
Certificate in Entertainment Law

Introduction to Entertainment Law

Introduction to Entertainment Law Glossary

A

- Actor Agreement: A legal contract between an actor and a production company outlining the terms and conditions of the actor's involvement in a project, including compensation, billing, and rights to use the actor's image.
- Agent: A person or company authorized to act on behalf of an artist, such as an actor, musician, or writer, in negotiating deals and contracts.
- Arbitration: A method of resolving disputes outside of court where a neutral third party, the arbitrator, makes a decision that is usually binding on the parties involved.
- Assignment: The transfer of rights or interests in a contract or property from one party to another.
- Artist Management Agreement: A contract between an artist and a manager outlining the terms of their professional relationship, including commission rates and responsibilities.
- Artistic Control: The right of an artist to have final say over creative decisions related to their work.

B

- Band Agreement: A legal contract between members of a band outlining the terms of their partnership, including revenue sharing, decision-making, and band dissolution.
- Booking Agent: A person or company responsible for booking live performances for artists and negotiating performance fees.
- Buyout: A one-time payment made to an artist in exchange for the transfer of all rights to their work.

C

- Certificate of Authorship: A legal document that certifies the authorship of a creative work, such as a screenplay or song lyrics.
- Character Licensing: The licensing of fictional characters for use in merchandise, such as toys, clothing, and video games.

- Clearance: The process of obtaining permission to use copyrighted material in a creative work, such as music in a film.
- Collecting Society: An organization that collects and distributes royalties on behalf of artists and copyright owners.
- Composer Agreement: A legal contract between a composer and a production company outlining the terms of the composer's involvement in a project, including compensation, rights, and deadlines.
- Copyright: The exclusive legal right to reproduce, distribute, and display a creative work, such as a song, film, or book.
- Copyright Infringement: The unauthorized use of copyrighted material without permission from the copyright owner.
- Copyright Registration: The process of registering a creative work with the U.S. Copyright Office to establish a public record of ownership.
- Counteroffer: A response to an initial offer that modifies the terms and conditions, creating a new proposal.

D

- Defamation: The communication of false information that harms the reputation of an individual or entity.
- Distribution Agreement: A contract between a content creator and a distributor outlining the terms of distribution, including territories, platforms, and revenue sharing.
- Domain Name Dispute: A legal dispute over the ownership of a domain name, often involving trademark infringement.

E

- Editorial Control: The right of an artist to control the content and presentation of their work, such as a film or television show.
- Endorsement Agreement: A contract between a celebrity and a brand outlining the terms of their endorsement deal, including compensation, exclusivity, and marketing obligations.
- Entertainment Attorney: A lawyer who specializes in legal issues related to the entertainment industry, such as contracts, intellectual property, and licensing.
- Entertainment Law: A branch of law that deals with legal issues related to the entertainment industry, including contracts, copyrights, trademarks, and licensing.

- Exclusive License: The grant of exclusive rights to use a creative work to a single licensee, excluding all others.
- Exclusivity: The state of being exclusive or limited to a single party, such as an exclusive artist agreement.
- Exhibit: A document or item presented as evidence in a legal proceeding.

F

- Fair Use: A legal doctrine that allows limited use of copyrighted material without permission for purposes such as criticism, commentary, news reporting, teaching, and research.
- Film Distribution Agreement: A contract between a filmmaker and a distributor outlining the terms of distribution for a film, including territories, platforms, and revenue sharing.
- Film Financing Agreement: A contract between a filmmaker and investors outlining the terms of financing for a film, including investment amounts, return on investment, and profit sharing.
- Film Production Agreement: A contract between a filmmaker and production company outlining the terms of production, including budget, schedule, and creative control.
- First Look Deal: An agreement between a studio and a producer giving the studio the first opportunity to finance or distribute the producer's projects.
- Force Majeure: A clause in a contract that excuses performance due to unforeseen circumstances, such as natural disasters or government actions.
- Freelancer Agreement: A contract between a freelancer and a client outlining the terms of their working relationship, including services, compensation, and deadlines.
- Franchise Agreement: A contract between a franchisor and a franchisee outlining the terms of their partnership, including fees, territory, and obligations.

