For two years the Radio Mass Choir at Kennerly Temple Church of God in Christ in north St. Louis sought help in producing *Upon This Rock*, a CD of musical and spoken tribute to the church’s long-standing history. Difficult copyright matters and lack of affordable legal guidance had stalled their efforts.

As if in answer to their prayers, Toby Bulloff, JD ’05, arrived to provide much-needed legal help.

“We had been given so much misinformation,” recalls Elder Robert Woodie, the church’s minister of music since 1957. “Our backs were up against the wall. We couldn’t have done it without Toby. The Lord sent her our way.”

At the time Bulloff was participating in Washington University School of Law’s newest clinical course focusing on intellectual property law issues.

Opening its doors for the first time in spring 2005, the Intellectual Property and Business Formation Legal Clinic provides students with valuable practice experience. Nine students, including Bulloff, helped director David Deal launch the clinic.

“Our first semester went really well. I attribute that to the exceptional quality of our students,” Deal says.

Bulloff found her experience to be especially gratifying since she had worked with Charles McManis, the Thomas and Karole Green Professor of Law, on the clinic’s original grant application. Significant funding comes from the Ewing Marion Kauffman Foundation.

For her clinic experience, she joined a student team working with St. Louis Volunteer Lawyers and Accountants for the Arts (VLAA), an organization that helps artists and arts organizations with legal and accounting problems. Clinic students provided assistance under the guidance of Deal and Sue Greenberg, VLAA’s executive director.

“We are pleased about our collaboration with the IP clinic,” Greenberg says. “Our clients are so appreciative of the high-quality legal assistance. It makes everyone feel good all around.”

VLAA recommended the Kennerly Temple project to Bulloff. The Mass Choir has aired its performances on the radio since 1949, and, according to church lore, was the first black choir in St. Louis to do so. The church held a musical reunion of 100 current and former singers in 2003; the sessions were recorded for a CD celebrating the church’s rich history.

Plans to distribute the CD, however, were quickly stymied. The distribution company refused to move forward on the project without proof of the copyright licenses for every song, whether the music was a full
rendition or bits and pieces used as background for spoken reminiscences.

“Much of my work seemed like a wild goose chase,” Bulloff says. “Some of the gospel songs are really old; some were copyrighted with multiple variations, titles, arrangements, and songwriters.”

Twelve songs required copyright clearance. Bulloff’s job was to locate the owners and negotiate licenses. After being given a handful of vinyl records, she began studying the printed labels for clues. She also gleaned information from hymn books and through contacts with a New York copyright agency. The songs, however, were cataloged in various places, and exact titles were difficult to determine. Eventually, with the help of Internet sites like Google.com, iTunes.com, and Amazon.com, Bulloff began to connect the dots. In the end, all of the songs were licensed, and the CD moved into final production.

“What took us over a year to find, she was able to complete in a matter of weeks,” says Aleta Ewing, a choir member who conducted an initial, frustrating search for the copyrights. “We certainly want to applaud Toby Bulloff’s legal assistance, Sue Greenberg, and the VLAA. They saved us thousands of dollars—an amount we could never afford. Without the clinic’s support, we may never have made it.”

“I enjoyed doing work for real people, instead of for a grade. This way, it helps somebody,” says Jennings.

Clinic students were assigned projects in the local community, as well as in interdisciplinary matters and international concerns at Washington University. Among the impressive list of clients are the Missouri Botanical Garden, Nidus Center, BioGenerator, Donald Danforth Plant Science Center, Missouri Small Business Development Centers, Center for Emerging Technologies, Public Interest Intellectual Property Advisors, and Public Intellectual Property Resource for Agriculture.

Throughout the semester students conducted patent reviews and searches; helped establish a collaboration policy between two universities, one of which is located in South Africa; wrote articles and primers on copyright and contract law, and developed Web content on these topics; reviewed a nonprofit licensing application; determined proper use of materials for a documentary film producer; and helped conduct training sessions for nonlawyers on intellectual property issues.

The confidence and expertise students acquired from their experiences are primary benefits, says Deal. Clinical courses are task specific and provide intensive learning opportunities.

“From my own experience, it was shocking to be a first-year lawyer and realize how much I didn't know about legal practice,” he says. “Clinical courses give students a head start on making the tremendous adjustment from being a law student to becoming a practicing attorney.”

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David Deal, director of the Intellectual Property and Business Formation Legal Clinic, discusses case strategies with students.

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