



Join members of the U.S. Copyright Office on April 26, 2012, for a day-long discussion of the state of copyright law and the activities of the Copyright Office at:

The First Amendment Center

1207 18th Avenue South

Nashville, TN 37212

Discussion will include a review of the year in copyright law and rule-making, including the legislative activity of the 112th Congress and the major copyright decisions of 2011, as well as an update on the procedures for copyright registration, and more (See complete agenda below).

We look forward to seeing you there! For registration information, please visit

<http://www.firstamendmentcenter.org/copyright-officecomes-to-music-city>

Sponsored by the First Amendment Center and the Federal Bar Association, Nashville Chapter

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## Agenda

8:00 a.m.-8:30 a.m.      **Registration and Continental Breakfast**

8:30 a.m. - 8:45 a.m.      **Welcome & Opening Remarks**

- **Rob Kasunic**, Deputy General Counsel, U.S. Copyright Office
- **Gene Policinski**, Senior Vice President and Executive Director, First Amendment Center
- **Rick Sanders**, Partner, Aaron & Sanders, PLLC, Nashville, Tennessee

8:45 a.m. - 9:15 a.m.      **Priorities and Special Projects of the Copyright Office**

The Register of Copyrights summarizes the priorities of the Copyright Office over the next year-and-a-half with respect to copyright policy and administrative practice, and announces a series of new projects designed to improve the quality and efficiency of its services in the twenty-first century.

- **Rob Kasunic**, Deputy General Counsel, U.S. Copyright Office
- **Karyn Temple Claggett**, Senior Counsel for Policy & International Affairs, U.S. Copyright Office

9:15 a.m. - 10:30 a.m. **Current Copyright Law and Policy Activities of the Copyright Office**

An update of recent and pending legal, regulatory and policy activities of the Copyright Office, including the Supreme Courts' recent ruling upholding the constitutionality of section 104A of the Copyright Act (copyright restoration), the pending § 1201 rulemaking on exceptions to the prohibition on circumvention; other projected rulemakings relating to copyright registration; mandatory deposit of online works; the directory of online service provider agents; revision of the Compendium of Copyright Office Practices; the Office's recent studies on federalization of protection for pre-1972 sound recordings and marketplace alternatives to replace statutory licenses; mass digitization; remedies for small copyright claims; and other issues.

- **Karyn Temple Claggett**, Senior Counsel for Policy and International Affairs, U.S. Copyright Office
- **Rob Kasunic**, Deputy General Counsel, U.S. Copyright Office
- **Mary Rasenberger**, Project Specialist for Compendium III of Copyright Office Practices and Partner, Cowan DeBaets Abrahams & Sheppard LLP

10:30 a.m.-10:45 a.m. **Break**

10:45 a.m. - 11:10 a.m. **Copyright on the International Stage**

A report on international policy activities of the U.S. Government, including the pending diplomatic conference on a treaty for the protection of audiovisual performances; exceptions and limitations and other issues currently at WIPO; enforcement challenges; and the Trans-Pacific partnership discussions.

- **Karyn Temple Claggett**, Senior Counsel for Policy and International Affairs, U.S. Copyright Office

11:10 a.m. -12:40 p.m. **Registration: Issues for Practitioners and Copyright Owners**

Learn about registration basics and how to register specific kinds of works, including motion pictures, sound recordings, musical works, computer programs, videogames and online works, and how to avoid mistakes commonly made in applications for registration.

- **Melissa Bethel**, Team Leader, Performing Arts Division, U.S. Copyright Office
- **Rob Kasunic**, *Deputy* General Counsel, U.S. Copyright Office
- **Mary Rasenberger**, Project Specialist for Compendium III of Copyright Office Practices and Partner, Cowan DeBaets Abrahams & Sheppard LLP

12:40 p.m.-1:45 p.m. **Luncheon Program**

The Honorable Gilbert S. Merritt, Jr., U.S. Court of Appeals for the Sixth Circuit

Judge Merritt has served on the U.S. Court of Appeals for the Sixth Circuit since 1977. During that time, Judge Merritt has had occasion to rule on a number of important copyright and fair-use matters, including *Lexmark Int'l v. Static Control Components*, 387 F.3d 522 (6th Cir. 2004) on the scope of the DMCA anti-circumvention provisions; and *Princeton Univ. Press v. Mich. Document Servs.*, 99 F.3d 1381 (6th Cir. 1996) (Merritt, J., dissenting), the “course-pack case.” Please come listen to Judge Merritt draw upon his vast experience as a jurist to discuss copyright law and fair use, past, present and future.

