

“The best continuing legal education course I have ever attended.”

Brant Harvey
Partner, Pitblado LLP (2020)

THE OSGOODE CERTIFICATE IN ENTERTAINMENT LAW

Learn the key concepts of entertainment law business and practice from a faculty of more than 30 of Canada’s top experts and dealmakers.

- What it takes to get a deal done in the music, film, television, book publishing, live stage and gaming industries
- How to effectively navigate the clearance process
- The importance of boilerplate clauses in contracts and the risks inherent in using them
- How to maximize access to government funding and benefit from tax credits

“Such an invaluable course! These segments throughout the week are all so **incredibly useful for anyone looking to advance their knowledge of the entertainment industry** and how it operates from a business, legal, and financial perspective. I honestly can’t think of anything that was missing from it. Thank you!”

Robert Hutchinson, Manager, Business Affairs & Legal, New Metric Media Inc. (2022)

PROGRAM DIRECTOR

Susan Abramovitch
Gowling WLG LLP

REGISTRATION DETAILS

February 13-17, 2023:
In-Person OR Online (Live)

Can’t make the date?
Registration includes 120-day unlimited, online access to the recorded program.

Register today at:

[osgoodepd.ca/
entertainment-law](https://osgoodepd.ca/entertainment-law)



The Osgoode Certificate in Entertainment Law

“All topics covered were very useful for painting a full picture of issues that could arise when working in the entertainment industry, whether as a producer or lawyer.”

Chandler Buchanan
Manager, Regulatory Media,
Rogers Communications Inc.
(2021)

“This course was well-executed with appropriate instructors and a good overall flow for each day. I learned so much valuable information.”

Sara D'Agostino
Contracts & Rights Manager
(2021)

“This certificate was definitely worth the multi-year long wait to get in! Absolutely fantastic!”

Chelsi Bonair
Associate Legal Counsel, Shopify
(2021)

If you are working in the industry as a producer, business affairs professional or lawyer, **The Osgoode Certificate in Entertainment Law** will provide you with the knowledge and skills you need to deal with some of the most complex legal issues that you are likely to encounter in your work. This program was created to provide those with or without a law degree with a comprehensive and practical overview of entertainment law in Canada.

Now in its 11th year, led by Program Director **Susan Abramovitch**, and taught by a highly distinguished faculty of experts drawn from the music, film, television, gaming, live stage events and publishing industries, this Certificate covers the key principles you need to know, together with practical insights, strategies and tactics for tackling the most pressing issues in entertainment law.

This is a one-of-a-kind opportunity to acquire a comprehensive overview, and to “drill down” into the key issues and challenges that you will likely encounter. You will also receive materials prepared by OsgoodePD’s expert faculty which will serve as a valuable ongoing resource.

Don’t miss your opportunity to get insights and advice from some of Canada’s top entertainment law experts.



You will learn about:

- Issues to consider when negotiating with “the talent”
- How the collective bargaining process works
- How tariffs in music are set and how collective rights translate into royalties for artists
- The rights that construct the chain of title and how to avoid drafting pitfalls that would undermine it
- Strategies to employ when negotiating and drafting option, distribution, format and licensing agreements for film and television
- Financing a co-production: what you need to know
- How to understand net profits
- Canada and U.S. tax issues that arise for people in the entertainment industry

“The week was amazing! Some very insightful panelists and sessions. I am going back to the office with a lot more knowledge than I could have expected.”

Line Gendreau
VP, Finance, Accessible Media Inc. (2017)

“The best CPD programme I have attended in the past 10 years. Comprehensive & comprehensible.”

