

"Very wide breadth of info, covering a lot of topics. Overview was great. Good to see how various aspects of Entertainment Law all interact."

Laurie Christianson, Manager of Contracts and Documents, Aboriginal Peoples Television Network



The *Osgoode* Certificate in Entertainment Law

Learn the key concepts of entertainment law business and practice from a faculty of more than 25 of Canada's top experts and dealmakers. This practical, industry-focused program is designed for lawyers and non-lawyers alike.

Program Director
Susan Abramovitch
Gowling Lafleur Henderson LLP

January 19 - 23, 2015 | 5 Days | Toronto, Canada



Why You Should Attend

The world of arts and entertainment – whether it be music, film, television, live theatre, games or books – can be very creative and exciting. It is also a very challenging and complex environment, particularly for those working behind-the-scenes. If you are working in the industry, as a producer, business affairs professional, artist or lawyer, it is essential that you have a solid understanding of the legal aspects of your work. The *Osgoode* Certificate in Entertainment Law was created to provide those with or without a law degree with a comprehensive and practical overview of entertainment law in Canada.

Now in its third year, led by Program Director Susan Abramovitch, and taught by a highly distinguished faculty of experts drawn from the music, film, television, gaming, live stage events and publishing industries, this Certificate covers the key principles you need to know, together with practical insights, strategies and tactics for tackling the most pressing issues in entertainment law. This is a one-of-a-kind opportunity to acquire a comprehensive overview, and to “drill down” into the key issues and challenges that you will likely encounter. You will also receive materials prepared by *OsgoodePD*'s expert faculty which will serve as a valuable ongoing resource.

Don't miss this exclusive opportunity to get insights and advice from over 25 of Canada's top entertainment law experts on what it takes to navigate the pitfalls and get deals done.

Key Benefits: What You Will Learn

- What it takes to get a deal done in the music, film, television, book publishing, live stage and gaming industries
- Issues to consider when negotiating with “the talent”
- How the collective bargaining process works
- How tariffs in music are set and how collective rights translate into royalties for artists
- The effect of the “Copyright Pentology” on the rights of artists, producers and distributors
- The rights that construct the chain of title and how to avoid drafting pitfalls that would undermine it
- How to effectively navigate the clearance process
- Strategies to employ when negotiating and drafting option, distribution, format and licensing agreements for film and television
- Tips of the trade for negotiating and drafting agreements
- The importance of proper boilerplate clauses in contracts and the risks inherent in using them
- How to maximize your and/or your client's ability to receive government funding and benefit from tax credits
- Financing a co-production: What you need to know
- How to understand net profits

Who Should Attend

- Producers
- Business Affairs Analysts
- Directors of Business Development/
Business Affairs
- Development Executives
- Artists
- In-House Counsel
- Entertainment Lawyers in Private Practice
- Union and Guild Professionals
- Publishers
- Contract Managers and Administrators
- Rights Managers and Directors
- Funding Administrators
- Policy Advisors

Program Details

Dates

January 19 - 23, 2015

The program will be held at
Osgoode Professional Development's
Downtown Toronto Conference Centre.

For Further Program-Related Information

Please contact:
Stéphane McRoberts
Program Lawyer
at 416.619.4351 or email
smcroberts@osgoode.yorku.ca

“The resources are a great tool for future reference. It personally helped me fill in the gaps in terms of my day to day responsibilities.”

“This program was excellent overall. The speakers were engaging and the materials were useful. It was a pleasure to listen to the great stories and learn about the various aspects of the entertainment industry.”

This program is designed for everyone whose work requires an understanding of the foundational principles of entertainment law, including producers, directors of business development/business affairs, development executives, artists, contract and rights managers, and lawyers. There will be an emphasis on the practical, and classes will be taught using a blended-delivery method that includes lectures and panel discussions.

THE CURRICULUM

DAY 1

January 19, 2015, 9:00 a.m. – 4:30 p.m.