G

- General Release: A legal document releasing a party from liability for certain claims, often used in the entertainment industry for talent releases.
- Grant of Rights: The transfer of rights to use a creative work from one party to another, often outlined in a contract.
- Guest Appearance Agreement: A contract between a production company and a guest performer outlining the terms of their appearance in a project, including compensation, billing, and rights.

H

- Headshot Agreement: A contract between a photographer and a talent outlining the terms of a headshot photo shoot, including session fees, usage rights, and deliverables.
- Hold Harmless Agreement: A legal document in which one party agrees not to hold another party liable for certain claims or damages.
- Hollywood Accounting: A controversial accounting practice used in the entertainment industry to minimize profits and avoid paying royalties to talent.

I

- Indemnification: The obligation of one party to compensate another party for losses or damages, often outlined in a contract.
- Independent Contractor Agreement: A contract between a company and an independent contractor outlining the terms of their working relationship, including services, compensation, and responsibilities.
- Intellectual Property: Creations of the mind, such as inventions, literary and artistic works, designs, symbols, names, and images used in commerce.
- Interim Agreement: A temporary agreement between parties to outline terms while a more comprehensive agreement is being negotiated.
- Internet Rights: The rights to distribute, display, or perform a creative work online, often outlined in licensing agreements.
- Investor Agreement: A contract between an investor and a filmmaker outlining the terms of investment in a film project, including equity, returns, and risk.

J

- Joint Venture Agreement: A contract between two or more parties to collaborate on a specific project or business venture, outlining the terms of their partnership, including investment, profits, and control.

K

- Key Man Clause: A provision in a contract that specifies the importance of a key individual to the agreement, often triggering a renegotiation if that individual leaves the project.

L

- Licensing Agreement: A contract between a copyright owner and a licensee outlining the terms of using the copyrighted material, including fees, territory, and duration.
- Likeness Release: A legal document granting permission to use an individual's likeness, such as their image

or voice, in a creative work.

- Litigation: The process of taking legal action through the court system to resolve a dispute or enforce legal rights.
- Loan-Out Corporation: A legal entity used by entertainment industry professionals, such as actors or directors, to provide their services through a corporation for tax and liability purposes.
- Location Agreement: A contract between a production company and a location owner outlining the terms of using the location for filming, including fees, insurance, and rules.
- Lyricist Agreement: A contract between a lyricist and a music producer outlining the terms of their collaboration, including credits, royalties, and ownership.

M

- Master Use License: A license granted by the copyright owner of a sound recording to use the recording in another work, such as a film or television show.
- Merchandising Agreement: A contract between a content creator and a merchandiser outlining the terms of licensing the creator's intellectual property for use on merchandise.
- Music Publishing Agreement: A contract between a songwriter and a music publisher outlining the terms of publishing and exploiting the songwriter's music.
- Music Supervisor: A person responsible for selecting and licensing music for use in films, television shows, commercials, and other media.

N

- Name and Likeness Rights: The rights of an individual to control the use of their name, image, voice, and other personal attributes for commercial purposes.
- Non-Disclosure Agreement (NDA): A legal contract between parties outlining the terms of confidentiality and non-disclosure of sensitive information.
- Non-Exclusive License: A license that allows multiple licensees to use a creative work, often with limited restrictions.
- Non-Compete Agreement: A contract in which one party agrees not to compete with another party in a specific industry or geographic area for a certain period.
- Notice and Takedown: A process for copyright owners to request the removal of infringing content from online platforms under the Digital Millennium Copyright Act (DMCA).

O

- Option Agreement: A contract between a producer and a rights holder granting the producer the exclusive right to purchase the rights to a creative work within a specified time frame.
- Original Work of Authorship: A creative work that is independently created by an author and possesses a minimal degree of creativity, such as a screenplay, song, or painting.

P

- Pay-or-Play Agreement: A contract in which a producer agrees to pay an artist a specified amount even if the artist's services are not used.
- Pennies Clause: A provision in a contract that entitles an artist to receive royalties based on a percentage of revenue rather than a fixed fee.
- Performance Rights Organization (PRO): An organization that collects and distributes royalties to songwriters and publishers for public performances of their music.
- Personal Services Agreement: A contract between an artist and a production company outlining the terms of the artist's services, including compensation, exclusivity, and responsibilities.
- Producer Agreement: A contract between a producer and a production company outlining the terms of the producer's involvement in a project, including credits, compensation, and creative control.
- Production Company: A company responsible for producing films, television shows, or other entertainment content.
- Public Domain: Creative works that are not protected by copyright and are available for public use without permission.

