



## **MUIN 360: Introduction to Music Law**

**Units: 4**

**Fall 2023—Tuesday & Thursday**

**Section 44241D – 4:00-5:50 pm**

**Section 44240D – 6:00-7:50 pm**

**Location: KDC 241**

**Instructor: Jane Davidson**

**Office: TMC 111**

**Office Hours: 2:30-3:30pm Tu/Th (by appointment)**

**Contact Info: email - [jhdavids@usc.edu](mailto:jhdavids@usc.edu)**

**cell - (626) 487-6201**

**MUIN Dept. Office: TMC 118**

All e-mail correspondence from me to the class will be sent via Blackboard, which defaults to using your USC e-mail account.

### **Blackboard / IT Help:**

email: [blackboard@usc.edu](mailto:blackboard@usc.edu) or phone: (213) 740-5555 press option 2

Website: [studentblackboardhelp.usc.edu](http://studentblackboardhelp.usc.edu)

### **Course Description:**

*Introduction to Music Law* builds on a foundational understanding of the music industry by developing students' ability to identify and analyze legal issues. The course will focus on legal issues including copyright, contract law, trademark, litigation and enforcement of rights and agreements, and related financial considerations through the framework of a 21<sup>st</sup> century artist's business including recording, publishing, live performance, merchandising, branding, synch, streaming, licensing, social media, and team members such as managers, agents, business managers, and bandmates. Students will learn to ethically advocate for clients' legal and financial interests via writing, discussion, oral presentation, and negotiation.

### **Learning Objectives:**

- Decode music industry contracts to spot both standard and industry-specific terms and scrutinize impact on parties.
- Explain and interpret laws applicable to the music industry in real and hypothetical scenarios, and evaluate shortcomings through both economic and JEDI lenses.
- Analyze emerging business models and current topics through a lens of legal implications including related rights and agreements.
- Advocate for music industry clients through writing, discussion, oral presentation, and negotiation including related ethical considerations.

**Prerequisite:** MUIN 270

### **Course Notes:**

Course materials, assignments, due dates, documentation and grades will be posted on Blackboard at <https://blackboard.usc.edu/webapps/login/>.

### **Communication:**

Communication and collaboration are essential. Much of this course is discussion-based, and open, respectful communication with me and your classmates inside and outside of the classroom is encouraged. If you have questions or comments, please feel free to schedule an appointment with me via email. You can also email me [jhdavids@usc.edu](mailto:jhdavids@usc.edu) or call me at (626) 487-6201. I will respond to emails/voicemails within 24 hours Monday-Friday, and on the Monday following a weekend or holiday break.

### **Technological Proficiency and Hardware/Software Required:**

All assignments must be submitted in either Microsoft Word or converted into a PDF document. Proficiency in either of these programs is required for this class. All assignments outside of class must be submitted on Blackboard to receive credit.

### **Technology Assistance Statement:**

I realize attending classes in person, as well as sometimes performing coursework remotely requires access to technology that not all students may possess. If you need resources to successfully participate in your classes, such as a laptop, you may be eligible for the University's equipment rental program. To apply, reach out to ITS- <https://itservices.usc.edu/spaces/laptoploaner/>

### **Other USC Technology Support Links:**

[Blackboard help for students](#)

[Software available to USC Campus](#)

### **Required Readings and Supplementary Materials:**

**Required:** *All You Need to Know About the Music Business* (10th Ed., 2019), Donald S. Passman  
ISBN-13: 978-1501122187.

**Available:** USC Bookstore, Amazon, Barnes & Noble.

**Required:** All assigned articles, contracts, cases, or other readings posted on Blackboard throughout the course.

**Recommended/optional:** *The Elements of Style* (4<sup>th</sup> Ed., 2019), Strunk and White  
ISBN-13: 978-0205309023

**Available:** USC Bookstore, Amazon, Barnes & Noble.

### **Sharing of course materials outside of the learning environment**

USC prohibits sharing of any synchronous and asynchronous course content outside of the learning environment. Please do not share or otherwise distribute class materials, music scores or recordings produced by me or any students in the conduct of this course without expressed permission.