Lynda Covello
LPC Consulting International (2015)

Who Should Attend

- Producers
- Business Affairs Analysts
- Directors of Business Development/Business Affairs
- Development Executives
- In-House Counsel
- Entertainment Lawyers in Private Practice
- Union and Guild Professionals
- Publishers
- Contract Managers and Administrators
- Rights Managers and Directors
- Funding Administrators
- Policy Advisors

The Osgoode Certificate in Entertainment Law

draws on the expertise and experience of leading entertainment lawyers, agents and executives, including:

Program Director



Susan Abramovitch
Gowling WLG LLP

Program Faculty

Susan Abramovitch
Gowling WLG LLP

Jayne Alter
Dentons Canada LLP

Dina Appleton
EVP
Business and Legal Affairs
Boat Rocker Media

Brent Arnold
Gowling WLG LLP

René Bissonette
Gowling WLG LLP

Mansa Chintoh
Director
Business & Legal Affairs
International Distribution
Entertainment One

Lisa Drolet
Vice President
Production Financing
Entertainment One

Mark Feigenbaum
U.S. Attorney/Accountant

Heather Gibson
Executive Producer
Popular Music and Variety
National Arts Centre

Hilary Goldstein
Buchli Goldstein LLP

Victoria Harding
Associate Executive Director
Directors Guild of Canada -
Ontario

Emily Harris
EVP
Global Business & Legal Affairs
Entertainment One
Alistair Hepburn
Executive Director
Film, Television & Digital Media
ACTRA Toronto

Alan Hollingsworth
Vice President & Partner
HUB International Limited

Shari Hosaki
Vice President,
General Counsel & Secretary
HarperCollins Canada Limited
and Harlequin Enterprises ULC

Kelly Jenkins
Director, Media Finance
Bank of Montreal

Tracey Jennings
Founder
digitaltaxCPA

Susan Kelly
Senior Director
Business & Rights, Scripted and
Acquired Programming
CBC English Services

Jean-Martin Masse
Barrister & Solicitor

Laurie May
Co-President and Co-Founder
Elevation Pictures Corp.

Nghia Nguyen
Vice-President
Business & Legal Affairs
WildBrain

Tara Parker
Goodmans LLP

Michael Rubinoff
Producer

Kevin Sartorio
Gowling WLG LLP

Peter Schneider
Vice-President
Business & Legal Affairs,
Cineflix Productions

Stephen Selznick
Cassels Brock & Blackwell LLP

Victoria Shen
Barrister & Solicitor

Carolyn Stamegna
Goodmans LLP

David Steinberg
Dentons Canada LLP

Veronica Syrtash
SVP
Business Affairs &
Corporate Development
Canadian Musical Reproduction
Rights Agency Ltd. (CMRRA)

Bob Tarantino
Dentons Canada LLP

Darlene Tonelli
Inter Alia Law

Shannon Uhera
Gowling WLG LLP

Aaron Unrau
Manager
Industrial Relations
Writers Guild of Canada

David Zitzerman
Goodmans LLP

“The calibre of the presenters was incredible. Professionals working at the highest levels in their field sharing their knowledge and expertise was amazing. I found this course to be incredibly valuable. Thank you.”

Erin Dean
Program Manager, Creative Saskatchewan
(2016)

“Very wide breadth of info, covering a lot of topics. Overview was great. Good to see how various aspects of Entertainment Law all interact.”

Laurie Christianson
Manager of Contracts and Documents,
Aboriginal Peoples Television Network
(2014)

Agenda

DAY 1

Monday, February 13, 2023
9:00 a.m. – 5:00 p.m. ET

Overview of the Entertainment Industry/Talent Rights and Issues

The program begins with a “big picture” panel presentation that will set the stage for the next five days. This panel will give you a top-level understanding of what it takes to get a deal done in each of the music, film, television and gaming industries. Experts will cover:

- Key players in the industry
- Types of deals
- Rights involved in negotiating a deal

Panelists will then drill down on what you need to know to negotiate and draft talent contracts. Specifically, the panelists will discuss:

- Special issues to consider when negotiating with writers, actors and directors, including:
 - Compensation
 - Term
 - Non-competes
 - Cross-branding
 - Perks

For the remainder of the day, you will learn about the current landscape for live music performances in Canada and all the issues that you may encounter.

The final presentation will be a useful primer on NFTs and how they continue to evolve within the entertainment industry.