Q

- Quitclaim Agreement: A legal document transferring one party's interest in a property or right to another party without making any warranties or representations about the transfer.

R

- Recording Contract: A contract between a recording artist and a record label outlining the terms of their relationship, including album releases, royalties, and promotion.
- Release: A legal document in which one party agrees to release another party from liability for certain claims or damages.
- Remake Rights: The rights to create a new version of a film or television show based on the original work.

- Representation Agreement: A contract between an artist and an agent outlining the terms of their professional relationship, including commissions, exclusivity, and obligations.
- Right of Publicity: The right of an individual to control the commercial use of their name, image, likeness, and persona.
- Rights Acquisition: The process of acquiring rights to use copyrighted material in a creative work, such as music in a film.

S

- Screenwriter Agreement: A contract between a screenwriter and a production company outlining the terms of the screenwriter's involvement in a project, including compensation, credits, and revisions.
- Sequels and Spin-Offs: Follow-up films or television shows based on an original work, often requiring separate rights agreements.
- Settlement Agreement: A legal contract between parties resolving a dispute without going to trial, often involving financial compensation or other remedies.
- Signature Authority: The legal authority to sign contracts or other legal documents on behalf of a company or individual.
- Sound Recording Agreement: A contract between a recording artist and a record label outlining the terms of recording and releasing music, including royalties, albums, and promotion.
- Spec Script: A screenplay written without a contract or commission, often used to showcase a writer's talent and creativity.
- Statute of Limitations: The time limit within which legal action must be taken for a specific claim or offense.
- Submission Release: A legal document granting permission for an individual or company to review and consider unsolicited creative material, such as a script or demo.
- Synchronization License: A license granted by the copyright owner of a musical work to synchronize the music with visual media, such as film or television.

T

- Talent Agent: An individual or company that represents artists, such as actors, musicians, and writers, in negotiating deals and contracts.
- Talent Release: A legal document granting permission to use an individual's name, image, voice, or

performance in a creative work.

- Term Sheet: A non-binding document outlining the key terms of a potential agreement, often used as a basis for negotiating a formal contract.
- Trademark: A word, phrase, symbol, or design that identifies and distinguishes the source of goods or services, protected under intellectual property law.
- Trademark Infringement: The unauthorized use of a trademark that is likely to cause confusion, deception, or mistake about the source of goods or services.
- Trade Secret: Confidential information that provides a business with a competitive advantage and is protected under trade secret law.

U

- Union Agreement: A contract between a production company and a labor union outlining the terms of employment for unionized workers, including wages, hours, and working conditions.
- Usage Rights: The rights granted to use a creative work in a specific manner or for a specific purpose, often outlined in a licensing agreement.
- Utility Model: A form of intellectual property protection that grants exclusive rights to an invention for a limited time, similar to a patent.

V

- Venue Agreement: A contract between a production company and a venue owner outlining the terms of using the venue for an event, such as a concert or film shoot.
- Videogame License: The licensing of intellectual property, such as characters, storylines, or music, for use in a video game.
- Voiceover Agreement: A contract between a voice actor and a production company outlining the terms of the actor's performance in a project, including compensation, usage rights, and revisions.

W

- Warranty: A promise or guarantee made by one party to another in a contract regarding the truthfulness of certain statements or the quality of goods or services.
- Work Made for Hire: A legal concept in copyright law where the employer, not the employee, is considered the author and owner of a work created within the scope of employment.

X

- X-Rated: A content rating indicating that a film or other media is intended for adult audiences only, often due to explicit sexual content.

Y

- Yellow Sheet: A document provided by a talent agency to a production company outlining the terms and conditions of hiring a particular actor for a project.

Z

- Zoning Laws: Local regulations that control the use of land and buildings in specific areas, often affecting the location of entertainment venues and production facilities.