

**CHARLES F. MORGAN**

Astrachan Gunst Thomas, P.C.  
217 E. Redwood Street, Suite 2100  
Baltimore, Maryland 21202  
Telephone: (410) 783-3524  
Facsimile: (410) 783-3530  
Email: [fmorgan@agtlawyers.com](mailto:fmorgan@agtlawyers.com)

**Education:**

University of Maryland School of Law, J.D.  
Washington & Lee University, B.S. in Commerce

**Admitted to Practice:**

Court of Appeals of Maryland  
Supreme Court of the United States  
United States Court of Appeals for the Fourth Circuit  
U.S. District Court for the District of Maryland

**Experience:**

Astrachan Gunst Thomas, P.C. (April 2007 - present)

Pessin & Katz, P.A. (August 2001 - April 2007)

Sole Practitioner, Baltimore, Maryland (August 1981 - August 2001)

Maryland Division of Labor and Industry, Assistant Commissioner for Maryland Occupational Safety and Health (May 1979 - August 1981)

Assistant Attorney General for the State of Maryland (October 1978 - May 1979)

Sole Practitioner, Baltimore, Maryland (April 1977 - October 1978)

Baltimore Legal Aid Bureau, Program Director (February 1971 - March 1977)

## **Practice Areas:**

Intellectual property transactional practice involving licensing agreements for trademarks, copyrights, software and other intellectual property, technology transfer agreements, software and technology development agreements, consulting and employment agreements, website development, hosting and content agreements, confidentiality and non-disclosure agreements, website privacy policies and terms of use, co-branding agreements and rules for sweepstakes and contests.

Trademark and copyright practice involving analysis of trademark availability search reports, prosecution of trademark and copyright registration applications, counseling in trademark selection, strategy, use and protection, representation before the Trademark Trial and Appeal Board, evaluation and resolution of trademark, copyright and domain name disputes.

Entertainment and sports law transactional practice counseling clients in the entertainment industry and negotiating and drafting agreements in the areas of music, book publishing, television, documentary filmmaking and motion pictures including recording artist agreements, distribution and production agreements, music licensing agreements, content and rights licensing agreements, music and book publishing agreements, a variety of content agreements, host and talent agreements, management and agency agreements, releases, permissions, rights clearances and endorsement and general business agreements for professional athletes.

Trial and appellate litigation representing plaintiffs and defendants in general civil litigation, arbitration and settlement negotiations in the areas of intellectual property, domain name disputes, contracts, employment, business torts, equine law, entertainment and sports law and the Internet.

## **Professional Organizations:**

Maryland State Bar Association

Intellectual Property Law Section, Maryland State Bar Association (Chair, 1996 - 1998; Secretary, 2007 - 2008)

Arts, Entertainment, Media and Sports Law Section, District of Columbia Bar Association (2002 - 2012)

## **Professional and Community Involvement:**

Adjunct Faculty, Maryland Institute College of Art, School for Professional and Continuing Studies, Master of Professional Studies in the Business of Art & Design Program, teaching an online course in "Contracts and Negotiation" (2012 - 2016)

Maryland Volunteer Lawyers for the Arts, Board of Directors (1991-2016, President, 2000-2002) and Panel Attorney

Maryland Volunteer Lawyers Service, Panel Attorney (1990 - 2012)

Baltimore Theatre Project, Board of Directors (1982 - 2010)

Maryland Million, Ltd., Board of Directors (2007 - 2010)

Maryland Horse Breeders Association (2004 - 2011)

Judge, Client Counseling Competition, Sports and Entertainment Law, American Bar Association, Law Student Division, February 2005

### **Professional Achievements**

AV® Preeminent™ Peer Review Rating (AV is a registered certification mark of Reed Elsevier Properties, Inc. used in accordance with the Martindale-Hubbell certification procedures, standards and policies).

Argued successfully before the Supreme Court of the United States in *Burrell v. McCray*, 426 U.S. 471, 96 S. Ct. 2640 (1976).

Negotiated a deal for a client's music to play over the opening credits of a film that went on to win the Academy Award for Best Original Screenplay. The film received several other Oscar nominations including for Best Picture. The soundtrack album, which included the client's song, went to #1 on the Billboard charts and won a Grammy® award in 2009.

Represented a client who was nominated for a Grammy award for Best Musical Album for Children in 2010, and a client who was a contributor on a Grammy-winning album in 2012.

Named by *The Best Lawyers in America*® in 2006-2018, for Entertainment (Music, Motion Pictures and Television), Intellectual Property (Copyright and Trademark) and Sports Law. Named by *Best Lawyers* as "Lawyer of the Year" for Entertainment Law (2012, 2013, 2015) and for Sports Law (2014)

Named among *SuperLawyers* for Intellectual Property Law (2007-2018).

Listed in Top 15 "Who's Who in Intellectual Property Law," Baltimore Business Journal (December 2000).

