

**MUSIC LAW:
ANALYTICAL AND CLIENT MANAGEMENT
SKILLS FOR ADVISING MUSIC CLIENTS**

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Office hours: Aug. 11-14 1:30pm-2:30pm (please email to meet)

Course Description

The music industry has encountered significant change over the past few decades and continues to change daily, from file-sharing services to digital streaming, to new business models during a global pandemic and development of Artificial Intelligence (AI). Changes always raise significant legal issues from contract law, tort law, intellectual property laws, corporate law, and even criminal law.

This course will examine the complex business, financial and legal aspects of the music industry, from creation of musical composition to delivery of music to the public. The course will cover various business models, the legal impact of the Music Modernization Act, contract negotiation, and intellectual property ownership, licensing and infringement in the music industry.

In this course, students will learn how to analyze client goals, manage client preferences and risks, negotiate and structure agreements from opposing viewpoints, and provide comprehensive legal services and alternative dispute resolution options to different players in the music industry.

First, we will review specific legal rights involved in music creation and ownership, including copyright, trademark, rights of publicity/privacy, and contract law. Materials will include text selections, statutes, cases, sample contracts, and sample copyright/trademark applications. Issues we will discuss include:

- Who owns the name of the band?
- Who owns a song created by multiple artists/producers?
- What kind of license does streaming music use need?
- What are some alternative dispute resolution options for music related conflicts?
- What are the legal issues arising from use/creation of music with Artificial Intelligence?

Second, students will examine and discuss evolving relationships around the creation and exploitation of music, including songwriter/ publisher; publisher/record company; performing artist/record company; record company/distribution chain; and copyright owner/infringer. Materials will include cases, sample agreements, and text selections. Other miscellaneous contracts may include: endorsement agreements, merchandising agreements, sponsorship

agreements, management contracts, and film/video game composition agreements.

Students will also perform real-world exercises and assignments such as reading and drafting short contracts and licenses, and preparing copyright and trademark applications.

Required Course Reading:

Case files, legislation, and articles in Canvas.

Passman, *All You Need to Know About the Music Business*, 11th ed. (Simon & Schuster 2023).

Selections from: Kohn, Kohn on Music Licensing, 5th ed. (Wolters Kluwer 2018) (on reserve in library)

Statutes & Legislation:

Statute of Anne; 1790 Copyright Act; Copyright Act of 1831; Act of Jan 6, 1897

BMI/ASCAP consent decrees; Copyright Act 17 U.S.C. §§ 112, 114, 115

Music Modernization Act; CASE Act

Aug. 11-14, 2025, 10:30am to 2pm
One Week Compressed Course, 180 min classes with 30 min. break
Grading: 50% Class participation; 50% final written assignment

1. 8/11/25 AM 10:30am-12pm: Copyright Overview – Different types of copyright protection and licenses.
 - a. Reading:
 - i. *All You Need to Know About the Music Business* (ch. 15, 19-20)
 - ii. Cases/articles in Canvas day 1 - morning
 - iii. Review copyright office circulars at [copyright.gov](https://www.copyright.gov), including: Copyright Basics- <https://www.copyright.gov/circs/circ01.pdf>; Copyright Registration- <https://www.copyright.gov/circs/circ02.pdf>; Work for Hire - <https://www.copyright.gov/circs/circ30.pdf>; Copyright in Musical Compositions - <https://www.copyright.gov/circs/circ50.pdf>; Copyright in Sound Recordings - <https://www.copyright.gov/circs/circ56.pdf> and <https://www.copyright.gov/circs/circ56a.pdf>
 - b. In-class GROUP assignment: prepare copyright application with US Copyright Office
2. 8/11/25 PM 12:30pm – 2pm: Types of licenses: performance/mechanical/synchronization rights
 - a. Reading:
 - i. *All You Need to Know About the Music Business* (ch. 16, 31)
 - ii. Cases/articles/forms in Canvas day 1 - afternoon
 - b. In-class GROUP assignment: draft license for your client to record and make video of 3 famous songs.
3. 8/12/25 AM 10:30am-12pm: The MMA/Digital Rights Protection (Guest Speaker from the MLC)
 - a. Reading:
 - i. *All You Need to Know About the Music Business* (Ch. 17)
 - ii. Cases/articles/forms in Canvas day 2 - morning
 - b. In-class GROUP assignment: negotiate and draft BMI license using the BMI form in Canvas.
4. 8/12/25 PM 12:30pm – 2pm; Negotiation/Types of agreements and deal points
 - a. Reading:
 - i. *All You Need to Know About the Music Business* (ch. 7, 8, 11, 18)
 - ii. Cases/articles/forms in Canvas day 2 - afternoon

- b. In-class GROUP assignment: negotiate singer-songwriter agreement in Canvas. 1-2 people represent Composer and 1-2 represent Publisher to negotiate terms. Think about what you would ask for and how/why. (Looking at Interest-based negotiation).
- 5. 8/13/25 AM 10:30am-12pm: Trademark/Rights to Publicity Overview
 - a. Reading:
 - i. *All You Need to Know About the Music Business* (ch. 13, 22, 24-25)
 - ii. Cases/articles/forms in Canvas day 3 - morning
 - b. In-class GROUP assignment: draft trademark application for your client, a new band that wants a name for performances and clothing/souvenir
- 6. 8/13/25 PM 12:30pm – 2pm Alternative Dispute Resolution in Music Industry/CASE Act
 - a. Reading:
 - i. Glance at CASE Act Text
 - ii. Cases/articles in Canvas day 3 - afternoon
 - b. In-class GROUP assignment: negotiate merch agreement and consider options for resolving dispute involving use of song in a commercial.
- 7. 8/14/25 AM 10:30am-12pm: Music Business Structures
 - a. Reading:
 - i. *All You Need to Know About the Music Business* (ch. 3-6, 14)
 - ii. Cases/articles in Canvas day 4 - morning
 - b. In-class assignment: Consider music business idea and how you'd structure it.
- 8. 8/14/25 PM 12:30pm – 2pm: AI; Discussion of final paper
 - a. Reading:
 - i. Cases/articles in Canvas day 4 - afternoon
 - b. **Written assignment (50% of grade):** final paper (4-5 pages, double spaced, 12pt font) concerning issues discussed in class or related to music business, including different types of rights and how to protect them, structuring a business or license to develop or use music related content, ownership of different types of intellectual property, diversity/equity/inclusion in music industry or topic of choosing.