

# HALL BOOTH SMITH, P.C.



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Partner

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[BIOGRAPHY](#) | [EXPERIENCE](#) | [CREDENTIALS](#) | [MEMBERSHIPS](#) | [RECOGNITION](#) | [PRESENTATIONS](#) | [PUBLICATIONS](#) | [IN THE PRESS](#)

## Biography

A partner in the HBS Nashville office, Karl Braun specializes in entertainment litigation and a wide array of transactional work. His personal experience in the entertainment industry — including more than 15 years working as a professional musician and songwriter — gives him a unique understanding of entertainment law, including intellectual property and international business litigation. Karl is also highly experienced in insurance coverage, construction, products liability, family law, and appellate work. He is admitted to practice in both Tennessee and Georgia.

Karl launched his litigation practice with HBS in 1995. Early on, he practiced extensively in general liability and medical malpractice litigation and still practices in those areas to this day. As his practice expanded, he developed distinct expertise in assisting businesses with formation, formalities, dissolution, acquisitions, transactions, and related matters. His extensive transactional practice focuses primarily on the entertainment industry, and also encompasses legal malpractice, transportation, business litigation, and retail liability cases. Karl also has significant trial experience in a wide array of areas.

## Services

[Arbitration & Mediation](#)

[Business Litigation](#)

[Business Transactions](#)

[Construction](#)

[Dental](#)

[General Liability](#)

[Insurance Coverage](#)

[Intellectual Property](#)

[Medical Malpractice](#)

[Products Liability](#)

[Professional Malpractice & Ethics](#)

[Transportation](#)

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More +

His music career gives Karl a unique, first-hand understanding of the “real life” dynamics between the entertainment industry and creative professionals. He works with a variety of clients in entertainment-related business litigation and transactional work: publishers, record companies, film and video production companies, entertainment conglomerates, songwriters, artists, administrators, entertainment entrepreneurs/investors, managers, emerging and established businesses, and others.

Karl regularly speaks at the annual North American Law Summit and is frequently invited to speak about pressing business and legal issues facing the music and entertainment industries. He also frequently interacts with leaders in the entertainment world on cutting-edge topics like social networking, music, video streaming, downloading, and subscription services and analyzes the impact of these technological advances on the industry. He helps clients effectively utilize social networking and web development for business marketing and promotional purposes to develop sustainable independent careers. Karl teaches a copyright class for Nashville Community Education and is annually featured in the prestigious Music Row publication *In Charge*, which highlights “Nashville’s Music Industry Decision Makers.” He is a voting member of the National Academy of the Recording Arts and Sciences and the Country Music Association. Karl also represented one of the nominees for the 2012 Presidential Campaign in a nationally publicized copyright litigation involving music performing rights.

Karl studied music at Eckerd College in St. Petersburg, Florida, and earned a Bachelor of Arts in Creative Writing. He attended Georgia State University College of Law in Atlanta, and received his Juris Doctor, *magna cum laude*, in 1992. In law school, he was Associate Editor of Notes and Comments, *Georgia State University Law Review*, and a member of the Outer Barristers Guild. He published reviews of selected 1991 Georgia Legislation in the *Georgia State University Law Review*, Vol. 8, No. 1, Jan. 1992.

## Strategic Teams

[National Trial Counsel](#)

## Experience

### Arbitration & Mediation

Karl offers general and family law mediation services. He is trained as a Rule 31 family law mediator in Tennessee. His practice includes experience in many mediation settings as an advocate, and he offers alternatives to litigation that afford clients effective compromise and decision-making empowerment. His clients are fully engaged and involved in resolving their own disputes and matters using a cost-efficient alternative to litigation.

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### Business Litigation

Karl has deep experience representing a wide variety of clients involved in business disputes. He offers personalized, skilled attention to business clients in many different industries to help solve their business transactional and litigation issues. Having been a small business owner and entrepreneur himself, Karl recognizes barriers to compromise in the business environment and strives to achieve resolution short of costly and counter-productive litigation. However, if the courtroom is inevitable, Karl is a zealous and aggressive advocate for his clients.

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### Business Transactions

Karl's entertainment litigation and transactional specialties were born from personal experience in the complex music industry. He now represents a wide variety of entertainment industry clients, including publishers, record companies, film and video production companies, entertainment conglomerates, songwriters, artists, administrators, entertainment entrepreneurs/investors, and more.

He has also advised, facilitated, and participated in many new business ventures on behalf of transactional clients and provided professional expertise on a wide variety of business needs, including forming entities, structuring partnerships, facilitating

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acquisitions, and assisting with due diligence.

