refreshment breaks, parking, the Institute app (an online guide to the Institute) and an electronic download of the Institute Syllabus. **Early registration is encouraged as space is limited and the Institute typically sells out.**

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All registrations and purchases are final and non-refundable.

LOCATION, PARKING AND HOTEL ACCOMMODATIONS

The Institute will be held at the beautiful University of Southern California University Park Campus. Learn more about USC at <http://www.usc.edu>. Your registration fee includes parking at the University Park Campus. Detailed parking instructions will be emailed to you upon registration. For hotel accommodations information, please visit our website at <http://gould.usc.edu/cle/entertainment> or contact Wendy Wiley Willett at (213) 821-3579.

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Badges will be held at Will Call, located in front of Bovard Auditorium from 7:30 a.m. until 12:45 p.m. and in the lobby of the USC Gould School of Law from 2:15 p.m. until 4:45 p.m. If you arrive just before the luncheon session, proceed directly to the USC Ronald Tutor Campus Center Ballroom and pick up your badge at the USC Gould School of Law after the luncheon.

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Please contact the USC Gould Continuing Legal Education office at (213) 821-3580 or cle@law.usc.edu regarding any **special access needs**. To request a **special luncheon meal**, check the appropriate box in the registration form on the inside back cover of this brochure. The Institute cannot accommodate special meal requests without advance notification.

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registration form

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