

THE COPYRIGHT SOCIETY OF THE U.S.A.

New York Chapter

Rose Auslander and Jonathan M. Purow, Co-Chairs

October 29, 2008

Dear Members of the New York Chapter of the Copyright Society:

We are looking forward to seeing you at the third event of our 2008-2009 season – our November 20th **DINNER** program, at the PRINCETON CLUB.

"SOUNDING BOARD: THE LATEST COPYRIGHT ROYALTY BOARD DECISION AND ACCEPTANCE OF THE INDUSTRY'S SETTLEMENT PROPOSAL"

Hang onto your headphones – notwithstanding Apple's threats to bring down ITUNES if download rates went up, doomsday has been averted, at least momentarily. The Copyright Royalty Board (CRB)'s recent rate decision keeps digital download royalties steady for the next five years and accepts the Industry's Proposed Settlement Rates for on demand streaming or limited (i.e. tethered to a subscription service) downloads. For the first time ever, it also includes rates for ringtones.

Our distinguished panel will examine the impact of this CRB decision on the key players of the music world: artists, the recording industry, music publishers, BMI and ASCAP, and the user community, including online distributors and consumers – as well as how the decision may impact the newest and innovative models of content distribution. And, with CD sales having fallen 20% while digital album sales rose 46% last year, with Apple estimated to have an 85% market share in digital downloads, our experts also will discuss whether a mechanism like the CRB rate decisions has proven to be productive, or whether it is time to turn to a different mechanism.

SPEAKERS: We are privileged to present panelists Christos P. Badavas (Harry Fox Agency), Jacqueline C. Charlesworth (Morrison & Foerster, LLP), Susan B. Chertkof (RIAA), Richard Conlon (BMI), Lee Knife (DIMA), Peter Zizzo (Big Much Productions) and our moderator, Tim Mandelbaum (Dreier LLP), in what promises to be a thought-provoking discussion of the impact of this recent CRB decision.

To attend this exciting panel discussion, please complete the attached form, and mail or fax it to The Copyright Society of the U.S.A., 352 7th Ave., Suite 739, NY, NY 10001, fax # (212) 354-2847, **by November 17**. We look forward to seeing you on **November 20**.

Mark your calendars NOW!!

Date: November 20, 2008

Time: 6:00 p.m.-6:30 p.m.: Cocktails (cash bar)
6:30 p.m.-7:00 p.m.: Dinner
7:00 p.m.-8:15 p.m.: Program (**will start and end promptly**)

Place: **The Princeton Club, 15 West 43rd Street, New York, NY**

Cost: \$70.00 (members) \$80.00 (non-members)

CLE: ***The Copyright Society of the U.S.A. is a NY CLE Approved Provider. This course is Transitional and Nontransitional, and provides 1.5 Credit (based on 75 minutes).***

SPEAKERS:

Christos P. Badavas is Vice President and Senior Counsel for The Harry Fox Agency, Inc. (HFA), the premier U.S. mechanical rights organization. Badavas' main focus is on HFA's litigation efforts and corporate policy. In addition, Badavas regularly works with HFA's parent organization, the National Music Publisher's Association (NMPA), on legislative matters, industry negotiations and litigation. Prior to joining HFA in November 2004, Badavas served as Senior Director of Legal Affairs at EMI Music North America. At EMI, his duties included managing litigation and copyright claims, royalty compliance issues and general corporate transactions. Before joining EMI, Badavas was the co-founder and general counsel for a start-up software company and a litigation associate at Richards & O'Neil, LLP (now Bingham McCutchen, LLP), where he handled a wide variety of commercial litigation and intellectual property matters. Badavas earned B.A. degrees in Music and in International Relations from Brown University, and his J.D. from the College of William and Mary Law School. He is also the bassist for the New York City Bar Choir and for Turnaround, a jazz trio.

