Course Title: Legal Issues in the Entertainment Industry / Section: MBU4630.02

Semester: Spring 2010

Instructor: Jason L. Turner, Esq.

Instructor Contact: Phone: 615-259-9344
Email: Jason.Turner@belmont.edu

Instructor Office Hours: Before and after class & by appointment

Course Credit: 3 Hrs.

Meeting Times: 6:30-9:15PM MBC 100

Final Exam: Monday, May 10 @ 7pm

Educational Objectives of the Mike Curb College of Entertainment & Music Business:

1) To provide a personalized, career-oriented and practical education that emphasizes leadership, innovation, private enterprise and entrepreneurship.

2) To equip students with the tools to think critically, communicate effectively, accept responsibility, make successful decisions, and prosper in diverse work environments.

3) To emphasize quality classroom instruction within the parameters of ethical Christian principles.

Course Description: This course provides a comprehensive overview and analysis of advanced legal issues in the music and entertainment industries. Some of the topics covered include the role of entertainment attorneys and ethical considerations, recording contracts, producer/production agreements, contracts with minors, movie &television industry contracts, right of publicity, merchandising and endorsement agreements, right of privacy, freedom of speech, and defamation.

Learning Outcomes: After completing this course, students will be able to:

1. Identify and distinguish between a recording agreement and a production contract
2. Describe the elements of the exclusive recording agreement
3. Explain the role of an entertainment attorney
4. Understand the right of publicity and the right of privacy
5. Discuss issues relating to merchandising agreements
6. Have a working knowledge of the different types of business entities
7. Recognize the issues relating to payola as well as understanding new legislation

Performance Criteria: Students will review contracts and use reading assignments/class discussions to:

- Compare and contrast the roles of the record and production companies
- Understand the different business entities and how they function
- Have a working knowledge of major label recording agreements
- Examine new business models for recording contracts
- Distinguish between right of privacy, right of publicity and defamation

Course Objectives: To gain an understanding of the basic legal relationship among the various parties involved in the entertainment industry and how different areas of law affect these relationships.

Honor Code: It is the responsibility of each student to abide by the Belmont University Honor Code. “In affirmation of the Belmont University Statement of Values, I pledge that I will not give or receive aid during examinations; I will not give or receive false or impermissible aid in course work, in the preparation of reports, or in any other type of work that is to be used by the instructor as the basis of my grade; I will not engage in any form of academic fraud. Furthermore, I will uphold my responsibility to see to it that others abide by the spirit and letter of this Honor Pledge.”

Accommodation of Disabilities: In compliance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, Belmont University will provide reasonable accommodation of all medically documented disabilities. If you have a disability and would like the university to provide reasonable accommodations of the disability during this course, please notify the Office of the Dean of Students located in Beaman Student Life Center (460-6407) as soon as possible.

Course Requirements:

A. Class Attendance: Belmont University is committed to the idea that regular class attendance is essential to successful scholastic achievement. When the number of absences for any reason exceeds four times the number of scheduled class meetings per week, the student is involuntarily dropped from the course with a grade of “WF” – Belmont University Catalog.

Class attendance is very important as class discussions and lecture material are central to the course. Students are expected to be present when class begins and remain in class until its conclusion. Attendance for each class will be taken. Exceptional attendance and participation may result in “borderline” grades for the course being rounded up.
**Arriving late or leaving early is considered a 0.5 absence, and WILL be factored into the student's grade.**

**Attending less than 60 minutes of a class meeting is considered 1.0 absence.**

A student who arrives late for class, or leaves early, must inform the professor of his/her attendance on that day, otherwise the attendance record will indicate that the student missed 1.0 class instead of 0.5 class.

Four (4) absences (or more) WILL result in a grade of “F.”

**Students who arrive late on the day when a quiz is given will not be allowed to take the quiz.**

**B. Cell phone/computer policy:**

Students may use a personal computer in class to take notes, but NOT to surf the Internet, read/write email, etc. Cell phones MUST be turned off in class. Headphones/earbuds cannot be used or worn in class. If computer usage becomes a problem, I will reserve the right to discontinue the courtesy of allowing them in class.

