



Sarah V. Lewis

Of Counsel
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Sarah counsels individuals and companies working in the entertainment industry at all stages of creative development, production, and distribution. She has extensive transactional experience in television, having served as studio and production counsel for Procter & Gamble Productions, Inc., TeleNext Media Inc. (a business unit of MediaVest Group) and others on the television network movies "Secrets of the Mountain," "The Jensen Project," "A Walk in My Shoes," "Change of Plans," "Truth Be Told," "Field of Vision," "Who is Simon Miller," "Game Time: Tackling the Past," and "Game of Your Life." Sarah advises clients regarding a variety of guild and union issues, including those involving SAG, AFTRA, DGA, WGA and IATSE, and works with them to ensure compliance with guild regulations. Additionally, she has represented local personalities in the negotiation of their talent agreements with studios and other production entities and provides counsel to film production companies and media companies, such as Maker Studios, on talent and production agreements and copyright protection. Sarah also works with clients such as Scripps Networks on various matters involving online and social media marketing, privacy, behavioral advertising, endorsements, sponsorships, and product placement.

Prior to her work in entertainment law, she developed significant experience in general litigation and has represented numerous commercial clients in cases involving product liability, toxic torts, defamation, breach of contract, warranty disputes, and consumer practice claims. Sarah previously served as prosecutor for the City of Blue Ash Mayor's Court from 2004 - 2007.

Services

- Entertainment Industry
- Intellectual Property
- Intellectual Property Acquisitions
- Trademark Procurement/Management & Copyright
- Privacy, Data Protection & Internet Technologies
- Litigation
- White Collar Crime

- Transportation Industry

Education

- William and Mary School of Law (J.D., 2003)
 - Order of the Coif
 - James Perkins Scholarship (2000 - 2003)
 - Benjamin Rush Scholar
- DePauw University (B.A., *cum laude*, 1995)
 - Political Science

Bar Admissions

- Ohio

Court Admissions

- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Southern District of Ohio
- U.S. District Court for the Northern District of Ohio

Affiliations/Memberships

- Cincinnati and Northern Kentucky Film Commission, Board of Trustees
- ABA Forum Committee on Entertainment and Sports Industries
- Ohio State Bar Association
- Cincinnati Bar Association
- CincyIP

Experience

IP Licensing/Agreement Experience

Our attorneys have drafted a wide variety of agreements for clients to help them protect their intellectual property. Since 2011, we have drafted more than 575 total agreements, which can be broken down as follows:

Development Agreements (70)

- Independent Contractor Agreements (15)
- Talent Agreements (15)
- Presenter Agreements and Content Provider Agreements (10)

- Joint Ownership Agreements (10)
- Production Agreements (10)
- Employee Invention Policy and Agreements (5)
- Joint Development Agreements (5)

Litigation-related/Dispute Agreements (55)

- Pre-Litigation Settlement Agreements (15)
- Trademark Trial & Appeal Board Settlements (15)
- Co-Existence Agreements (10)
- Litigation Settlement Agreements – Patent Disputes (5)
- Litigation Settlement Agreements – Trademark Disputes (5)
- Joint Defense Agreements (5)

License Agreements (155)

- Software License Agreements (35)
- Patent License Agreements (35)
- Trademark License Agreements (20)
- End User License Agreements (15)
- Subscription Agreements (10)
- Software as a Service (SaaS Agreements (10)
- Channel Partner Agreements (10)
- Pilot Agreements (10)
- Copyright License Agreements (5)
- OEM License Agreements (5)

IT-related Agreements (170)

- Terms of Use and Privacy Policy (35)
- Healthcare-related IT Agreements (30)
- Software IT Agreements (25)
- Hardware IT Agreements (25)
- Master Client/Service Agreements (25)

- Support and Maintenance IT Agreements (15)
- Reseller Agreements (15)

Research Agreements (55)

- Advanced Research Agreements (25)
- Materials Transfer (20)
- Cooperative Research and Development Agreements (10)

Misc. Agreements (55)

- Non-Disclosure Agreements (25)
- Participant Agreements (10)
- Exclusive Sales Representation Agreements (5)
- Termination Agreements (5)
- Domain Purchase Agreements (5)
- Domain Escrow Agreements (5)

