

# UCLA ENTERTAINMENT LAW REVIEW

---

Volume 6

Issue 2

Spring 1999

---

## ARTICLE

### **Copyright, Digitization of Images, and Art Museums: Cyberspace and Other New Frontiers**

*Sharon Appel* . . . . .149

The information technologies revolution has provided great challenges for the law of copyright. At the forefront of recent copyright debate is the question of whether technology has rendered copyright obsolete. Institutions like museums are dependant on a clear enunciation of copyright laws in order to avoid liability for infringement in their educational and marketing endeavors. The author provides a detailed history of copyright law, culminating in an examination of the most recent legislation on the subject. The author then examines the role of art museums in our society, and how they are affected by the growing body of complex copyright legislation. The author concludes that art museums must become vigorous advocates for their interests in the copyright debate to protect their interests, their patrons' interests, and the interests of art lovers everywhere.

COMMENTS

**Empowering the Audience: Television’s Role in the Diminishing Respect for the American Judicial System**

*Kelly L. Cripe* ..... 235

The American judicial system is facing a crisis. Its most visible body, the jury empanelled for high-profile criminal cases, is the focus of exponentially increasing scrutiny and, unfortunately, the American people usually strongly disagree with the verdict that is rendered in such cases. This comment theorizes that the jury has been placed in this position because television coverage of the trial mistakenly leads the public to think that it is receiving all the information that is necessary to pronounce its own, equally valid verdict. Furthermore, this misguided belief is not contradicted by any explanation of the jury’s reasoning. The vulnerable position that the jury currently find itself could be mitigated by either limiting the coverage of the trial or expanding the coverage of the deliberations. The author concludes that both of these possess potentially fatal flaws and that a more moderate, workable solution would be to allow the jury to craft and disseminate an ‘opinion’ explaining the rationale for its decision.

**Meet the Television of Tomorrow. Don’t Expect to Own it Anytime Soon.**

*Julie Macedo* ..... 283

In the coming years, the face of home entertainment as we know it will be permanently altered by digital television. In this article, the author describes the technology as well as the politics involved in this "digital revolution." The government has helped to direct this burgeoning technology, and has also attempted to set a definite timetable for the conversion to digital. The interplay between various interests groups and especially the lack of consumer involvement may prove to be a significant obstacle to this timetable. This article furnishes the reader with an overview of the relevant issues and the possible controversies that may delay the conversion to digital television.

# **Three Brave Men: An Examination of Three Attorneys Who Represented the Hollywood Nineteen in the House Un-American Activities Committee Hearings in 1947 and the Consequences They Faced**

*Erica Bose* ..... 321

This comment focuses on three attorneys, Ben Margolis, Robert Kenny, and Barley Crum, who represented “Blacklisted” Hollywood artists in the hearings before the House Un-American Activities Committee. The comment examines each attorney’s background and helps illustrate how that affected the attorney’s choice of legal and political strategy. The comment concludes with a discussion of the consequences that each attorney faced as a result of their representation.

# UCLA ENTERTAINMENT LAW REVIEW

---

Volume 6

Issue 2

Spring 1999

---

## EDITORIAL BOARD

### *Editors-in-Chief*

KELLY L. CRIPE  
CRAIG S. RUTENBERG

### *Executive Editors*

DANIEL S. LURIE  
JUSTIN S. SIMONS

### *Chief Comments Editor*

PAUL SWANSON

### *Chief Managing Editor*

JOSEPH GEISMAN

### *Chief Articles Editor*

DEREK KROEGER

### *Comments Editors*

ANNETTE KAZMERSKI  
BRETT KITEI  
DANIEL WEINROT  
DAVID YEREMIAN

### *Managing Editor*

RICHARD ANTHONY

### *Articles Editors*

PAUL B. DERBY  
DAVID GROSSMAN  
JULIE MACEDO  
JENNIFER MCGRATH

### *Submissions Editor*

CHRIS CASAMASSIMA

### *Business Editor*

ANNETTE KAZMERSKI

### *Symposium Editor*

SABRINA YOUDIM

## STAFF

KAREN AGAM  
ELIZABETH ANDERSEN  
BRIAN BARK  
CALEB BASKIN  
DUANE BEASLEY  
STAR BOBATOON  
ERICA BOSE  
RYAN BRADLEY  
MICHAEL BYERTS  
LAURA CADOGAN  
DANIEL CALLENDER  
ANTHONY CARAVELLA  
JOHN CARRIGAN  
JOSEPH CILIC  
MARISA DEUTSCH  
JEFF DIENER  
MATT ESPOSITO

