



Alan R. Friedman

Partner

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With more than 30 years of experience, Alan represents clients in the entertainment industry in complex contract matters that often raise issues of industry custom and practice, copyright and trademark disputes, and participation/royalty claims.

In addition to litigating these and other matters for his clients, Alan provides pre-litigation counseling and representation aimed at avoiding litigation or best positioning his clients to litigate aggressively if the matter is not resolved.

Alan regularly handles matters in state and federal courts in New York, California and other jurisdictions and before JAMS, AAA, IFTA, MPAA and other arbitration panels. His clients include motion picture and television production companies and distributors, music companies, C-Level executives and creative talent including writers and directors. He regularly provides advice on disputes involving:

- Copyright infringement
- Trademark infringement
- Breach of contract matters
- Participation and royalty accountings
- Pre-release review of scripts, film clips and marketing materials
- Right of publicity/privacy Issues
- Defamation
- Unfair competition

In addition to serving for most of his career as outside litigation counsel, Alan served as general counsel of Miramax Film Corp. from 1999 through 2005, when the company's founders separated from the company. Through this experience, Alan provides his clients with a perspective that includes his assessment of the underlying legal issues and internal business issues that their disputes raise. He also provides his clients with the benefit of his specialized industry knowledge of the film production/distribution business and its customs and practices. Film, television and music properties that have been the subject of lawsuits and arbitrations Alan has handled include "Shakespeare in Love," "Django Unchained," "Bad Santa," "Scream," "The Biggest Loser," and "We Didn't Start the Fire." In addition to litigating matters for his clients, Alan has successfully disposed of numerous commercial and intellectual property claims asserted against his clients without litigation.

Beyond his entertainment law practice, Alan has represented clients in complex commercial litigation, including claims involving contract, fraud, fiduciary duty, federal securities law claims and other disputes for plaintiffs and defendants in state and federal courts and in arbitrations from their inception through their final appellate stages. Additionally, Alan has

represented individuals and companies in Securities and Exchange Commission (SEC) and Department of Justice (DOJ) regulatory investigations.

Services

- Entertainment & Sports Law
- Litigation
- Intellectual Property
- Media & Defamation
- Antitrust
- Bankruptcy Litigation
- Copyrights

Representative Matters

- Successfully obtained “with prejudice” dismissal of trademark challenge to client’s title of four-episode documentary about UFOs under Rule 12(b)(6) based upon argument that First Amendment protected use of the selected title even though it was identical to claimant’s registered trademark. *UFO Magazine, Inc. v. Showtime Networks Inc.*, 2022 WL 16644914 (D. Wyo. Nov. 3, 2022).
- Won summary judgment dismissal of complaint, including dismissal of claims that client’s documentary infringed claimants’ registered copyrighted works and their registered trademarks based, in part, on lack of substantial similarity and protected “fair use” under 17 U.S.C. § 107. *Monbo et al. v. Nathan, et al*, 2022 WL 4591905 (E.D.N.Y. Aug. 26, 2022).

Before Fox Rothschild

Prior to joining Fox, Alan was a partner at a major international law firm. He also previously served as Executive Vice President and General Counsel of Miramax Film Corp.

Beyond Fox Rothschild

A frequently sought-after media source for current entertainment matters, Alan serves on the board of editors for the *Entertainment Law & Finance* newsletter. He also regularly provides continuing legal education (CLE) instruction in trial practice and discovery techniques and lectures on subjects involving copyright, legal ethics and entertainment law issues.

Bar Admissions

- New York
- California

Education

- Georgetown University Law Center (J.D., *cum laude*)
 - Editor, Georgetown Law Journal
- University of Pennsylvania (B.A., *cum laude*)

Memberships

- Entertainment Law & Finance, Board of Editors

Honors & Awards

- “Recognized Practitioner” for Media & Entertainment: Copyright & Contract Disputes in New York by *Chambers USA* (2015)
- Selected to the list of “Super Lawyers” for Entertainment & Sports in New York (2006-2012, 2014-2019, 2022-2023)
- Selected to the “Best Lawyers in America” list for Entertainment Law – Motion Pictures and Television in New York, NY by *Best Lawyers* (2011-2023)
- Martindale-Hubbell “AV Preeminent” rated