

## LAWS70273 Entertainment Law

<b>Credit Points:</b>	12.5
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2016.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information: Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	<p>This subject examines some legal aspects of a modern entertainment industry – in particular, contractual arrangements and intellectual property rights, as well as publicity and privacy rights. Particular reference will be made to the United States, home of the largest entertainment industry in the world, and Australia, which of course has its own important entertainment industry; but other countries will also be considered. The focus will be both on the written law (with an emphasis on legal development and policy) and the law as it is practised, with the latter part of the course devoted to a contract negotiation exercise. Cases and examples will mostly come from the fields of music, book publishing, the visual and performing arts and live theatre.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> <li># The entertainment industry and measures of social value; stakeholders within and outside the industry; need for law; range of relevant laws</li> <li># Intellectual property and misappropriation: copyright and neighbouring rights, moral rights, trade mark rights, publicity rights, passing off, trade secret protection and unfair competition</li> <li># Contracting in the entertainment industry: licensing, joint ventures, examples of contracts in use (such as book publishing, music touring, character merchandising), and processes and strategies adopted in negotiation</li> </ul>

	<ul style="list-style-type: none"> <li># Expansion of rights: technological developments, sui generis or incremental responses, United States and Anglo-Australian approaches</li> <li># Privacy and related issues: implications for industry practice and entertainers</li> <li># Practical exercises on negotiation and drafting book and merchandising contracts (explored in a workshop environment).</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have an advanced and integrated understanding of key principles of entertainment law in Australia and comparable jurisdictions</li> <li># Be able to critically examine, analyse, interpret and assess the effectiveness of these legal principles</li> <li># Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to entertainment law</li> <li># Be an engaged participant in debate regarding emerging and contemporary issues in the field</li> <li># Have a sophisticated appreciation of the factors and processes driving law reform</li> <li># Have the cognitive and technical skills to generate critical and creative ideas, and to critically evaluate existing legal theories, principles and concepts with creativity and autonomy</li> <li># Have the communication skills to clearly articulate and convey complex information regarding entertainment law to relevant specialist and non-specialist audiences</li> <li># Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of entertainment law.</li> </ul>
<b>Assessment:</b>	Class participation (10%) Take-home examination (90%) (14-17 August) or 8,000 word research paper (90%) (23 September) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS70273/2015">www.law.unimelb.edu.au/subject/LAWS70273/2015</a>
<b>Notes:</b>	This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ( <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ) for further information about the management of subject quotas and waitlists.
<b>Related Course(s):</b>	<ul style="list-style-type: none"> <li>Graduate Diploma in Communications Law</li> <li>Graduate Diploma in Legal Studies</li> <li>Master of Commercial Law</li> <li>Master of Intellectual Property Law</li> <li>Master of Laws</li> <li>Master of Public and International Law</li> </ul>