

**THE ASSOCIATION OF MEDIA & ENTERTAINMENT COUNSEL
AND
THE DIGITAL WATERMARKING ASSOCIATION**

PRESENT

**DIGITAL WATERMARKING, FINGERPRINTING, FILTERING AND
OTHER TECHNOLOGY SOLUTIONS TO IDENTIFY, PROTECT AND
MONETIZE CONTENT:
UNDERSTANDING THE BUSINESS, OPERATIONAL AND LEGAL
IMPLICATIONS**

8:30 A.M. Registration

9:00 A.M. Program

May 19, 2009

Hughes Hubbard & Reed LLP

One Battery Park Plaza

New York, New York 10004-1482

**Keynote: Content Protection as a Business Imperative: The Convergence of Legal,
Business, Technology and Policy Issues in the Age of Digital Content Distribution – 20
minutes**

*Speaker: Stanley Pierre-Louis – Vice President & Associate General Counsel, Intellectual
Property and Content Protection, Viacom Inc.*

There is a natural tension in the digital distribution of creative content between rights holders, who seek to maximize their return on investment through controlled exploitation, and consumers, who seek to interact with such content through unencumbered means. This quandary is further complicated by new products and business models built to enable unlimited -- and unlicensed -- consumer uses. How can these tensions be resolved? Some argue that takedown notices and other antipiracy schemes best achieve this balance, while others view digital rights management tools as providing the most efficient solutions. What is clear is that creativity and cooperation among the various stakeholders will be needed to successfully navigate this ever-emerging space. The keynote address will discuss the legal, business, technology and policy issues that arise from the digital distribution of content and will frame the questions to be addressed by the panels that follow.

1) Moderated Panel of Industry Experts: Digital Content Identification and Protection Applications for the Media and Entertainment Industry – 30 minutes

- a. Theatrical/Filmed Entertainment – Digital Cinema, Post Production, AACCS
- b. Television – Audience Measurement, Broadcast Monitoring, Post Production
- c. Music – Pre-Release Watermarking; Filtering during Distribution
- o *Panelists:*
 - *John Utley – VP, Civolution (formerly Philips) and Chairman of DWA*
 - *Tom Miller – VP North America, Thomson STS*

 - *Rajan Samtani – Senior Director, Business Development, Digimarc Corp (MODERATOR)*

In this panel, we will explore how Digital Watermarking applications are currently being used in different media types. We will explore pre-release/Post Production Anti-Piracy success using Watermarking at Studios and Music Labels, along with potential extension/compression to content release windows, such as early release VOD distribution. How are Studios and Labels thinking about new business models based on Content ID and Filtering? What are the deployment issues?

2) Moderated Panel of Industry Experts: Legal, Operational, Business Model and Policy Considerations with the use of Digital Watermarking, Fingerprinting, Filtering and Other Technology Solutions to Protect and Monetize Content – 1 hour

- a. What are the pervasive and emerging trends in content identification, protection and monetization practices, policies and technology?
- b. Why do consumers shun DRM in some instances (lack of interoperability and portability of content) and not care in others (DVD, Conditional Access, etc.)?
- c. Can watermarking (alone, or in conjunction with other digital content protection and identification technology) complement or replace DRM and enable higher consumer acceptance of digital content consumption?
- d. Does it make sense to relinquish some control over how consumers use content if the benefits of digital distribution could be reaped in other ways (i.e., create an emphasis on monetizing content flows, rather than restrict unauthorized uses)?
- e. When is it appropriate to enable content filtering for takedown vs. monetization? What are the potential uses of watermarking vs. fingerprinting?
- f. How can we be reasonably assured that digital content protection and identification technology will deter piracy?
- g. What's the best way for the content ecosystem to deploy digital content protection and identification solutions as alternate technical protection measures? How should industry mandates for using such technologies be implemented in the distribution chain?
- h. Do your agreements with talent allow the forms of distribution that could be monetized through-digital content protection and identification solutions?
- i. Are there policy issues that affect this debate in Washington DC? What about European jurisdictions?
- j. How can potential privacy concerns be addressed?

○ *Panelists:*

- *Bill Rosenblatt – President Giant Steps Media Technology Services,*
- *Matthew Williams – Mitchell Silberberg and Knupp*
- *Pauline Wen – Senior Vice President – Business and Legal Affairs, MTV Networks*
- *Paul Jessop – Principal at County Analytics, Former CTO of RIAA*
- *Jason Kramer – Chief Strategy Officer, Interpret LLC*

- *Dan Schnapp – Partner, Hughes Hubbard & Reed LLP (MODERATOR)*

In this panel, we discuss some of the higher order issues at the intersection of copyright and technology. The notion is to explore the balance between content owner requirements and consumer choice; between strong protection and new monetization models that deter piracy by giving consumers legitimate options. If the goal is to protect, enforce and ultimately to make money from the distribution of content, then what's the best technology to use? And what are the issues to help foster these new business models so that the entire ecosystem can benefit?

The program is complimentary to members of the Association of Media & Entertainment Counsel, the Digital Watermarking Association and friends and clients of Hughes Hubbard & Reed LLP.

This transitional continuing legal education course has been approved in accordance with the requirements of the Continuing Legal Education Board for a maximum of one credit hour (or more depending on the length of the seminar), which can be applied toward the Professional Practice Requirement.

Register at <http://www.theamec.com/content/may-19-2009-new-media-seminar>. Space is limited.