OBER | KALER
Attorneys at Law

www.ober.com

Principal
johnson@ober.com
410.347.7388
443.263.7588 fax

Bar Admissions
Maryland

Court Admissions
Court of Appeals of Maryland

United States District Court for the District of Maryland

Education
Georgetown University Law Center (J.D., *cum laude*, 1988)

- First Prize, Georgetown University 1987 Nathan Burkan Competition (Copyright)
- *Journal of Law & Technology*

University of Maryland (B.A., *summa cum laude*, 1985)

E. SCOTT JOHNSON

Experience

E. Scott Johnson chairs Ober|Kaler's Intellectual Property Group. Scott's diverse law practice includes licensing, trademark, copyright, technology, Internet, entertainment, arts and media law matters. He counsels individuals, companies, nonprofit organizations and educational institutions on a wide range of intellectual property matters.

Scott reviews and prepares Internet-related agreements and evaluates trade practices, including legal aspects of advertising and Internet marketing. His work in the IT and in other technology fields includes legal aspects of joint ventures, software development and licensing, research and development and sponsored research agreements.

For clients in the entertainment and media fields, Scott handles the preparation and negotiation of film and television production and co-production agreements, recording contracts, personal management agreements, music publishing agreements, production agreements, video/film synchronization licenses, book publishing contracts, public art commissions and rights clearances, fair use and new media issues.

Scott is the recipient of numerous accolades from national and local legal and business publications for his work in the field of intellectual property law. He also takes a lead role in numerous community organizations dedicated to film, music and the arts and is past chair of the Maryland State Arts Council. Since 1985, he has been a voting member of the National Academy of Recording Arts and Sciences' Producers and Musicians Wings. He is co-author of Ober|Kaler's blog on intellectual property issues, www.OberIPWatch.com.

Professional Memberships

- American Bar Association
  - Section on Intellectual Property Law
  - Forum Committee on Entertainment and Sports Industries
- Copyright Society of the U.S.A.
- Maryland State Bar Association
  - Section on Intellectual Property
- National Academy of Recording Arts and Sciences
  - Voting Member, Producers and Musicians Wings, 1985-present

Community Service

- 9/11 of Maryland Memorial Advisory Committee, 2011
  - Event Committee Chair
- CityLit Project, Inc.
  - Board Member 2004-2008

    - Board Chair 2005-2007
- Creative Alliance
    - Board Member, 2004-2008
- Maryland Film Industry Coalition
    - Chair, 2008-2009; 2010-current
    - Board of Directors, 2008-present
- Maryland Volunteer Lawyers for the Arts
    - Board of Directors, 1989-2008
    - President, 1990-1998; 2005-2007
- Maryland State Arts Council, Councilor
    - Chair, 2008-2010
    - Secretary/Treasurer, 2006-2008
    - Reappointed by Governor Martin O'Malley, 2007-2010
    - Appointed by Governor Robert L. Ehrlich, 2004-2007
- Mid-Atlantic Arts Foundation, Inc.
    - President, 2003-2007
    - Vice President, 2001-2003
    - Board Member, 1997-2007; 2009-present
- Washington Area Music Association
    - Advisory Board 2007-present
    - Board Member, 1993-2007
- Young Audiences of Maryland, Inc.
    - Past President, 1994-1997
    - Board Member, 1991-2004

Honoraries

- Recipient, Golden Formstone Award, Creative Alliance, 2012
- Recipient, Sue Hess Maryland Arts Advocate Award, 2011
- Listed in *Maryland Super Lawyers,* Intellectual Property, 2007-2010, 2012-2013
- Recipient, Nina Woods Collier Arts Champion Award, 2006
- Listed since 2005 in *Who's Who Legal: USA-Trademarks* (Law Business Research Limited)
- Listed since 2003 in *The Best Lawyers in America,* Copyright Law, Entertainment Law, Entertainment Law - Motion Pictures & Television, Entertainment Law - Music and Trademark Law Categories; named *Best Lawyers'* Baltimore Entertainment Law - Music "Lawyer of the Year," (Woodward/White, Inc.), 2013
- Listed as one of Baltimore's top attorneys, *Baltimore Magazine,* 2003
- Listed in "Who's Who in Intellectual Property Law," *Baltimore Business Journal,* 2000
- Listed in 115 Best Lawyers, *Baltimore Magazine,* 1995
- AV-rated, Martindale-Hubbell

