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Kernochan Center News - Fall 2021

Kernochan Center for Law, Media and the Arts

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Fall 2021 Update - Kernochan Symposium

NFTs: Future or Fad?

Non-Fungible Tokens (NFTs) are a contemporary point of confusion and controversy. The Kernochan Center Symposium, "NFTs: Future or Fad?" will serve as a guide to this growing, creative, and potentially lucrative, market, and will discuss the role copyright can play in protecting these assets.

[Register](#)

For more detailed information, and CLE readings, please visit the [Symposium's dedicated page](#).

9:00-9:15 *Welcome remarks*

9:15- 9:45 *Keynote – Introduction to NFTs*

[Stuart D. Levi](#), Skadden, Arps, Slate, Meagher & Flom LLP

9:45 – 11:00 *Session I: The Intersection of NFTs and Copyright*

[Brian Frye](#), Spears-Gilbert Associate Professor of Law, Rosenberg College of Law, University of Kentucky

[Andre Guadamuz](#), Senior Lecturer in Intellectual Property Law (Law), School of Law, Politics and Sociology, University of Sussex

[Sean Sullivan](#), Davis Wright Tremaine

[Adrian Perry](#), Covington & Burling LLP

11:15-11:45 *Keynote - NFTs and the Art Market*

[Kevin McCoy](#), Associate Professor of Art and Art Education, NYU

11:45-1:00 *Session II – NFTs and the Art Market*

[Megan Noh](#), Pryor Cashman LLP

[Sarah Odenkirk](#), Cowan, DeBaets, Abrahams & Sheppard LLP

[Yayoi Shionoiri](#), Executive Director for the Chris Burden Estate and the Nancy Rubins Studio

[Register](#)

Information Regarding New York CLE Credits:

Columbia Law School has been certified by the New York State Continuing Legal Education (CLE) Board as an Accredited Provider of CLE programs. Under New York State CLE regulations, this live simultaneous transmission transitional and non-transitional CLE Program will provide 3.5 hours of New York CLE credit in Areas of Professional Practice. This CLE credit is awarded to New York attorneys for full attendance of the Program. Attendance is determined by an attorney's submission of their Attorney Attendance Affirmation forms with appropriate course codes noted. On submission of the Attorney Attendance Affirmations, attorneys also should submit their completed Evaluation Form, provided by the program organizers. Please note the NYS Certificates of Attendance will be sent to the email address as it appears in the register unless otherwise noted there.

Fall 2021 Update - Award Winners

The Kernochan Center congratulates all of the Class of 2021. In this special late-summer edition of our newsletter, we extend special congratulations to the students whose work won awards for their IP scholarship.

The Carroll G. Harper Prize

Timothy Chung is a recipient of the Carroll G. Harper Prize, awarded to one or more members of the graduating class who have attained the highest standards of achievement in intellectual property studies and writing. He came to Columbia to study IP law, fueled largely by his dual interests in the arts and auto racing. While at Columbia, he was the Executive Submissions Editor and an Articles Editor for *The Columbia Journal of Law & the Arts* (through which he published his student note, *Fair Use Quotation Licenses: A Private Sector Solution to DMCA Takedown Abuse on YouTube*, 44 COLUM. J. L. & ARTS 69 (2020)), a research assistant for Prof. Jane Ginsburg, and an extern for Volunteer Lawyers for the Arts and the Copyright Dispute Resolution Externship at Cravath, Swaine & Moore LLP. This fall, following a quick, COVID protocols-compliant trip abroad, he will be joining Norton Rose Fulbright LLP's Disputes practice group in New York City. It is his hope to eventually build a career in IP litigation, but he remains excited and open to see what the future may hold.

Jeremy King is also a recipient of the Carroll G. Harper Prize. He is an incoming Associate in the Intellectual Property department of Hunton Andrews Kurth's New York office, where he will be focusing on Copyright, Trademark, and Trade Secret litigation. Prior to law school, Jeremy was a professional musician, having played guitar for *Summer: The Donna Summer Musical* and *Matilda* on Broadway, as well as designing keyboard, drum pad, and guitar effects sounds for numerous musicals including *Hamilton* and *Dear Evan Hansen*. His interest in IP law began in his hotel room while on tour, when he started taking free courses online to learn how to protect himself in the arts business and came to realize he was more interested in the legal issues involved than in the art itself.

