
LONDON LEGAL TRAINING

PRESENTS

Media, Entertainment and Intellectual Property Law - The 2007 Conference

The Fifth Annual Media, Entertainment And Intellectual Property Law Conference

Wednesday 31 October 2007

The Westbury Hotel, Bond Street, Mayfair,
London, W1S 2YF from 9.30 a.m. - 5.30 p.m.

6 HOURS CPD - LAW SOCIETY AND BAR COUNCIL ACCREDITED

LUNCH AND REFRESHMENTS FOR DELEGATES INCLUDED IN THE CONFERENCE FEE

SEE BOOKING FORM FOR EARLY BOOKING DISCOUNT

Conference Chairman - Professor Robert Pinker -
International Consultant at the UK Press Complaints Commission

Conference Contents

Developments In Copyright And Like Rights

Speaker - Stephen Bate - 5RB

This presentation will deal with the following:

- The Da Vinci Code litigation; copyright, facts and invention.
- Fisher v Booker. Musical copyright revisited.
- A round up of litigation relating to internet use.
- Other cases, developments and issues.

Format Rights - Format Wrongs - How To Protect Your Format

Speaker - Jonathan Coad - Swan Turton

The format trade is now worth well over £2 billion per annum. The American Idol format alone was recently valued at \$ 2.5 billion. The law in this area is, however, far from certain. Despite this, vast sums of money change hands for this species of intellectual property for which there is no statutory recognition anywhere in the world. How then do you give yourself the best chance of protecting your format as a copyright work? What do you do if you find that you are developing a format which is too close to another format for comfort? What do you do about copycats in your own territory or overseas? This seminar answers those questions.

Intellectual Property: Reforms, Reports, Reviews And Road Maps

Speaker - Jonathan Cornthwaite - Wedlake Bell

Recent months have seen a frenzy of high-profile IP strategy papers, reform proposals, reviews and "road-maps" issued by both governments and non-governmental organisations that have pushed IP law even further up the international agenda. In this presentation we shall be casting an eye over them, and picking out from them a number of issues of practical importance to businesses that own or use intellectual property.

"Maintaining The Status Quo". Record Royalties - Protecting The Right To Your Share

Speaker - Robert Deacon - 11 Stone Buildings

Probably the most important and detailed clause in a recording agreement is the royalty payment clause. Occasionally an artist/band will discover several years down the line that he/they have not been paid all the record royalties which were due to him/them. This presentation will examine how to pursue a claim for unpaid record royalties and will look at inter alia:-

- Recoupment of advances paid by the record company.
- Partnership rights amongst the band members.
- The liability to account on the part of the record company and/or the continuing band members who have got hold of the money.
- Limitation especially in relation to (i) whether those holding the monies are trustees and (ii) concealment (not letting on that the advances have been recouped and that the royalty flow is beginning to flow again).
- Lancaster v Handel (the Status Quo case) and the judgment in the case which is expected will be handed down in September.

Hot Topics in Advertising Law

Speaker - Elizabeth Mehdevy - Hextalls LLP

This presentation will deal with the following:-

- Comparative Advertising and the new Comparative Advertising Directive.
- Pitfalls to be wary of - trademarks & passing off.
- Implication of the Gambling Act 2005 on prize promotions.
- London Olympic & Paralympic Games Act 2005.
- Ambush marketing.
- Mobile marketing.
- Applying existing legislation to new media.
- Data protection issues.

Privacy Intrusion, Harassment And Resort To Subterfuge -

The Current State Of Play In Press Regulation

**Speaker - Professor Robert Pinker - International Consultant
at the UK Press Complaints Commission**

Over the past year, the Courts and the PCC have dealt with a number of high profile actions and complaints about privacy intrusion and other related issues. Some of the legal judgements have potentially significant implications for the future development of press self-regulation in the United Kingdom. These issues will be explored in this presentation.

Where Football, Law And The Media Collide – A Look At Recent Legal Developments

Speaker - Simon Thorp - Onside Law LLP

This presentation will deal with the following:

- Breaking BSKYB's monopoly – the BSKYB/Setanta deal with the Premier League.
- The BSKYB case against publicans who use foreign decoders for the transmission of Premiership matches.
- The David Beckham/LA Galaxy deal – a look at the media rights involved.
- Third party ownership of players and their media rights.

Conference Speakers

(In Alphabetical Order)

Stephen Bate - 5RB

Stephen Bate has a broad-based entertainment law practice, involving intellectual property (particularly copyright), contract and privacy. He has acted for Michael Jackson, Robbie Williams, the BPI, PPL, Celador, Universal, Random House, BSkyB and many other well-known individuals and organisations in various media markets. He also acted for the former athlete David Bedford in his dispute over the 118 118 advertising campaign and for the footballer, Gary Flitcroft, in his privacy dispute with Mirror Group Newspapers concerning the footballer's adulterous relationships. He is the co-author of the textbooks, "The Law of Privacy and the Media" (OUP) and "Satellite Communications in Europe: Law and Regulation" (Oyez).