Publications & Presentations

- Presenter, "How to Read a Record Contract," Maryland Volunteer Lawyers for the Arts, Baltimore City Bar Young Lawyers Division, Maryland State Bar Association Entertainment, Art and Sports Law Division, 2012
- Presenter, "Legal Issues for Filmmakers," Maryland Lawyers for the Arts and Creative Alliance, 2011
- Presenter, "Conference on Creativity & Law," Maryland Lawyers for the Arts and the American Visionary Art Museum, 2010
- Author, "Avoiding Joint Pain: Treatment of Joint Works of Authorship Conditions,"

Maryland Bar Journal, Maryland State Bar Association, 2010

- Presenter, "Legal Issues for Religion Communicators," Religion Communicators Council, Greater Chesapeake/Baltimore Chapter, 2008
- Presenter, "Understanding Music Performance Rights & Royalties." MICPEL, 2007
- Author, "Podcasting — It's Not All Talk," *The Computer & Internet Lawyer,* 2007; *Maryland Bar Journal,* 2007
- Co-author with Jonathan M. Holda, "IP and the Video Game Developer," *Bar Bulletin,* Maryland State Bar Association, 2007
- Chapter Author, "International Copyright," *The Musician's Business & Legal Guide,* Third and Fourth Editions, Prentice Hall, 2001, 2007
- Co-presenter, "Intellectual Property Audit," Asian Pacific Bar Association, 2007
- Presenter, "Acquiring Music Rights for Film and Video Production," Women in Film & Video, 2007
- Presenter, "Intellectual Property for Nonprofit Organizations," American Society of Association Executives Annual Association Law Symposium, 2006
- Presenter, "Legal Issues in the Performing Arts," Performing Arts Exchange, 2006
- Presenter, "Make the Most of Your Intellectual Property," Maryland Association of Nonprofit Organizations, 2006
- Presenter, "Protecting Celebrity: Licensing Name, Image and Likeness," MICPEL, 2005
- Author, "You Can't Always Get What You Want (But Get What You Need)," *Bar Bulletin,* Maryland State Bar Association, 2004
- Presenter, "Intellectual Property Lines in Acquisition and Research Projects," Mid Atlantic Folklorist's Retreat, 2004
- Chapter Author, "Intellectual Property: Trademarks and Copyrights," published in Ober|Kaler's *The Nonprofit Legal Landscape* by BoardSource, 2004
- Author, "Long and Winding Road: Music Royalties," *Maryland Bar Journal,* 2004
- Author, "Ravens Win, Legg Mason Loses – Copyright Awards Shock and Awe," *The Daily Record,* 2003
- Author, "Health Care Trademarks: Protecting Valuable Assets," *Caring Magazine,* 2002
- Author, "The ®duous Task of Protecting Trademarks," *ABA Banking Journal,* 2002
- Co-author, "Technology Agreements HIPAA Negotiation Points for Software Licenses," *RBMA Bulletin,* 2002
- Presenter, "Copyright Historian and Archivists," Oral History Association Annual Conference, 2001
- Author, "Banking Industry Trademarks – Protecting Valuable Assets," *Bankers Digest,* 2001
- Author, "Law Gives Copyrights New Life," *The National Law Journal,* 1999
- Co-author, "Maryland's New Name Game Easier to Lose," *The Daily Record,* 1999
- Presenter, "Intellectual Property in Digital Media," Sigcat Conference, 1998
- Author, "Sonny Saves Mickey: 20 Year Moratorium on New Public Domain Works," *The Daily Record,* 1998
- Author, "Sweeping Changes Propel U.S. Copyright Law Into Digital Era," *The Daily Record,* 1998
- Author, "Storecasting and the Copyright Law: Understanding the §110(5) Exemption for Small Commercial Establishments," National Association of Broadcasters, 1996
- Editor-in-Chief, *Public Domain Report, Public Domain Music Bible, Volumes I and II,* Public Domain Research Corporation, 1992-1999
- Author, "'Biz Markie' Decision Will Spur More Copyright Litigation," The Daily Record, 1992

- Author, "New Trademark Act Allows Intent to Use Applications," *The Daily Record,* 1990
- Author, "Protecting Distinctive Sounds: The Challenge of Digital Sampling," *Journal of Law & Technology,* 1987; republished in *Entertainment, Publishing and the Arts Handbook,* 1988 (Clark Boardman)
- Author, "Considering the Source: Broadcasters Fight on After Buffalo Broadcasting," *University of Miami Entertainment & Sports Law Review,* 1988
- Author, Special Project, "Annotated Bibliography: Biotechnology and the Law," *Journal of Law & Technology,* 1988