The Certificate program will begin with a “big picture” panel presentation that will set the stage for the five days. This panel will give you a top-level understanding of what it takes to get a deal done in each of the music, film, television, book publishing, live stage and gaming industries. Experts will cover:

- Key players in the industry
- Types of deals
- Rights involved in negotiating a deal

Panelists will then drill down what you need to know to negotiate and draft talent contracts in each of the music, film, television and gaming industries. Specifically, the panelists will discuss:

- Issues to consider when negotiating with writers, actors and directors, including:
 - compensation
 - term
 - non-competes
 - cross-branding
 - perks
- Understanding the impact of guild agreements
 - how the collective bargaining process works
 - the effects of guild agreements when minimum standards are exceeded

Faculty

Susan Abramovitch, Gowling Lafleur Henderson LLP

Dina Appleton, Senior Vice President, Business and Legal Affairs Entertainment One

Hilary Goldstein, Buchli Goldstein LLP

Reynolds Mastin, Chief Negotiator & Chief Legal Officer, CMPA

John Robinson, Counsel, Entertainment One Television

Ken Dhaliwal, Dentons Canada LLP

Trevor Fencott, Director, Board of Directors, bitHeads inc.

Kelly Jenkins, Director, Business Affairs, Temple Street Productions

DAY 2

January 20, 2015, 9:00 a.m. – 4:45 p.m.

Day 2 will pick up where the first day left off and continue to examine the essentials of negotiating and drafting talent contracts, specifically in the music industry. The panelists will discuss:

- Collective Administration in Music
 - what music rights lend themselves to collectivization
 - how tariffs in music are set

- how collective rights translate into royalties for artists

The focus will then shift towards an understanding of who owns rights to the various art forms, how these rights are acquired and what can be done to protect these rights. Days 2 & 3 will focus on these rights in significant detail in order to ensure that you have a thorough appreciation of the issues involved, including:

- The effect of the “Copyright Pentology” on the rights of artists, producers and distributors
- The rights that construct the chain of title and how to avoid common drafting pitfalls that would undermine the chain
- How to effectively navigate the clearance process, including:
 - finding the source of a right
 - requesting a clearance
 - understanding the timing involved in clearances and factoring this into other production decisions
 - what to do when a clearance is not approved
 - the lawyer’s role in reviewing the clearance reports and insurance forms and the risks inherent in the process

Faculty

C. Paul Spurgeon, Barrister & Solicitor

Casey Chisick, Cassels Brock & Blackwell LLP

Richard Pfohl, General Counsel, CONNECT Music Licensing

Kevin Sartorio, Gowling Lafleur Henderson LLP

David Steinberg, Dentons Canada LLP

Tara Parker, Goodmans LLP

Alan Hollingsworth, Vice President & Partner, Hub International Limited

Damian Schleifer, Vice President, Front Row Insurance

DAY 3

January 21, 2015, 9:00 a.m. – 4:30p.m.

Day 3 will begin with a look at the publishing and theatre industries with a particular focus on the following topics:

- An overview of the difference between full publishing, co-publishing and publishing administration agreements and when each should be used
- Key clauses in book publishing contracts:
 - rights granted
 - electronic rights
 - foreign rights
 - reversions

- The underlying rights to be considered in live stage agreements when the material is in the public domain, copyrighted or commissioned under copyright
- Theatre venue agreements and investor and grant agreements

You will then hear from a panel of legal practitioners and business leaders with respect to social media and emerging law. This new session will explore the various common legal issues facing businesses engaged in social media.

The remainder of the day will consist of an in-depth session on film and television agreements, taught by experienced producers, lawyers and entertainment executives. This panel will provide you with a thorough understanding of the details you need to consider when negotiating or drafting various types of agreements.

Faculty

Michael Levine, Chairman, Westwood Creative Artists
Asha Daniere, EVP, Business and Legal Affairs, Blue Ant Media
Dean J. Chenoy, Miller Thomson LLP
Rich Rapkowski, Senior Vice President, Business and Legal Affairs Entertainment One
Scott Garvie, Senior Vice President, Shaftesbury Films Inc.
Jamie Brown, Chief Executive Officer & Executive Producer, Frantic Films

DAY 4

January 22, 2015, 9:00 a.m. - 4:45 p.m.

