

# Clearing Rights for Film and TV

April 25-27, 2024 (excl. travel days), Berlin

## Wednesday, April 24 \_\_\_\_\_ DAY OF ARRIVAL

19:30 \_\_ **Welcome Dinner**

## Thursday, April 25 \_\_\_\_\_ DAY ONE

9:00 \_\_ **Welcome // Introductions and Expectations**  
**Katharina Domnick, LL.M.**, Brehm & v. Moers

9:30 \_\_ **Introduction // How to Structure a Rights Clearance Procedure**  
The introductory presentation gives an overview on the increasing importance of rights clearance. Clearing rights is art, not science. The introduction serves as a roadmap through the seminar and illustrates not only the legal, but also the economic, artistic and strategic issues with regard to rights clearance.  
**Katharina Domnick, LL.M.**, Brehm & v. Moers

11:00 \_\_ **Coffee Break**

11:30 \_\_ **Session on Archive Research and Clearance**  
tbc, tbc

12:45 \_\_ **Lunch Break**

14:00 \_\_ **Case Study: SPY/MASTER**  
**Balazs Zachar**, Proton Cinema

15:30 \_\_ **Coffee Break**

16:00 \_\_ **Clearing Rights – The American Way**  
**Gillian Lusins**

17:30 \_\_ **End of Day One**

19:30 \_\_ **Meeting for Dinner**

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## Friday, April 26 \_\_\_\_\_ DAY TWO

### 9:00 \_\_\_ **Clearing Music Rights**

Clearing music rights is one of the most complex parts of the film production. This presentation will focus on the steps that are necessary to determine which permissions are needed to make use of a composition, to find out who are the owners of the copyright, whom to contact and how to negotiate the license deal. One shortcut for the producer might be to hire a composer to write original music for the film and to clear the rights for the score at source with one contract. Finally, the presentation will address the pitfalls of the so-called Public Domain and Fair Use.

**Kai Florian Furch**, Brehm & v. Moers

### 11:00 \_\_\_ **Coffee Break**

### 11:30 \_\_\_ **Clearing Rights at Zentropa: How Not to Get Sued**

Examples and best practice lessons from Zentropa, one of the leading film production companies in Europe. The session provides hands-on knowledge on how to deal with clearance issues in real life and especially how the balance between theory and real life is handled at Zentropa. Examples include THE KINGDOM EXODUS, ITALIAN FOR BEGINNERS, KLOVN (CLOWN), NYMPHOMANIAC, THE HOUSE THAT JACK BUILT and DEAR WENDY.

**Anders Kjærhauge**, Zentropa

### 13:00 \_\_\_ **Lunch Break**

### 14:00 \_\_\_ **Clearing Personality Rights for Fiction and Non-Fiction**

**Sandhiya Sophie Argent**, Creators Counsel

### 15:30 \_\_\_ **How to Work with AI**

**Kai Florian Furch**, Brehm & v. Moers

### 16:30 \_\_\_ **Coffee Break**

### 16:45 \_\_\_ **Expert Speed-Dating: What You Always Wanted to Know (But Were Afraid to Ask)**

This session gives participants the exclusive chance to discuss their current projects and problems they might be facing with various experts.

**All**

### 18:00 \_\_\_ **End of Day Two**

### 19:30 \_\_\_ **Meeting for Dinner**

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## Saturday, April 27 \_\_\_\_\_ DAY THREE

- 9:00 \_\_\_ **Covering Your Risk – E&O Insurance (Virtual Session)**  
E&O insurance is almost an inevitable purchase when it comes to TV & film production. This session will walk you through what E&O insurance covers and, as importantly, what it doesn't cover. We will explore some cases that have been in the media recently to highlight this. The session will also introduce you to the "Gripping Documentaries" case study which illustrates the necessity of E&O insurance for TV & film production companies. During the session we explore the process of producing a documentary and the complicated and costly legal issues that can arise.  
**Ros Breese**, Tokio Marine HCC
- 10:30 \_\_\_ **Coffee Break**
- 11:00 \_\_\_ **Introduction: Trademarks and Co. in Films: What Can and Can't Be Done**  
The use of trademarks in films is a two-sided issue. One not only has to know under which circumstances approval is necessary for such rights, but it is also important to protect one's own rights in the film, such as the film title or possible phantasy brands etc. The presentation will provide practical guidelines for dealing with trademark issues in films.  
**Katharina Domnick, LL.M.**, Brehm & v. Moers
- 12:15 \_\_\_ **Trademarks and Artwork in Films: The Creative Approach**  
This presentation shows examples from various films such as THE BOURNE SUPREMACY, V FOR VENDETTA, THE GHOSTWRITER, THE MONUMENTS MEN and SNOWDEN as well as from the Netflix-shows BAD BANKS and BERLIN STATION, in which original trademarks couldn't be used and fictitious brands were created instead.  
**Henning Brehm**, design-tourist
- 13:15 \_\_\_ **Lunch Break**
- 14:30 \_\_\_ **Introduction of Case Studies**  
**Katharina Domnick, LL.M.**, Brehm & v. Moers
- 14:45 \_\_\_ **Group Work on Case Studies** (including coffee break)  
**All**
- 16:00 \_\_\_ **Group Work Presentations**  
**All**
- 17:00 \_\_\_ **CLEARING RIGHTS Wrap Session**  
**Katharina Domnick, LL.M.**, Brehm & v. Moers
- 17:15 \_\_\_ **Final Evaluations**
- 17:30 \_\_\_ **End of Workshop**
- 19:30 \_\_\_ **Meeting for Dinner**

## Sunday, April 28 \_\_\_\_\_ DAY OF DEPARTURE