

BY-LAWS OF THE
ENTERTAINMENT LAW AND
INTELLECTUAL PROPERTY SECTION
OF THE
LOS ANGELES COUNTY BAR ASSOCIATION

ARTICLE I.

NAME

This organization shall be known as the "Entertainment Law and Intellectual Property Section" of the Los Angeles County Bar Association. It will be hereinafter referred to and identified as "the Section."

ARTICLE II.

PURPOSE

The purpose of the Section shall be:

(a) To further the knowledge of the members of the Section, the Bar generally, and the Judiciary, in those areas of the law dealing with property rights and other rights existing in, or derivative from, products of the mind, and entertainment law in general. Within the meaning of this statement of purpose, the Section shall endeavor to further the knowledge of areas of the law dealing with the following subjects, among others:

(i) Literary, musical, artistic, and other works;

- (ii) Trademarks, service marks, trade names and other forms of source designation as to which protection can be gained under federal or state law or treaty;
- (iii) Inventions, discoveries, designs and other tangible creative activity as to which protection or rights can be obtained by statute or usage;
- (iv) Ideas and trade secrets; and
- (v) Those rights the violation of which is, or should be remediable under principles of, unfair competition, or should be remediable under concepts and doctrines condemnatory of unfair or deceptive trade practices.

(b) To provide a forum for the interchange and dissemination of ideas and information among those whose practice is concentrated in the areas of law referred to above, as well as those who find only infrequent exposure to them.

(c) To provide a vehicle for the establishment of relations:

- (i) Between this Section and other sections of the Los Angeles County Bar Association;
- (ii) Between this Section and sections of other bar associations whose interests and activities are in the same or similar areas of law;

(iii) Between this Section and members of academia; and

(iv) Between this Section and law schools throughout
Los Angeles County.

(d) To provide a vehicle for studying and making
recommendations in regard to state and federal legislation in
areas of the Section's concern.

ARTICLE III.

MEMBERSHIP

Any member of the Los Angeles County Bar Association in
good standing shall be eligible for membership in the Section.
Upon payment to said Association of Section dues for the current
year, any such member shall be enrolled as a member of the
Section. Members so enrolled and whose dues are paid shall
constitute the members of the Section.

ARTICLE IV.

OFFICERS

The Officers of the Section shall be a Chair; a First Vice-
Chair; a Second Vice-Chair, who will also serve as Treasurer;
and a Secretary.

ARTICLE V.

DUTIES OF OFFICERS

Section 1. CHAIR. The Chair shall preside at all meetings of the Section and of the Executive Committee and shall have such other executive powers and perform such other duties as are not inconsistent with these By-Laws or with the Articles and By-Laws of the Los Angeles County Bar Association.

Section 2. FIRST VICE-CHAIR. The First Vice-Chair shall perform all the duties of the Chair during the latter's absence or inability to act, and when so acting shall have all the powers of and be subject to all the restrictions upon the Chair. In the absence of the First Vice-Chair, the Second Vice-Chair/Treasurer shall so act pro tempore.

Each Vice-Chair shall have such other powers and perform such other duties not inconsistent with those By-Laws as shall from time to time be prescribed by the Chair or by the Executive Committee.

Section 3. SECOND VICE-CHAIR/TREASURER. The Second Vice-Chair/Treasurer shall keep an accurate record of all moneys appropriate to and expended for the Section; shall oversee the designation of funds in accordance with the guidelines of the Los Angeles County Bar Association; shall work with Section program organizers to ensure that Section activities, including continuing legal education (CLE), non-CLE, and/or Standing

Committee programs, consider revenue generating opportunities; and shall regularly report on the financial status of the Section to the Executive Committee.

Section 4. SECRETARY. The Secretary shall be the custodian of all books, papers, documents and other property of the Section. The Secretary shall be responsible for the taking of minutes at each meeting of the Section and of the Executive Committee, and for the transcription and the distribution of such minutes to the members of the Executive Committee.

Section 5. TERM. The term of office of each of the Officers shall be one (1) year commencing on the first day of July of each year, but they shall hold their respective offices until their successors shall have been elected and have been qualified.

ARTICLE VI.

EXECUTIVE COMMITTEE

Section 1. MEMBERSHIP. There shall be an Executive Committee consisting of not fewer than fifteen (15) nor more than fifty (50) members, inclusive of the Officers of the Section, the precise number to be designated by and the remaining members to be appointed by the Chair of the Section in consultation with the other Officers of the Section. In appointing such remaining members, the Chair of the Section

shall utilize the criteria set forth in Section 2 below regarding the term of Executive Committee members and shall consider at least three (3) persons who were not members of the Executive Committee during the last preceding year.

Section 2. TERM. The term of office of each member of the Executive Committee shall run concurrently with the term of office of the Officers of the Section. During the Term, each member of the Executive Committee shall be required to participate in the business of the Executive Committee to the fullest extent possible consistent with their professional commitments. At a minimum, each Executive Committee member shall:

(1) Attend at least four (4) regularly scheduled Executive Committee meetings; and

(2) Participate in the planning and/or execution of at least one (1) Program sponsored or co-sponsored by the Section.

Section 3. DUTIES. The Executive Committee shall supervise and direct the affairs and determine the policies of the Section, subject to and in accordance with these By-Laws and the articles and By-Laws of the Los Angeles County Bar Association.