Jonathan Coad - Swan Turton

Jonathan Coad is head of litigation at specialist media and entertainment firm Swan Turton, and also director and co-founder of the International Format Lawyers Association, which is based at the offices of Swan Turton. He acts for a wide range of media corporations, broadcasters and publishers, as well as advising high profile personalities and organisations on media issues. In particular, he has advised on a number of high profile and successful formats, and has conducted litigation concerning formats for clients such as Granada Media Group and Channel 4.

Jonathan Cornthwaite - Wedlake Bell

Jonathan Cornthwaite specialises in Intellectual Property Law, Information Technology Law and E-commerce law at Wedlake Bell, where he has been a partner since 1988. He is also the head of E-commerce law in TELFA, the pan-European legal alliance of which Wedlake Bell is a founder member. He advises a wide range of business clients in the UK and overseas on IP and IT legal issues, both contentious and non-contentious, and his practice also covers UK and EU competition law. His contributions to publications include articles published in the In Focus supplements of Intellectual Property Newsletter and regular monthly articles published in Corporate Briefing, for which he is the IP columnist. He is the editor and co-author of Marketing Law That Matters published by Financial Times/Pitmans, and the author of The Internet and Intellectual Property (now in its second edition) published by Monitor Press Limited. He has also contributed the UK chapter on intellectual property licences to the global encyclopaedia International Licensing published by BNA International Inc. He also lectures frequently at conferences and seminars in the UK and abroad on IP/IT and competition law issues. His legal directory entries include Chambers (where his citations include "Leading Individual"), The Legal 500 Who's Who (where he is profiled), Managing Intellectual Property's IP Contacts Handbook and Legal Experts (published by Legalease) where he is profiled. He is a member of the Intellectual Property Lawyers' Organisation, the Society for Computers and Law, the Licensing Executives' Society, the Solicitors' European Group, the Competition Law Society and the British-Spanish Law Association. He is an Honorary Fellow of the Association of Fellows and Legal Scholars of the Centre for International Legal Studies and serves as one of the Honorary Secretaries of the City of Westminster and Holborn Law Society, of which he is a director.

Robert Deacon - 11 Stone Buildings

Robert Deacon is a specialist business lawyer whose practice focuses on commercial and chancery litigation and advisory work covering contract, sale of goods, partnership, construction, banking and guarantees, restraint of trade and fraud & asset tracing. He also deals with a large number of professional negligence claims. Robert has particular expertise in intellectual property, media & entertainment and IT including copyright, trade marks, trade libel, defamation, telecoms & e-commerce and sports litigation. He is known for his hands-on approach and is an experienced advocate.

His practice has a strong emphasis on intellectual property. He has extensive experience of trade-mark and copyright work including industrial design rights both in an advisory capacity and in contested cases in court. He is particularly used to dealing with intellectual property matters in a commercial context the field of work encompassing passing off, trade libel and defamation generally.

Elizabeth Mehdevy - Hextalls LLP

Elizabeth Mehdevy is an Associate with Hextalls where her practice encompasses both contentious and commercial work. Elizabeth's contentious work involves her advising businesses and individuals in commercial disputes, frequently in the sports industry where she has represented sportsmen and women, clubs and governing bodies on a host of issues.

Her commercial practice involves advising advertising agencies on all aspects of UK and Pan-European sales promotions, UK-based advertising for print and broadcast and intellectual property. In addition she advises organisations on the implications of specific regulation in the field, such as surrounding the 2012 Olympics, and issues surrounding the use of new media.

Professor Robert Pinker - International Consultant at the UK Press Complaints Commission

Professor Robert Pinker served as a member of the UK Press Complaints Commission from 1991 to 2004, as its Privacy Commissioner from 1994 to 2004, and as its Acting Chairman from 2002 to 2003. He currently serves as its International Consultant. He recently completed a three year term as International Chairman of the Press Council of Bosnia-Herzegovina. His previous experience in the field of self-regulation includes Council membership of the Advertising Standards Authority from 1988 to 1995 and the Direct Mail Services Standards Board/Accreditation Centre from 1995 to 1998.

In his academic career, he has held Professorial appointments at Goldsmiths College, Chelsea College and the London School of Economics. During his tenure at the London School of Economics he served as Pro-Director of the School from 1985 to 1988, and as Pro-Vice-Chancellor for Social Sciences of the University of London from 1989 to 1990. In 1996 he was appointed Emeritus Professor of Social Administration at the LSE. His academic publications include Social Theory and Social Policy, 1971; The Idea of Welfare, 1979; Social Work in an Enterprise Society, 1990, and more recently, various articles on social policy issues and press self-regulation.

He was appointed CBE in the New Year's Honours List 2004.

Simon Thorp - Onside Law LLP

Simon Thorp is a founding partner of Onside Law. He is a corporate and commercial lawyer specialising in sport, fashion and entertainment.

His clients include Srixon Sports Europe, Betfair, XS Racing, Hero Investments LLP, Rugby Travel and Hospitality World Cup 2007, National Express Group plc, Whitehead Mann and Danka Business Systems.

His recent highlights include: advising Hero Investments LLP on the setting up of an offshore fund to invest in football players and clubs with agent Pinhas Zahavi; advising Srixon on the continued establishment of its golf brand across Europe and its sponsorship of the Spanish PGA; advising Monty Panesar on various commercial arrangements; and appearing on Radio 5 Live as an expert on foreign investment in football.

