

# Mark Edward Blankenship Jr.

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## EDUCATION

### **Master of Laws (LL.M.)**

Concentration in Intellectual Property Law, Benjamin N. Cardozo School of Law at Yeshiva University, New York, NY (2021).

### **Juris Doctor (J.D.)**

The University of Kentucky J. David Rosenberg College of Law, Lexington, KY (2019).

- Operations Manager/Communications Editor, *Kentucky Law Journal*, Volume 107
- Vice President and 2L Representative, UK Sports & Entertainment Law Society
- Research Assistant for Spears-Gilbert Professor of Law Brian L. Frye
  - BRIAN L. FRYE & ELIZABETH SCHILLER, PROFESSIONAL RESPONSIBILITY: AN OPEN-SOURCE CASEBOOK (2019).
  - Brian L. Frye, *The Ballad of Harry James Tompkins*, 52 AKRON L. REV. 355 (2019).

### **Bachelor of Arts (B.A.)**

Concentration in Music with a minor in Business, *magna cum laude*, Fred and Dinah Gretsch School of Music at Georgia Southern University, Statesboro, GA (2015).

- Phi Mu Alpha Sinfonia (Music Fraternity) Historian, Zeta Omicron Chapter
- Southern Pride Marching Band Member

## EXPERIENCE

- Associate, Ott Law Firm, St. Louis, MO (Apr. 2021-Present).
- Assistant Operations Manager, Whiteship Farms, Rincon, GA (Oct. 2019-Apr. 2021).
- Judicial Extern for the Hon. Kimberly N. Bunnell, Fayette Circuit Court, Lexington, KY, (June 2018-July 2018).
- Legal Intern for the Arts & Business Council of Greater Nashville's Volunteer Lawyers & Professionals for the Arts, Nashville, TN (May 2018-June 2018).
- Legal Intern for the Eastern Circuit, Georgia Public Defenders Council, Savannah, GA (June 2017-August 2017).

## **PUBLICATIONS AND MEDIA**

### **Future Works/Works in Progress (Books)**

- SIDE EFFECTS: INTERNET REGULATION AND THE NEGATIVE IMPLICATIONS OF THE RED PILL MOVEMENT (Draft in Progress).
- ENTERTAINMENT LAW AND WORKING IN THE INDUSTRY (Draft in Progress).

### **Future Works/Works in Progress (Scholarly Articles)**

- *An Axe to Grind? The Legal History and Trademark Protection of Gibson Brands, Inc.* (Draft in Progress).
- *The Future of Internet Platform Liability and Our Modern-Day Sears Catalog* (Draft in Progress).
- *Legal Writing as Sonata Form* (Draft in Progress).
- *The Joint Pains Incurred in Media Entertainment Production and Co-Ownership* (Draft in Progress).
- *Cultic Copyright: Censorship and the Abuse of IP Enforcement by Religious Institutions and Online Forums* (Draft in Progress).
- *The Ethos of Privacy: A Cultural Analysis of the Right to be Left Alone* (Draft in Progress).

### **Scholarly Articles Published/Forthcoming**

- *Reconsidering the “Aesthetic Nondiscrimination” Doctrine in American Copyright Law*, 14 BERKELEY J. ENT. & SPORTS L. \_ (forthcoming 2025).
- *Oli London in the Workplace: Transracial Identity and Employment Discrimination in the Post-Bostock Era*, 38 A.B.A. J. LAB. & EMP. L. 195 (2024).
- *Gastrophysics and Intellectual Property Law: Analyzing the Legal and Market Effects of a Reimagined Form of Culinary Art and Science*, 75 S.C. L. REV. 471 (2023).
- *“Apprenticeship” as IP Metaphor: A Modern & Innovative Natural Law Approach in Intellectual Property Law*, 50 N. KY. L. REV. 33 (2023).
- *Laid to Rust: Proposing Strict Liability in Tort for Prop Firearm Injuries Following the Alec Baldwin Shooting*, 7 NEV. L.J. FORUM 76 (2023).
- *Oh Brother, Where Art Thou Royalties? Reflecting on the Emergence of Bluegrass and Appalachian Folk Music in Promoting the American Music Fairness Act*, 49 J. LEGIS. 101 (2023).
- *“I’m Not a Biologist”: A Hayekian Perspective on the Judge’s Implementation of Knowledge and the Umpire Analogy*, 20 RUTGERS J.L. PUB. POL’Y 77 (2023).
- *Dead Frogs, Dissected Jokes, & Thin Copyright: Analyzing Copyrightable Elements and Legal Protection of Stand-Up Comedy*, 2 FLA. ENTER. & SPORTS L. REV. 117 (2023).
- *With Eyes to See and Ears to Beer: Navigating Multisensory Intellectual Property Rights in the Craft Beer Industry*, 21 WAKE FOREST J. BUS. & INTELL. PROP. 395 (2021).
- *A Horse Walks into a Bar: Comparing Easterbrook’s Criticized Cyberlaw Analogy to the Study of Alcoholic Beverage Law & Regulation*, 25 ILL. BUS. L.J. 41 (2020).
- *Harry Potter & the “Chinese” Philosopher’s Stone: Deconstructing Copyright Piracy Through Shanzhai*, 19 UIC REV. INTELL. PROP. 101 (2020).

