

ENTERTAINMENT LAW FALL 2023

BUL 4622- 3 Credits

Prof. ROBERT WILLS

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This course is PRIMARILY CLASSROOM, with less than 50% of the course is delivered online.

Required Text and Materials

- 1. Entertainment Law and Practice, 2nd ED, by Jon M. Garcon. ISBN 987-1-61163-464-8, Carolina Academic Press, 2014.**
- 2. Entertainment Law in a Nutshell, 4th ED, by Shari Burr. ISBN 978-1-68328-504-5, LEG, Inc. d/b/a West Academic Pub, 2017.**
- 3. Supplementary/Recommended Readings are included in the assigned readings in canvas.**

Course Description

Are you interested in a career focused on the business aspects of the entertainment industry? Since 2004, entertainment has been our country's greatest export encompassing sports, theater, film and music. Topics include entertainment contracts, sales, and agents; intellectual property, music, privacy, and publicity rights; legal issues in sports; and First Amendment law. This course will help you decide if you want to apply your business skills to this exciting industry.

Instructional Method

BUL 4622-001 are Primarily Classroom, defined as less than 50% of the course is delivered online. ALL CLASSES WILL BE LIVE, FACE TO FACE AND SIMULTANEOUSLY ON ZOOM. Zoom will record each live class which will be available on canvas within 48 hours after the classroom presentation. Students are required to know and study material contained in class lectures. These lectures are an important component of this course.

Attendance

Students in all sections are required to know and study material contained in class lectures. These lectures are an important component of this course. You will be tested on them. They also make the material easier to understand. Furthermore, the instructor has the reputation for discussing hypothetical questions in lecture that appear on exams and essays. Even though attendance will NOT be taken during each class proceeding, SPECIAL ASSIGNMENTS AND ESSAYS will be assigned and explained during class.

REQUIRED SPECIAL ASSIGNMENTS (10 pts each)	40 POINTS
Three ESSAYS (30 points each)	90 PTS
EXTRA CREDIT (MAX 5)	5 PTS

THE MAXIMUM TOTAL POINTS IN THE COURSE ARE 230 POINTS

See course grading scale below. Your final grade will be based on either of the following standards; whichever is best for each student:

1. Total points percentage, or
2. Class curve of total points

INFORMATION ON THIS SYLLABUS MAY BE AMENDED AT ANY TIME. THE OFFICIAL SYLLABUS IS ALWAYS POSTED ON CANVAS. ANY CHANGES TO THE COURSE OUTLINE IN THIS SYLLABUS WILL BE AMENDED ON CANVAS, ANNOUNCED ON CANVAS, AND EMAILED TO ALL STUDENTS.

EXAM INFORMATION AND ESSAY ASSIGNMENTS WILL BE POSTED IN THE COURSE ASSIGNMENT SECTION ON CANVAS.

Course Grading Scale

At the end of the semester, the total number of points earned on coursework (excluding any extra credit) will be added to obtain your TOTAL POINTS EARNED WITHOUT EXTRA CREDIT. A class curve will be established from this information, with the median total score being a B-. After the curve is established, any extra credit points earned will be added to your previously calculated total number of points earned on coursework.

Your course grade will be based upon either the course curve or percentage of total possible points earned WHICHEVER RESULTS IN THE HIGHER GRADE. Any extra credit points earned will be included in determining your final grade under the course curve or under the percentage of total possible points scale.

The following scale is utilized under the PERCENTAGE OF TOTAL POSSIBLE POINTS SCALE:

A =	93 – 100 (which means 93% of 230 which equals 213.9)
A - =	90 – 92
B+ =	87 – 89
B =	83 – 86
B - =	80 – 82
C+ =	77 – 79
C =	70 – 76
D + =	67 – 69
D =	63 – 66
D- =	60 – 62
F =	59 or below

The percentages above are determined by adding all points earned in the course and dividing it by the total possible points (200). Fractional totals will be rounded up to the next highest whole number.

THE COURSE CURVE will utilize a grading scale with an “A” being the highest and an “F” being the lowest. Possible grades will be from high to low as follows: A, A-, B+, B, B-, C+, C, C-, D+, D, D-, and F. As stated above, a B- will correspond to the median of total points without including extra credit. As a result, extra credit points can raise course grade under THE COURSE CURVE, like it does under the PERCENTAGE OF TOTAL POSSIBLE POINTS SCALE. An incomplete (I) grade may also be given, as defined by the registrar.

