SOUTHEAST SOUND: Music Law Conference
Purple Law – Sessions Inspired by Prince

Presented by  
University of Miami  
Frost School of Music and Miami Law  
Joint Degree Programs (JD/MM & JD/MA)

Saturday September 24, 2016 - UM Shalala Student Center, Senate Room

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Let’s Go Crazy Over Take Down Notices *(Hector Almaguer)*
The DMCA created a safe harbor from liability for online service providers who, upon receiving a properly constructed notice from a copyright owner, expeditiously remove or disable access to the allegedly infringing material. This process is referred to as *notice and take down*, and this session will explain the steps in the process and the complications that can arise.

The Prince Act and Other Developments in Publicity Rights *(Richard C. Wolfe)*
The protection of publicity rights, the rights related to the commercial use of someone’s name or likeness, is complicated and varies significantly from state to state. This session will explore recent developments in this constantly evolving area of law.

Sign O’ The Times in Regulated Music Licensing *(Serona Elton)*
Some types of music licensing are impacted by decisions by the Copyright Royalty Board, or by the Department of Justice. This session will explore recent developments related to the making and distributing of phonorecords, webcasting digital performances of sound recordings, and blanket PRO public performance licenses.

The Winner for Best Music (Original Song Score) is...Beyond Simple Sync Deals *(Leslie José Zigel)*
Some synchronization deals are more complicated than others. For example, when a song or recording becomes the theme song for a TV show, or is performed by musicians or actors on-screen in a movie, much more is involved than would be in a simple sync deal. This session will explore the types of deal terms that come up in these complex sync usages.

Keynote - Parties Weren’t Meant to Last: Estate Planning Issues for Artists *(Kenneth J. Abdo)*
Every bit as much care needs to be taken to protect an artist’s rights and assets after they are gone as when they are alive. Artists, as well as other entertainers and creators, often have complex estate planning issues involving the ownership of copyrights, trademarks, and publicity rights, and unknown heirs, just to name a few. This session will explore the these estate planning issues and others.

For more information and registration go to [www.umsoutheastsound.com](http://www.umsoutheastsound.com)  
Florida CLE Credits Pending
Ken Abdo is the founder and Chair of the Entertainment Law Department at the law firm of Lommen Abdo. He has practiced entertainment law for over 30 years and is a former professional musician and DJ.

His commitment to artist advocacy and the legal profession has led him to national leadership positions including: Governor of the Recording Academy (presenter of the GRAMMY® Awards) Chicago Chapter; Recording Academy Board of Trustees; GRAMMY Foundation Board of Directors; former Chair of the GRAMMY Foundation Entertainment Law Initiative (ELI) and its current Program Chair; former national Chair of the American Bar Association Forum on the Entertainment and Sports Industries. He is the Co-Chair of the annual South by Southwest (SXSW) CLE program featuring 12 panels on interactive, film and music law topics presented by Lommen Abdo. He was an adjunct and founding professor of Entertainment Law at Mitchell/Hamline School of Law (Saint Paul, Minnesota).

Ken is a co-author of the law school textbook Law and Business of the Entertainment Industries (Praeger Press) and is a published author of many articles and a lecturer at many conferences and schools. He is a regular local and national media commentator on entertainment law issues.

He has been selected as one of The Best Lawyers in America by U.S. World & News Report for his work in Entertainment Law since 2013 and to Billboard’s 50 Attorneys of Note in the Music Biz. He was selected as a “Minnesota Attorney of the Year” in 2009 by Minnesota Lawyer. He has been selected for inclusion in “Who’s Who Legal” in the area of Sports & Entertainment Law from 2013 to 2015. He has also been selected a Minnesota Super Lawyer every year since 2003 and is rated AV® Preeminent™ by Martindale-Hubbell.
Hector Almaguer is a musician, writer, producer and entertainment industry executive whose work has won a Clio Award and has been Grammy nominated.

Hector received an undergraduate degree in Studio Music and Jazz from the University of Miami. He spent about twelve years as a record producer with his production company Mor 2 D'Pop Productions, a music publisher through Rhythm Time Publishing, BonVox Music and NCR Publishing and an entrepreneur through his record label Next Century Records distributed by BMG with his long-time music collaborator Enrique "Kiki" Garcia (best known as one of the original members of Miami Sound Machine and writer of hits like "Conga", "Rhythm Is Gonna Get You", "123" and "Dr. Beat")

He worked with some of Latin pop's biggest names including Julio Iglesias, Chayanne, Azúcar Moreno and José Luis Rodríguez "El Puma" and lived in Dubai (UAE) and London, England and Miami where he worked as a DJ in some of those cities most important clubs at the time.

