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Music Litigation

Pryor Cashman's litigators are recognized for their experience representing clients in business, commercial, intellectual property and accounting disputes related to the music industry. The firm has won major cases that have resulted in landmark decisions in the field.

We regularly address issues pertaining to the ownership of sound recordings and musical compositions and the right to exploit them as well as the compensation to be paid in connection with new and developing uses for those properties. We also have significant experience representing owners of sound recordings and musical compositions in royalty accounting disputes as a general matter and also as a result of the exploitation of those properties through newly developed technologies and media.

In addition to guiding our clients through music-related litigation, we are often called upon to counsel and provide analysis for clients seeking to avoid litigation or limit related business risks. Our clients include:

- Catalogue owners
- Composers
- Motion picture studios, filmmakers and other users of music
- Music publishers
- Producers
- Recording artists
- Recording companies, both major and independent

Some of our recent successes in music litigation include:

- Obtained dismissal of a case brought against major record companies, a major music publishing company and others claiming producer royalties on an album by a major artist
- Obtained reversal in the N.Y. Court of Appeals of a lower court ruling against a record producer on royalty claims made by a 1960's vocal group. In a precedent-setting opinion, the Court adopted the arguments made by our firm that a party obtaining ownership of a property through a contract has the absolute and unrestricted right to use that property in any way it chooses, subject only to express contractual limitations on such use, and that a party is only entitled to compensation for uses of property for which an agreement expressly provides compensation
- Successfully represented an internationally known hip hop artist in litigation brought by a promoter who claimed that a booking agent, without the artist's knowledge or consent, had the actual or apparent authority to bind that artist to appear and perform at a concert

- Representing music publishing companies in defense and settlement of a class action lawsuit arising out of the terms of the defendants' prior settlement with MP3.com of their copyright infringement claims based on the MP3.com service
- Secured a jury verdict in California rejecting plaintiffs' claims of fraud in the payment of royalties and their claim of ownership of the renewal copyrights in a catalogue of musical compositions