Policy on Makeup Tests, Late Work, and Incompletes

Students will have one week to make up any exam, essay, or special assignment.

Online Etiquette Policy

Lectures are on the zoom platform. All students need to appear presentable, remembering that the lectures are recorded and audio microphones record class dialogue.

Attendance Policy

Students in all sections are required to know and study material contained in class lectures, by attending in person, by attending by zoom, or by reviewing the zoom recordings posted on canvas.

These lectures are an important component of this course. You will be tested on them. They also make the material easier to understand. Furthermore, the instructor has the reputation for discussing hypothetical questions in lecture that appear on exams and essays. Even though attendance will NOT be taken during each class proceeding, SPECIAL ASSIGNMENTS AND ESSAYS will be assigned and explained during class. Students in all sections are required to know and study material contained in class lectures. These lectures are an important component of this course. You will be tested on them. They also make the material easier to understand. Furthermore, the instructor has the reputation for discussing hypothetical questions in lecture that appear on exams.

Counseling and Psychological Services (CAPS) Center

Life as a university student can be challenging physically, mentally and emotionally. Students who find stress negatively affecting their ability to achieve academic or personal goals may wish to consider utilizing FAU's Counseling and Psychological Services (CAPS) Center. CAPS provides FAU students a range of services – individual counseling, support meetings, and psychiatric services, to name a few – offered to help improve and maintain emotional well-being. For more information, go to <http://www.fau.edu/counseling/>

Disability Policy

In compliance with the Americans with Disabilities Act Amendments Act (ADAAA), students who require reasonable accommodations due to a disability to properly execute coursework must

register with Student Accessibility Services (SAS) and follow all SAS procedures. SAS has offices across three of FAU's campuses – Boca Raton, Davie and Jupiter – however disability services are available for students on all campuses. For more information, please visit the SAS website at www.fau.edu/sas/.

Code of Academic Integrity

Students at Florida Atlantic University are expected to maintain the highest ethical standards. Academic dishonesty is considered a serious breach of these ethical standards, because it interferes with the university mission to provide a high quality education in which no student enjoys an unfair advantage over any other. Academic dishonesty is also destructive of the university community, which is grounded in a system of mutual trust and places high value on personal integrity and individual responsibility. Harsh penalties are associated with academic dishonesty. For more information, see University Regulation 4.001.

Course Topical Outline

THIS COURSE OUTLINE IS SUBJECT TO CHANGE AND AMENDMENT. ALL AMENDMENTS AND CHANGES WILL APPEAR ON THE COURSE SYLLABUS POSTED ON CANVAS AND SENT TO STUDENTS BY EMAIL

Week 1

August 23

ORIENTATION LECTURE

Introduction to Entertainment Law: What is law? Sources of Law; Legal terms.:

TO DO: MODULE 1

Listen and Study Lecture(s).

Read Nutshell Pages 159-168; Read Garon pp 3-12 and pp 37-94.

AUGUST 27 IS THE LAST DAY TO DROP CLASS WITHOUT CONSEQUENCES. Courses are fee liable after this date.

Week 2

August 30

LECTURE: Legal terms; Court Systems; Case process; Arbitration; Mediation, Globalization.

TO DO: MODULE 2: LEARNING TO BRIEF CASES

Week 3

September 6

HOLIDAY

Week 4

September 13

LECTURE: Contract Law; Elements of a Valid Contract.

Review 18-page Contracts Outline in Instructional Materials.

Read Garon 13-36 and Read Nutshell pp 159-168. TO DO:

Module 3.