Section 4. MEETINGS. The Executive Committee may act at a meeting duly called or as scheduled in advance for the fiscal year. Ten (10) members of the Executive Committee shall

constitute a quorum to transact business and a majority vote of those present shall be required for any action other than action amending these By-Laws. Special Meetings may be called by the Chair or may be called by a majority of the Executive Committee, and notice of such meetings shall be given to members of the Executive Committee not less than two (2) days (excluding Saturdays, Sundays, and legal holidays) prior to such meeting.

Section 5. DUES. Annual membership dues of the Section shall be Thirty-Five Dollars (\$35.00).

ARTICLE VII.

COMMITTEES

Section 1. STANDING COMMITTEES. The Chair shall have the power, without the need for Executive Committee approval, to appoint Standing Committees as necessary for the purpose of furthering the objectives of the Section. The members of each Standing Committee shall be selected by its Chair.

Section 2. TERM. The term of the Chair of each committee and of the members of each committee shall run concurrently with the term of office of the Officers of the Section.

ARTICLE VIII.

MEETING OF MEMBERS

Section 1. MEETINGS. The Section shall hold regular meetings of its members during each year. Meetings of the members may be called by the Chair, or in the Chair's absence or failure or inability, by a Vice-Chair, or by a majority of the members of the Executive Committee. Programs determined by the Executive Committee of which all Section members receive notice in accordance with Section 2 below shall constitute a meeting.

Section 2. NOTICES. Notice of the time and place for all meetings shall be given to all members at least five (5) days prior thereto, exclusive of Saturdays, Sundays and legal holidays.

Section 3. QUORUM. Ten (10) members shall constitute a quorum for the transaction of business at any meeting of the Section.

Section 4. RULES. All meetings of the Section shall be conducted in accordance with Robert's "Rules of Order."

ARTICLE IX.

AMENDMENTS TO BY-LAWS

These By-Laws may be amended by the Executive Committee by a two-thirds vote of its members present at a meeting duly called for the purpose of considering such amendment and at

which a quorum is present, provided that no amendment so adopted shall become effective until approved by the Board of Trustees of the Los Angeles County Bar Association, and circulated to the members of the Section. Section members must submit any objections or changes to the proposed amendment in writing to the Chair or the Section Administrator within fourteen (14) days after the proposed amendment has been circulated. If no such objection or change has been received within the 14-day deadline, the amendment may be deemed approved. Any objections or changes shall be considered by the Executive Committee at its next scheduled meeting or at a special meeting called for the purpose of reviewing the objections or changes, and the resulting iteration of the proposed amendment shall be resubmitted for approval to the Board of Trustees and the Section membership.

ARTICLE X.

ELECTIONS

Section 1. TIME. The Section shall hold a regular annual election of Officers, which shall be completed by May 21st of each year, unless the same falls on Saturday, Sunday or a holiday, in which event the next business day shall be the election day. The terms of Officers shall begin on July 1st. The

Annual election shall be conducted in accordance with the provisions of this Article X.

Section 2. NOMINATING COMMITTEE. There shall be a Nominating Committee of not less than three (3) nor more than seven (7) members of the Section chosen by the Chair of the Section from active members of the Section in good standing. The Nominating Committee shall propose a slate of nominees to fill the Officer positions for the coming year. The written report of the Nominating Committee stating the names of the persons so nominated shall be forwarded to the Chair for consultation. The slate shall then be forwarded to the Executive Committee and circulated to the Section members.

Section 3. ADDITIONAL NOMINATIONS. Additional nominations for any office may be made by filing with the Chair of the Section a written nomination signed by at least twenty (20) members of the Section in good standing entitled to vote.

Section 4. ONE CANDIDATE FOR EACH OFFICE. If the Nominating Committee nominates only one candidate for each position and if no one else is nominated in accordance with Article X, Section 3 of these By-Laws, then the slate as nominated will be deemed unanimously elected and there shall be no distribution of ballots.

Section 5. BALLOTS. In the event of multiple nominations, ballots shall be distributed by email or such distribution

technology as may be convenient therefor. The ballot containing the names of the nominees for each office shall be distributed to each member of the Section entitled to vote. The ballots shall be in such form and shall contain such instructions as may be prescribed by the Executive Committee. Each member shall be entitled to vote either for a nominee or for another member of the Section for each office to be filled at the election.

Section 6. ELECTION SCHEDULE. The annual election shall be conducted in accordance with the following schedule:

<u>Election Schedule</u>	<u>To Be Completed By</u>
1. Appointment of Nominating Committee	March 12
2. Nominating Committee's selection of nominees and member's submission of written nominations	April 9
3. Distribution of Slate	April 23
4. Distribution of Annual Election Ballots (if necessary)	May 7
5. Annual Election (if necessary)	May 21

If any of the above dates falls on a Saturday, Sunday or holiday, the next business day shall be the effective date.

Section 7. VOTING. Ballots must be returned to the Chair of the Section, in accordance with instructions written or furnished with the ballot, not later than 2:30 p.m. on the

election day, at which time the voting shall cease and the polls shall close.

Section 8. COUNTING. Immediately upon the close of the balloting, the votes shall be canvassed and counted by a committee of at least three (3) members to be appointed by the Chair, and the results shall be reported by the Chair, in writing.

Section 9. VOTES TO ELECT. A plurality of votes cast shall elect. In the event that two (2) or more candidates for an office receive an equal number of votes, a ballot shall be taken at the first regular Executive Committee meeting thereafter held, to determine which of them shall be declared elected to office.

Section 10. The Executive Committee shall have the power to fill a vacancy in any Office for the unexpired portion of the term thereof.

ARTICLE XI.

FISCAL YEAR

The Section's Fiscal Year shall be from July 1st to June 30th of the following calendar year.