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# how close is too close? the fight over substantial similarity in entertainment works

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## 18th Annual Entertainment & Media Law Conference

Virtual

March 3, 2021

1:00–2:00 PM (Pacific Time)

Event Sponsor: The Media Law Resource Center and Southwestern Law School

Robert Rotstein will be speaking on the session, "How Close is Too Close? The Fight Over Substantial Similarity in Entertainment Works," as part of MLRC's 18th Annual Entertainment & Media Law Conference on March 3, 2021.

For 18 years, the Media Law Resource Center and Southwestern Law School have hosted an annual forum at which renowned experts discuss the most timely, important, and controversial topics in entertainment and media law.

### "How Close is Too Close? The Fight Over Substantial Similarity in Entertainment Works"

**March 3, 2021**

**1:00 to 2:00 PM (Pacific Time)**

In a number of recent high-profile copyright infringement cases, courts have grappled with the question of substantial similarity of protectable expression, and the role of experts in such cases. These issues have a substantial impact on the free speech rights of filmmakers if mere similarities in unprotectable ideas are sufficient for a plaintiff to survive a motion to dismiss. With growing caution about ending these cases at the pleading stage, how can counsel ensure that claims survive until discovery – or succeed in having meritless cases dismissed early? Join us for a mock oral argument between leading practitioners that uses a hypothetical lawsuit based on recent cases.

- **Judge:** Gail Title, Esq., Mediator, ADR Services, Inc.
- **Plaintiff's Counsel:** John Tehranian, Paul W. Wildman Chair/Professor of Law, Southwestern Law School, and Founding Partner, One LLP

## attorneys

Robert H. Rotstein

## practice areas

entertainment & ip litigation  
intellectual property



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- **Defendant's Counsel:** Robert H. Rotstein, Partner, Mitchell Silberberg & Knupp LLP
- **Court Expert:** Mark Rose, Distinguished Research Professor Emeritus of English, University of California, Santa Barbara, and Author, *Authors in Court: Scenes from the Theater of Copyright*

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