## **Speaking Engagements**

Peabody Institute at Johns Hopkins University, “Copyright and Contract Law for Musical Artists and Composers.” November 2012 and February 2014.

University of Maryland Baltimore County, Careers in Music Seminar, “Intellectual Property and Contracts.” (2014-2018).

Maryland Institute College of Art, “What Every Filmmaker Needs to Know About Contracts and Intellectual Property.” (2014-2017).

University of Baltimore School of Law, Entertainment, Arts & Sports Law Society, “Entertainment Law Practice.” November 2010.

Maryland Horse Breeders Association, New Owners Seminar, “Legal Issues for the New Thoroughbred Owner.” August 2007.

Carroll County Public Schools Fine Arts Professional In-service, “Intellectual Property and the Arts.” November 2006.

“Choice of Business Entity for the New Thoroughbred Horse Owner,” New Owners Seminar, Maryland Million Day, Laurel Race Course. November 2005.

“Entertainment Law: Negotiating the Deal Points in Music, Book Publishing and Television Agreements,” Maryland State Bar Association Intellectual Property Committee. February 2005.

“Trademark Law: Registering a Trademark,” MICPEL Advanced Trademark Law Seminar. February 2004.

“Trademark Law: Cease and Desist Letters,” MICPEL Advanced Trademark Law Seminar. February 2004.

## **Recent Articles:**

“Beyoncé Loses Round One of Fair Use Fight with Messy Mya’s Estate Over the Use of Samples.” Blog @ *agtlawyers.com*. 2017.

“How Songwriting Teams Can Avoid Disputes.” Blog @ *agtlawyers.com*. 2017.

“Music Clearance: Girls Just Want to Have Fun.” Blog @ *CharmCityLegal.com*. 2016.

“Young Man, Get Your Copyright Back: *Scorpio Music S.A. et al. v. Victor Willis*,” MSBA Intellectual Property Section, 2012 Annual Law Update, July 2012.

“Using a Competitor’s Trademark in Keyword Advertising,” MSBA Intellectual Property Section, 2011 Annual Law Update, July 2011.

“Reflections on *The Real Truth About Obama*: Preliminary Injunction Practice in the U.S. District Court for the District of Maryland.” March, 2010.

“Music in Film.” May 2008.

“Publicity Rights Uncertainty Makes Maryland a Risky Place for Celebrities to Live or Die.” September, 2007.

### **Representative Cases:**

*LM Restaurants, Inc. v. DMC Enterprises, Inc.*, Civil Action No. 1:14-cv-02740-RDB (D. Md. 2014) (Represented defendant in trademark infringement case involving use of a design mark for a restaurant).

*Wothke v. Stewart, et al.*, Civil Action 1:13-cv-3382-GLR (D. Md. 2013) (Represented plaintiff in trademark infringement case involving break-up of a Celtic band).

*Rosez Rentals, Inc. v. True Value Company*, Civil Action 1:12-cv-1154-RDB (D. Md. 2012) (Represented plaintiff in declaratory judgment action concerning use of trademark).

*e-Complish, LLC v. Public Communications Services, Inc.*, Civil Action No. 01298-WDQ (D. Md. 2009) (Represented website developer in copyright infringement case for using client’s work without compensation resulting in confidential settlement).

*Nichols Agency, Inc. v. Enchanted Child Care, Inc.*, 537 F. Supp. 2d 774 (D. Md. 2008) (Represented defendant in copyright infringement case).

*Ficep Corporation v. Ocean Machinery, Inc. et al.*, Civil Action No. 03-CV-00976-WDQ (D. Md. 2003) (Represented foreign corporation in trademark infringement suit against distributor).

*John C. Moore, III, et al. v. William L.S. Landes, III, et al.*, Civil Action No. WMN – 03-CV-3523 (D. Md. 2003) (Defended claim arising from thoroughbred horse auction).

*John H. Roberson v. Charles Warner, et al.*, Civil Action No. MJG-02-CV-3724 (D. Md. 2002) (Defense of copyright infringement claim).

*Barry Louis Polisar v. Albritton Communications Company, Inc., et al.*, Civil Action No. PJM-01-CV-164 (D. Md. 2001) (Represented musical artist in copyright infringement claim arising from distribution of children’s television programs).

*David Sheldon v. Bath & Body Works, Inc., et al.*, Civil Action No. 99-0010-A (E.D.Va. 1999) (Defended copyright infringement claims).

*George E. Weiss, et al. v. Chesapeake Television, Inc., et al.*, Civil Action No. CCB-98-811 (D. Md. 1998) (Represented plaintiff in copyright infringement suit over video of plane crash).

*Michael G. Rowe v. Olney Town Center Development Corporation, et al.*, Civil Action No. MJG-96-2472 (D.Md. 1996) (Represented television personality in right of publicity case).

*Irene Smith, et al. v. Thomas Hoskins, et al.*, Civil Action No. 92-8-277 (Chancery Court of Grenada County, Mississippi) (Represented former manager of the late Mississippi John Hurt in music rights case).