

**Boston University School of Management, Los Angeles**  
**Entertainment Law - SMG LA 430**

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## **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:**

"Entertainment, Media and the Law: Text, Cases and Problems," Paul C. Weiler, (3<sup>rd</sup> Ed. American Casebook Series, West Academic, 2006. ISBN 9780314167224

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

"Steal This Music: How Intellectual Property Law Affects Musical Creativity," Joanna Demers and Rosemary Coombe.

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

## **GRADING:**

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|------------------------------|------|
| ➤ 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."

## CLASS SCHEDULE

CLASS	SUBJECT AND CONTENTS	READING	
1	<p>A. Introduction to class; Areas to be covered; Mechanics of class.</p> <p>B. Overview of the laws of property, copyright, trademarks, employment, and remedies.</p> <p>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?</p>	<p>US Constitution, Art. I, Clause 1, Sec. 8 (“Copyright Clause.”). <b>Find on internet.</b></p> <p>Universal Declaration of Human Rights, Article 27. <b>Find on internet.</b></p> <p>Text, Prologue, pages 1-9</p>	
2	<p>COPYRIGHT. History through to the internet, key concepts and protections, statutes, foreign equivalents (e.g. author’s rights, neighboring rights), international protections, (Berne, TRIPS).</p> <p>Focus on what copyright protects and how.</p>	<p>Copyright Act, Secs. 102, 103, 106 and 106A. <b>(To be emailed to class)</b></p> <p>Text, Chap. 4, pages 310-359.</p>	
3	<p>COPYRIGHT (continued) FAIR USE, and IDEAS. Acquisition, Literary Property Agreement, Production and Distribution,</p>	<p>Copyright Act, Sec. 107 Text, Chap. 4, pages 365-400, 427-444. Text, Chap. 6, 612-637.</p>	
4	<p>RIGHTS TO PRIVACY AND PUBLICITY - Life stories, private lives, celebrities, defamation, sexual content and violence.</p>	<p>Text, Chap. 1, pages 10-17, 78-86, 188-203, 215-234, and 281-285.</p>	
5	<p>LABOR AND EMPLOYMENT. Work for Hire Agreements, Writers, Producers, directors, actors, Guilds and Unions, managers, agents, lawyers.</p>	<p>Text, Chap. 10, pages 845-857, 859-861, 875-907; Chap. 11, pages 912-928.</p>	

Remainder to be provided as class progresses.