

THE COPYRIGHT SOCIETY OF THE U.S.A.

New York Chapter
Rose Auslander and Jonathan Purow, Co-Chairs

January 6th, 2009

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

Happy New Year! We are excited to invite you to our first event of 2009 -- our Wednesday, **January 14th, 2009, luncheon program**, at noon, at the Princeton Club, 15 West 43rd Street, New York, NY.

“SNAPFU! PICTURING THE LAW ON PHOTOGRAPHS OF PREEXISTING WORKS”

What about photographs, anyway -- do they recast, transform or adapt the objects they depict? In January 2008, the N.D. Illinois held in *Schrock* that photographs taken of toys for a marketing campaign were derivative of the copyrighted toy. In March 2008, the M.D. Florida held in *Latimer* that product shots of Kawasaki motorcycles were not derivative works. Earlier decisions in *Ets-Hokin* (Ninth Circuit) and *SHL Imaging* (SDNY) were similarly in tension. Our distinguished panel will tell -- and show -- how this area of the law should be harmonized, and how those in the field might proceed in the meantime.

Please join us for a stimulating panel discussion with experts **Alan Behr** (Alston & Bird LLP) **Matthew T. Furton** (Locke Lord Bissell & Liddell LLP), **Nancy E. Wolff** (Cowan DeBaets Abraham and Sheppard LLC) and moderator **Professor June M. Beseck** (Columbia Law School).

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 January 9, 2009**. We look forward to seeing you on **January 14, 2009**.

Date: Wednesday, January 14, 2008

Time: 2:00 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 Credit (based on 50 minutes).***

SPEAKERS:

ALAN BEHR is a partner in the New York office of Alston & Bird LLP. He is a member of the firm's IP and Technology Transactions and Trademarks Groups and the head of the firm's Electronic Entertainment Group and its Fashion & Luxury Goods Practice. He concentrates his practice on international intellectual property and entertainment law, counseling many of the world's leaders in the fields of electronic entertainment, print publishing, fashion and consumer products. Mr. Behr is listed in *The Best Lawyers in America* 2009. Mr. Behr also enjoys an

international reputation as a photographer. He was recently profiled by *fotoMAGAZIN*, the leading photography magazine of Germany, and has exhibited on many occasions in New York City. One of his images of 9/11 was included in "Witness to a Century"--a retrospective at Leica Gallery of the most important photographs of the last one hundred years. Prior to joining Alston & Bird, Mr. Behr was general counsel of w-Technologies, Inc. and before that he was chief legal officer of Atari, Inc. (formerly GT Interactive Software Corp.). Mr. Behr received his J.D. degree from the Columbia University School of Law in 1979, and his B.A. from the University of Pennsylvania in 1976. He is a member of the Copyright Society of the United States.

MATTHEW T. FURTON is a Partner in the Chicago office of Locke Lord Bissell & Liddell LLP, where he handles complex commercial litigation and arbitration with a focus on copyright, trademark, trade secret, false advertising, and unfair competition claims. Matt has served as lead counsel in significant disputes involving copyright infringement claims in several different industries including entertainment, software, insurance, and construction. Matt's experience includes client counseling, trial, arbitration, mediation and appellate practice.

NANCY E. WOLFF is a Partner at Cowan DeBaets Abraham and Sheppard LLC, where she practices primarily in intellectual property and digital media law. Clients include trade associations Picture Archive Council of America (PACA) and PLUS, Inc., stock photo libraries, individual photographers, authors, illustrators, designers, publishers and digital media companies. She counsels clients in copyright, trademarks, licensing, contract, rights of publicity and privacy and libel. In addition to transactional work, she represents clients in arbitration hearings as well as state and federal court civil actions. In May 2007 her book entitled 'The Professional Photographer's Legal Handbook' was released by Allworth Press/PACA. The American Society of Picture Professionals named her 'Picture Professional of the Year' for 2007.

MODERATOR

PROFESSOR JUNE M. BESEK is the Executive Director of the Kernochan Center for Law, Media and the Arts at Columbia Law School and heads the Center's program for intellectual property studies and law reform. Ms. Besek served as a member of the Section 108 Study Group, created by the Library of Congress and the Copyright Office to examine the exceptions for libraries and archives in the Copyright Act and to make recommendations for legislative change in light of new technologies. She is a member of Council for the ABA Intellectual Property Law Section and chair of the Section's Copyright Reform Task Force. She serves on the editorial board of the Journal of the Copyright Society of the U.S.A. and the board of advisors of the Columbia Journal of Law & the Arts, and is the author of many articles and studies on copyright law issues. Ms. Besek earned her J.D. from New York University School of Law and her B.A. from Yale University.

Very truly yours,

Rose Auslander
Jonathan Purow
Chapter Co-Chairs

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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.