*SCampus Section 11.12(B)*

*Distribution or use of notes or recordings based on university classes or lectures without the express permission of the instructor for purposes other than individual or group study is a violation of the USC Student Conduct Code. This includes, but is not limited to, providing materials for distribution by services publishing class notes. This restriction on unauthorized use also applies to all information, which had been distributed to students or in any way had been displayed for use in relationship to the class, whether obtained in class, via email, on the Internet or via any other media. (See Section C.1 Class Notes Policy).*

## **Description and Assessment of Assignments:**

### ***In-Class Group Discussion Assignments 15%***

In lieu of taking attendance, there will be unannounced graded small and large group exercises. There will be at least 17 graded exercises, with only your highest 15 graded exercises counting toward your grade. If you miss a class where a graded assignment is completed, the opportunity to make up the assignment for half credit will be available or that can be one of your dropped exercises.

### ***Practical Advocacy Skills Assessments – five x 5% each - 25%***

There will be 5 practical advocacy skills assessments which will emphasize research and advocacy skills.

- (1) 5-minute oral Presentation on topic of your choice
- (2) Issue Analysis Memo
- (3) Group In-Class Negotiation
- (4) Group Case Law Written Memo
- (5) Group Case Law Group Presentation

### ***Exams 30%***

There will be one take home midterm exam (10%) and a cumulative take home final exam (20%). Exams are based on assigned readings, class lectures and discussions. Exams are typically a hybrid format including multiple choice and essay, but the exact format will be announced. The exams must be taken during the scheduled times and may not be made up at a later date. Except in the case of a verifiable emergency (subject to instructor approval, documented proof, and applicable USC policies), failure to attend an exam will earn a zero.

### ***Research / Term Paper + Presentation 30%***

This is a research paper addressing a current legal issue in the music industry. This will be a thesis paper, requiring you to take a position, and construct a persuasive argument in its advocacy. It is a requirement that you submit/discuss your topic to me in a timely manner (i.e. *before* you begin writing!), and that it is approved. You will also do a 5-min presentation on your paper topic to the class.

Factors such as following MLA style, grammar, spelling, proofreading, organization, depth of key details, argument support and quality of source material will all impact the grade.

## **Grading Breakdown:**

| <b>Assignment</b>                     | <b>%</b>    |
|---------------------------------------|-------------|
| In-Class Group Assignments            | 15%         |
| Practical Advocacy Skills Assessments | 25%         |
| Midterm Exam                          | 10%         |
| Final Exam                            | 20%         |
| Term Paper + Presentation             | 30%         |
| <b>TOTAL</b>                          | <b>100%</b> |

## **Grading Scale (final course grade):**

A = 100-94; A- = 93-90

B+ = 89-87; B = 83-86; B- = 80-82

C+ = 79-77; C = 73-76; C- = 70-72

D+ = 69-67; D = 63-66; D- = 60-62

F = 59 or below

## **Assignment Submission Policy:**

**All written assignments are due at noon the day of their due date to the Turn It In Submission on Blackboard. If you use any AI on your assignment, you must submit an AI-use addendum along with your assignment that was pre-approved by me via email.**

**MLA Formatting:** All in-class assignments and term paper will be submitted per MLA style guidelines, which shall include, but not be limited to, in-text parenthetical citations, page numbering, double-spacing, with one (1) inch margins and 12 pt. Times New Roman font, a title/cover page and a properly formatted works cited. The USC Libraries has created a valuable [MLA citation guide](#) to familiarize you with the MLA format.

**Late Assignments:** Due dates for every assignment are provided on the course syllabus, assignment description, and posted in Blackboard. Assignments are due by the stated due date and time. If you need an extension on an assignment for a non-emergency reason, the request must be received no later than 3 days prior to the due date. If the request comes in later than that, I require you to meet with me regarding why you were not able to make the deadline unless you have documentation of a health or similar emergency. **Take care when making your plans. Life happens, but you have to communicate with me. Absent an approved extension, all late assignments will be reduced by one full grade (10%) per day**

All exams **must** be taken during the scheduled days and times and may not be made up at a later date. A zero (0) will be earned for each missed exam.

