

THE COPYRIGHT SOCIETY OF THE U.S.A.

New York Chapter

Rose Auslander and Joseph Salvo, Co-Chairs

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

We are extremely pleased and excited to invite you to our third program of the new program year. Please note that this is a **dinner program**, to be held at the Princeton Club on Thursday night, November 16 from 6-8PM:

Topic: WHAT DID GROKSTER SAY AGAIN? — HOW INDUCEMENT HAS CHANGED THINGS

With the U.S. Supreme Court decision in *MGM v. Grokster* last year, a new theory of secondary liability --inducement--was introduced to copyright "common law." Are inducement claims the wave of the future? A number of courts are already adjudicating claims of "inducement" liability:

- Significantly, on remand, the District Court in California has now applied the Supreme Court criteria from *Grokster* in a comprehensive analysis of the facts involving one of the *Grokster* co-defendants, Streamcast.
- Inducement claims have been recently added against Hummer Winblad for its financing of the Napster file sharing service
- XM Radio is facing inducement claims for introducing a device into the market that allows recording of streamed satellite radio broadcasts.
- Los Angeles News Service owner/operator Robert Tur has brought inducement claims against YouTube for posting of the tape showing the Reginald Denny beating.

Are these claims sustainable under the Supreme Court's analysis? What did the Supreme Court actually say, and how is it being applied? How is *Grokster* affecting copyright enforcement, technological development and litigation strategy both on and off the web?

We are privileged to present panelists Stanley Pierre-Louis and Michael H. Page, and moderator Jeffrey M. Liebenson. The members of this blue ribbon panel have been actively involved in *Grokster* and its progeny, and will share their considerable experience in litigations addressing these issues and their various perspectives regarding how the *Grokster* case may affect the future, the implications of the *Streamcast* decision and the Hummer Winblad and XM litigations and more. Please join us.

Panelists / Moderator:

STANLEY PIERRE-LOUIS is Special Counsel at Kaye Scholer LLP in New York, where he is involved in counseling and litigation in the areas of entertainment law, intellectual property and other related fields. Prior to joining Kaye Scholer, Mr. Pierre-Louis served as Senior Vice President of Legal Affairs for the RIAA, where he developed enforcement strategies and managed the record industry's litigation in various cases, including *Napster*, *MP3.com*, *Aimster* and *Grokster*.

MICHAEL H. PAGE is a Partner at Kecker & Van Nest LLP in San Francisco, where he specializes in intellectual property litigation involving copyright, trademark and patent matters. He represented Grokster including before the United States Supreme Court and is representing Hummer Wimbled Venture Partners in the current *Napster* litigation. Mr. Page's other intellectual property clients include such clients as America Online, InterTrust Technologies, Google, Palm Computing and Electronic Arts.

JEFFREY M. LIEBENSON (Moderator) is Counsel at Herrick, Feinstein LLP in New York, where he specializes in entertainment, intellectual property and digital rights transactions. Mr. Liebenson represented Gracenote in obtaining digital lyric rights from the music publishing industry, EMI Recorded Music in its transaction with Apple Computer regarding the iTunes Music Store and Sony Music in establishing its Pressplay online service with Universal, which has become the current Napster service.

Date: Thursday, November 16, 2006

Time: 6:00 p.m. to 6:30 p.m.: Cocktails (cash bar)

6:30 p.m. to 7:00 p.m.: Dinner

7:00 p.m. to 8:00 p.m.: Program (will start and end promptly)

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

CLE: The Copyright Society of the U.S.A. is a New York CLE Approved Provider.

This course is Transitional and Non-transitional, and provides 1.0 Credit (based on 50 minutes).

If you require CLE credits for Pennsylvania, include \$2.50 for each credit.

Cost: \$55 (members); \$65 (non-members);

\$10 late fee for attendees enrolling after November 13, 2006.

To attend, please complete the downloadable form at http://www.csusa.org/chapters_new_york.cfm and mail or fax it to The Copyright Society of the U.S.A., 352 7th Avenue, Suite 739, New York, New York 10001, fax (212) 354-2847, by November 13, 2006. We look forward to seeing you on November 16!

Very truly yours,

Rose Auslander

Joe Salvo

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: What did Grokster Say Again? November 16, 2006, 6:00 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 11/13	Quantity	Total	Total Cost
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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.