

# Frank P. Scibilia

Partner

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**Partner Frank Scibilia co-chairs Pryor Cashman’s Copyright and Music practices and is a member of the Litigation and Intellectual Property Groups. For nearly 30 years, Frank has handled and litigated complex copyright and related issues—especially those concerning the exploitation of music on emerging digital platforms—for clients including major and independent music publishers and record labels, music industry trade organizations, licensing collectives, content aggregators, and individual songwriters and recording artists.**

Frank’s deep knowledge of copyright law as it applies to the music industry—including the intricacies of the Digital Millennium Copyright Act, the Music Modernization Act, and the statutory licenses in Sections 114 and 115 and termination provisions in Sections 203 and 304 of the U.S. Copyright Act—helps his clients anticipate legal issues and trends, navigate obstacles, and achieve success in litigation and business transactions. Frank is engaged at the forefront of the firm’s practices in litigation, transactions, and regulatory work precisely because his clients often have common interests across all three.

Frank’s knowledge and understanding of the complex rules governing music copyrights make him a formidable advocate for clients navigating new media challenges and opportunities. He regularly handles and litigates complex copyright and licensing issues, especially those concerning the technological exploitation of music. Most notably, Frank has been and is involved in:

- The *Phonorecords III* and *Phonorecords IV* Copyright Royalty Board regulatory proceedings to determine rates and terms for the Section 115 compulsory license for interactive streaming.
- Several seminal cases establishing the boundaries of liability in connection with the reproduction and distribution of copyrighted content via the Internet, including cases against the online music services Napster, Aimster, MP3.com, Grokster, Limewire, and Grooveshark.
- *Capitol Records v. MP3tunes*, the case that yielded the second-largest intellectual property jury verdict (over \$48 million) during the last 20 years.
- The first case to enforce the anti-circumvention provisions of the Digital Millennium Copyright Act (DMCA) (*Universal City Studios v. Reimerdes*).
- Numerous copyright infringement cases filed against well-known recording artists and major record labels and music publishers.

With respect to AI matters, Frank has, *inter alia*, submitted *amicus* briefs on behalf of the RIAA, NMPA, the Copyright Alliance, and other trade organizations in *Concord Music Group v. Anthropic PBC* and *Kadrey v. Meta*

*Platforms, Inc.* Frank has also counseled The MLC, the licensing collective that administers the Section 115 statutory blanket license, since its inception.

Frank's work extends beyond litigation to music transactional work and copyright counseling. Prospective buyers and sellers of catalogs of music assets turn to Frank for his skillful and thorough copyright due diligence of these assets, which provides invaluable assistance in determining the overall value of the music assets, as well as to negotiate and draft catalog purchase and sale agreements.

Frank has also negotiated and/or drafted licenses for the exploitation of musical works and sound recordings on a myriad of digital platforms, including audio and video streaming services, cloud locker services, lyric services, crowd-sourced music services, and sheet music, guitar tab, and fitness apps and services. Frank negotiated the original "New Digital Media Agreements" that became recognized as the template agreements by which record labels obtained rights from music publishers to bundle in licenses with services for certain types of digital music products.

Frank has repeatedly been named one of a handful of leading copyright lawyers in the country by *The Legal 500*, and a top attorney in copyright (and a "2026 Lawyer of the Year") by *Best Lawyers in America*. He has repeatedly been named a "Top Music Lawyer" by *Billboard Magazine*, and a music "Trailblazer" by the *New York Law Journal*. He has been recognized in *Variety's* Legal Impact Report and named to the *Super Lawyers* list for intellectual property litigation over 15 years running. Frank also co-authored the New York State Bar Association's nationally distributed treatise, *Entertainment Law*, and served as a Trustee of the Copyright Society of the USA.

## Services

- Copyright
- M+E Litigation
- Intellectual Property
- Litigation
- Media + Entertainment
- M+E Transactions and Financing
- Music
- Music Litigation

## Education

- University of California, Berkeley, School of Law (J.D., 1995)
- New York University (B.A., *magna cum laude*, 1989)
  - Phi Beta Kappa

## Recognition

- Recognized as a top lawyer by **Chambers USA** in Media & Entertainment: Music (New York) (2026)
- Named one of *Lawdragon* 500 Leading Global IP Lawyers for IP, Litigation – Entertainment (2025)
- Named one of *Lawdragon* 500 Leading Global Entertainment, Sports & Media Lawyers for IP, Litigation - Digital Music, Entertainment (2025)
- Recognized as one of the leading Copyright (2012) and Media + Entertainment (2017-21) lawyers in the country by *The Legal 500*
- Recognized in *Variety's* Music Legal Elite Report (2024-25)
- Named a "Top Music Lawyer" by *Billboard Magazine* (2021-25)
- Named a Music "Trailblazer" by the *New York Law Journal* (2021)
- Recognized as a top attorney in Copyright Law (2022-26) and Entertainment Law: Music (2023) by *Best Lawyers in America*
- Recognized in *Variety's* Legal Impact Report (2020-23)
- Named to the *Super Lawyers - New York Metro* list in Intellectual Property Litigation (2011-25)
- Recognized as a leading patents and trademark lawyer in the WIPR Leaders Directory (2022)

## Admissions

- New York, 1995

## Professional Affiliations

- Copyright Society of the USA

## Publications

August 26, 2021

**Circuit to Warhol Estate: Google v. Oracle Does Not Dictate A Different Result**

December 15, 2013

**Entertainment Law, Fourth Edition**

August 31, 2012

**Sorry for Party Rocking: Copyrighted Music in 'Political' Parodies**

July 16, 2012

**Why Politicians' 'Theme Songs' Often Hit the Wrong Note**