**C. Materials/Textbooks:**


There will be handouts from time to time that will be discussed in class. You will be responsible for the contents of the handouts for quiz/test purposes.

**D. Assignments:**

**Homework:** There will be short class assignments related to lecture material covering certain exercises. These are either handouts or assigned pages. There may be a group project/research assignment at some point during the semester.

**Testing/Assignments:**

(A) Exams: Three (3) section exams and one final exam will be given. Exams primarily cover lecture and all readings, material, video, or any content assigned or discussed in class. Each exam is scored for 100 points and may be comprised of multiple choice/essay/short answer, or any combination thereof. Final exam will be in accordance with the final exam schedule at the assigned time and place—NO FINAL EXAM will be given at any earlier time.
(B) There are NO MAKE UP EXAMS for any tests! At the instructor’s discretion, students with a test absence will have the final exam count double, triple or more: depending on the number of missed exams. An exception is made for official Belmont University Absences. Students may be tested on any portion of material presented in readings, web site or lecture at instructor’s discretion.

**Grading Scale:** A= 100 – 90; B= 89 – 80; C= 79 – 70; D= 69 – 60; F= Below 60. Grades will not be curved.

*Exams 100% minus-a possible negative grade reduction for failing to complete section C assignments of Homework 5% Industry Interview (10%), Industry Participation (5%).*

***Students are expected to have read ALL assigned text prior to class meeting time. Unannounced quizzes may be issued if it becomes obvious that students are unprepared in class.*
# TENTATIVE CLASS SCHEDULE (Subject to change)

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Nutshell*</th>
<th>Music Law**</th>
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<tbody>
<tr>
<td>1/18</td>
<td>NO CLASS – MLK DAY</td>
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<tr>
<td>1/25</td>
<td>Representing Talent Attorneys, Agents &amp; Ethics</td>
<td>Pg. 275-278</td>
<td>Chapter 4</td>
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<tr>
<td>2/1</td>
<td>Business entities &amp; Band Agreements</td>
<td></td>
<td>Chapter 2</td>
</tr>
<tr>
<td>2/8</td>
<td>Dealing with Band Breakups; Trademarks/Leaving Member</td>
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<td>Chapter 5 &amp; 9</td>
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<tr>
<td>2/15</td>
<td>Privacy &amp; Publicity Rights</td>
<td>Pg. 292-309</td>
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<tr>
<td>2/22</td>
<td><strong>TEST #1; Internet &amp; Digital World Legal Issues</strong></td>
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<td>Chapter 10</td>
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<tr>
<td>3/1</td>
<td>Copyright Infringement</td>
<td>Pg. 133-173</td>
<td>Chapter 7</td>
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<tr>
<td>3/8</td>
<td>SPRING BREAK</td>
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<tr>
<td>3/15</td>
<td>Major Label &amp; Indie Recording Agreements</td>
<td>Pg. 75-79</td>
<td>Chapter 11 &amp; 14</td>
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<td>3/22</td>
<td>Publishing Agreements &amp; Royalty statements</td>
<td>Pg. 279-291</td>
<td>Chapter 8</td>
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<tr>
<td>3/29</td>
<td><strong>TEST #2; Production Agreements</strong></td>
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<td>Pg. 343</td>
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<td>4/5</td>
<td>Film &amp; TV music licensing; Distribution Agreements</td>
<td>Pg. 241-254</td>
<td>Chapter 13</td>
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<td>4/12</td>
<td>Group debate re: Performance Rights Act</td>
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<tr>
<td>4/19</td>
<td>Management agreements</td>
<td>Pg. 272-274</td>
<td>Chapter 3</td>
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<td>4/26</td>
<td><strong>TEST #3; Touring agreements</strong></td>
<td>Pg. 79-85; 275</td>
<td>Chapter 6</td>
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<td>5/3</td>
<td>Merchandising &amp; Endorsements; Representing Minors</td>
<td>Pg. 173-180</td>
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<tr>
<td>5/10</td>
<td>FINAL EXAM</td>
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If there is no reading assignment listed, I will most likely supplement with handouts.

**STUDENTS ARE EXPECTED TO READ THE ASSIGNED READING PRIOR TO THE SCHEDULED CLASS.**