Hector tells the story of how in the middle of a very successful music career, he felt his skills on the business side were lacking and it was then he decided to attend law school. He explained "I wanted to be the best music business executive possible, and at that point of my career, I was dealing more and more with the major labels, other music publishers, licensing our music worldwide, dealing with artist managers and it was getting pretty thick. I knew how to make music, but the contracts left me feeling like I wasn’t in the game like I needed to be." So, while running these very successful music businesses, Hector Almaguer attended law school at the University of Miami and emphasized his studies there in intellectual property.

Soon after graduating Hector opened his own law practice representing other musicians, writers, record labels and producers. His clients say that his experience gave him an insight that most lawyers simply don’t have. From there he went into the international television industry heading the business affairs department at HBO Latin America Group. Among other accomplishments there, he developed and created rights clearance processes and procedures for original programming produced internationally before accepting the position as the Senior Vice President of Business and Legal Affairs for Universal Music Latin America.

Hector has also served as General Counsel for VIACOM International Media Networks - The Americas. In that position, he supervised all commercial and legal operations for MTV, Nickelodeon, Comedy Central, Vh1 and other brands owned by Viacom in Latin America and Brazil, as well as Tr3s: MTV, Música y Más in the US.

Today, Hector focuses on his law firm, AlmaLawPro, specializing in music, TV, film, and general corporate transactions.
Serona Elton
Frost School of Music, University of Miami
www.music.miami.edu

Serona Elton, Esq., has extensive experience as a music industry professional and educator. She is currently an associate professor, Chair of the Music Media & Industry Department, and Director of the Music Business & Entertainment Industries Program at the University of Miami Frost School of Music. She also serves as Vice President, Business Solutions at Warner Music Group. Previously, she has consulted for several major music companies such as Sony Music Entertainment and Universal Music Group, and held the position of Vice President, Mechanical Licensing and Repertoire Data Services for EMI Recorded Music, North America.

She is a published author whose articles have appeared in the Journal of the Music and Entertainment Industry Educators Association, the Florida Bar Journal, Billboard Magazine, the Music Business Journal, Southwestern Musician, and the Florida Music Director Journal. She is presently at work on a forthcoming book for Oxford University Press, titled “Information Management in the Music Industry.”

She is involved in a number of additional activities, including currently serving as a Trustee and Miami Chapter Co-Chair of the Copyright Society of the U.S.A., as Immediate Past President of the Music and Entertainment Industry Educators Association (MEIEA), and as a member of the Florida Bar Entertainment, Arts, and Sports Law Executive Council. She has previously served as a member of The Recording Academy, Florida Chapter, Board of Governors and continues to be a member of the Recording Academy Producer and Engineers Wing.

Her areas of expertise include contract summarization and management, rights management, royalties, mechanical licensing, record company operations and music industry information management.

Serona holds a BSBA in Finance from the University of Florida, an MM in Music Media and Industry from the University of Miami and a JD from Brooklyn Law School. She is a member of the New York Bar and Florida Bar.
Richard C. Wolfe has a Juris Doctor and LL.M. from the University of Miami School of Law and he spent 10 years as a Certified Public Accountant. For the past 20 years, he has been given the highest rating (AV) from Martindale-Hubbell. He is board certified by the Florida Bar in the area of Business Litigation. For the past 5 years, he has been recognized as a Super Lawyer™ and as an outstanding lawyer by the South Florida Legal Guide in the areas of Entertainment Law, Probate and Business Litigation. Richard has lectured or has served as an adjunct professor at the following law schools: Univ Of Miami, St Thomas, Nova Southeastern and Florida Coastal. He has been published numerous times in the Florida Bar Journal and has also lectured for the American Bar Association, Florida Bar Association and at the Southeast Regional Conference on Entertainment and Intellectual Property law, for which he has served as the co chair for the past 5 years.

He practices entertainment law (transaction and litigation), including film, television and music, business planning, intellectual property, probate litigation, royalty disputes, copyright claims and artist/athlete endorsement contracts, probate and trust litigation and business litigation. Richard has tried cases in state and federal courts in Florida, New York, Tennessee, Texas and California. He has received more than 40 published decisions.

