

ROBERT A. MONATH

ATTORNEY AT LAW

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Profile

Rob concentrates his practice on intellectual property matters. He advises clients in the principal areas of copyright and trademark, as well as in the related areas of entertainment law, internet law, licensing and trade secrets. Rob has represented fine-art publishers, off-Broadway theatrical producers, performing groups, writers, artists, composers and dot.coms in connection with the protection and exploitation of intellectual property rights. He has successfully prosecuted and defended several federal copyright infringement actions. Law firms routinely associate him to consult on copyright and trademark issues, and he lectures on copyright and trademark law at various conferences and seminars throughout the country.

Rob is a veteran of the music business and recording industry, and presently serves as counsel and business advisor to a number of music publishers, including Chapel Hill-based Hinshaw Music. Rob admires entrepreneurship and has established and helped manage business start-ups involving publishing, design and gourmet products.

Previously, Rob has served as an appellate law clerk, general practitioner, business law professor and in-house publishing counsel. General practice experience includes business formation, contracts, collections, wills, probate and domestic relations.

Rob holds degrees from the University of North Carolina at Chapel Hill in English (B.A., *Phi Beta Kappa*, 1982) and Law (J.D., 1985). He speaks Spanish and is an avid amateur photographer and guitarist.

Representative Transactions

Business

- Draft intellectual property ownership and use policy for medical college.
- Establish in-house procedures for clearance and acquisition of advertising content (brochures, promotional DVD's, website materials and print content) through blanket assignments of rights, copyright registration and federal trademark applications.
- Initiate and finalize global distribution and agency network for U.S.-based print publisher.
- Contract for development of custom proprietary electronic record system for multi-location professional service organization.

- Spin-off niche publishing division to independent third party purchaser.

Music and Television

- Establish clearance procedures for network television series.
- Negotiate blanket music performance licenses with ASCAP, BMI and SESAC for financial services corporation.
- Represent contemporary performing artist in major record label deal and related publishing endeavors.
- License musical compositions for inclusion and use in major motion picture.
- Obtain permission to arrange Top-40 song for vocal ensemble performance.

Publishing and the Arts

- Negotiate major trade book publication contract.
- License orchestrations and arrangements for inclusion and use in first and second class theatrical productions.
- Generate model public art agreement for use by commissioning municipality.
- Retroactively license graphic artwork for national baby product packaging.

Trademarks

- Assess scope of territorial common law trademark exclusivity for professional trade name and formulate amplified protection and registration plan.
- Secure federal trademark registration and protection for related brand names, logos, and slogans on behalf of service industry franchise.
- Secure federal trademark protection for name and slogan of business consulting group.

Recent Presentations and Related Activities

What Every Church Musician Should Know about Copyright Law, presented to the Fellowship of American Baptist Musicians, FABM National Conference. Summer 2005. Green Lake, Wisconsin.

Intellectual Property Rights Protection Abroad, featured panelist and speaker, United States Department of Commerce. Winter 2005. Charlotte, North Carolina.

Current Developments in Copyright, Publishing and the Digital Delivery of Proprietary Content, presented to the Carolina Patent, Trademark and Copyright Law Association. Fall 2004. Hilton Head, South Carolina.

State of the Music Publishing Industry, featured panelist and speaker, Major Orchestra Library Association. Spring 2004. Raleigh, North Carolina.

Copyright Law Complex Field, article and interview by Chris Verner appearing in Salisbury Post. November 16, 2003.

Copyright Law in Academics, presented to Catawba College faculty. Fall 2003. Salisbury, North Carolina.

Copyright Clearance and Permission Issues, presented to Kennedy Covington Lobdell & Hickman Intellectual Property Group for CLE. Fall 2003. Charlotte, North Carolina.

Ask the Expert, Creator Magazine. Fall 2003 to present.

Overview of Music Copyright Law, presented to the Carolina Patent, Trademark and Copyright Law Association. Spring 2003. Charlotte, North Carolina.

Current Developments in Music Publishing, presented to Kennedy Covington Lobdell & Hickman Intellectual Property Group for CLE. Fall 2002. Charlotte, North Carolina.

Copyright Guidelines for the Choral Musician, presented to Choristers' Guild. Winter 2001. Dallas, Texas.

Copyright Law and the University Student, convocation address presented to The University of North Carolina at Greensboro School of Music. Fall 2000. Greensboro, North Carolina.

Copyright and the Choral Musician. presented to Iowa Choral Directors Association. Summer 1999. Mason City, Iowa.

Copyright Law and the Music Educator, North Carolina Music Educators Association. Fall 1998. Winston Salem, North Carolina.

Professional Memberships and Associations

- Carolina Patent, Trademark and Copyright Law Association (Board of Managers 2005-08)
- North Carolina Bar Association - Intellectual Property Law Section
- Admitted to the North Carolina State Bar 1985
- Downtown Salisbury Economic Redevelopment Committee