

ENTERTAINMENT LAW CLINIC I & II

Summer 2025 /Course # 6335, 5316/5285

INSTRUCTORS:

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CLASSROOM COMPONENT: TUESDAY 9:00a – 12:00p; RM TBA

MATTERS MEETING: TBA, Virtual

A. ABOUT THE COURSE

The Entertainment Law Clinic is an advanced entertainment law course for students who have completed the prerequisite substantive Entertainment Law course and seek practical experience in litigation, transactional, and administrative entertainment practice. Students will represent clients in various entertainment fields, including music, film and television, dance, and art, as well as small businesses and non-profits operating in these industries. Students will principally focus on trademark and copyright prosecution and counseling, contract drafting and negotiation, royalty stream creation and retention. Students may also be given opportunities to represent clients in administrative and federal litigation in related intellectual property and entertainment matters.

The clinic has a classroom component that meets once each week for two (2) hours during the semester. During this classroom component students will receive a detailed overview of specific contract and intellectual property issues within specialized industries, including music, film and television, visual arts, non-profit, literary, and social media influencing. The classroom component will equip students to approach contract drafting, negotiation, intellectual property registration (copyrights and trademarks), and dispute resolution for clients practically. It will involve review of industry contracts, administrative regulations, and lawsuit documents.

In addition to the classroom component, students are expected to attend a virtual Matters Meeting. During this time, students will present case updates, review communications and deliverables, and discuss intake and other clinic administration. While the classroom component functions more like a traditional law school class, the Matters Meeting offers students an opportunity to learn from each other regarding practical aspects of client representation.

B. LEARNING OBJECTIVES

Through in-class instruction and practical experience with real clients in various entertainment industries, students will:

1. Demonstrate an understanding of the business, contracts, and negotiation points unique to various entertainment fields;
2. Demonstrate an understanding of the statutory law and administrative guidance that underpins the industries, contracts, and intellectual property rights in the entertainment industry;
3. Interview clients to gain an understanding of each client's specific needs and goals in each transaction and prosecution and learn how to gather the correct information to provide clients with valuable counseling in various entertainment fields;
4. Evaluate client needs to identify, advise and counsel clients on protection of rights, development of assets, and educate in entertainment fields;
5. Demonstrate a high degree of ethical and professional responsibility as counselors of individuals and entities in the entertainment industry.

C. COURSE MATERIALS

Reading materials will be provided to students at least one week prior to the start of classes and supplemental materials throughout the semester through Microsoft Teams and/or email. Students are not required to purchase a casebook for the class, but are recommended to review the Trademark Manual of Examination Procedure, available at <https://tmep.uspto.gov/RDMS/TMEP/current>; and the Copyright Office Circulars, available at <https://www.copyright.gov/circs/>.

Additional recommended reading:

Donald S. Passman, All You Need To Know About the Music Business (11th ed. 2023) (ISBN 1668011069, 978-1668011065);

Jeff Brabec & Todd Brabec, Music Money and Success (8th ed. 2018) (ISBN 1787601382, 978-1787601383); and

Gregory Bernstein Understanding the Business of Media Entertainment (2d ed. 2019) (ISBN 0367074532, 978-0367074531).

D. CLASSROOM

There will be two components to this course, an in-person classroom component that focuses on substantive legal learning, and a virtual component that focuses on practical client representation. Clinic I students are required to attend both the classroom and virtual components of this course. Clinic II students are only required to attend the 1-hour virtual component but are invited to attend the classroom component if they are able.

E. YOUR GRADE

Your course grade is determined by several factors, including: (1) an evaluation of the matters you have handled representing clients; (2) your weekly case memorandum; (3) a weekly quiz; and participation in the classroom component of the clinic. Attendance will be enforced to the extent required by the school and ABA policy, we teach the class for your benefit, so your

failure to attend and participate will be your loss. **You may elect to take the Entertainment Law Clinic on a pass-fail basis. Please make arrangements with the law school administration prior to or at the start of the semester if you want to make that election.**

Matter Memoranda and Final Clinic Memorandum (30%): As you are assigned new matters you will be required to prepare and update, on a weekly basis, a Client Matter Memorandum (“Matter Memo”). Each Matter Memo will constitute the history of your matter from the initial client interview to the close of the matter or end of the semester, whichever comes first, and will detail your notes, investigations, correspondences, and analysis of each matter on a weekly basis. You will use the Matter Memos you create and maintain to help prepare for your weekly virtual matters meeting. You will also use these Matter Memos to prepare a Final Clinic Memorandum for the instructors to evaluate your handling of a matters during the semester.

Weekly Quiz (10%): Each week, you will be provided a quiz that will require you to answer, in multiple choice or short-answer (true/false, explain) formats, questions regarding the application of law to current entertainment events, existing lawsuits and appeals, and/or procedural, statutory, and administrative requirements necessary for representing the Clinic’s clients.