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## Construction

In the fast-paced construction industry, business success depends on efficiency, cooperation and completion on schedule. Setbacks hurt the bottom line whether you are a developer, property owner, construction manager, contractor, subcontractor, engineer, or architect. Karl's experience in business litigation, alternative dispute resolution, copyright, and contract law serves the diverse needs of his many construction industry clients.

Karl offers his expertise to help clients navigate complex industry rules and regulations as well as contract terms and conditions, all while facilitating communication during every stage of a construction project. Issues range from contract compliance, delay, extra work, payment issues, liens, change orders, unexpected contingencies, human interaction, and communication breakdowns. He guides the resolution of project disputes before they become significantly costly delays. If necessary, Karl will aggressively and zealously litigate construction disputes in both state and federal courts.

He also has experience in protecting and litigating intellectual property rights associated with architectural plans. Since passage of the Architectural Works Copyright Protection Act (AWCPA), which amended the Copyright Act to specifically include "architectural works" among the list of protected works, architects have enjoyed protection of their intellectual labor. Since protection of pictorial, graphic, and sculptural works is also established under the Act, architects may secure complete protection for their works. Karl assists his architectural clients not only in the protection of their designs but also of the diagrams, models, and technical drawings created for their projects.

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## Family Law & Domestic Relations

Karl brings a personal, conciliatory approach to dealing with

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clients in all family law matters, and he employs aggressive litigation skills when necessary. He has over 22 years of litigation and trial experience with HBS as well as Rule 31 Family Law Mediator training and past certification. He combines an in-depth understanding of current family law with creative, individualized problem-solving strategies developed with each client. In any family law matter, Karl offers his clients efficient legal and practical solutions to these uniquely personal.

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## General Liability

During his years with HBS, Karl has litigated numerous general liability cases on behalf of insurance companies and private entities. He has trial experience in both state and federal courts, handling cases of all levels of exposure, and involving a wide array of allegations and issues. Karl offers consultation services on legal issues concerning customer and workplace safety for all types of businesses, and his clients have included retail establishments, hospitals, Travel Centers, restaurants, hotels and private entities.

In addition to general premises liability, Karl has litigated and tried issues involving the private security industry: In March 2016, he litigated a high-exposure wrongful death claim which resulted in a defense verdict in Tennessee for one of the largest security companies in the world.

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## Insurance Coverage

Karl's experience includes insurance coverage and bad faith issues from both the insured's and insurer's perspective. In addition to providing coverage opinions and guidance to carriers and clients, Karl litigates coverage disputes when necessary. In doing so, he focuses closely on policy detail, coupled with close analysis and comparison of existing applicable precedent, in determining the client's obligations and potential options.

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## Intellectual Property & Entertainment

Growing up in Nashville gave Karl a natural familiarity with the music industry and culture in America's Music City. He opened the Nashville office of HBS in 2002, developed the first entertainment practice at the firm, and now represents record companies, publishing companies, film and video production companies, entertainment conglomerates, artists, songwriters, producers, managers, agents, entertainment entrepreneurs, and investors in all aspects of the entertainment industry.

With deep knowledge of music catalogue acquisitions, Karl advises industry clients in all aspects of valuation, purchasing, and exploiting music catalogues including through bankruptcy proceedings. He offers intellectual property valuation services for estate and gift tax planning purposes as well. Karl's practice includes advising clients regarding the establishment and maintenance of various entities, including corporations, LLCs, and partnerships. He represents artists in all facets of career development, nurturing and fostering independent sustainability.

In addition to his work in the U.S., Karl offers a wide array of transactional negotiation experience and intellectual property expertise having worked in the past with international clients in Tbilisi. His international practice includes, among other areas, transactional work in the entertainment and technology industries.

From negotiating complex international agreements to offering copyright and trademark services across a broad spectrum of media, branding, and global licensing platforms, Karl provides client support and effective guidance through intellectual property protection and exploitation for businesses and individuals. He also assists with intellectual property based investment and entrepreneurial ventures, innovative transactional solutions, and maximizing new technologies to help facilitate private sector business development and growth.

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## Medical Malpractice

Karl has been litigating and trying medical malpractice cases with HBS since 1995. His comprehensive practice includes clients in both Georgia and Tennessee. For the duration of more than two

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decades, he has represented hospitals, physicians, nurses, and other health professionals in all aspects of health care liability.

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## Products Liability

Karl works with many high-profile clients in assessing risk and defending products liability matters. He assists clients with understanding possible risks and defending claims asserted and/or filed in state and federal court. He has great knowledge of the federal and state courts and their decision trends, helping him evaluate clients' exposure, and defending claims for personal injury or property damage in the products liability arena.

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## International Business

Karl's experience and practice includes representing clients and interests on the international stage both in conjunction with, and independently of, the Tbilisi office of the firm. His international practice includes, among other areas, transactional work in the entertainment and technology industries.

