

# THE COPYRIGHT SOCIETY OF THE U.S.A.

New York Chapter

Rose Auslander and Joseph Salvo, Co-Chairs

October 02, 2007

Dear Members of the New York Chapter of the Copyright Society:

We are looking forward to seeing you at second event of our 2007-2008 season -- our October 11 LUNCHEON program, at the PRINCETON CLUB.

## Topic: Secondary Liability In A Perfect 10 World

Could search engines be liable for copyright infringement by linking to and caching, allegedly infringing web pages and images, and could credit card companies be liable for failing to terminate payment processing for allegedly infringing websites? Not so, said the 9<sup>th</sup> Circuit in *Perfect 10 v. Google*, ruling on a grab bag of copyright fair use and secondary liability questions and in *Perfect 10 v. Visa*, affirming the dismissal of secondary copyright, trademark, and publicity claims. The *Google* case continues towards trial after reversal of a preliminary injunction; Perfect 10 has asked for a rehearing of the *Visa* and *Google* cases and filed a new case against Microsoft. As these cases proceed, the perfect battles wage on, and the perfect picture grows ever more complex after *Perfect 10 v. CCBill*, as well. Where does all this litigation leave us? How will copyright owners stop piracy when only the secondary infringers are within the US courts' jurisdiction? And how perfect is it all, anyway?

Speakers: We are privileged to present panelists Andrew P. Bridges (who successfully argued two of the *Perfect 10* appeals) and Nancy Wolf (who was extensively involved in *amicus* briefings), and moderator Eric Schwartz.

To attend this exciting panel discussion, please complete the attached form, and mail or fax it to The Copyright Society of the U.S.A., 352 7th Ave., Suite 739, NY, NY 10001, fax # (212) 354-2847, by **October 8**. We look forward to seeing you on **October 11**.

Date: **October 11, 2007**

Time: 12:00 p.m.-12:30 p.m.: Cocktails (cash bar)  
12:30 p.m.-1:00 p.m.: Lunch  
1:00 p.m.-2:00 p.m.: Program (**will start and end promptly**)

Place: **The Princeton Club, 15 West 43rd Street, New York, NY**

CLE: ***The Copyright Society of the U.S.A. is a NY CLE Approved Provider. This course is Transitional and Nontransitional, and provides 1.0 Credit (based on 50 minutes).***

Cost: \$60.00 (members) \$70.00 (non-members)

## SPEAKERS

Andrew P. Bridges is a partner at Winston and Strawn in San Francisco. Among his notable copyright and related matters, he defended Diamond Multimedia Systems, Inc. in the case brought by RIAA to halt introduction of the Rio MP3 music player; and ClearPlay Inc. in a case by major Hollywood studios and directors challenging software that allows owners of motion picture DVDs to skip and mute portions of the DVDs to shield their children from violence and other offensive content during replay. He was original lead counsel defending StreamCast Networks (producer of the Morpheus P2P communication software) in the Grokster case. Mr. Bridges

352 SEVENTH AVENUE, SUITE 739 NEW YORK, NY 10001  
TEL: 212 354 6401 FAX: 212 354 2847 EMAIL: AMY@CSUSA.ORG

represented Digital Media Association in an amicus brief to the Ninth Circuit in the Napster case and a variety of trade associations in an amicus brief to the district court in *Paramount v. ReplayTV*. Mr. Bridges is lead counsel for Google in the *Perfect 10 v. Google* litigation, for MasterCard in *Perfect 10 v. Visa*, and for Microsoft in *Perfect 10 v. Microsoft*.

Nancy E. Wolff is a partner at Cowan, DeBaets, Abrahams & Sheppard. She practices primarily in intellectual property and digital media law, with clients that include the Picture Archive Council of America (PACA), PLUS, Inc., stock photo libraries, publishers, digital media companies, and individual photographers, authors, illustrators, and designers. She counsels clients in copyright, trademarks, licensing, digital media rights, rights of publicity and privacy and libel. In addition to transactional work, she represents clients in arbitration hearings as well as state and federal court civil actions. Her 2007 book entitled "*The Professional Photographer's Legal Handbook*" is published by Allworth Press/PACA and is available at the website of the Picture Archive Council of America.