## **Grading Timeline:**

I will endeavor to have all exams, homework and in-class assessments graded and returned within two weeks. Term papers will be returned within one-month of term paper submission.

## **Classroom Norms:**

*Actual* positive participation in class is the goal.

- Respect others' rights to hold opinions and beliefs that differ from your own. When you disagree, challenge or criticize the idea, not the person.
- Assume positive intent from your classmates.
- Listen carefully to what others are saying even when you disagree with what is being said. Comments that you make (asking for clarification, sharing critiques, expanding on a point, etc.) should reflect that you have paid attention to the speaker's comments.
- Be courteous. Don't interrupt or engage in private conversations while others are speaking. Use attentive, courteous body language.
- Support your statements. Use evidence and provide a rationale for your points.
- Share responsibility for including all voices in the discussion. If you have much to say, try to hold back a bit; if you are hesitant to speak, look for opportunities to contribute to the discussion.
- Recognize that we are all still learning. Be willing to change your perspective, and make space for others to do the same.
- Cell phones may not be used during group discussion, a presentation by your classmate, interactive activities, or a guest speaker. Giving your full attention is both respectful and an important habit.

## **Attendance & Learning Modality:**

This course is being offered in an in-person modality. Class may once or twice take place virtually, but assume all classes are in person unless I communicate otherwise. If you will not be in class on any given day, please let me know in advance or at a minimum check in via email prior to the next class and obtain notes from the missed class from a classmate. Attendance will not be taken, but you may miss important material or an in-class group assignment. On a personal note, I don't hear from you, I will worry.

## Course evaluation

Student feedback is essential to making this course the best it can be. Students will have an opportunity to submit comments on the USC course evaluation survey at the end of the semester.

## Course Schedule: A Weekly Breakdown

Instructor reserves the right to revise these specific dates/topics at any time in order to meet the greater class priorities, as the course progresses. *Please note that Blackboard Quizzes are NOT graded and are rather intended to introduce a new topic.*

