

SEATTLE UNIVERSITY

**UPDATED COURSE SYLLABUS**

**Course Title:** Law and the Arts, ARTL 580

**Please silence all cell phones during class. You may use a laptop in class for coursework, but instant messaging, web surfing, and email are not permitted.**

**Course Description and Overview:** The course will introduce professionals in the arts to important areas of law associated with the production of creative work. The goal is to train students to recognize some common, relevant legal issues so they can make informed artistic and business decisions and know when to contact legal counsel. The course addresses a variety of issues, including free speech, copyrights, trademarks, contracts, and negotiation.

This is a seminar class and sessions will be discussion oriented. Students will be called upon at random to discuss readings and topics for each class and should be prepared to participate each session.

**Textbooks:** Richard Stim, *Patent, Copyright & Trademark: An Intellectual Property Desk Reference* (11<sup>th</sup> edition); Leigh L. Thompson, *The Truth About Negotiations*.

**Supplemental Materials:** Supplemental materials will be made available by email from time to time during the course. These materials will be provided prior to the class session for which they are to be used, and students are expected to be prepared to discuss such materials in class.

**Grading Policy:** Grades will be determined as follows:

Class attendance, preparation, participation, and presentations	40%
Midterm Exam (February 15)	20%
Final Paper (March 15)	40%

**Schedule:** The following schedule is subject to change. Any changes will be announced at least one week before the class session for which the assignment or subject matter is to be changed.

***Complete reading assignments before class each week.***

**January 4 (Wednesday)**

Topics: Introduction; First Amendment and Free Speech

Reading: First Amendment; *Spence v. State of Washington*, 418 U.S. 405 (1974) (available at [www.findlaw.com](http://www.findlaw.com)).

**January 14 (Saturday)**

Topics: First Amendment and Free Speech

Guest Speaker: Alan Adams, Sr. Vice President of Corporate Development for Lifescript, Inc.

Readings: *Bery v. City of New York*, 97 F.3d 689 (2d Cir. 1996) (available at <http://openjurist.org>); *NYT v. Sullivan*, 376 U.S. 254 (1964) (case excerpts to be provided).

**January 21 (Saturday)**

Topics: Copyright and Fair Use

Reading: Stim, 186-194; Copyright Basics Circular (see [www.copyright.gov/circs/circ1.pdf](http://www.copyright.gov/circs/circ1.pdf)); *Feist Publications, Inc. v. Rural Telephone Service Co.*, 499 U.S. 340 (1991) (see [www.law.cornell.edu/copyright/cases/499\\_US\\_340.htm](http://www.law.cornell.edu/copyright/cases/499_US_340.htm)).

### **January 28 (Saturday)**

Topics: Copyright and Fair Use

Reading: *Rogers v. Koons*, 960 F.2d 301 (2d Cir. 1992) (see [www.altlaw.org](http://www.altlaw.org) for case); *Leibovitz v. Paramount Pictures Corp.*, 137 F.3d 109 (2d Cir. 1998) (available at [www.findlaw.com](http://www.findlaw.com)).

Project: Final paper summary and outline due.

### **February 1 (Wednesday)**

Topic: Introduction to Music Law

Guest Speaker: Jeff Nelson, Attorney at Perkins Coie LLP

### **February 11 (Saturday)**

Topics: Trademarks; Rights of Publicity

Reading: Stim, 344-355; *White v. Samsung Elecs. Am., Inc.*, 971 F.2d 1395, 1400 (9th Cir. 1992) (available at [www.altlaw.org/v1/cases/446019](http://www.altlaw.org/v1/cases/446019)).

### **February 15 (Wednesday)**

*Midterm Exam first hour of class*

Topics: Contracts and Licenses

Reading: Thompson, 1-104

### **February 25 (Saturday)**

Topics: Contract Negotiation

Guest speaker: Mina Miller, President of Music of Remembrance.

Reading: Thompson, 105-204

### **March 7 (Wednesday)**

Topics: Social Media; Labor and Employment

Guest Speakers: TBA

### **March 15 (Friday)**

*Final Paper Due*

## Grading Criteria for Written Work

### 1. The "A" project is excellent in nearly all respects:

- Ideas: The core idea/thesis is clear, engaging, sophisticated, and suitably specific.
- Support: Evidence is effective and provides sufficient, convincing support for the points presented.
- Focus and Organization: The writing is well-structured and thoughtfully considers the subject, purpose, and audience.
- Style: The writing is clear, focused, and shows a solid command of language.
- Mechanics: The writing contains few, if any, spelling, punctuation, or grammar errors.

### 2. The "B" project is solid in most respects:

- Ideas: The core idea/thesis is clear and engaging, but less sophisticated and/or suitably specific.
- Support: In general, evidence is effective, but requires more evaluation or qualification.
- Focus and Organization: The writing is generally well-structured and paragraphs support the core idea/thesis, but transitions between ideas/points require some polish.
- Style: The writing is less clear, focused, and/or effective.
- Mechanics: The writing contains a few minor spelling, punctuation, or grammar errors, but they do not obscure the discussion.

### 3. The "B minus or lower" project could use improvement:

- Ideas: The core idea/thesis is general, and less sophisticated and/or suitably specific.
- Support: Evidence is not well integrated and/or does not adequately support the idea/thesis or points presented.
- Focus and Organization: Paragraphs could better support the core idea/thesis, or transitions between ideas/points require improvement.
- Style: The words chosen are vague or inappropriate, or sentences may be unfocused, wordy, or unclear.
- Mechanics: The writing contains more spelling, punctuation, or grammar errors.