Week 5
September 20

LECTURE: Contract Law continued; UCC law; Law of Ideas;
TO DO: Complete Canvass Module 4; Read Garon pp 13-36.
Read Desny v Wilder.
SPECIAL ASSIGNMENT #1 DUE

Week 6
September 27

LECTURE:
Law of Ideas and other Contracts in Entertainment; Contracts Regarding Business Organizations (Partnership Agreements, Operating Agreements, Shareholders Agreements); Contracts for Credits; Film Contracts; Partnership Law; Television Contracts; Music Contracts; Publishing Contracts.
TO DO: Module 5; Read Nutshell 271-349; Read Garon pp. 331-380; Read Nutshell pp.7-11
SPECIAL ASSSIGNMENT #2 DUE

Week 7
October 4
October 6-8

REVIEW LECTURE
EXAM 1 (120 Minutes) WILL BE OPEN OCT 6-8
Exam 1 covers Introduction to Law, Contracts, and Law of Ideas
ESSAY 1 DUE OCT 11

Week 8
October 11

LECTURE: Intellectual Property; Copyright Law: Copyright Formation; Fair Use; Works for Hire; Copyrights in Music; Literary Works; Video Games; Duration; Globalization.
TO DO: Read Garon pp 95-138; Read Nutshell 168-228; Complete Canvas Module on Copyright Law and Intellectual Property;
Read Nutshell pp. 389-418;

Week 9
October 18

LECTURE: Intellectual Property; Copyright Law: Copyright Formation; Fair Use; Works for Hire; Copyrights in Music; Literary Works; Video Games; Duration; Globalization.
TO DO: Read Garon pp 95-138; Read Nutshell 168-228; Complete Canvas Module on Copyright Law and Intellectual Property;
Read Nutshell pp. 389-418; ESSAY 2 DUE OCTOBER 20

Week 10
October 25

LECTURE: TORT LAW AND ENTERTAINMENT: Defamation, Privacy Rights, Emotional Distress, Negligence, Strict Liability, First Amendment Limits; TO DO: READ MODULE ON TORT LAW AND FIRST AMENDMENT;
Read Garon pp. 189-278; Read Nutshell pp. 115-158; Read Nutshell pp. 115-158.

SPECIAL ASSIGNMENT #3 DUE

October 29

Last day to withdraw with a W.

Week 11

November 1

**LECTURE: Right of Publicity; Complete Module on Right of Publicity; Read Garon pp 279-329; Read Nutshell pp 351-376
November 2-4 EXAM #2 covering Intellectual Property, Copyright Law, Tort Law, and First Amendment**

Week 12

November 8

LECTURE RIGHT OF PUBLICITY; Cases on Right of Publicity

Week 13

November 15

**LECTURE Cases on Right of Publicity; Publicity Rights of College Athletes in Florida and California.
TO DO: Complete Module on Publicity Rights of College Athletes; Read all Florida legislative material in module.
SPECIAL ASSIGNMENT #4 DUE**

Week 14

November 22

**LECTURE AGENTS AND MANAGERS, EMPLOYEES, INDEPENDENT CONTRACTORS, RIDE SHARING, and BUSINESS ORGANIZATION
TO DO: Read Garon p.139-186; Read Nutshell p 229-270. Read Module on AGENTS AND MANAGERS; ESSAY 3 DUE
GRADUATE PRESENTATIONS**

Week 15

November 29

**LECTURE ON ENTERTAINMENT AND SPORTS; Power of the League in Professional Sports; Power of NCAA in College Sports;
TO DO: Read Brady v NFL on Canvass; Complete Module on Entertainment and Sports.
EXTRA CREDIT DUE
GRADUATE PRESENTATIONS**

DECEMBER 6-8

READING DAYS

DECEMBER 13

**FINAL EXAM and LAST DATE TO SUBMIT WORK, ESSAYS, REWRITES, OR ASSIGNMENTS
GRAD RESEARCH PAPER DUE
7:00 PM-9:30 PM**

ASSIGNMENTS:

ESSAY 1 DUE

DUE DATES:

OCTOBER 5

ESSAY 2 DUE	OCTOBER 20
ESSAY 3 DUE	NOVEMBER 22
SPECIAL ASSIGNMENT 1 DUE	SEPTEMBER 20
SPECIAL ASSIGNMENT 2 DUE	SEPTEMBER 27
SPECIAL ASSIGNMENT 3 DUE	OCTOBER 25
SPECIAL ASSIGNMENT 4 DUE	NOVEMBER 15
SPECIAL EXTRA CREDIT DUE	NOVEMBER 29
EXAM 1 DATE	OCTOBER 8
EXAM 2 DATE	NOVEMBER 4
EXAM 3 DATE	DECEMBER 13