Participation (10%)

Client intake and work on clinic matters (50%): Students are required to complete 50 hours of clinic work per course credit during the semester (3cr = 150h, 2cr = 100h). Clinic work includes class attendance but does not include preparing for class. You are responsible for all work on client matters in addition to class attendance and review of course materials to be prepared for class.

The Entertainment Law Clinic Student Manual details the clinic’s policies and procedures. Students will receive the manual prior to orientation. You are responsible for reading the manual in its entirety before the first day of classes and complying with all applicable clinic policies and procedures in connection with your clinic work.

F. ATTORNEY-CLIENT COMMUNICATIONS AND ATTORNEY WORK PRODUCT

During class instruction, intake, and representation, students will serve as counsellors of creators, authors, and businesses where maturity and professional discretion are paramount to effective and ethical advocacy and representation. Students may not share privileged information regarding assigned cases without written consent of Professor Barks, Professor Alonso, and the affected client.

G. USE OF LARGE LANGUAGE MODEL PROCESSING AND OUTPUT (“AI”)

The software technology known as artificial intelligence has recently expanded its capability to generate text (AI Generated Text). Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation what is well known in the general public is ChatGPT. These systems can generate text in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Text, appears to have human mimicking “intelligence” and is thus potentially usable as a substitute for written work product one might generate themselves. AI Generated Text can include computer code or programs as well as human language content.

Certain programs and applications may use AI to process, compare, and “analyze” sets of data that may be useful for the preparation of certain work product while in the Clinic. However, because the efficacy of these programs often relies upon disclosing, copying, and “reading” certain human-prepared documents by a third-party, use of these tools is likely to negatively impact client confidentiality and attorney work-product and communication privilege. Ethical conduct is paramount in a clinical setting, as such you are provisionally restricted from using any AI or program which you know relies on AI to upload documents, whether those documents are work-product or client documents, or to provide so-called “prompts” which are about or concerning any client matter in the Clinic.

Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to not (1) prompt, generate, obtain, read, or use any AI Generated Text in relation to any activity in this course, or (2) knowingly upload, directly or indirectly, any work product or client document to any AI analytics system, whether for or on behalf of a client or for your own private use, without prior written consent from both Prof. Barks and Prof. Rodgers.

H. OFFICE HOURS

The professors are typically available before or after class to respond to questions or provide clarification on the materials presented. Additional meetings are available by appointment Monday through Friday. Students are encouraged to communicate directly with the professors through their provided email addresses if additional help or discussion is necessary.

I. CAPS

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demand of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling (713) 743-5454 during and after business hours for routine appointments, or if you or someone you know is in crisis. No appointment is necessary for the “Let’s Talk” program, a drop-in consultation service at convenient locations and hours around campus (www.uh.edu/caps/outreach/lets_talk.html).

Covid 19 Addendum to Entertainment Law Clinic Syllabus **Summer 2025**

Face Covering Policy (in-class only)

To reduce the spread of COVID-19, the University strongly encourages everyone (vaccinated or not) to wear face coverings indoors on campus including classrooms for both faculty and students.

Required Daily Health Self-Assessment (in-class only)

Your presence in class each session means that you have completed a daily self-assessment of your health/exposure and you:

- Are NOT exhibiting any [Coronavirus Symptoms](#)
- Have NOT tested positive for COVID-19
- Have NOT knowingly been exposed to someone with COVID-19 or suspected/presumed COVID-19

If you are experiencing any COVID-19 symptoms that are not clearly related to a pre-existing medical condition, do not come to class. Please see [COVID-19 Diagnosis/Symptoms Protocols](#) for what to do if you experience symptoms and [Potential Exposure to Coronavirus](#) for what to do if you have potentially been exposed to COVID-19.

Syllabus Changes

Due to the changing nature of the COVID-19 pandemic, please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible through the course website located at <https://www.alonsolaw.com/students>.

CLINIC CLASSROOM COMPONENT SCHEDULE

Week 1	Welcome; Client Communications; Ethics – Conflicts of Interest, Fiduciary Duty
Week 2	Trademark Prep & Pros – Trademark Application Basics, TESS
Week 3	Trademark Prep & Pros – Office Actions, Letters of Protest, Petitions
Week 4	Copyright Prep & Pros – eco.copyright.gov , Timing, Best Edition
Week 5	DMCA; CCB – Notice and Take-down, Counter-Notification, 512(f) Requirements
Week 6	Non-Profit and the Arts; VARA and Work-for-hire
Week 7	Music Industry Contracts – Overview of Music Business Structure
Week 8	Music Industry Contracts – Record Deals and Publishing
Week 9	Film Industry Contracts
Week 10	Reality TV, Endorsement, Image Release/Influencer Contracts
Week 11	Book Publishing Contracts