



LAW360

2018 MVP

Dale Cendali

Dale Cendali of Kirkland & Ellis LLP has been involved in several high-profile media and entertainment cases, including representing Fox News Network in a major case concerning copyright fair use law. These accomplishments have landed her among *Law360's* 2018 Media and Entertainment MVPs.

Her road to media and entertainment:

Cendali's road to media and entertainment law has been a little different than most. She came to it through the Yale Dramatic Association where she mainly produced shows.

"I got interested in how creators protected their rights so I chose to go into intellectual property, particularly because I was very interested in helping to advise and protect the rights of creators and make sure they weren't taken advantage of," Cendali said.

Intellectual property also allows you to assess how a society works and what it values, she added.

"You can understand why societies would adopt certain criminal laws, but the laws you choose to enact with regards to IP are very subtle and sophisticated and tell

you a lot about how a society balances things," Cendali said.

Her biggest accomplishment:

Cendali's biggest accomplishment of 2018 came as she led a team that represented Fox News Network at the Second Circuit against TVEyes Inc., a media monitoring company that had been streaming Fox News' 24-hour telecast on its website. In February, the Second Circuit held that TVEyes' actions were not fair use and said it could not distribute anymore of Fox's audio and visual programming.

"I think fair use law is a very important part of copyright law, particularly how we balance the rights of first and second creators and provide the constitutional incentives for the creation of new work," Cendali said. "I feel proud of the fact that I have helped advance the ball in that field."

Her biggest challenge:

Cendali's biggest challenge was changing her perception of IP. When she first began, many firms didn't realize the importance of having a specialized IP practice

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and therefore a lot of people did not pay much attention to it.

The challenge was to make firms recognize that IP was a true specialty and that having someone who was good at it was a benefit, Cendali said.

What motivates her:

Cendali says it's easy to get up and go to work every day because of her interest in the subject, and the people she works with. She also takes an interest in technology and new forms of entertainment, which ensures she is always learning.

“ ... I was very interested in helping to advise and protect the rights of creators and make sure they weren't taken advantage of.”

“It's just pure fun ... I love the theater of the courtroom,” she said. “I feel very blessed to be able to help the clients that I have in matters that are so important and intellectually fascinating with a good group of people. Both from the client side and the other side.”



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