| Class # | Day | Date    | Topics                                                                               | Reading / Homework Due                        |
|---------|-----|---------|--------------------------------------------------------------------------------------|-----------------------------------------------|
| 1       | T   | Aug. 22 | Syllabus + Class Overview; What is Law?                                              |                                               |
| 2       | Th  | Aug. 24 | Talent Representatives & Issue Spotting; Introduce Presentations                     | Passman Ch. 3-6                               |
| 3       | T   | Aug. 29 | Copyright Overview: Framework for Protecting Creative Works                          | Ch 15; Info Form                              |
| 4       | Th  | Aug. 31 | Copyright Overview: Ownership and Licensing                                          | Ch. 19                                        |
| 5       | T   | Sep. 5  | Intro to Contract Law: How to make and break a contract                              | Assigned Reading (BB)                         |
| 6       | Th  | Sep. 7  | Recording Contracts & Related Rights: Pt. 1 - Basics                                 | Ch. 7,8,9                                     |
| 7       | T   | Sep. 12 | Recording Contracts & Related Rights: Pt 2 – Money<br>Guest Speaker: Brigitte Alanis | Ch. 10-12                                     |
| 8       | Th  | Sep. 14 | Recording Contracts & Related Rights: Pt. 3 – Boring Stuff                           | Record Contract (BB)                          |
| 9       | T   | Sep. 19 | Copyright: Master v. Composition Rights                                              | <b>Memo Due NOON</b>                          |
| 10      | Th  | Sep. 21 | Publishing Contracts & Related Rights: Money                                         | Ch. 16-18                                     |
| 11      | T   | Sep. 26 | Publishing Contracts & Related Rights: Licensing; Guest Speaker                      | Publishing Contract (BB)                      |
| 12      | Th  | Sep. 28 | Copyright: Performance Rights & PROs; Guest Speaker                                  | Review Assigned Website                       |
| 13      | T   | Oct. 3  | Copyright in Contracts; Term Paper + Group Project Overview                          | Review Notes                                  |
| 14      | Th  | Oct. 5  | Midterm Review (1 hour on Zoom 5-6pm, 6-7pm)                                         | Review Midterm Outline                        |
| 15      | T   | Oct. 10 | <b>Midterm (Units I &amp; II) (Take Home)</b>                                        | Study for Midterm                             |
|         | Th  | Oct. 12 | <b>Fall Break: No Class</b>                                                          | Chill.                                        |
| 16      | T   | Oct. 17 | Group Project Meetings (No Class)                                                    | <b>Paper Proposal Due NOON;</b><br>1:1 Signup |
| 17      | Th  | Oct. 19 | Term Paper 1:1 Meetings - Zoom                                                       | Ch. 12 (138-150)                              |
| 18      | T   | Oct. 24 | Distribution and Streaming: Music & Pictures: Synch Licensing; Guest Speaker         | Ch. 27, 31-33                                 |
| 19      | Th  | Oct. 26 | <b>Group Case Law Presentations;</b> Guest Speaker                                   | <b>Group Memo Due NOON</b>                    |
| 20      | T   | Oct. 31 | Music & Pictures: Video Content from Music Videos to Tik Toks                        | Read Articles (BB)                            |
| 21      | Th  | Nov. 2  | Marketing Music and Music in Marketing                                               | Read Articles (BB)                            |
| 22      | T   | Nov. 7  | <b>In-Class Live Negotiation</b>                                                     | Negotiation Prep                              |
| 23      | Th  | Nov. 9  | Contracts & Liability in Touring, Festivals, and Live                                | Ch. 23; Read Articles (BB)                    |
| 24      | T   | Nov. 14 | Merchandising Agreements & Trademark Protection                                      | Ch. 22, 24, 25                                |
| 25      | Th  | Nov. 16 | Developing & Future Business Models                                                  | Read Articles (BB)                            |
|         | T   | Nov. 21 | <b>No Class: Term Paper Due at 5:00 PM</b>                                           | <b>TERM PAPER DUE 5pm</b>                     |
|         | Th  | Nov. 23 | <b>No Class: Thanksgiving</b>                                                        |                                               |

|    |    |         |                                                   |                      |
|----|----|---------|---------------------------------------------------|----------------------|
| 26 | T  | Nov. 28 | Litigation: Copyright Infringement; Guest Speaker | Read Cases (BB)      |
| 27 | Th | Nov. 30 | Litigation: Breach of Contract                    | Read Cases (BB)      |
|    | T  | Dec. 6  | Optional Final Exam Review Session                | Review Final Outline |
|    | Th | Dec. 8  | <b>FINAL EXAM (Take home)</b>                     |                      |

\*The final exam date/time is my best estimate for now. Final exam scheduling is strictly subject to both USC and Thornton School of Music/Music Operations' official exam schedule, location instructions and policies.

## Statement on Academic Conduct and Support Systems

### Academic Integrity:

The University of Southern California is a learning community committed to developing successful scholars and researchers dedicated to the pursuit of knowledge and the dissemination of ideas. Academic misconduct, which includes any act of dishonesty in the production or submission of academic work, comprises the integrity of the person who commits the act and can impugn the perceived integrity of the entire university community. It stands in opposition to the university's mission to research, educate, and contribute productively to our community and the world.

All students are expected to submit assignments that represent their own original work, and that have been prepared specifically for the course or section for which they have been submitted. You may not submit work written by others or "recycle" work prepared for other courses without obtaining written permission from the instructor(s).

Other violations of academic integrity include, but are not limited to, cheating, plagiarism, fabrication (e.g., falsifying data), collusion, knowingly assisting others in acts of academic dishonesty, and any act that gains or is intended to gain an unfair academic advantage.

The impact of academic dishonesty is far-reaching and is considered a serious offense against the university. All incidences of academic misconduct will be reported to the Office of Academic Integrity and could result in outcomes such as failure on the assignment, failure in the course, suspension, or even expulsion from the university.