*Sony Music Nashville is an underwriter for the luncheon program.*

1:45 p.m. - 2:15 p.m. **Copyright Legislation in the 112<sup>th</sup> Congress**

A survey of copyright legislation pending in the current congress, including the PROTECT IP Act, the Stop Online Piracy Act, legislation making certain unauthorized streaming and other public performances a felony, and the [Equity for Visual Artists Act](#).

- **Karyn Temple Claggett**, Senior Counsel for Policy and International Affairs, U.S. Copyright Office

2:15 p.m. – 3:45 p.m. **Litigation: The Year In Review**

A discussion of the most important and interesting copyright cases of the past year.

- **Tyler Ochoa**, *Professor of Law, Santa Clara University School of Law*

3:45 p.m. – 4:00 p.m. **Break**

4:00 p.m. – 5:35 p.m. **Schooners and Ironsides: Music, Fair Use and the Search for New Business Models in the Piracy Seas**

Three years ago, we hosted “A Digital Dance: Copyright and the Music Industry in the File-Sharing Era,” a panel that discussed the contours of the threat and opportunities presented by file sharing. One response was robust legislation to provide new and stronger tools to shut down and choke off putative “pirate sites,” which most recently took the form of the failed SOPA and PIPA bills. This panel, by contrast, will focus on whether and how copyright holders and their allies can actually take advantage of the current business climate. Does internet-based piracy mean the end of the music industry or its transformation? Does fair use always hurt the music business? At what point must “promotion” give way to making money? And what is the future of artist development?

Come hear an expert panel of diverse viewpoint discuss these and other issues relating to the music industry’s search for new business models.

Moderator: **Ken Paulson**, President and CEO, First Amendment Center

- **Craig Carothers**, singer/songwriter/producer, Nashville, Tennessee

- **Jay Frank**, CEO, DigSin, Nashville, Tennessee
- **Daniel J. Gervais**, FedEx Research Professor of Law & Co-Director of the Intellectual Property Program, Vanderbilt University School of Law
- **Angela R. Magill**, Vice President, Legal & Business Affairs, Sony Music Nashville
- **Larry Pereigis**, CEO, Nine North Records

5:35 p.m.-6:45 p.m.      **Reception**

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#### Conference Committee

- Tiffany Villager, Director of First Amendment Studies, First Amendment Center
- Richard G. Sanders (Chair), Partner, Aaron & Sanders, PLLC
- Angela R. Magill, Vice President, Legal & Business Affairs, Sony Music Nashville
- Natalya L. Rose, Partner, Milom Horsnell Crow, Rose Kelley, PLC
- **Walter Crouch**, Partner, Waller Lansden Dortch and Davis, LLP and President of the Federal Bar Association, Nashville Chapter

#### ESSENTIAL INFORMATION

Fees include the conference book, breakfast, luncheon, reception and administrative costs for the course.

- \$250 for CLE credit
- \$100 for non-CLE credit
- \$50 for law students and members of the Nashville Chapter of the Federal Bar Association.
- Non-CLE attendance of the afternoon panel on Schooners and Ironsides: Music, Fair Use and the Search for New Business Models in the Piracy Seas ONLY is FREE.

#### Registration

Registration must be received by: April 20, 2012

Register at <http://www.firstamendmentcenter.org/copyright-officecomes-to-music-city> - credit cards and checks accepted. Checks should be made payable to the Freedom Forum First Amendment Center (E.I.N. 58-1998515)

#### Cancellation/Refunds

Cancellations and requests for refunds must be received in writing no later than Monday, April 23, 2012. Substitute registrants are allowed, but must register in their own name.

#### CLE Credit

The First Amendment Center is the approved CLE provider. This program is approved for 7.75 hours of CLE Credit.

**Underwriting** – If you are interested in becoming an underwriter for the conference please contact Rick Sanders, committee chair at [rick@aaronsanderslaw.com](mailto:rick@aaronsanderslaw.com).