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**LEGAL**

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**UNITED STATES**

John Pritchard

2008 edition

**LEADING LAWYERS**

Intellectual property  
Copyright: national

**Andrew Bart, Jenner & Block**

'One of the foremost copyright and music litigators in practice'

**William Borchard, Cowan**

*Liebowitz & Latman*

'Brilliant'

**Dale Cendali, O'Melveny & Myers**

'Tenacious, can turn on a dime, and is my favorite pitbull'

**Steven Fabrizio, Jenner & Block**

'The ability and experience to take the practice to another level'

**Katherine Forrest, Cravath,**

*Swaine & Moore*

'Prodigious legal skills... knows the stuff and can take her anywhere'

**Russell Frackman, Mitchell,**

*Silberberg & Knupp*

'No single attorney is involved in as many cutting-edge copyright infringements'

**Robert Garrett, Arnold & Porter**

'Tremendous lawyer... spots all issues and nothing gets past him'

**Kelli Sager, Davis Wright Tremaine**

'The foremost media lawyer in LA... can't speak too highly of her'

**Robert Sherman, Paul, Hastings,**

*Janofsky & Walker*

'We have had enormous success due to the brilliant strategy and intellect of Robert Sherman'

**Barry Slotnick, Loeb & Loeb**

'Unique - a good balance between law and experience'

**Orin Snyder, Gibson, Dunn & Crutcher**

'Able questioner, great on his feet and appropriately aggressive'

**Donald Verrilli, Jenner & Block**

'The best in the business... not only smart and practical, but incredibly responsive'

**Roger Zissu, Fross Zelnick**

*Lehrman & Zissu*

'A great depth of knowledge, and talent for addressing issues and fashioning arguments'

Although the rise of the firm is sometimes attributed to Fabrizio alone, this is in many respects over-simplifying the situation. Donald Verrilli, chair of the telecoms practice, is frequently recognized by clients as *'the best in the business'*. His experience before the Supreme Court and appellate courts sees him appearing with impressive regularity as lead counsel in big trials like Viacom and Atlantic Recording. Clients rave that he is *'not only smart and practical, but incredibly responsive'* and *'wonderful'*.

The third piece of this *'impressive team'* is Thomas Perrelli, co-chair of the entertainment and new media practice, who is noted as a *'very good technical litigator'*. With experience in constitutional litigation and complex litigation, he radiates *'familiarity with the intricacies of recent amendments to the Copyright Act'*.

One of the newer members of the team, Andrew Bart has very quickly made a name for himself as *'one of the foremost copyright and music litigators in practice'*. Extending the firm's depth in more traditional copyright, he is labeled as simply *'wonderful'*.

**LOEB & LOEB**

**PRACTICE:** Enjoying a reputation for being a leader in the entertainment field that attracts client testimonials such as *'terrific'*, Loeb & Loeb could easily fall into the trap of resting on its laurels. However, this is not the case; with offices in entertainment hotspots such as Los Angeles, New York, Chicago and Nashville, the firm is still pulling in an impressive raft of high-profile cases and clients in all subsets of the entertainment world.

One of many strengths is the music field, where the firm represents market leaders EMI, BMI and Peer Music in a case against the Latin American Music Corporation, winning a decision in the First Circuit Court of Appeals declaring that its clients owned 470 copyrighted musical works. The firm also represented Sony ATV Music in the Sixth Circuit Court of Appeals, reversing the determination that Roger Miller Music owned the renewal term copyright in certain works written by Roger Miller.

An extensive music practice is the tip of the iceberg, as the firm regularly represents big media names, recently dealing with a case of false advertising for Comcast. The firm also represents Rainbow Media and successfully

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defended a claim of copyright infringement brought by Frank Quaglia.

The firm's integrated transactional department is also prevalent in and movie industry, with clients true *'reputation in copyright expertise'*. Recent hires include retaining the rights in the Griffith's television show for CBS and the film 'Ice Age' for 20th Century Fox against a copyright claim brought by Silberstein.