Prior to Onside Law, Simon practiced at Slaughter and May and Clifford Chance.

Conference Timings.

Registration for the conference will be between 9.30 - 9.45 a.m. The conference will commence at 9.45 a.m. and will last until 5.30p.m. The conference presentation will last for 6 hours. In addition, there will be one break for tea/coffee in the morning, a lunch break, and one break or tea/coffee in the afternoon. Refreshments and lunch are included in the conference fee.

The Conference Objectives.

The conference is aimed at media, entertainment and intellectual property lawyers, newspaper/magazine editorial personnel and journalists, radio/television broadcasters and presenters and all other executives who work in the media, entertainment, intellectual property or internet field. The objective of the conference is to examine in detail the most important and topical legal issues which are of concern to those with an interest in media, entertainment and intellectual property law.

TERMS AND CONDITIONS.

1. Payment of the conference fee is due with the booking form.
2. A booked place is transferable between individuals at any time before the conference provided written notice is given to London Legal Training ("LLT") of the name and address of the delegate who was to have attended the conference and the name and address of the delegate who will be attending instead.
3. Written notice must be given to LLT if a delegate wishes to cancel the booking. A refund less a 20% administration fee will be made if notice of cancellation is received by LLT in writing by 5.30p.m. on Wednesday 17 October 2007. After this date no refunds will be made. A substitute delegate may attend at no extra charge provided written notice is given to LLT of the name and address of the delegate who was to have attended the conference and the name and address of the delegate who will be attending instead.
4. LLT reserves the right to cancel the conference and will in such an event make a full refund of any booking fee. No liability is assumed by LLT or the proprietor of LLT, N. C. Lipton, for changes in the programme date, content, speaker(s) and venue.
5. Conference material will be handed out on the day of the conference.
6. The speakers at the conference are not authorized to advise on specific client related matters under any circumstances. Any comments made by the speaker(s) which may relate to client matters are expressions of his/their opinion or suggestions only and must not be construed or relied upon as advice.
7. The material for the conference has been designed as an integral part of the presentation(s) by the speaker(s) solely for the benefit of delegates attending the conference. The material does not necessarily stand on its own and is not intended to be relied upon for giving specific advice. To the extent permitted by law, neither LLT nor the proprietor of LLT, N. C. Lipton, nor the speaker(s) at the conference will be liable by reason of breach of contract, negligence or otherwise for any loss or consequential loss occasioned to any person acting omitting to act or refraining from acting in reliance upon the conference material or presentation of the conference or, except to the extent that any such loss does not exceed the price of the conference, arising from or connected with any error or omission in the conference material or presentation of the conference. Consequential loss means any loss of anticipated profits, damage to reputation or goodwill, loss of expected future business, damages, costs or expenses payable to any third party or any other indirect losses.
8. No part of the conference material may be reproduced in any form without the prior written permission of LLT.
9. Audio and audio visual recording is not permitted at the conference.
10. Delegates attend the conference at their own risk. Neither LLT nor the proprietor of LLT, N. C. Lipton nor the speaker(s) at the conference accept responsibility or liability for any injury, illness or otherwise which may be attributable to the facilities or services provided at the conference venue.

London Legal Training can be contacted at: 9 Cygnet Close, Northwood, Middlesex, HA6 2SX, or telephone 01923 840586 or email nigel@londonlegaltraining.co.uk
www.londonlegaltraining.co.uk

BOOKING FORM.

PLEASE PRINT YOUR DETAILS. PLEASE PHOTOCOPY THIS BOOKING FORM FOR ADDITIONAL DELEGATES.

Conference Title: **MEDIA, ENTERTAINMENT AND INTELLECTUAL PROPERTY LAW - THE 2007 CONFERENCE**
The Fifth Annual Media, Entertainment And Intellectual Property Law Conference - Wednesday 31 October 2007.

DELEGATE NAME: _____

POSITION: _____

FIRM'S NAME AND ADDRESS: _____

DX NUMBER: _____ E-MAIL: _____ TELEPHONE: _____ FAX: _____

DIETARY REQUIREMENTS: _____

Please enclose a cheque for £395.00 per delegate, or a cheque for £365.00 per delegate if booking by Wednesday 17 October, for the conference payable to LONDON LEGAL TRAINING and send it with this booking form to: LONDON LEGAL TRAINING, 9 CYGNET CLOSE, NORTHWOOD, MIDDLESEX, HA6 2SX.

Discounts available for multiple bookings. Please telephone for details.

Please note that London Legal Training is not registered for VAT. The conference fee does not include any VAT nor is VAT payable in addition to the £395.00 or £365.00 per delegate conference fee.

If you are unable to attend the conference but would like the conference documentation please send a cheque for £100.00 (no VAT) for each set of documentation required to London Legal Training together with your name and address. The documentation will be sent out shortly after the conference.

Occasionally London Legal Training's mailing list will be made available for its' own and other appropriate organizations' mailings. Please tick here if you do not want to receive such material.