Twentieth Annual Seminar

Media and the LAW

2007

A Media Lawyer’s Guide to the Galaxy

Friday
MAY 4
2007

InterContinental
Kansas City
at the Plaza
Kansas City, Missouri

7 CLE hours
(including 1 hour of ethics)
Kansas & Missouri

Sponsors: The Kansas City Metropolitan Bar Association Media Law Committee, the ABA TIPS Media, Privacy and Defamation Law Committee, The University of Kansas School of Law, and the University of Kansas Continuing Education

Contributors: Media/Professional Insurance, The Kansas City Star, First Media Insurance Specialists, Inc., and Universal Press Syndicate

www.ContinuingEd.ku.edu (keyword: law)
The first Friday of every month, the art galleries of

• Surgery on Dinosaurs: The Future of the Media Lawyer

Vegetarian Option available. Please indicate on registration form.

Luncheon only (available after April 6; preference will be

Full-time student .................................................................................

Member of the public ....................................................................... 

Educator ............................................................................................

Non-KCMBA Lawyer (registration after April 6) ........................ 

Non-KCMBA Lawyer (registration by April 6) ............................

KCMBA Lawyer .............................................................................

The registration fee includes panel instruction, materials, luncheon

continuing legal education credit.

The Missouri CLE Commission has approved 7 hours of

CLE CREDIT

Subject to Supreme Court Rule 803, this course has been approved by the Kansas Continuing Legal Education Commission for a maximum of 7 CLE credit hours, including 1 hour of ethics.

The Missouri CLE Commission has approved 7 hours of

continuing legal education credit.

REGISTRATION AND FEES

The registration fee includes panel instruction, materials, luncheon and refreshments.

KCMB A Lawyer ................................................................. $275

Non-KCMB A Lawyer (registration by April 6) ......................... $300

Non-KCMB A Lawyer (registration after April 6) ..................... $350

Journalist .....................................................................................

$50

Educator .......................................................................................

$50

Member of the public ............................................................... $100

Full-time student ....................................................................... $45

Luncheon only (available after April 6; preference will be

given to seminar registrants) .........................................................

$40

Vegetarian Option available. Please indicate on registration form.

A block of rooms has been reserved at the InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Missouri until 5 p.m. April 2, 2007. After that date, room availability and rate cannot be guaranteed. Please make your own reservations by calling 816-756-2199. To receive the special seminar rate of $142, mention that you will be attending the University of Kansas Media and the Law seminar.

LOCATION & PARKING

The Media and the Law seminar will be presented on Friday, May 4, at the InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Missouri.

The InterContinental Kansas City at the Plaza offers valet parking for $15 per day or self-parking for $8 per day to hotel guests. For those participants commuting to the seminar, day parking at the InterContinental is complimentary.

KANSAS CITY ATTRACTIONS

Thinking of enjoying the weekend in Kansas City after the seminar? Attractions include:

• First Fridays—The first Friday of every month, the art galleries of the Crossroads District stay open from 7 to 9 p.m. Ample parking, free trolley service and an abundance of restaurants are available. Visit www.crossroadscommunityassociation.org

• Country Club Plaza—Across the street from the InterContinental Kansas City at the Plaza, the 15-block district is one of Kansas City's popular retail, dining and entertainment destinations. Visit www.countryclubplaza.com

For additional information on Kansas City events, visit www.kansascity.com

Privacy Policy

KU Continuing Education does not share, sell, or rent its mailing lists. You have our assurance that any information you provide will be held in confidence by KU Continuing Education.

We occasionally use mailing lists that we have leased. If you receive unwanted communication from KUCE, it is because your name appears on a list we have acquired from another source. In this case, please accept our apologies.

Program Accessibility
We accommodate persons with disabilities. Please call 785-864-5823 or mark the space on the registration form, and a KU Continuing Education representative will contact you to discuss your needs. To ensure accommodation, please register at least two weeks before the start of the Media and the Law seminar.

The University of Kansas is committed to providing programs and activities to all persons, regardless of race, religion, color, national origin, ancestry, sex, age, disability, and veteran status. In addition, university policies prohibit discrimination on the basis of sexual orientation, marital status, and parental status.