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## Professional Malpractice & Ethics

Karl's broad base of experience in underlying issues makes him especially suited for defending fellow practitioners facing allegations of legal malpractice. Realizing the impact of these claims, Karl always explores resolution through dispositive motion practice and alternative dispute resolution.

However, if trial is inevitable, Karl's trial experience positions him to aggressively try legal malpractice cases. He represents professionals sued for negligence, fraud, and fiduciary breaches in nearly every area of professional practice and has experience in every facet of malpractice litigation, from pre-claim assistance through trial and appeal.

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## Transportation

Karl has experience litigating cases involving the transportation industry in both Georgia and Tennessee. He has represented over-the-road operators, transportation companies, and full-service Travel Centers in these two important transportation business states.

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## Credentials

### Admitted

#### State Courts:

- Tennessee, 2002

#### U.S. District Courts:

- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Middle District of Tennessee
- U.S. District Court for the Eastern District of Tennessee
- U.S. District Court for the Eastern District of Texas

#### U.S. Courts of Appeals:

- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Eleventh Circuit

#### U.S. Supreme Court

## Education

- J.D., *magna cum laude*, Georgia State University, 1993
- B.A., Eckerd College, 1980



## Memberships

- American Society of Composers, Authors & Publishers
- Atlanta Bar Association
- Copyright Society of the South, Board of Directors
- Country Music Association: Voting Member, 2004-2023

More +

- Georgia State Law Review, Notes & Comments: Associate Editor, 1990-1992
- Nashville Bar Association
- National Academy of the Recording Arts and Sciences: Voting Member, 1993-2023
- Outer Barristers Guild
- Rotary Club
- State Bar of Georgia:
  - Entertainment & Sports Law Section
  - Intellectual Property Section
- Tennessee Bar Association

## Recognition

- [\*The Best Lawyers in America\*®](#), Best Lawyers®, 2010-2024
  - Entertainment Law - Motion Pictures and Television
  - Entertainment Law - Music
  - Litigation - Intellectual Property
- AV Preeminent® Peer Review Rated™, Martindale-Hubbell
- Gold Client Champion, Martindale-Hubbell

More +

- Music Industry Decision Maker, *Music Row Magazine's* In Charge Issue, 2010-2020
- [\*Tennessee Super Lawyer\*](#), Super Lawyers®; 2014, 2016-2018
- Tennessee Top Rated Lawyers, ALM & Martindale-Hubbell, 2012
  - Construction Law
  - Commercial Litigation

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- Intellectual Property
- Outer Barristers Guild Award

## Presentations

Karl is a regular speaker at the ABA Annual North American Entertainment, Sports, & IP Law Conference on a wide range of intellectual property litigation and transactional issues. Some of his specific presentations are also listed below.

- **Entertainment Case Law Update**  
The North American Law Summit; November 10, 2023
- **Entertainment Case Law Update**  
The North American Law Summit, November 2022

## Publications

- **Photographs As Protectible Forms Of Expression**  
HBS Intellectual Property Blog; February 10, 2020
- **Will Kanye Single-Handedly Change the Course of the Entertainment Industry?**  
HBS Intellectual Property Blog; March 14, 2019
- **Music Modernization Act**  
HBS Intellectual Property Blog; January 23, 2019
- **The Ninth Circuit Rules “Google” Is Not A Generic Term**  
HBS Intellectual Property Blog; August 2, 2017

## In the Press

## 55 Hall Booth Smith Lawyers

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## **Recognized as 2024 Best Lawyers® Award Recipients**

August 21, 2023

We're pleased to announce that 55 lawyers have been included in the 2024 edition of The Best Lawyers in America®.

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## **Hall Booth Smith Attorneys Honored by The Best Lawyers In America 2023**

August 18, 2022

47 lawyers from the firm have been honored in the 2023 edition of The Best Lawyers in America.

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## **HBS Adds Attorney Scott Corley in Nashville**

February 18, 2022

NASHVILLE, TN – February 18, 2022 – Hall Booth Smith, P.C. (HBS) is pleased to welcome Scott Corley as an Associate to its growing office in Nashville, Tennessee. Scott defends our insured clients in a wide array of areas including healthcare, professional liability (specifically healthcare professionals), products liability, general liability, transportation, as well as business,

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## **HBS Welcomes Associate Tanner W. Yancy in Nashville**

December 20, 2021

NASHVILLE, TN – December 20, 2021 – Hall Booth Smith, P.C.

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(HBS) is pleased to welcome Tanner W. Yancy as an Associate to its growing office in Nashville, Tennessee. Tanner focuses his practice on healthcare litigation, transportation, insurance coverage, intellectual property, and general liability disputes. Prior to joining HBS, Tanner practiced at a regional law

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