Faculty

Susan Abramovitch

Gowling WLG LLP

Jayne Alter

Dentons Canada LLP

Dina Appleton

EVP, Business and Legal Affairs,
Boat Rocker Media

Heather Gibson

Executive Producer
Popular Music and Variety
National Arts Centre

Hilary Goldstein

Buchli Goldstein LLP

Nghia Nguyen

Vice-President, Business & Legal Affairs,
WildBrain

DAY 2

Tuesday, February 14, 2023
9:00 a.m. – 4:45 p.m. ET

Understanding Rights in Entertainment Property

Picking up where the first day left off, you will continue to examine the essentials of one’s rights in entertainment property. The focus will be on understanding of who owns rights to the various art forms, how these rights are acquired and what can be done to protect these rights. Over this and the next module, you will drill down on these issues in significant detail in order to ensure that you have a thorough appreciation of the issues involved, including:

- An examination of copyright law in the entertainment industry
- The rights that construct the chain of title and how to avoid common drafting pitfalls that would undermine the chain
- How to effectively navigate the clearance process, including:
 - Finding the course of a right
 - Requesting a clearance
 - Understanding the timing involved in clearances and factoring this into other production decisions
 - What to do when a clearance is not approved
 - The lawyer’s role in reviewing the clearance reports and insurance forms and the risks inherent in the process
- Collective administration and licensing
- Understanding the impact of guild agreements

Faculty

Victoria Harding

Associate Executive Director,
Directors Guild of Canada – Ontario

Alistair Hepburn

Executive Director,
Film, Television & Digital Media,
ACTRA Toronto

Alan Hollingsworth

Vice President & Partner,
HUB International Limited

Tara Parker

Goodmans LLP

Kevin Sartorio

Gowling WLG LLP

David Steinberg

Dentons Canada LLP

Veronica Syrtash

SVP, Business Affairs & Corporate Development,
Canadian Musical Reproduction Rights
Agency Ltd. (CMRRA)

Aaron Unrau

Manager, Industrial Relations,
Writers Guild of Canada

DAY 3

Wednesday, February 15, 2023
9:00 a.m. – 4:45 p.m. ET

Negotiating and Drafting Rights Agreements

Focusing on the music industry, experts will discuss the differences between licensing and distribution agreements in music, including the rights granted and allocation of responsibility for marketing, promotion and recording.

The examination of entertainment agreements continues with a look at the foundations of a general entertainment agreement and the boilerplate clauses that are commonly used, such as those relating to:

- Representations and warranties
- Indemnification provisions
- Choice of law/choice of venue
- Assignment of rights
- Termination

In the afternoon, the focus will then shift to live stage theatre and the publishing industry. Areas to be examined will include:

- Overview of the difference between full publishing, co-publishing and publishing administration agreements and when each should be used
- Key clauses in book publishing contracts:
 - Rights granted
 - Electronic rights
 - Foreign rights
 - Reversions

- The underlying rights to be considered in live stage agreements when the material is in the public domain, copyrighted or commissioned under copyright
- Theatre venue agreements and investor grant agreements
- The final presentation will look at interim financing and the types of deals or structures that are typically put in place.

Faculty

Susan Abramovitch

Gowling WLG LLP

Brent Arnold

Gowling WLG LLP

Shari Hosaki

Vice President, General Counsel & Secretary, HarperCollins Canada Limited and Harlequin Enterprises ULC

Kelly Jenkins

Director, Media Finance, Bank of Montreal

Michael Rubinoff

Producer

Bob Tarantino

Dentons Canada LLP

Darlene Tonelli

Inter Alia Law

DAY 4

Thursday, February 16, 2023

9:00 a.m. – 4:30 p.m. ET

Money: Where to Get it, How to Maximize it and Understand Your Profits

The day begins with an in-depth session on film and television agreements, taught by experienced producers, lawyers and entertainment executives. This panel will provide you with a thorough understanding of the details you need to consider when negotiating or drafting various types of agreements.