Refund and Cancellation Policy

A full refund of registration fees, less a $50 administrative fee, will be available if requested in writing and received by April 27, 2007. No refunds will be made after that date. A $30 fee also will be charged for returned checks. (Please note that if you fail to cancel by the deadline and do not attend, you are still responsible for payment.) KU Continuing Education reserves the right to cancel the Media and the Law seminar and return all fees in the event of insufficient registration. The liability of the University of Kansas is limited to the registration fee. The University of Kansas will not be responsible for any losses incurred by registrants, including but not limited to airline cancellation charges or hotel deposits.
Copyright owners may claim that unauthorized digital uses of their works simply cannot be defended as fair. Issues include:
• May the fair use defense protect copying of complete works so that snippets may be made available through a search engine?
• Is sharing of works through online social networks, such as MySpace.com and YouTube.com, ever a fair use?
• Is fair use in jeopardy because of federal prohibitions against circumventing controls over copying and access to copyrighted digital works? What are the pros and cons of the Librarian of Congress’ decision to permit circumvention of controls on accessing digital works to create “compilations of portions of those works for educational use”?
• Is fair use declining because it is a subjective and unpredictable defense?
• May a copyright owner who claims infringement show that use of a work was unfair because it caused merely potential, as opposed to actual, harm to the market for the work?

9:05 a.m. Insurance Issues
Blaine Kinney, Chair, Lawyer, Sonnenschein Nath & Loesenthal, Chicago, Ill.
Eric L. Routman, Lawyer, Routman Law Offices, Northbrook, Ill.
Paul S. White, Lawyer, Tressler Soderstrom Maloney & Priess, Los Angeles, Calif.

The ABA TIPS Media, Privacy, and Defamation Law Committee will hold 10-minute segments after each panel to discuss insurance implications of each seminar topic. For example, would a search engine’s unauthorized linking to proprietary material be covered by media errors and omissions insurance with a theft or property-related exclusion? Are right of publicity claims covered when a policy includes coverage for invasion of privacy but excludes coverage for property-related harms?

Insurance and advertising are fiercely competing against, or converging with, new media. May the First Amendment guarantee of press freedom evolve as media mutate? Issues include:
• How are media errors and omissions insurance appropriate for the attorney blogger? The TIPS committee will provide insights into a few examples of electronic legal marketing and emerging advertising technologies. Issues include:
• What ethical considerations apply to legal marketing through blogs, podcasts and such networks as YouTube.com?
• What constitutes advertising on the Internet? Is it any message that “beckons business or proposes commercial transactions”?
• How should lawyers using electronic marketing address variations in ethics rules across jurisdictions and provisions for record retention?
• When may electronic marketing raise undue expectations about the quality or nature of legal services? Will confidentiality issues arise if representative client lists are posted on a Web site?

11:50 a.m. Insurance Issues
Noon Q & A
12:10 p.m. Lunch—Luncheon Address: Scott Stantis

In the 1990s, ethics concerns centered on lawyers’ use of such technologies as e-mail to advertise. Now, lawyers may advertise using an array of new media. Will Hornsby, author of Marketing and Legal Ethics, published by the American Bar Association, will present examples of electronic legal marketing and emerging advertising technologies. Issues include:
• What are current and emerging core practice demands in such areas as trademark and copyright, theft of idea, privacy, advertising and transnational litigation?

In the 1990s, ethics concerns centered on lawyers’ use of such technologies as e-mail to advertise. Now, lawyers may advertise using an array of new media. Will Hornsby, author of Marketing and Legal Ethics, published by the American Bar Association, will present examples of electronic legal marketing and emerging advertising technologies. Issues include:
• What are current and emerging core practice demands in such areas as trademark and copyright, theft of idea, privacy, advertising and transnational litigation?
“This seminar is helpful if not essential in sharpening your understanding of cutting-edge media/law issues.”

Robert Popper, UMKC School of Law, Kansas City, Missouri

www.ContinuingEd.ku.edu (keyword: law)