However, the firm is not contented in the entertainment and new industry alone and is looking for new infiltrate. In California, the firm has put of effort in building up a reputation in the fashion industry, covering high-end jewelry and design. The firm is general counsel to Roca Wear, the exclusive licensee for Playboy. It also advises

**INTELLECTUAL PROPERTY**  
**Copyright: national**

JENNER & BLOCK

LOEB & LOEB

**Cowan, Liebowitz & Latman**  
**Davis Wright Tremaine**  
**Fross Zelnick Lehrman & Zissu**  
 Mitchell, Silberberg & Knupp

Debevoise & Plimpton  
 Gibson, Dunn & Crutcher  
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 Frankfurt Kurnit Klein & Selz  
 Morrison & Foerster  
 Paul, Hastings, Janofsky & Walker

Cravath, Swaine & Moore  
 Hogan & Hartson  
 Kenyon & Kenyon  
 Reed Smith  
 Ropes & Gray

Religion in negotiations for its international fragrance license.

Showing typical success, the firm has recently picked up new big-name clients in this arena, now representing Donna Karen International in all of its advertising matters. The firm has also become counterfeiting enforcement counsel for True Religion, 7 for All Mankind and Juicy Couture.

The firm combines its knowledge of the entertainment market and fashion, by negotiating and managing exclusive apparel licenses for names such as The Beatles, Jimi Hendrix, Grateful Dead, The Rolling Stones and Hard Rock Café.

The firm is also instructed on litigation and transactional matters by a range of Fortune 500 companies including Anheuser-Busch, Caterpillar, Dell and Motorola, with clients praising the firm's 'good balance between law and business'.

**CLIENTS:** With a client list reading like a who's who in the entertainment industry, music clients include Universal Records, Sony ATV Music, EMI Records and BMG Music Publishing. This is equalled by film and TV-sector clients, such as Columbia Pictures Film Productions, Universal Studios, Johnny Carson's Estate and Paramount Pictures.

**INDIVIDUALS:** Barry Slotnick is held in the highest of esteem by clients and peers alike, with comments describing him as 'simply the best'. As the chair of the IP litigation group, he is a big draw for clients; 'his reputation and experience made me choose the firm', according to one client. Meanwhile, Jonathan Zavin, who has a strong mix of commercial litigation and intellectual property experience, is seen by many as a 'great guy'.

**COWAN, LIEBOWITZ & LATMAN**

**PRACTICE:** With a reputation as 'one in a million', Cowan, Liebowitz & Latman is well respected throughout the IP field, and from its main New York office the firm covers the full spectrum of copyright issues as they arise in various industries. Proficient at dealing with traditional copyright issues and crowned by one client as having 'more intellectual power per office than any other firm', the firm is often recognized as a dominant force in the publishing arena. For example, the firm is representing Penguin Group USA in a termination suit regarding the works of John Steinbeck.

The firm also advises publishing companies on the consequences for copyright properties in relation to M&A, a noticeable highlight being the widely publicized brokerage deal of Hayworth Press by the Taylor Francis Group, the largest transaction of its type undertaken.

It should also be noted that Cowan, Liebowitz & Latman is recognized in less traditional, sometimes unique areas, being labeled by clients as 'intellectually honest' and 'creative'. At the time of writing the firm is representing the George Gerschwin Trust in a suit relating to the division of income from the London production of the Broadway show 'Porgy and Bess'.

One client also praises the firm for its 'good reputation and depth' in representing not-for-profit-organizations and libraries in regards to copyright issues, such as advising Harvard University on internet copyright issues.

Despite its well-documented presence and successes in the litigation field, Cowan, Liebowitz & Latman's advisory skills should not be underestimated; in this area 'they care about their clients in a personal way'. Recent matters include advising Sotheby's on the sale of Martin Luther King Jr Papers, and acting for Sony Pictures on issues regarding James Bond rights.

Despite the firm's many successes, it noticeably lacks the plethora of big-name entertainment clients boasted by other firms of a similar level. This may be related to the firm only being located in New York, with no immediate plans for expansion. Even with this noted weakness, it does not stop existing clients from singing the firm's praises, and hailing it 'the most knowledgeable firm in the copyright area today'.

**CLIENTS:** Publishing clients include Penguin Group USA and Penguin Putnam. The firm also represents Sotheby's, Sony Pictures and Harvard University. The firm is also renowned for its participation with theatrical issues, representing two of New York's major producers.

**INDIVIDUALS:** With the attorneys in the firm collectively labeled by clients as 'the smartest and most intelligent people I have ever worked with', there are no shortage of people who merit a mention.

A well-known figure in the IP field, William Borchard garners respect from clients and col-