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PRACTICE GUIDE · ENTERTAINMENT & TALENT

Practice Pointers

Grand Park Law Group · 2026



1. **For managers and management companies:** maintain meticulous records distinguishing "career counseling" from "procurement." When a job opportunity arises, route the negotiation through a licensed agent of record. A single procurement act can taint the entire commission stream.

2. **For talent contracts:** negotiate § 925 representations, avoid "deemed" forum/choice-of-law language without § 925(e) compliance, preserve termination rights by avoiding unnecessary work-for-hire characterizations, and demand audit rights with cost-shifting at a defined error threshold.

3. **For right-of-publicity clearance:** when in doubt, clear. Statutory damages plus mandatory fees make § 3344 a high-leverage cause of action. The transformative-use defense is fact-intensive and rarely a basis for confident pre-publication clearance.

4. **For copyright termination planning:** mark the calendar. The notice window opens twenty-five years after the grant (i.e., ten years before the earliest termination effective date) and closes thirty-three years after (i.e., two years before the latest termination effective date). Recordation with the Copyright Office is jurisdictional.

5. **For studio/label/platform clients:** assume California law and California forum apply to California-resident creators absent counsel-represented § 925(e) compliance. Build chain-of-title diligence into M&A workflows; the *Davis v. Blige* and *Gardner v. Nike* lines mean that a defective chain cannot be retroactively cured.

6. **For AI-replica contracting:** layer consents (training, output, posthumous), incorporate guild standards even for non-union projects, and treat post-mortem rights as a distinct, separately transferable asset.

Practice Entertainment & Talent

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