Course Description and Outline

DESCRIPTION and OBJECTIVES.

This survey class covers the basics of “entertainment law,” including, constitutional, contracts, labor and employment law and intellectual property rights. The two primary objectives of the class will be that the students end the class having a clear understanding of [1] the applicable laws and [2] how these laws have been applied in the past, how they are applied today and how they might be amended and applied in the future.

The intention is to provide students with an elevated sophistication and facility with applicable legal concepts, practical insights and an appreciation of how to deal with lawyers and the law in their entertainment business futures. It is intended to provide a good conceptual understanding of the law and demonstrate its relevance through case study, reading, guest speakers, one or more field trips (studios, guilds, agencies) and intense discussion.

The “entertainment business” will be regarded as the audio-visual and music industries. Audio-visual will refer to television (“free” or broadcast, basic cable, pay cable, satellite and the like) and film (cinema and “ancillary” markets). Music will refer to composer’s rights through recording, performance and secondary use and compensation for all relevant parties. The application of the law to the “digital now,” the “digital future” and the Internet – now crucial, indeed central, to any discussion of entertainment – will be included throughout and be the subject off an entire class toward the end of the course.

The “law” to be explored will be constitutional, copyright, trademark, contracts, labor, employment and remedies and their application to and use within the entertainment business.
Visits to relevant locations and guests will be discussed as the class proceeds.
REQUIRED READING:


Other materials (e.g. Copyright Act sections, US Constitution, Universal Declaration of Human Rights) will be provided by reference to internet sites or handouts.

Reading assignments will average approximately 50 pages per 3-hour session.

[The following reading assignments are to the cited text. The text may change as we find one more useful and better tailored to undergraduates. Several are on their way from legal publishing houses.]

RECOMMENDED READING

“Entertainment Law in A Nutshell,” Sherri L. Burr, Thomson West, 2004


”All You Need to Know About the Music Business,” Donald S. Passman

GRADING:

➢ Weekly in class discussion 10%
➢ Mid-term 40 %
➢ Final Exam 50%

PLAGIARISM POLICY

All students are responsible for having read the Boston University statement on plagiarism, which is available in the Academic Conduct Code. Students are advised that the penalty against students on a Boston University program for cheating on examinations or for plagiarism may be “…expulsion from the program or the University or such other penalty as may be recommended by the Committee on Student Academic Conduct, subject to approval by the dean.”
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<tr>
<th>CLASS</th>
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| 1     | A. Introduction to class; Areas to be covered; Mechanics of class.  
       B. Overview of the laws of property, copyright, trademarks, employment, and remedies.  
       C. Examination of “copyright” clause of US Constitution and Article 27 (2) of the Universal Declaration of Human Rights. Class discussion/debate of the nature of property and labor and social approaches and policies related to both – What is property? What is work? What is intellectual property? Why and how should we protect them? How should the income and other benefits of creating and distributing intellectual property be divided? | US Constitution, Art. I, Clause 1, Sec. 8 (“Copyright Clause.”).  
       Universal Declaration of Human Rights, Article 27.  
       Text, Prologue, pages 1-9 |
| 2     | COPYRIGHT. History through to the internet, key concepts and protections, statutes, foreign equivalents (e.g. author’s rights, neighboring rights), international protections, (Berne, TRIPS). Focus on what copyright protects and how. | Copyright Act, Secs. 102, 103, 106 and 106A.  
       Copyright Act, Sec. 107  
       Text, Chap. 4, pages 310-359. |
| 3     | COPYRIGHT (continued) FAIR USE, and IDEAS. Acquisition, Literary Property Agreement, Production and Distribution, | Copyright Act, Sec. 107  
       Text, Chap. 4, pages 365-400, 427-444. Text, Chap. 6, 612-637. |

Remainder to be provided as class progresses.