In the music industry, he has provided representation to over 40 major and independent record companies, publishing companies, distribution companies, numerous prominent artists and producers on transactions and litigation matters. He has negotiated in excess of 250 recording and publishing contracts on behalf of or with many artists and record companies, including Plies, Marilyn Manson, Slash (Guns N Roses), Pyramid Records, Latimum Records, Lil’ Joe Records, Luke Records and many others.

Some of the artists and producers he has represented include: The Beatles, 2 Live Crew, MC Shy D, DJ Laz, Willy Chirino, Lissette, Plies, Expose, Nuclear Valdez, Daisy Berkowitz, (Marilyn Manson), Tony Bongiovi, Kymani Marley, Luther Campbell, Crease, Cameo, Blac Haze, Al’s Not Well, Rush, Rudy Perez, Paul Trust, PYT, Circle House Studios, Calton Coffie, Inner Circle, Slash, DJ Magic Mike, DJ Madness, Larry Blackmon, DJ Spin, Marco Flores, Adam Duggins, Pilar Montenegro, Scott Storch, Kike Santander, Myriam Hernandez, Members of Lynyrd Skynyrd, and Marilyn Manson.

Mr. Wolfe has been or is a member of the following organizations: Florida Film and Recording Institute (past President), Florida Film Producers Association, Florida Screenwriters Association, Florida Motion Picture & Television Association, National Academy of Recording Arts and Sciences and Entertainment law Section of the Florida Bar (past Chairman), . Mr. Wolfe has lectured or taught courses at University of Miami Film School, Master of Fine Arts, on Legal Aspects of Film Production; St. Thomas Law School, Professor of Entertainment Law; and Florida International University, Professor, Entertainment Law & Business. Mr. Wolfe was the Chairman of ARTEC Fundraising Committee Sponsored by Greater Miami Chamber of Commerce which obtained a $450,000 matching grant from the Annenberg Foundation and has served as Executive Producer of the Jam Miami All Star Latin Jazz LP released by Concord Records, and was the Executive Producer of the PBS special of the same title.
Leslie José Zigel is a shareholder and Chair of Greenspoon Marder’s Entertainment Practice. Mr. Zigel focuses on both the creative and business sides of the entertainment industries in the music, television, film and new technology sectors. His practice includes counseling clients in entertainment talent negotiations, record contracts, music and book publishing, providing outside general counsel services and assisting companies with corporate structuring, financing, operations, sales and acquisitions, trademarks, copyrights and employment advice.

Music is what ultimately drew Mr. Zigel to both his chosen profession as well as his passion project—jamming with his Miami-based Grateful Dead cover band, Los Muertos, and other musician friends. Born to classical and opera enthusiast doctors, he fell in love with classic rock and started playing percussion, piano and saxophone at a very young age.

Graduating from University of Rochester (with an interdisciplinary degree between the liberal arts school and the Eastman School of Music) cum laude and relocating to New York City, he began his career at Festival Productions Inc. In addition to serving as a producer for festivals such as Newport Jazz Festival, New Orleans Jazz and Heritage Festival, and Playboy Jazz Festival, he spearheaded the launch of American Express Platinum Card’s prestigious “By Invitation Only” program and served as the Marketing Director for the American Express Gold Card Events. Following a decade in the music business, he graduated cum laude from the University of Miami School of Law in 1995 where he served as Editor-in-Chief of UM’s Inter-American Law Review.

One year following graduation, Mr. Zigel joined BMG US Latin as Director of Business and Legal Affairs and was later promoted to VP, Business and Legal Affairs for the Latin American Region. As the industry changed with the advent of digital media and online file sharing, he stood at the forefront of the progression.

In 2006, Mr. Zigel branched out with his own firm ZIGLAW. He achieved accolades such as receiving Martindale-Hubbell’s “AV” Preeminent Rating and being named among Billboard Magazine’s “Super Lawyers, 50 Attorneys of Note in the Music Biz, 2014.” He would also receive mentions in Bloomberg Businessweek, Miami Herald, and Rochester Review and make multiple expert appearances on both Univision and Telemundo.

Representing artists, media companies, and executives, his current clients include numerous international pop musicians, and business clients Endemol Shine Latino, Peace Love World, Zumba, and Terra.com, to name a few. Notably, he has orchestrated partnerships for his clients with major soda brands, beer brands, and structured equity ownership deals with restaurant chains, vodka and sake brands. Continuing to tenaciously expand his clients’ brands, 2015 saw him become partner at Greenspoon Marder and the firm’s Chair of Entertainment Law.