Monday, May 2, 2016

9:00 – 10:30 AM

SESSION 1

Notice-and-Takedown Process—Identification of Infringing Material and Notice Submission

Overall effectiveness of process, including issues relating to timing and linked content; volume of notices; burdens on large- and small-scale creators and copyright owners; considerations and strategies in sending notices, including automated notices versus human review; fair use considerations; moral rights issues; “whack-a-mole” issue; relevant empirical data; and other pertinent issues.

Sandra Aistars
Richard Burgess
Alisa Coleman
Patrick Flaherty
Kathy Garmezy
Melvin Gibbs
Lisa Hammer
George Johnson
David Kaplan
Natalie Madaj
Michael Michaud
Eugene Mopsik
Janice Pilch
Mary Rasenberger
Deborah Robinson
Steven Rosenthal
Maria Schneider
Samantha Schonfeld
Ellen Schrantz
Lisa Shaftel
Victoria Scheckler
Kate Viar

Arts and Entertainment Advocacy Clinic, George Mason University School of Law
American Association of Independent Music
ABKCO Music & Records, Inc.
Verizon
Directors Guild of America
Content Creators Coalition
Independent Film Director
Geo Music Group
Warner Brothers Entertainment Inc.
National Music Publishers’ Association
Channel Awesome, Inc.
American Photographic Artists
Rutgers University Libraries
Authors Guild
Viacom
McGraw-Hill Education
Musician
Amplify Education Holding
Internet Association
Graphic Artists Guild
Recording Industry Association of America
Amazon

10:30 – 10:45 AM   BREAK
SESSION 2
Notice-and-Takedown Process—Service Provider Response and Counter-Notifications

Handling of and response to notices, including timing and notices from high-volume senders; sending and handling of counter-notifications; volume of notices and counter-notifications; costs and burdens on large- and small-scale service providers; role of automation, including filtering technologies; noncompliant notices and misuse of notice process; rejection of notices; impact of takedowns on users and public; protections for fair use; relevant empirical data; and other pertinent issues.

Perry Bashkoff
Rhonda Blakey
Andrew Bridges
Kate Dean
Damon DiMarco
Adrienne Fields
Elizabeth Townsend Gard
Michael Housley
Hillary Johnson
Marcie Kaufman
Thomas Kennedy
Mickey Osterreicher
Marc Ostrow
Jennifer Pariser
Rebecca Prince
Jay Rosenthal
Kevin Rupy
Brianna Schofield
Kerry Sheehan
Rebecca Tushnet
Michael Weinberg
Charlyn Zlotnik
WEA Digital & Revenue Development
BMG Rights Management
Fenwick & West LLP
U.S. Internet Service Provider Association
Author
Artists Rights Society
Tulane University Law School
Viacom
Author
Ithaka/Artstor
American Society of Media Photographers
National Press Photographers Association
Law Offices of Marc D. Ostrow
Motion Picture Association of America
Becky Boop
ESL Music/ESL Music Publishing
USTelecom
University of California-Berkeley School of Law
Public Knowledge
Organization for Transformative Works
Shapeways
Photographer

SESSION 3
Applicable Legal Standards

Actual and “red flag” knowledge requirements; financial benefit/right to control test; willful blindness; repeat infringers; good-faith requirements; misrepresentation; fair use; use of representative lists; availability of injunctive relief; use of subpoenas; role of “standard technical measures”; and other pertinent issues.

Allan Adler
Todd Anten
Jonathan Band
June Besek
Sarah Deutsch
Joseph DiMona
Troy Dow
Jim Halpert
Terry Hart
David Jacoby
George Johnson
Bruce Joseph
Association of American Publishers
Quinn Emanuel Urquhart & Sullivan LLP
Library Copyright Alliance
Kernochan Center for Law, Media and the Arts, Columbia Law School
Mayer Brown
Broadcast Music, Inc.
Disney
DLA Piper
Copyright Alliance
Sony Music Entertainment
Geo Music Group
Wiley Rein LLP
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<th>Marcie Kaufman</th>
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<td>Christopher Mohr</td>
<td>Software and Information Industry Association</td>
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<td>Marc Ostrow</td>
<td>Law Offices of Marc D. Ostrow</td>
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<td>Amplify Education Holding</td>
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<td>Kerry Sheehan</td>
<td>Public Knowledge</td>
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3:00 – 3:15 PM  BREAK

3:15 – 4:45 PM

**SESSION 4**

**Scope and Impact of Safe Harbors**

Scope of entities and activities covered by safe harbors; incentives (and disincentives) for creators, copyright owners, online providers, investors, and users; impact on licensing activities; effectiveness of remedies, including ability to proceed in federal court in case of disputed notice or misrepresentation; economic impact on creators, copyright owners, service providers and copyrighted works; relevant empirical data; and other pertinent issues.