Jacqueline C. Charlesworth is Of Counsel in the litigation department in the New York office of Morrison & Foerster LLP, where she specializes in copyright matters. Prior to joining Morrison & Foerster, Ms. Charlesworth served for two years as senior vice president and general counsel of the National Music Publishers' Association (NMPA), the leading trade association for music publishers in the United States, where she oversaw legal initiatives including NMPA's groundbreaking litigation efforts on behalf of music copyright owners. At NMPA, she was also responsible for developing and promoting legislation to benefit the music community. Before assuming her position with NMPA, Ms. Charlesworth spent five years as senior vice president and general counsel of The Harry Fox Agency, the premier agency for the licensing of copyrighted musical works in the U.S. In that capacity, Charlesworth supervised litigation matters and created and implemented innovative digital licensing programs for online music services and ringtone companies. Prior to her in-house roles, Ms. Charlesworth was associated with Paul, Weiss, Rifkind, Wharton & Garrison. Ms. Charlesworth earned her B.A. in American Civilization, magna cum laude with departmental honors, from Brown University. She received her J.D. from Yale Law School, where she was Executive Committee Editor of The Yale Law Journal. Prior to entering private practice, she served as a law clerk for the Honorable Miriam Goldman Cedarbaum of the U.S. District Court for the Southern District of New York, as well as for the Honorable Betty B. Fletcher of the U.S. Court of Appeals for the Ninth Circuit.

Susan B. Chertkof is the Vice President, Business and Legal Affairs for the Recording Industry Association of America (RIAA). Ms. Chertkof is involved in a variety of business, legal and policy issues pertaining to the recorded music business, with a particular emphasis on the digital music space. Over the last four years, Ms. Chertkof has focused a significant portion of her time working on a series of proceedings before the Copyright Royalty Board ("CRB"), the Board that establishes royalty rates for the compulsory licenses applicable to webcasters/simulcasters, satellite radio services and songwriters/music publishers. Ms. Chertkof has been with the RIAA since 2000. She is a member of the bars of the District of Columbia and the state of Maryland. Ms. Chertkof received her BA and JD degrees from the University of Pennsylvania.

Richard Conlon is Vice President, New Media and Strategic Development at Broadcast Music, Inc. (BMI). He is responsible for the company's New Media and Strategic Development initiatives. Richard leads a team that manages performance royalty revenue streams in the digital world, across all new media applications. The group spearheads analysis, planning and strategic development for BMI's future directions in the media and entertainment worlds. Under his direction, BMI licenses a wide variety of leading digital media properties including Yahoo, MSN, AOL, Napster, Rhapsody and others; in addition to mobile entertainment, podcasts, social networks, online gaming and other digital properties. BMI also offers the industry's first online

licensing utility, the Digital Licensing Center, offering totally electronic click-through copyright licensing agreements.

Lee Knife is the General Counsel and Director, Legal and Business Affairs for the Digital Media Association (“DiMA”) in Washington, D.C., the trade organization in Washington that represents digital media companies. DiMA members include Apple’s iTunes, Yahoo!, AOL, YouTube, Microsoft, Pandora, Live 365 and many others. Lee has been with DiMA since 2005. He focuses at DiMA on the negotiations and arbitrations associated with sound recording and musical composition royalty rates in the United States and internationally. He is also involved in lobbying and public relations efforts. Prior to joining DiMA, Lee practiced intellectual property and entertainment law in New York, predominantly in the music business, for 15 years. Over the last ten years, he served as a Business & Legal Affairs Executive at several major record companies including EMI, BMG and Polygram – most recently was Vice President, Legal and Business Affairs at Sanctuary Records. He has also worked at and provided consulting services to several internet-based, new-media companies. Before going “in house” with record companies, he started his legal career as an associate attorney representing musical instrument manufacturers, individual artists, and small record and production companies, drafting agreements, handling copyright and trademark matters, and also handling all aspects of civil litigation. As a musician and “tech-head,” Lee has written equipment reviews of musical and recording gear for several publications, including Guitar and Guitar World Magazines and the Guitar.com website. A graduate of St. John’s University and Brooklyn Law School, he is admitted to practice law in both the State of New York and New Jersey.

Peter Zizzo is founder and head of Big Much Productions, a New York-based company dedicated to furthering the careers of gifted artists. A multifaceted musician and music industry executive, as well as a BMI award-winning songwriter, Zizzo has authored hits for Celine Dion, Avril Lavigne, Jason Mraz, O.A.R., Clay Aiken, Jennifer Lopez, and other headliners. His songs have helped sell over one hundred million records worldwide. He is signed as a writer with Universal Music Publishing. He works extensively as a record producer, has played guitar and other instruments on countless recording sessions, and was instrumental in discovering and launching prominent artists such as Avril Lavigne, Vanessa Carlton, and Toby Lightman. Following a productive co-venture with Lava/Atlantic Records, he is currently launching a new privately funded label, Club Road Music Corp., for which he is developing several new artists. Zizzo has also spoken and led seminars at South By Southwest and other music industry events, and has appeared on television shows such as “VH1: Driven” and “The Apprentice.”

