

THE COPYRIGHT SOCIETY OF THE U.S.A.

New York Chapter

Rose Auslander and Jonathan Purow, Co-Chairs

February 18, 2009

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

We are excited to invite you to our **February 26th LUNCHEON** program, at noon, at the Princeton Club, 15 West 43rd Street, New York, NY:

IMAGINE... A DANCING BABY AND THE ENCYCLOPEDIA OF FAIR USE

Is it time to revisit the doctrine of fair use? Recent cases show that the times are changing, even while the fair use factors have stayed the same. Just in the past two years we have had several major cases that have refocused the issues at play in light of digital media and the ethos of Web 2.0.

Discussion will include an examination of the Yoko Ono case, in which a documentary was permitted to play a portion of John Lennon's "Imagine," the *Lenz v. Universal* ruling that takedown notices (there, against a dancing baby video) should consider fair use, the Harry Potter fan fiction decision, the Associated Press' claims against bloggers and street artist Shepard Fairey, and the recent ruling in *ASCAP vs. AT&T* that previews of ringtones are not fair use.

We are honored to present our distinguished panelists: Dale Cendali (O'Melveny & Myers, Counsel in *Warner Bros. and JK Rowling vs. RDR Books*), Hillel Parness (Lovells Corporate, Counsel in *ASCAP vs. AT&T*), Professor Wendy Seltzer (American University's Washington School of Law), and moderated by Professor Jason Mazzone (Brooklyn Law School).

Date: Thursday, February 26, 2009

Time: 12:00 p.m.-12:30 p.m.: Cocktails (cash bar)

12:30 p.m.-1:00 p.m.: Lunch

1:00 p.m.-2:00 p.m.: Program

(Please note: event will end promptly)

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

Cost: \$60.00 (members) \$70.00 (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 1.0 CLE Credit (based on 50 minutes).***

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 February 20th**. We look forward to seeing you on **Thursday, February 26, 2009**.

Mark Your Calendars NOW!

SPEAKERS:

Dale M. Cendali is a partner in O'Melveny & Myers LLP's New York office and is head firmwide of O'Melveny's Copyright, Trademark and Internet Practice Group. *The National Law Journal* named Dale as one of "50 Most Influential Women Lawyers In America" and named her one of "Americas Top 50 Women Litigators." *Super Lawyers* magazine named Dale one of the "Top 50" women lawyers in Manhattan. Chambers USA named Dale as a "top tier" lawyer in two categories: media and entertainment litigation and intellectual property, describing her as "committed," thorough" and "terrific on her feet." Dale is a nationally recognized leader in the field of intellectual property, litigating numerous high profile cases including her recent victory at trial for her clients, J.K. Rowling and Warner Bros., in the Harry Potter Lexicon case. She has also argued before the United States Supreme Court in Dastar v. Twentieth Century Fox and she also represented Victoria's Secret in the Supreme Court in the Moseley case and helped draft the new federal dilution statute. Dale writes and lectures extensively on intellectual property and media law topics and has chaired numerous bar committees. She is a graduate of Yale College and Harvard Law School and is an adjunct professor at Harvard Law School teaching copyright and trademark litigation.

Hillel Parness is Of Counsel at Lovells in the Intellectual Property, Media and Technology group in the New York office. His practice focuses on matters of copyright, trademark and Internet law. Hillel is also an adjunct member of the Intellectual Property faculty of Columbia Law School, where he has taught a seminar in Internet copyright law since 2002. He has represented numerous clients in copyright and trademark disputes, and is regularly called upon to provide advice to the firm's clients on all aspects of US copyright and trademark law, as well as matters of domain name recuperation, trade secrets and privacy, contract, licensing, transactional issues and evaluation of IP assets. Hillel writes regularly on issues of intellectual property and the Internet, and specifically on the rapidly changing nature of copyright law in cyberspace. He is a member of the Board of Editors and a contributor to *Cyberspace Lawyer*, and participated in the commenting process for the Free Software Foundation's GNU general public license for open source software

Wendy Seltzer is a visiting professor at American University Washington College of Law, researching and teaching about intellectual property, privacy, and free expression online. As a Fellow with Harvard's Berkman Center for Internet & Society, Wendy founded and leads the Chilling Effects Clearinghouse, helping Internet users to understand their rights in response to cease-and-desist threats, <<http://chillingeffects.org/>>. She serves on the Board of Directors of The Tor Project, promoting privacy and anonymity research, education, and technology. Before teaching, Wendy was a staff attorney with online civil liberties group Electronic Frontier Foundation, specializing in intellectual property and First Amendment issues, and a litigator with Kramer Levin Naftalis & Frankel.

MODERATOR:

Jason Mazzone joined the faculty of Brooklyn Law School in 2003. He teaches Constitutional Law, American Legal History, and advanced courses in Intellectual Property Law. His book, "Copyfraud and Other Abuses of Intellectual Property" is forthcoming from Stanford University Press. Mazzone was a law clerk to Judge Robert D. Sack of the United States Court of Appeals for the Second Circuit and to Judge John G. Koeltl of the United States District Court for the Southern District of New York.

Very truly yours,

Rose Auslander
Jonathan Purow
Chapter Co-Chairs

THE COPYRIGHT SOCIETY OF THE USA

Registration Form – New York Chapter

Return This Form To: 352 Seventh Avenue, Suite 739 New York, NY 10001 Telephone: (212) 354-6401 Fax: (212) 354-2847 Email: amy@csusa.org	Event: <i>Imagine: A Dancing Baby and the Encyclopedia of Fair Use</i> Thursday, February 26, 12:00 PM The Princeton Club 15 West 43 rd Street New York, NY 10036-7497
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Please print clearly:

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Registration Fees:

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

Type	Cost	After /	Quantity	Total	Total Cost
<input type="radio"/> Members	\$60.00	\$70.00	_____	_____	_____
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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

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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.