Day 4 begins with a look at the foundations of an entertainment agreement and the boilerplate clauses that are commonly used, such as those relating to:

- Representations and warranties
- Indemnification provisions
- Choice of law/choice of venue
- Assignment of rights
- Termination

You will also hear from a litigator about what to look out for when relying on boilerplate clauses and your ethical responsibilities when doing so.

The examination of entertainment agreements will continue with a specific focus on the music industry. Experts will discuss the differences between licensing and distribution agreements in music, including the rights granted and allocation of responsibilities for marketing, promotion and recording.

In the afternoon, the program will begin its focus on how to maximize and understand your profits. You will learn from those who control, count and analyze the money earned and spent in the Canadian entertainment industry. They will discuss what you need to know to ensure that you are maximizing your ability to receive government funding and benefit from the tax credits available.

Faculty

Susan Abramovitch, Gowling Lafleur Henderson LLP
Darlene Gilliland Tonelli, Inter Alia Law
Bob Tarantino, Dentons Canada LLP
Nicholas Kluge, Gowling Lafleur Henderson LLP
Johanne Mennie, Director, Canadian Audio-Visual Certification Office (CAVCO), Department of Canadian Heritage
Stephen Selznick, Cassels Brock & Blackwell LLP

DAY 5

January 23, 2015, 9:00 a.m. - 4:15p.m.

Day 5 concludes the program's look at how to maximize your money and understand your profits. It will include discussion about what you need to know when financing a co-production, the different tax credits available, how they relate to the CAVCO points, and how to structure agreements to maximize your benefits.

The program will conclude with a session on alternate Canadian film financing structures. Topics will include:

- The pros and cons
- Domestic "Canadian content"
- CRTC co-ventures
- International treaty co-productions
- Service productions

Faculty

David Zitzerman, Goodmans LLP
Lisa Drolet, Director, Business Affairs, Entertainment One
Carolyn Stamegna, Goodmans LLP
Jean-Martin Masse, Barrister & Solicitor
Susan Abramovitch, Gowling Lafleur Henderson LLP
Alex Dhanjal, Partner, Technology and Media Tax Incentives KPMG Canada

"Learning something new every day. All the speakers were great. Subject matter very relevant and interesting."

Alwyn Kumst, The Picture Man Inc.

"I will make great use of these materials in my own practice and with my clients."

John Warburton, Consultant



The *Osgoode Certificate in Entertainment Law* draws on the expertise and experience of leading entertainment lawyers, agents and executives, including:

Susan Abramovitch, Gowling Lafleur Henderson LLP

Dina Appleton, Senior Vice President Business and Legal Affairs, Entertainment One

Jamie Brown, Chief Executive Officer & Executive Producer, Frantic Films

Dean J. Chenoy, Miller Thomson LLP

Casey Chisick, Cassels Brock & Blackwell LLP

Asha Daniere, EVP, Business and Legal Affairs Blue Ant Media

Ken Dhaliwal, Dentons Canada LLP

Alex Dhanjal, Partner, Technology and Media Tax Incentives, KPMG Canada

Lisa Drolet, Director, Business Affairs Entertainment One

Trevor Fencott, Director, Board of Directors bitHeads inc.

Scott Garvie, Senior Vice President Shaftesbury Films Inc.