NOTE: This panel represents the final session of Day 3 “Negotiating and Drafting Rights Agreements”

The focus will then shift towards how to maximize your money and understand your

profits. You will learn from those who control, count and analyze the money earned and spent in the Canadian entertainment industry. They will discuss what you need to know to ensure that you are maximizing your ability to receive government funding and benefit from the tax credits available.

Sessions will include a discussion about what you need to know when financing a co-production, the different tax credits available, how they relate to the CAVCO points and how to structure agreements to maximize your benefits.

The day will also feature a look at alternate Canadian film financing structures. Topics will include:

- The pros and cons
- Domestic “Canadian content”
- CRTS co-ventures
- International treaty co-productions
- Service productions

The final session of the day will look at how to understand net profits in the film and television industries.

Faculty

Lisa Drolet

Vice President, Production Financing, Entertainment One

Tracey Jennings

Founder, digitaltaxCPA

Susan Kelly

Senior Director, Business & Rights, Scripted & Acquired Programming, CBC English Services

Laurie May

Co-President and Co-Founder, Elevation Pictures Corp.

Peter Schneider

Vice-President, Business & Legal Affairs, Cineflix Productions

Stephen Selznick

Cassels Brock & Blackwell LLP

Carolyn Stamegna

Goodmans LLP

David Zitzerman

Goodmans LLP

DAY 5

Friday, February 17, 2023

9:00 a.m. – 4:45 p.m. ET

Miscellaneous Entertainment Issues

Focusing on a broad range of topics from all sectors of the entertainment industry, you will learn about:

- Cross border tax and immigration issues
- Advertising and marketing issues
- Workplace harassment in the entertainment industry
- Bankruptcy and insolvency
- Perspectives from media company counsel
- Gaming and cross-over rights

**Please note that at the end of the day, a multiple choice assessment will be sent to all participants.*

Faculty

René Bissonette

Gowling WLG LLP

Mansa Chintoh

Director
Business & Legal Affairs
International Distribution
Entertainment One

Jane Dietrich

Cassels Brock & Blackwell LLP

Mark Feigenbaum

U.S. Attorney/Accountant

Emily Harris

EVP
Global Business & Legal Affairs
Entertainment One

Jean-Martin Masse

Barrister & Solicitor

Victoria Shen

Barrister & Solicitor

Shannon Uhera

Gowling WLG LLP

Registration Details

Fee per Delegate: \$3,295 +TAX

Newly Licensed*: \$1,647.50 +TAX

**This fee applies to newly licensed professionals within the past 2 years*

Fee includes program registration, electronic program materials and 120-day unlimited online access to program archive. Group discounts are available.

Visit www.osgoodepd.ca/group discounts for details.

Financial Assistance

This program is eligible for OSAP funding. Federal and provincial job grants may be available. You may also apply for financial assistance with OsgoodePD.

To learn more, visit: www.osgoodepd.ca/financial-assistance

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

For Further Program-Related Information, Please Contact:

Stéphane McRoberts, Program Lawyer at 647.999.5723

or email smcroberts@osgoode.yorku.ca

Certificate of Program Completion

You will receive the Osgoode Certificate upon completion of **The Osgoode Certificate in Entertainment Law**. Participants must attend all program days and successfully complete the post-program multiple choice assessment to receive the Osgoode Certificate.

Register today at:

osgoodepd.ca/entertainment-law



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours - LSO (ON): 34h 15m CPD (30h 15m Substantive; 3h Professionalism; 1h EDI).



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

“Thank you so much for putting this course together, for ensuring it ran so smoothly, and for the attention to detail. I have learned so much valuable information and had the opportunity to connect with other industry professionals. I would highly recommend this course to others, and I think what you’ve all put together is truly remarkable.”

Maeve Kern
Archipelago Productions Inc. (2022)

“Excellent program for professionals currently working in the business that are looking to fill the gaps in their knowledge and get answers.”

Azadeh de Leon
Head of Production, Vice Canada (2020)

“The course binder alone is worth the price of entry.”

Nicholas Hirst
Original Pictures (2019)