## Online Publications & Other Shorter Works

- *Revisiting Trespass to Chattels Amidst the Metaverse and its Conceptualization of Work Culture*, U. RICHMOND J. L. & TECH. (Mar. 27, 2022).
- *Enter the Metaverse: The Religious & Legal Study of The Matrix in Modern Society*, CANOPY F. (Dec. 3, 2021).
- *A 'Bradburian Era': Media, Technology, and Censorship During the Coronavirus*, CANOPY F. (Apr. 23, 2021).
- *Section 230 and the Millstone*, CANOPY F. (Mar. 4, 2021).
- *"Drinking the Claws" and Beverage Laws: The Helter-Skelter of Hard Seltzer and Alcohol Regulation During COVID-19*, ARIZ. ST. J. SPORTS & ENT. L. BLOG (Aug. 9, 2020).
- *Craft Beer as the New "Album Cover": Copyright Protection and the Growing Industry's Future*, VAND. J. ENT. & TECH. L. BLOG (Apr. 16, 2019).
- *The "Scandalous" & the "Immoral": Skating Around the Lanham Act in Iancu v Brunetti*, SCHOLARS OF THE GAME (Sept. 9, 2019).
- *Injunction Junction, What's Your Function?: Hooking Up Remedies with Sports & Entertainment Law*, SCHOLARS OF THE GAME (May 18, 2019).
- *Hip-Hop Is Dead (Part II): Will the Bright Lines of Digital Sampling Be Resurrected in Foreign Lands?*, VAND. J. ENT. & TECH. L. BLOG (Apr. 16, 2019).
- *The Two-Year Anniversary of Star Athletica and the Future of Sports Fashion and Apparel*, SCHOLARS OF THE GAME (Mar. 22, 2019).
- *In a Nutshell: Libel in the Sports & Entertainment Industry*, SCHOLARS OF THE GAME (Jan. 23, 2019).
- *Hip-Hop Is Dead: Understanding the Issues Regarding Digital Sampling in the U.S. and Germany and the Potential Demise of an "American" Genre*, VAND. J. ENT. & TECH. L. BLOG (Sept. 19, 2018).
- *Prince & the Revolution of Transformative Use: Observing "New Portraits" Alongside the Potential Specter of Appropriation Art's Past*, KY. L. J. ONLINE (Aug. 6, 2018).
- *Don't Hate the Players (Nor the Haters), Hate the Game: A "Swift" Dismissal in Copyright Law and the Banalities of Lyricism*, KY. L. J. ONLINE (May 21, 2018).

## Speaking Engagements and Presentations

- *Media Law Spring Committee Meeting – Copyright and the Fair Use Doctrine*, MO. BAR (forthcoming May 2025).
- Speaker, Legal Ethics in Sports and Entertainment Law at The University of Kentucky J. David Rosenberg College of Law (Mar. 26, 2025).
- *Media Law Fall Committee Meeting - Overview of Economic, Dignitary, and Online Torts in Missouri*, MO. BAR (Nov. 19, 2024) (on file with author).
- Panelist, Legal Issues in the Arts at Midwest Music Expo VII – Decatur, Illinois (May 4, 2024).
- *Media Law Spring Committee Meeting - Secondary Copyright Infringement & Open AI*, MO. BAR (May 2, 2024).
- *Media Law Fall Committee Meeting - Social Media Influencing and the Law*, MO. BAR (Nov. 13, 2023) (on file with author).
- Co-Founder, Missouri Free Speech Launch Meeting at Schlafly Library (June 1, 2023).

