

Final Examination

Entertainment law

Professor Reggie

Fall 2007

1. You have three (3) hours to complete this exam.
2. This is an open textbook and notes exam; however reference to outside research materials and discussing the examination with other students is prohibited.
3. This exam consists of two parts.

Part I consists of an essay question worth 60% of your grade.

Part II consists of an essay question worth 40% of your grade.

4. Write your exam number on your exam envelope. Put your correct class section and student exam # at the top of this page, each page of questions and each blue book. **Do not** use your name, student ID number or Social Security Number on any exam materials.
5. At the conclusion of the exam, return all test materials, including blue books, scratch paper, and this exam packet to the envelope and submit it to the proctor. **DO NOT** seal the envelope. Students who do not return all exam materials at the end of the exam may not be graded.

GOOD LUCK!

Part I: Essay Question – 60%

Band is a rock group with an EP that has achieved incredible notoriety on the Internet. Your client, a major label, has decided to sign Band to record a full album based on the EP, which tells the experience of the lead singer, whose heart was broken when he surreptitiously viewed his girlfriend's video diary. The EP is based on what he found in the diary, and his emotions afterward. The EP, titled "KT", has been extensively downloaded. In order to encourage the widest possible impact and dissemination of this music, the group wants to make it as easy as possible for other bands to legally re record the final album songs after the label's US release.

The singer's girlfriend, Kathryn Thomas, is a well-known young "Generation X" model / actress who sometimes goes only by her initials. She has appeared in film and

TV, and has her own reality show “KT’s World”, which after setting viewer records in the US, has been syndicated worldwide.

The label, POS Records, is a new imprint of an established company. Although they are willing to agree to customary modern publishing arrangements with regard to traditional uses, they also want to take full advantage of all the new and coming developments in digital music. They also want to reduce their risk on this project and any others they handle for this band, as much as possible.

Draft a memo to your client describing the legal issues raised by its possible distribution of an album based on “KT”, and their impact on the Offer Sheet you will draft to the band setting forth your offer to them.

END OF PART I

Part II: Essay Question (40 %)

Draft an Offer Sheet to the band that is balanced and accurately reflects each party’s legitimate interests in the deal described above.