Darlene Gilliland Tonelli, Inter Alia Law

Hilary Goldstein, Buchli Goldstein LLP

Alan Hollingsworth, Vice President & Partner Hub International Limited

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Stephen Selznick, Cassels Brock & Blackwell LLP

C. Paul Spurgeon, Barrister & Solicitor

Carolyn Stamegna, Goodmans LLP

David Steinberg, Dentons Canada LLP

Bob Tarantino, Dentons Canada LLP

David Zitzerman, Goodmans LLP

PROGRAM DIRECTOR

Susan Abramovitch
Gowling Lafleur Henderson LLP

ADVISORY BOARD

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Westwood Creative Artists

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Entertainment One

Claude Joli-Coeur, Acting
Government Film Commissioner and
Chairperson, National Film Board of
Canada

Michael MacMillan, CEO
Blue Ant Media

Osgoode Hall Law School's *Osgoode Professional Development* offers both credit and non-credit programming to meet the life-long learning needs of lawyers and other professionals who need legal information. Osgoode Hall Law School is one of the world's pre-eminent law schools. *Osgoode Professional Development* embodies the law school's commitment to meeting the educational needs of the broader community and has offered many continuing legal education programs for health care, law enforcement and other professionals.

THE OSGOODE CERTIFICATE IN ENTERTAINMENT LAW WINTER 2015

This program sells out quickly.
Reserve your spot today.

Name: _____ Title: _____
Firm/Company: _____ Practice Area: _____
Address: _____
City: _____ Province: _____ Postal Code: _____
Email: _____
Telephone: _____ Fax: _____ Priority Service Code:

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Fee Per Delegate

\$2,995 plus 13% HST for a total of \$3,384.35.

Fees include attendance, program materials, continental breakfast, lunch and refreshments for each of the 5 days of the program. The price does not include accommodations. Please inquire about group discounts and financial assistance. Dress is business casual.

Payment Options – Payment must be made prior to the program

- Cheque enclosed (payable to York University – GST# R119306736)
- Bill my credit card: VISA Mastercard

Card# _____

Expiry: _____

Signature: _____

Payment Amount: _____

Cancellations/Rainchecks/Substitutions

If you are unable to attend the program your organization may name a replacement. A full refund will be issued for cancellations received a minimum of 21 days before the program start date. Written cancellations received after December 29, 2014 will be subject to an administration charge of \$700. Non-attendance or withdrawal after the program start date (January 19, 2015) will result in complete forfeiture of the program fee. Payment must be received by January 12, 2015.

Location

Osgoode Professional Development
Downtown Toronto Conference Centre
1 Dundas St. W., 26th Floor
Toronto, ON, M5G 1Z3

Program Changes

We will make every effort to present the certificate program as advertised, but it may be necessary to change the dates, location, speakers or content with little or no notice. In the event of program cancellation, York University and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.



Osgoode Professional Development has been approved as an Accredited Provider of Professionalism Content by The Law Society of Upper Canada.

CPD Credits



Eligible CPD/MCLE hours:

LSUC (ON): 32.75 CPD Hours (31.75 Substantive, 1.0 Professionalism); BC/NT/YK/QC/NB/NU: 30.25 credit hours; SK/PEI: 30.0 credit hours; NS/MB: 32.5 credit hours; NY CLE Board (on-site participants only): 36.0 credit hours in the Area of Professional Practice for Transitional and Non-transitional lawyers. Also eligible for CLE/Insurance Premium Credits Program offered by the Law Society of PEI and for Alberta CPD credit with the Law Society of Alberta. Questions? E-mail: cpd@osgoode.yorku.ca or refer to your respective regulatory body to ensure compliance.

For Further Program-Related Information

Please contact: Stéphane McRoberts, Program Lawyer
at 416.619.4351 or email smcroberts@osgoode.yorku.ca

Certificate of Program Completion

You will receive a certificate upon completion of The Osgoode Certificate in Entertainment Law. Participants must attend all program modules and pass a take-home exam to receive a certificate.

Public CLE Seminars

Customized CLE Programs

Skills Training & Certification

ITAW

Professional LLM

4 Convenient Ways to Register

1. **MAIL** your registration form to:
Osgoode Professional Development
Downtown Toronto Conference Centre
1 Dundas St. W., 26th Floor
Toronto, ON M5G 1Z3
2. **ONLINE** at www.osgoodepd.ca
3. **FAX** your registration to 416.597.9736
4. **CALL US** at 416.597.9724 or 1.888.923.3394

