

For Immediate Release

Kaye Scholer's Rhonda Trotter Helps Prince Gain Back Rights to Recordings

Los Angeles (April 19, 2014): Partner Rhonda Trotter, Co-Head of Kaye Scholer's Trademark, Copyright & False Advertising Practice, helped put an end to rock icon Prince's 20-year battle with Warner Brothers Records this week, when she secured the musician's ownership of his master recordings. Under the terms of a new global partnership which she helped negotiate on Prince's behalf, Warner Brothers granted back all of Prince's rights in his recorded music catalogue, which includes best-selling albums such as *Dirty Mind*, *Controversy*, *1999* and *Purple Rain*. In exchange, Prince allows Warner Brothers licensing rights to digitally remaster and reissue the albums he produced from 1978-1990.

Called a "landmark deal" by *Billboard*, this is one of the few times that an artist has obtained back copyright rights to his master recordings in recent memory, and was reached in the midst of much discussion about the extent to which recording artists will succeed in using the termination provisions of the Copyright Act of 1976. Those provisions allow recording artists to terminate their copyright grants to record companies after 35 years, however, record companies have hinted they may challenge those terminations on various grounds, including that the recordings were purportedly "works for hire" and therefore not eligible for termination under the Act.

The deal comes just a few months before the 30th anniversary of Prince's *Purple Rain* album and motion picture. *Purple Rain* went platinum thirteen times, and in 2008, *Entertainment Weekly* crowned it the number one album issued in the last 25 years. In 2012, the Library of Congress added *Purple Rain* to its National Recording Registry list of sound recordings that "are culturally, historically, or aesthetically important, and/or inform or reflect life in the United States."

Representing music industry clients in copyright matters is nothing new for Trotter. In 2012, Trotter served as lead counsel on behalf of independent record distributor Central South Distribution, Inc., in breach of contract and copyright infringement action concerning recordings that pop singer Adam Lambert worked prior to appearing on *American Idol* in *Burtscher, et al. v. Moore, et al.* (C.D. Cal.).

In 2003, she served as co-trial counsel in *TVT Records v. The Island Def Jam Music Group* (S.D.N.Y.), a lawsuit filed by an independent record label against a media conglomerate involving claims of fraud, willful copyright infringement, tortious interference with contract and breach of contract. A federal jury returned a verdict subsequently listed by *The National Law Journal* as number 17 on its list of the "Top 100 Verdicts of 2003."

Trotter is regularly recognized as a leading IP attorney, most recently in Best Lawyers in America for trademark law, as well as in *Managing IP's* IP Star-s Top 250 Women In IP 2013 and by *World Trademark Review 1000* 2014 in which clients describe her as an "excellent trial lawyer" with "a real knack for communicating complicated concepts to a judge or jury." She was also named to the *Los Angeles*



Business Journal's "Angelenos to Know in Intellectual Property Law" list in 2012—one of 40 Los Angeles County lawyers to be selected for their outstanding achievements in the field.

A graduate of Stanford University, Trotter received her JD from the University of California at Berkeley (Boalt Hall), where she was Senior Articles Editor of the *California Law Review*, winner of the McBaine Moot Court Honors Program, and recipient of the Stephen Finney Jamison Award for outstanding scholarship and advocacy. She currently serves as Office Managing Partner of Kaye Scholer's Los Angeles office.

Kaye Scholer's Intellectual Property Department focuses on resolving disputes, both in and out of the courtroom. With an emphasis on patent litigation, we combine sophisticated scientific, technical and business knowledge with extensive courtroom experience. We also represent clients in high-stakes trademark, false advertising, and copyright litigation and advise companies on trade secrets protection, as well as hearings before the PTO. Finally, we advise on technology and outsourcing issues, as well as litigation and public policy issues related to cybersecurity and data privacy working in conjunction with Kaye Scholer's transactional practices and our Global Cybersecurity & Privacy Group.

About Kaye Scholer LLP

Founded in New York in 1917, Kaye Scholer combines the continuity and business acumen of a century-old law firm with a forward-looking, tech savvy, results-driven approach focused around lasting client relationships. With industry strengths in life sciences, financial services, technology, real estate and energy & infrastructure, Kaye Scholer offers strategic guidance and legal services to public and private entities facing litigation, transactional or governance challenges. Kaye Scholer's lawyers regularly advise on matters across multiple legal jurisdictions, including in the US, Canada, UK, EU, China and Japan.

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