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<tr>
<th>Allan Adler</th>
<th>Association of American Publishers</th>
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<tr>
<td>Sandra Aistars</td>
<td>Arts and Entertainment Advocacy Clinic, George Mason University School of Law</td>
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<td>Matthew Barblan</td>
<td>Center for the Protection of Intellectual Property</td>
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<td>Rhonda Blakey</td>
<td>BMG Rights Management</td>
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<td>Joseph DiMona</td>
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<td>Troy Dow</td>
<td>Disney</td>
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<td>Sarah Feingold</td>
<td>Etsy, Inc.</td>
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<td>Adrienne Fields</td>
<td>Artists Rights Society</td>
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<td>Patrick Flaherty</td>
<td>Verizon</td>
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<td>David Korzenik</td>
<td>Miller Korzenik Sommers Rayman LLP</td>
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<td>Natalie Madaj</td>
<td>National Music Publishers’ Association</td>
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<td>Matthew Schnuers</td>
<td>Computer &amp; Communications Industry Association</td>
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<td>Rebecca Tushnet</td>
<td>Organization for Transformative Works</td>
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<td>Jeff Walker</td>
<td>Sony Music Entertainment</td>
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<td>Michael Weinberg</td>
<td>Shapeways</td>
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<td>Lisa Willmer</td>
<td>Getty Images</td>
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Tuesday, May 3, 2016

9:00 – 10:30 AM

SESSION 5

Technological Strategies and Solutions

Infringement monitoring tools and services; automated sending of notices, including notice parameters; automated processing of notices; role of human review; identification of works through fingerprinting, hash identifiers, and other technologies; filtering, including “staydown” capabilities; fair use considerations; identification and tracking of repeat infringers; and other pertinent issues.

Jonathan Band  
Sofia Castillo  
Elizabeth Townsend Gard  
Jim Halpert  
Michael Housley  
Sarah Howes  
David Kaplan  
Eugene Mopsik  
Michael Petricone  
Casey Rae  
Steven Rosenthal  
Mara Schneider  
Brianna Schofield  
Matthew Schruers  
Lisa Shaftel  
Victoria Scheckler  
Howie Singer  
Kate Viar  
Lisa Willmer  
Nancy Wolff

Library Copyright Alliance  
Association of American Publishers  
Tulane University Law School  
DLA Piper  
Viacom  
Copyright Alliance  
Warner Brothers Entertainment Inc.  
American Photographic Artists  
Consumer Technology Association  
Future of Music Coalition  
McGraw-Hill Education  
Musician  
University of California-Berkeley School of Law  
Computer & Communications Industry Association  
Graphic Artists Guild  
Recording Industry Association of America  
Warner Music Group  
Amazon  
Getty Images  
Digital Media Licensing Association

10:30 – 10:45 AM  

BREAK
Voluntary Measures and Industry Agreements

Voluntary alternatives to and modifications of statutory notice-and-takedown process; best practices; collaborative efforts of content owners, service providers and others to address online infringement, including availability of programs to smaller service providers and creators; cooperation in identifying infringers; graduated response programs to address infringement; efforts to delist or downgrade infringing materials within online search results; participation of third-party providers, such as advertisers and payment processors, in voluntary arrangements; overall effectiveness of voluntary arrangements; educational outreach; government role in encouraging private solutions; and other pertinent issues.

Jonathan Band
Kate Dean
Troy Dow
John Garry
Melvin Gibbs
Terry Hart
Wayne Joesl
Thomas Kennedy
Lee Knife
Jennifer Pariser
Michael Petricone
Janice Pilch
Casey Rae
Mary Rasenberger
Maria Schneider
Victoria Sheckler
Kerry Sheehan
Lui Simpson
Rebecca Tushnet
Nancy Wolff

Library Copyright Alliance
U.S. Internet Service Provider Association
Disney
Pearson Education
Content Creators Coalition
Copyright Alliance
American Society of Composers, Authors and Publishers
American Society of Media Photographers
Digital Media Association
Motion Picture Association of America
Consumer Technology Association
Rutgers University Libraries
Future of Music Coalition
Authors Guild
Musicien
Recording Industry Association of America
Public Knowledge
Association of American Publishers
Organization for Transformative Works
Digital Media Licensing Association

Future of Section 512

General trends, including notice volume and other relevant empirical data; scalability and future viability of section 512 notice-and-takedown system; relevant technological developments; impact of international models and norms; overall balance (or imbalance) of system with respect to copyright owners, service providers, and consumers; whether system is fulfilling Congress’ intended objectives; suggested improvements, including “notice-and-staydown” and enhanced protections against misuse of takedown process; interests of users and the general public; and other pertinent issues.

Matthew Barblan
June Besek
William Buckley
Stephen Carlisle
Alisa Coleman
Sarah Feingold
Kathy Garmezey
John Garry
Jim Halpert
Bruce Joseph
Thomas Kennedy
David Korzenik
Dina LaPolt

Center for the Protection of Intellectual Property
Kernochan Center for Law, Media and the Arts, Columbia Law School
FarePlay, Inc.
Nova Southeastern University
ABKCO Music & Records
Etsy, Inc.
Directors Guild of America
Pearson Education
DLA Piper
Wiley Rein LLP
American Society of Media Photographers
Miller Korzenik Sommers Rayman LLP
LaPolt Law, PC
3:00 – 3:15 PM  BREAK

3:15 – 4:45 PM

Wrap-Up/Open Mic

Panelists from previous sessions and observers may sign up at the roundtable to comment on topics discussed during earlier panels or raise and discuss other pertinent issues.