

MODULE CODE:	BMTY7002
TITLE:	Legal and Business Affairs
DATED:	07/12/2016
LEVEL:	7
CREDITS:	20
JACS CODE:	W375

INTRODUCTION

A module providing a detailed analysis of contracts, negotiation points and new business development strategies in the music and entertainment sectors, from a legal perspective. The module analyses current contracts for recording, publishing, management, live event, touring, festivals, new technology, IP licensing and start up business and creates a forum for discussion on strategies for deal brokering, negotiation and conflict resolution. Due to the complexities of this area, the focus of the legal perspective will be on the UK but key areas of international law and national laws in key countries such as the USA will also be covered.

AIM(S)

- To develop a comprehensive understanding of managerial and micro-economics with reference to the economics and financing of creative entertainment.
- To develop the students' practical and professional abilities in applying lean business techniques and methods to the management of creative projects, including a professional level of information and communication technology (ICT) skills including word processing, Excel, PowerPoint and project management tools and techniques.

LEARNING OUTCOMES

Upon the successful completion of this module, the student should be able to demonstrate the ability to:

- critically analyse music industry contracts and contractual terminology and meaning;
- explore and evaluate the legal framework for intellectual property, examining issues and examples in the context of music and entertainment business.

INDICATIVE CONTENT

- Music industry contracts and contractual terms for label, recording, publishing, live event, tours, festivals, IP licensing and new technology IP start up.
- New business development, deal structure and negotiation from a legal perspective.
- The international legal framework of intellectual property and the protection and exploitation of creativity and business in music and entertainment.
- Intellectual Property: strategic approaches in key countries to protecting, exploiting and collecting revenue from IP (managing an IP portfolio, licensing IP, defending and collecting income from IP).

- Legal issues in the creative industries including substantive protection, control, exploitation, creation and proliferation, balance and enforcement. Other areas covered include authors, copyright, directors, internet, overview of trademarks (registered and unregistered), owners, performers, privacy, media, musicians, the control of ideas, and the law of confidence.
- Research and preparation methods for new business development and sales.
- Deal brokerage, negotiation and conflict resolution.
- The impact of new technology on rights and business development within the entertainment industry.

LEARNING AND TEACHING STRATEGY

This module is a blend of lectures, cafe style workshops, group exercises and reflective evaluation of leadership and new business development strategies and methods.

The allocation of teaching to deliver the module is:

Activity type	Hours	Percentage
Scheduled learning	40	20
Independent learning	160	80
Placement learning	0	0
TOTAL	200	100%

ASSESSMENT

Assessment Component 1 - 50%

Essay (2,500 words)

Write an essay on a chosen question on legal definitions, areas of copyright and the nature of intellectual property

Assessment Component 2 – 50%

Case study (2,500 words)

Critically analyse and review a current case study relevant to the Music Industry and reflect on the implications.

Activity type	Percentage
Written exam	0
Coursework	100
Practical	0
TOTAL	100%

EDUCATION FOR SUSTAINABLE DEVELOPMENT (ESD)

Does the module contribute to ESD?	Yes X
	No

If yes please provide brief details (no more than 100 words):

In order for organisations to be long term sustainability they must adhere not only to current relevant legislation but managers need to be aware of trends and possible changes in legislation in the future, especially in an increasingly globalised environment. This module develops the research and analytical skills that are necessary for these processes.

BIBLIOGRAPHY

Essential

Frith, S; Marshall, L (2004) Music and Copyright, Edinburgh University Press; 2nd Revised edition

Spinello, Richard A (2011) Cyberethics: Morality and Law in Cyberspace, Sudbury (Massachusetts): Jones & Bartlett Learning

Further reading

Harrison, A (2004) Music: The Business - 6th Edition: Fully revised and updated, including the latest changes to Copyright law, Virgin Books; 6th Revised edition

Bently, Lionel (2009) Intellectual Property Law, 3rd Ed, Oxford: Oxford University Press

Barnes Reports (2008 to present) Worldwide Music Publishing Industry Report. USA: Barnes Reports

Bonner, Steven, O'Higgins, Eleanor (2010) Music Piracy: ethical perspectives I Management Division (2010), Vol. 48 (9), pp 1341-1354.

Caves, Richard E. (2000) Creative Industries: contracts between art and commerce, London: Harvard University Press

Cummings, Alex Sayf (not stated) Democracy of Sound : Music Piracy and the Remaking of American Copyright in the Twentieth Century, Cary, NC, USA Oxford University Press, USA

Day, Brian (2011) In defense of Copyright: Record Labels, Creativity and the Future of Music in Seton Hall Journal of Sports & Entertainment Law (2011) Vol 201 (1), pp 61-104

Music Publishing Industry (2015) U.S Industry & Market Outlook, USA: Barnes Reports

Samuelson, Pamela (2014) Legally Speaking: A Copyright Challenge to Resales of Digital Music in Association for Computing Machinery. Communications of the ACM (2013), Vol 56 (3), P 24

Journals

Journal of Legal Studies in Business (Business Source Complete)

Journal of Business Ethics (Business Source Complete)

European Journal of Cultural Studies (SAGE Complete)

Journal of Business & Financial Affairs

Popular Music and Society (Academic Search Premier)

Music Trades (Business Source Complete)

Music & Politics (Free E-journals)

Music Business International (ProQuest ABI/INFORM Collection)
Music and Video Industry Profile (Business Source Profile)
Journal of Music Research (Free E-journals)
Music and Arts in Action (Free E-Journals)

.

Websites

Govt Website: <https://www.gov.uk/government/organisations/department-for-business-innovation-skills>
Law Society: <https://www.lawsociety.org.uk/>
Music publishers Association: <http://www.mpaonline.org.uk/FAQ>
PRS: <https://www.prsformusic.com/>