For more information about academic integrity see [the student handbook](#) or the [Office of Academic Integrity's website](#), and university policies on [Research and Scholarship Misconduct](#).

Please ask your instructor if you are unsure what constitutes unauthorized assistance on an exam or assignment, or what information requires citation and/or attribution.

### Students and Disability Accommodations:

USC welcomes students with disabilities into all of the University's educational programs. The Office of Student Accessibility Services (OSAS) is responsible for the determination of appropriate accommodations for students who encounter disability-related barriers. Once a student has completed the OSAS process (registration, initial appointment, and submitted documentation) and accommodations are determined to be reasonable and appropriate, a Letter of Accommodation (LOA) will be available to generate for each course. The LOA must be given to each course instructor by the student and followed up with a discussion. This should be done as early in the semester as possible as accommodations are not retroactive. More information can be found at [osas.usc.edu](http://osas.usc.edu). You may contact OSAS at (213) 740-0776 or via email at [osasfrontdesk@usc.edu](mailto:osasfrontdesk@usc.edu).

## **Support Systems:**

### [Counseling and Mental Health](#)

*(213) 740-9355 – 24/7 on call*

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention.

### [988 Suicide and Crisis Lifeline](#)

*988 for both calls and text messages – 24/7 on call*

The 988 Suicide and Crisis Lifeline (formerly known as the National Suicide Prevention Lifeline) provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week, across the United States. The Lifeline is comprised of a national network of over 200 local crisis centers, combining custom local care and resources with national standards and best practices. The new, shorter phone number makes it easier for people to remember and access mental health crisis services (though the previous 1 (800) 273-8255 number will continue to function indefinitely) and represents a continued commitment to those in crisis.

### [Relationship and Sexual Violence Prevention Services \(RSVP\)](#)

*(213) 740-9355(WELL) – 24/7 on call*

Free and confidential therapy services, workshops, and training for situations related to gender- and power-based harm (including sexual assault, intimate partner violence, and stalking).

### [Office for Equity, Equal Opportunity, and Title IX \(EEO-TIX\)](#)

*(213) 740-5086*

Information about how to get help or help someone affected by harassment or discrimination, rights of protected classes, reporting options, and additional resources for students, faculty, staff, visitors, and applicants.

### [Reporting Incidents of Bias or Harassment](#)

*(213) 740-5086 or (213) 821-8298*

Avenue to report incidents of bias, hate crimes, and microaggressions to the Office for Equity, Equal Opportunity, and Title for appropriate investigation, supportive measures, and response.

### [The Office of Student Accessibility Services \(OSAS\)](#)

*(213) 740-0776*

OSAS ensures equal access for students with disabilities through providing academic accommodations and auxiliary aids in accordance with federal laws and university policy.

### [USC Campus Support and Intervention](#)

*(213) 740-0411*

Assists students and families in resolving complex personal, financial, and academic issues adversely affecting their success as a student.

### [Diversity, Equity and Inclusion](#)

*(213) 740-2101*

Information on events, programs and training, the Provost's Diversity and Inclusion Council, Diversity Liaisons for each academic school, chronology, participation, and various resources for students.

### [USC Emergency](#) - UPC: (213) 740-4321, HSC: (323) 442-1000 – 24/7 on call

Emergency assistance and avenue to report a crime. Latest updates regarding safety, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible.

[USC Department of Public Safety](#)

*UPC: (213) 740-6000, HSC: (323) 442-1200 – 24/7 on call*

Non-emergency assistance or information.

[Office of the Ombuds](#)

*(213) 821-9556 (UPC) / (323-442-0382 (HSC)*

A safe and confidential place to share your USC-related issues with a University Ombuds who will work with you to explore options or paths to manage your concern.

[Occupational Therapy Faculty Practice](#)

*(323) 442-2850 or [otfp@med.usc.edu](mailto:otfp@med.usc.edu)*

Confidential Lifestyle Redesign services for USC students to support health promoting habits and routines that enhance quality of life and academic performance.