

# OUR PRACTICE

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## Copyright, Media and Entertainment

**For more than 25 years, Baker Donelson's copyright, media and entertainment attorneys have represented individuals and companies nationwide in many of the most innovative and creative industries. Clients include television and film producers, recording artists, songwriters, music publishers, producers and record companies, talent managers and agents, authors and publishers, radio and television broadcasters, video game developers, advertising agencies, digital and mobile advertisers, social media platforms, software developers, producers of virtual reality products, interactive media products and services for mobile devices.**

Our attorneys include former entertainment industry professionals and artists who combine industry experience with specialized legal expertise to provide comprehensive services to talent, media and entertainment companies from idea development to finished product. This includes deal structuring, clearance, acquisition and protection of intellectual property rights, negotiations with investors, talent representatives, content providers, producers, distributors and strategic partners. Our experience is valuable to our "non-entertainment" clients as well, especially in transactions involving the entertainment and media fields, such as content clearance and licensing, digital and social media marketing, celebrity endorsements and special events.

Baker Donelson's copyright team brings significant experience in sophisticated copyright matters to counseling clients in global rights clearance, acquisition, protection and licensing, enabling them to anticipate and effectively handle the subtle but crucial complexities in copyright, such as chain-of-title, split rights, joint works, public domain, fair use, moral rights and cross-border implications of differences in national copyright laws. We help our clients acquire, register, maintain, protect, license and enforce copyrights across a diverse range of subject matter and media including books, music, computer software, audiovisual works, digital content and interactive media such as video games, serious games and virtual reality products.

For many businesses, copyrights are core business assets. In an evolving digital marketplace, emerging technologies and changes in national copyright laws create new opportunities to exploit such assets globally, but also present new infringement risks. Baker Donelson's copyright attorneys help navigate this evolving legal landscape to maximize the opportunities and minimize the risks.

The Copyright, Media and Entertainment Group is part of Baker Donelson's larger Intellectual Property Group, which provides core intellectual property services such as patent, trademark and litigation support to our clients in the information technology, motion picture, television, music, publishing, advertising, design and other creative industries.



### Representative Matters

- Prepared and negotiated services agreement between animators, writers, virtual reality companies, music and technology platforms to create new entertainment experiences.
- Represented member of R&B group developed by a celebrity-recording artist over an entire season of a popular reality television series, in connection with management, recording and publishing agreements.
- Prepared service agreements for advertisers and publishers to place display ads, native content and other digital advertising on mobile and computing devices.
- Represented heirs of legendary Rock and Roll Hall of Fame member, establishing entity to consolidate and commercialize copyrights, contract rights and rights of publicity, negotiating music

publishing and master recording license agreements, managing royalty audits, termination of copyright transfers and assisting in the development of new opportunities to commercialize inherited assets.

- Represented a member of the Rock and Roll Hall of Fame, negotiating an agreement to produce and distribute a career retrospective box set product comprised of more than 150 music tracks videos, photos and biography (and related licenses, rights and clearances).
- Represented digital music platform in licensing sound recordings and music for interactive digital music service.
- Represented pioneering serious game company in both patenting and licensing its augmented reality software training products used in simulation and scenario-based training.
- Negotiated archive agreement between two educational institutions to preserve a collection of historic music posters for research and preservation purposes.
- Represented vocalist winner of a reality television show talent competition in negotiating contracts for management, touring and personal appearance agreements.
- Represented SAG-AFTRA talent in negotiation and subsequent re-negotiation of multi-year agreement for television news anchor at network affiliate in major broadcast market.
- Represented national standard-setting organizations concerning copyright chain-of-title, protection and enforcement of copyright in the development, publication and licensing of standards.
- Represented interactive digital media company engaged in the development of recreational interactive games ("video games").
- Represents advertising agencies, website developers, marketing departments of corporations and non-profit organizations, filmmakers, television producers, authors and publishers in rights clearance matters, including review, counsel and negotiation of rights, permissions and licenses.
- Represents businesses in the acquisition, development, licensing and protection of computer software, including cloud-based SaaS agreements, SaaS agreements, and maintenance and escrow agreements across many industries.
- Represented heirs of author to protect copyrights, persona rights and contract rights.
- Represented major medical center in preparing and negotiating public art commission agreements.
- Represented internationally recognized sculptor in negotiating public art commission agreements.
- Represented public television broadcaster in copyright, trademark and entertainment matters.
- Negotiated favorable resolution of a trademark dispute for television producer of one of the longest running nationally broadcast automotive series.
- Drafted policies and click wrap agreements for the national fundraising campaigns of a global charitable association.
- Represented Internet television station in preparing and negotiating program host agreements.
- Represented television and film producer optioning the motion picture rights from the author of a biography while securing life story rights and consulting services from the subject of the book, a public figure associated with the 1960s counter culture.
- Developed institution-wide intellectual property policy for a world renowned college of art and design.
- Worked with television broadcasters to develop and implement an innovative music-licensing program for a sports series.
- Represented motion picture funding group with respect to state film and television production tax credits due to producer of funded production.
- Represents authors and publishers in connection with trade and professional book contracts, including negotiation of subsidiary rights (e.g., electronic, audio books, motion picture and television rights).
- Represented manufacturer of audio recording equipment, negotiating favorable settlement against manufacturer of infringing products.

- Represented "fan fiction" producer in negotiations with a major television and motion picture studio, securing a limited license to produce a film based on a popular science fiction television series with new characters and settings.
- Negotiated favorable settlement of copyright infringement claims asserted by major television and film studio against content reseller client.
- Provided clearance services to a touring musical production in connection with errors and omissions insurance requirements, to ensure all intellectual property rights, including music, characters and title were suitably cleared, assigned or licensed to the producer for performances of the show.
- Prepared investor and production agreements for motion pictures, including documentaries, feature films and web video.
- Represented celebrity in life story rights agreement with a major motion picture studio.
- Initiated copyright termination of transfer proceedings on behalf of recording artist who participated in recordings by a storied disco group.