

# Karyn Ablin and Bruce Joseph Speak at Entertainment & Technology Law Conference

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Karyn K. Ablin and Bruce G. Joseph, partners in Wiley Rein's Intellectual Property Practice, were members of a distinguished group of panelists who discussed important entertainment and technology law issues yesterday at a Music Business Association event in New York.

Mr. Joseph, chair of the firm's Copyright Group, was featured on a panel that focused on legislative proposals advanced by the U.S. Register of Copyrights and reactions from stakeholders. The panel also featured the General Counsel of the Copyright Office. Mr. Joseph first described the Constitutional purpose of copyright law and the significance of that purpose to the legislative debate. He then discussed various legislative proposals in light of the public-interest purpose of the law and offered suggestions for legislation to improve the law.

A separate panel featuring Ms. Ablin provided updates on litigation involving YouTube and Aereo, as well as the U.S. Copyright Royalty Board's Web IV rate-setting proceeding. Ms. Ablin discussed the recently commenced Web IV proceeding, in which the copyright royalties that webcasters must pay for performing sound recordings will be set for 2016-2020. She observed that the new proceeding promises to be significant because:

1. New judges will hear the case and already have expressed an openness to considering different rate structures and pricing mechanisms from those accepted in prior proceedings.
2. There is broad participation across all interested parties, unlike in the prior proceeding.

## Practice Areas

Copyright  
Intellectual Property

3. The level at which rates are set will significantly affect the variety and volume of available webcasting services.

Ms. Ablin illustrated the real world effect of the current rates using public information from Pandora, the largest non-subscription webcaster, as an example, observing that Pandora would have been required to pay 99.7% of its revenues to SoundExchange (the royalty collection and distribution agent for the recording industry) had it not reached a separate—lower—agreement with SoundExchange. Other panelists observed that Viacom’s seven-year-old copyright infringement lawsuit against YouTube had settled on March 18 and that *Aereo*—a case involving the legality of Aereo’s service that enables subscribers to watch broadcast television programs on their computers or mobile devices—will be argued before the Supreme Court on April 22.

The Entertainment & Technology Law Conference is part of a series created to merge entertainment law issues with insight on the new technology and media concerns that are at the forefront of the entertainment and technology industries. More information on the conference can be found [here](#). Wiley Rein was among the sponsors of the Entertainment & Technology Law Conference.

Wiley Rein’s Copyright Practice has broad experience in copyright and content protection (digital rights management) technology, copyright litigation, and music and sound recording licensing. Ranked again in 2013, *The Legal 500 US* praises the Practice as among the best in the country, noting that the firm “provides ‘superior service’ in the copyright law space” (2011) and “a hard-to-find combination of technical knowledge and practical legal advice” (2012).