Jeremy's academic focus is on arts-related IP. He has written on the copyrightability of recordings of individual musical notes and their use in derivative works (*Tiny, Tiny Copyright: An Examination of the Copyrightability of Sampler Instruments and its Impact on Derivative Works*, forthcoming in the *Columbia Journal of Law and the Arts*); counseled musicians through Columbia's Practicing the Law of Music externship; and worked on music and film copyright litigation during his 1L summer as a law clerk at Doniger/Burroughs PC. He is currently co-authoring a paper on the right of integrity embodied in the Visual Artists Rights Act, and has also written on the reciprocal Trademark rights in the Pan American Convention. He is also a member of the New York Intellectual Property Law Association committees on Copyright and Trademark, and helped organize their President's Forum on the 9th Circuit's recent decision in *Skidmore v. Led Zeppelin* (952 F.3d 1051 (9th Cir. 2020)) decision.

Jeremy's career goals are to help affect the development of IP law through litigation and scholarship.

Mary Kate Patterson is also a recipient of the Carroll G. Harper Prize. Growing up in Pittsburgh, Pennsylvania, she was devoted to music, learning to play the piano and other instruments. She attended the University of Pennsylvania as an undergraduate, studying Chemistry and Sociology. While at Penn, she was a chemistry research assistant at the University of Pennsylvania Health System, and participated in the College House Music Program and the West Philadelphia Tutoring Project. She entered law school with an interest in IP law, specifically patent law, based on her experience as a chemist, and copyright, based on her experience in music. At Columbia, she joined and coached the American Intellectual Property Law Association (AIPLA) moot court, acted as the Executive Editor for Submissions and Content for Columbia's *Science and Technology Law Review*, and served as a research assistant to Prof. Jane Ginsburg. In the fall, she will start at Cravath, Swaine, and Moore LLP. Her ambitions for the future are to continue to practice IP law, continue playing the piano, and give back to the community.

The Michael D. Remmer Award

Peter Cramer is a recipient of the Michael D. Remer Award, which is awarded annually and presented by the Kernochan Center to a graduating student whose activities and academic achievements demonstrate an interest in and aptitude for the fields of arts and copyright law. Before attending Columbia Law School, he studied film at Wesleyan University and worked in television production and politics. During his time working in Hollywood he became interested in copyright and media law. Cramer applied to CLS specifically because of the Kernochan Center. While in law school, he was co-President of the Entertainment, Art and Sports Law Society (EASLS), a coach for the AIPLA moot court team, and a staffer on the *Columbia Journal of Law and the Arts*. This fall, he will be joining the Technology, Media and Telecommunications Group at Proskauer Rose LLP in New York. It is his professional goal to apply his knowledge and training from CLS and Proskauer to help independent creative professionals and media startups thrive in the digital entertainment marketplace. In his free time, he enjoys skiing, hiking, watching independent films and NBA basketball, and listening to history audiobooks.

Maya Katalan is also a recipient of the Michael D. Remer Award. She graduated from Duke University in 2015. At Columbia Law School, Maya has focused her academic interests on art, media, and copyright law. Her coursework at CLS included Art Law seminars, First Amendment and Media Law courses, and serving as a teaching assistant to Prof. Tim Wu for Copyright Law. She also worked as a research assistant to Prof. Wu, as one of the Kernochan Center's research assistants, and as a legal intern at the Authors Guild. Outside of curricular activities, she was a Co-Chair of the EASLS Symposium, and was on the staff of the *Columbia Journal of Transnational Law*. Maya spent the fall of 2L in the Copyright Dispute Resolution externship at Cravath, Swaine & Moore LLP, assisting on a pro bono copyright litigation concerning appropriation art. The following summer, she was a summer associate at Pryor Cashman LLP, and looks forward to returning there this fall, where she will gain experience working in a variety of areas, including copyright litigation, art, and media & entertainment law.

The Andrew D. Fried Memorial Prize

Alec Fisher is the recipient of the annual Andrew D. Fried Memorial Prize, awarded annually for the best student essay on a subject in the field of intellectual property and related law published in the *Columbia Journal of Law & the Arts* during the preceding year. He is originally from central Florida but has lived in New York City for the past several years. He obtained his B.A. in Theater and Creative Writing at Florida State University before pursuing his J.D. In his third year at Columbia, he served as the Editor-in-Chief for Volume 44 of the *Columbia Journal of Law & the Arts*. Prior to that, he also served on the board of the Columbia Antitrust Law and Economics Association.

His note, [*Unspoken Criticism: Audiovisual Forms of Critique as Fair Use*](#), was published in the Winter 2021 edition of the *Columbia Journal of Law & the Arts*. It argues that the traditional legal framework for analyzing works of criticism as fair use is particularly constraining for works of audiovisual criticism that critique copyrighted works in an unspoken, visual manner. The paper further argues that courts should undertake a film-specific analysis of works of audiovisual criticism, including an analysis of editing, shot selection, and camera movement, when assessing the transformativeness of works of audiovisual criticism under factor one of the fair use test.

Alec will be joining Davis Polk & Wardwell LLP as a litigation associate in the fall. His professional interests include copyright law, trademark law, digital privacy, and antitrust.