SAM FORTENBAUGH  
BRUCE GIBNEY  
JEFFREY GOLDBERG  
MICHAEL GORDON  
JOHN GREGORY  
MICHELLE HANSON  
PAUL IANNICELLI  
ALEXA ISBELL  
JASON KAPLAN  
HANS KEELING  
TALIN KHACHATURIAN  
DANIELLE KLAUSNER  
JEFFREY KLEIN  
LESLEY KOTHE  
ANDREW LEWIS  
CAROLYN LUONG  
RYAN MALLEN  
RON MATTEN

CHRIS NORMAN  
KRISTEN RENTZ  
JULIE ROSSER  
JOSHUA SANDLER  
THAD SCHAEFER  
ALLEN SETO  
JENNY SIEVERS  
ANNO SONG  
JULIE STEWART  
MICHELLE SUGIHARA  
SCOTT TENLEY  
TIM TREE  
TAN VU  
WILL WATKINS  
CHANDA WEBER  
MATT YAEGER  
DEBORAH YIM

Subscription Price: \$20 per year, \$12.50 for a single issue.

Published twice a year by the School of Law, University of California, Los Angeles. Subscriptions are accepted on a volume basis, starting with the first issue. If notice of termination is not received before the expiration of a subscription, it will be renewed automatically.

The *UCLA Entertainment Law Review* welcomes articles and student comments on topics of interest to the entertainment legal community. Manuscripts will not be returned unless postage is provided. No responsibility will be assumed for unsolicited manuscripts. Please address manuscripts to the Editor-in-Chief, UCLA Entertainment Law Review, UCLA School of Law, P.O. Box 951476, Los Angeles, California, 90095-1476. Manuscript submissions via electronic mail may be directed to <elr@orgs.law.ucla.edu>. Address subscription inquiries to the Business Editor of the UCLA Entertainment Law Review. Please send all changes of address with the most recent mailing label to the Business Editor.

The views expressed in articles printed herein are not to be regarded as those of the *Entertainment Law Review*, the editors, The Regents of the University of California, or the Editorial Advisory Board. The *Review* has asked contributing authors to disclose any financial interests or other affiliations, which may have affected the positions taken in their works. Such disclosure will be found in the author's footnote accompanying the article.

Citations conform generally to A Uniform System of Citation (16th ed.), copyright by the *Columbia*, *Harvard*, and *University of Pennsylvania Law Reviews* and the *Yale Law Journal*. Variations exist for purposes of clarity and at the editors' discretion.

Please cite this issue as 6 UCLA ENT. L. REV. \_\_ (1999).

**EDITORIAL ADVISORY BOARD**

**FACULTY ADVISOR**

EUGENE VOLOKH  
*UCLA School of Law*

**ADVISORY BOARD**

BARBARA D. BOYLE  
*Boyle-Taylor Productions*

GARY O. CONCOFF  
*Troy & Gould*

DAVID R. GINSBURG  
*Citadel Entertainment*

SAMUEL N. FISCHER  
*Ziffren, Brittenham, Branca & Fischer*

HELENE HAHN  
*Dreamworks SKG*

LINDA LICHTER  
*Lichter, Grossman & Nichols*

SHELDON W. PRESSER  
*Warner Bros.*

MICHAEL S. SHERMAN  
*Jeffer, Mangels, Butler & Marmaro*

LIONEL S. SOBEL  
*Loyola University School of Law*

ALLEN E. SUSMAN  
*Rosenfeld, Meyer & Susman*

JOHN S. WILEY  
*UCLA School of Law*

KENNETH ZIFFREN  
*Ziffren, Brittenham, Branca & Fischer*

The *UCLA Entertainment Law Review* would especially like to thank the following groups that have contributed to the founding of this journal:

CONTRIBUTORS

Kenoff & Machtinger  
Kramer & Goldwasser  
Rogers & Harris  
Shapiro, Posell, Rosenfeld & Close  
Trope and Associates  
Wolf, Rifkin & Shapiro  
Wyman, Isaacs, Blumenthal & Lynne

PATRONS

Gipson Hoffman & Pancione

FOUNDERS

Ziffren, Brittenhham, Branca & Fischer  
The Matthew Bender Company, Inc.

The *Review* would also like to thank the  
Graduate Students' Association for its support of this publication.