MODERATOR:

Tim Mandelbaum is a partner at DreierLLP, where his practice includes music, film, television, sports, new media and intellectual property. Mr. Mandelbaum has been an active member of the music industry since 1984, and during his career, he has represented numerous clients on a variety of matters ranging from recording agreements, co-publishing agreements, contract re-negotiations, joint venture agreements, label deals, Blanket Record Club and MTV agreements, catalog sales and acquisitions, asset purchase agreements and the like, both in private practice and in his capacity as head of business affairs at a major record company. Prior to joining Dreier LLP, Mr. Mandelbaum was a senior partner at Selverne, Mandelbaum, & Mintz, LLP in New York. He previously served as Vice President of Business Affairs at EMI Records, where he oversaw all business and legal affairs as well as A&R administration, was an associate at Goodkind Labaton Rudoff & Sucharow LLP (now Labaton Sucharow) and got his start in the music industry working as a staff attorney at Celluloid Records. He is a member of the executive committee of the Entertainment Law Initiative of National Academy of Recording Arts and Sciences (NARAS) and is a member of the board of directors and legal committee of the Alliance of Artists and Recording Companies (AARC). He received a J.D. from the University of Denver School of Law in 1983, and a B.A. from Duke University in 1979, where he was a member of the Major Attractions Committee. He is a member of the Bar of the State of New York.

And Mark Your Calendars: The fourth event of our 2008-2009 Season will be a LUNCHEON program on December 10, 2008, at the Princeton Club:
Topic: "Does 'Making Available' = Making Infringement?"

Very truly yours,

Rose Auslander
Jonathan M. Purow
Chapter Co-Chairs

THE COPYRIGHT SOCIETY OF THE USA

Registration Form – New York Chapter

Return This Form To: The Copyright Society of the USA 352 Seventh Avenue, Suite 739 New York, NY 10001 Telephone: (212) 354-6401 Fax: (212) 354-2847 Email: amy@csusa.org	Event: “Sounding Board: The Latest Copyright Decision” Thursday, November 20, 6:00 PM The Princeton Club 15 West 43 rd Street New York, NY 10036-7497
--	---

Please print clearly:

NAME: _____

FIRM: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE: _____ FAX: _____

EMAIL: _____

Registration Fees:

Payment by check or credit card *must* accompany this form.

Type	Cost	After 11/17	Quantity	Total	Total Cost
<input type="radio"/> Members	\$70.00	\$80.00	_____	_____	_____
<input type="radio"/> Nonmembers	\$80.00	\$90.00	_____	_____	_____

Method of Payment:

MasterCard
 Visa
 American Express
 Check

Credit Card No.: _____ Expiration Date: MM / YY _____

Signature: _____ Security #: _____

Please make check payable to “THE COPYRIGHT SOCIETY OF THE USA”

Cancellation and Refund Policy:

Full refund will be issued if a cancellation is received in writing 5 days prior to the event. No refunds or credits will be issued for cancellations 3 business days before the event. Registrations are transferable.

Additional Registrants:

First Name	Last Name	Email

The Copyright Society of the U.S.A.
352 SEVENTH AVENUE, SUITE 739
New York, NY 10001
Telephone: (212) 354-6401 • Fax: (212) 354-2847 • e-mail: amy@csusa.org

Scholarship / Financial Hardship Policy

A limited number of scholarships are available to judges, law clerks, law professors, law students, attorneys, pro bono attorneys and paralegals who work for nonprofit organizations, legal service organizations or government agencies, recent graduates not yet employed, and unemployed attorneys who must take CLE courses in order to meet their state requirements.

All requests must be made in writing accompanied by a completed registration form. No more than three requests per person will be considered in any one year. Requests should describe the applicant's interest in the topic and justification for a waiver of fees.

Requests should be accompanied by a recommendation from an instructor in the case of students, or supervisors in the case of law clerks or paralegals.

Requests and scholarships are not transferable. Approval will be based on need and funds available on a first come first served basis. If approved, the scholarship will result in a waiver of the course fees for the specific program application. To apply, please send your request, in writing, prior to the reservation form deadline. Students must submit a copy of their student identification cards.

All requests for scholarships should be sent to: The Copyright Society of the U.S.A, 352 Seventh Avenue, Suite 739, New York, NY 10001. Please call (212) 354-6401 or e-mail amy@csusa.org for further information.