- *Media Law Spring Committee Meeting - The Impact of CDA Section 230 on E-Commerce CLE*, MO. BAR (May 15, 2023) (on file with author).
- *Media Law Fall Committee Meeting - Litigation Takeaways from 2022's High-Profile Cases CLE*, MO. BAR (Nov. 17, 2022) (on file with author).
- Alumni Member, Copyright 101 Presentation at the Phi Mu Alpha Sinfonia Fraternity 57th National Convention (July 22, 2022).
- *Student Led Webinar*, CARDOZO SCH. L. (December 15, 2021) (on file with author).

## News Features

- Nassim Benchaabane, *Lawsuit: Ferguson Administration's Harassment of Employee Led to Her Suicide*, ST. LOUIS POST-DISPATCH (Mar. 16, 2024).
- Jordan Bradley, *Family Sues Hotel Employee, Choice Hotels for Defamation: Room Attendant Mistook Dinosaur Leash for Sex Toy*, USAE (Mar. 2025).
- Marta Mize, *Couple Sues Branson Hotel After Allegations Made in Springfield Facebook Group Post*, SPRINGFIELD NEWS-LEADER (Mar. 11, 2025).
- Jamie Frevele, *'Torture Toy' Facebook Post by Hotel Worker Ruined Reputation of Couple Whose Daughter Left Dinosaur Leash Behind: Lawsuit*, L. & CRIME (Mar. 10, 2025, 2:12 PM).
- Doug Miner, *Resident Explains His Allegations Against Mayor, City, Business Owner*, 40 S. NEWS (Sept. 13, 2024).
- Doug Miner, *Respondent Files Suits Against Maplewood City, Mayor, Business Owner and Employee*, 40 S. NEWS (August 7, 2024).
- Nassim Benchaabane, *Lawsuits Allege Ferguson Discriminated Against Black Women Workers*, ST. LOUIS POST-DISPATCH (Apr. 30, 2024).
- Rihem Akkouche, *Catholic Hospital Vaccine Bias Suit Sees Judge's Stunning Decision*, USA HERALD (Feb. 13, 2024).
- Emmy Freedman, *Catholic Hospital's Religious Status Dooms Vaccine Bias Suit*, LAW360 (Feb. 13, 2024, 1:44 PM EST).
- *Former Head of Missouri Humanities Council Alleges Wrongful Termination Based Upon Age, Gender, and Political Association*, ST. LOUIS POST-DISPATCH (Jan. 6, 2022).

## CERTIFICATES

- *The American South: Its Stories, Music, and Art*, U. N.C. CHAPEL HILL (Jan. 21, 2024).
- *Making Successful Decisions Through the Strategy, Law & Ethics Model*, U. MICH. (Jan. 20, 2024).
- *Employment Law: The Gig Economy*, U. PENN. (Dec. 22, 2023).
- *Building Trial Skills Atlanta*, NAT'L INST. TRIAL ADVOC. (Dec. 15, 2023).

## AWARDS

- *Sports & Entertainment Attorneys POWER List*, MO LAWYERS MEDIA (Sept. 2024).
- *Missouri Kansas City Super Lawyers Rising Stars List*, THOMPSON REUTERS (June 2024).
- *Sports & Entertainment Attorneys POWER List*, MO LAWYERS MEDIA (Sept. 2023).

## **ORGANIZATIONAL INVOLVEMENT**

### **Memberships**

- American Bar Association (2021-Present)
- American Intellectual Property Law Association (2021-Present)
- Bar Association of Metropolitan St. Louis (2021-Present)
- Federal Communications Bar Association (2022-Present)
- Intellectual Property Owners Association (2022-Present)
- International Association of Privacy Professionals (2021-Present)
- Kansas City Metropolitan Bar Association (2022-Present)
- The Missouri Bar (2020-Present)

### **Committee & Executive Positions**

- Music and Performing Arts Committee Co-Chair, American Bar Association Section of Intellectual Property Law (September 2024-Present)
- *Landslide* Editorial Board Member, American Bar Association Section of Intellectual Property Law (July 2024-Present)
- Solo/Small Firm Committee Chair-Elect, Bar Association of Metropolitan St. Louis (May 2024-Present)
- Co-Founding Member, MO Free Speech (Feb. 2023-Present)
- Media Law Committee Chair, The Missouri Bar (Sept. 2022-Present)

## **ADMISSIONS TO PRACTICE**

- Missouri (2020-Present)
- Eastern District of Missouri (2020-Present)
- Western District of Missouri (2022-Present)
- Southern District of Illinois (2021-Present)
- Central District of Illinois (2021-Present)
- District of Colorado (2022-Present)