Partnership Agreement between Maker Studios and Tribeca Enterprises

Within the entertainment industry, Tribeca Enterprises is synonymous with success. The company behind the annual Tribeca Film Festival was founded in part by Academy Award-winning actor Robert De Niro, and is world-renowned for its innovative ventures and willingness to think outside the box. In early 2012, seeking to expand its reach into the younger, more Internet-savvy audience, Tribeca began preliminary negotiations with Maker Studios, a quickly-growing internet production company out of Los Angeles specializing in monetizing and creating content for YouTube talent. In a role unique to Midwestern law firms, Dinsmore represented Maker throughout the negotiations of a strategic partnership agreement between Tribeca and Maker aimed at creating a new YouTube channel featuring original content. The channel, "Picture Show," currently features a number of original videos, including the web series "Jurassic Park REMIX: Kitchen Confessions," a comedic parody blending elements of the hit movie and popular web show, and "Remix the Movies," a web series featuring classic scenes from blockbuster movies with alternate humorous dialogue. Such programming seeks to attract movie lovers who appreciate off-beat humor and new media entertainment platforms.

Since Picture Show's launch in April of 2013, Dinsmore has continued to provide counsel to Maker on talent and other production agreements which implicate intellectual property issues that are at the forefront of the entertainment industry. We also have advised Maker on a number of other intellectual property issues, including providing clearance, fair use and trademark opinions.

This partnership, which blends Maker's avant-garde style with Tribeca's traditional cinematic focus, represents a landmark step in the digital media world for actors, content creators and viewers alike. Dinsmore is proud to have played a role in helping Maker take this monumental step.

Fixodent Denture Cream Litigation

Dinsmore's Product Liability Team recently received a ruling in favor of The Procter & Gamble Defendants ("P&G") which is the first in the country to assess and reject the scientific basis for lawsuits filed by a number of Fixodent® users.

Frank C. Woodside, III, and his team serve as counsel for P&G defendants concerning Denture Adhesive Litigation. In that litigation, Judge Cecilia Altonaga oversees discovery in the Multi-District Litigation involving more than 150 plaintiffs who seek damages for personal injuries that allegedly resulted from their use of excessive amounts of Fixodent, manufactured by P&G, and/or Poligrip, manufactured by GlaxoSmithKline. The current litigation was initiated in 2009 against P&G. The Federal cases were eventually consolidated in Miami with a number of other cases pending in state courts throughout the country. P&G has steadfastly defended the safety of Fixodent.

On June 13, 2011 Judge Altonaga issued a *Daubert* opinion granting P&G's motion to exclude virtually all of the Plaintiffs' proposed expert opinion testimony that purportedly supported the link between extremely excessive use of Fixodent denture adhesive and neurological disease.

Automobile Class Action Litigation

Dinsmore & Shohl represented a large automobile distributor in class action litigation initiated in Ohio and Kentucky, alleging the automobiles distributed by our client that were subject of a nationwide recall, unintentionally accelerated or were prone to such an alleged defect. The class action plaintiffs alleged a variety of claims, including fraud, breaches of express and implied warranties, negligence, and violations of consumer protection statutes. Plaintiffs also sought compensatory relief in the form of diminished value of the subject vehicles or injunctive relief. Dinsmore & Shohl either successfully removed all such actions to federal court, where they were consolidated in multi-district litigation, or obtained a dismissal of the entire suit.

New Media Enforcement Actions

Ongoing representation of a production and marketing company that manages YouTube talent. We handle a variety of new media matters for the client, including negotiating and drafting talent and independent contractor agreements, including details surrounding production services, marketing, revenue splits, IP ownership and placement of content. We also provide fair use analysis and content reviews to proactively identify potential infringement issues, as well as monitoring federal copyright laws and any applicable state laws, including rights of publicity and privacy. Additionally, we handle a variety of enforcement actions for the client relating to copyright

infringement under the Digital Millennium Copyright Act, including the filing of takedown notices, drafting cease and desist letters, and performing routine monitoring checks on social media sites and smart phone applications. Our work enables the client to avoid infringement concerns, grow its business and produce innovative content via the YouTube platform.