Eric Schwartz is a partner at Mitchell, Silberberg and Knupp in Washington, D.C., and Adjunct Professor of Copyright Law at Georgetown University Law Center. Eric's practice is a mix of domestic and international copyright law, where he has represented and counseled clients in the areas of entertainment law, publishing, art law, copyright, trademark, including all forms of commercial transactions from the motion picture and television industry to the major music label and publishing world. He has testified before Congress and relevant federal agencies and served as a principal participant in crafting successfully enacted copyright law amendments including: the Berne Convention Implementation Act of 1988, the Visual Artists Rights Act of 1990, Copyright Renewal Act of 1992, and National Film Preservation Acts of 1992 and 1996.

Very truly yours,

Rose Auslander  
Joe Salvo  
Chapter Co-Chairs

# THE COPYRIGHT SOCIETY OF THE USA

## Registration Form – New York Chapter

<b>Return This Form To:</b> 352 Seventh Avenue, Suite 739 New York, NY 10001 Telephone: (212) 354-6401 Fax: (212) 354-2847 Email: amy@csusa.org	<b>Event: “Secondary Liability in a Perfect 10 World”</b> Thursday, October 11, 12:00 PM The Princeton Club 15 West 43 <sup>rd</sup> Street New York, NY 10036-7497
--	---

*Please print clearly:*

NAME: \_\_\_\_\_

FIRM: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL: \_\_\_\_\_

**Registration Fees:**

Payment by check or credit card *must* accompany this form.

Type	Cost	After 10/8	Quantity	Total	Total Cost
<input type="radio"/> Members	\$60.00	\$70.00	_____	_____	_____
<input type="radio"/> Nonmembers	\$70.00	\$80.00	_____	_____	_____

**Method of Payment:**

MasterCard     
  Visa     
  American Express     
  Check

Credit Card No.: \_\_\_\_\_ Expiration Date: MM / YY \_\_\_\_\_

Signature: \_\_\_\_\_ Security #: \_\_\_\_\_

Please make check payable to “THE COPYRIGHT SOCIETY OF THE USA”

**Cancellation and Refund Policy:**

Full refund will be issued if a cancellation is received in writing 5 days prior to the event. No refunds or credits will be issued for cancellations 3 business days before the event. Registrations are transferable.

**Additional Registrants:**

First Name	Last Name	Email

The Copyright Society of the U.S.A.  
352 SEVENTH AVENUE, SUITE 739  
New York, NY 10001  
Telephone: (212) 354-6401 • Fax: (212) 354-2847 • e-mail: [amy@csusa.org](mailto:amy@csusa.org)

**Scholarship / Financial Hardship Policy**

A limited number of scholarships are available to judges, law clerks, law professors, law students, attorneys, pro bono attorneys and paralegals who work for nonprofit organizations, legal service organizations or government agencies, recent graduates not yet employed, and unemployed attorneys who must take CLE courses in order to meet their state requirements.

All requests must be made in writing accompanied by a completed registration form. No more than three requests per person will be considered in any one year. Requests should describe the applicant's interest in the topic and justification for a waiver of fees.

Requests should be accompanied by a recommendation from an instructor in the case of students, or supervisors in the case of law clerks or paralegals.

Requests and scholarships are not transferable. Approval will be based on need and funds available on a first come first served basis. If approved, the scholarship will result in a waiver of the course fees for the specific program application. To apply, please send your request, in writing, prior to the reservation form deadline. Students must submit a copy of their student identification cards.

All requests for scholarships should be sent to: The Copyright Society of the U.S.A, 352 Seventh Avenue, Suite 739, New York, NY 10001. Please call (212) 354-6401 or e-mail [amy@csusa.org](mailto:amy@csusa.org) for further information.