

**The Gavel Pose:
Copyright in Yoga Sequence is a Stretch**

**NY American Inn of Court
CLE Program**

December 16, 2015



Scenes

Act I

- Scene 1 Audience with the Guru
- Scene 2A Bikram's Studio
- Scene 2B Mom & Pop Yoga Shop, Brand Launch!
- Scene 3 The Business of Yoga
- Scene 4 O Counsel, My Counsel

Act II

- Scene 1 It's Very Hot in Here, Your Honor
- Scene 2 Friends Bending Over Backwards - Amicus Testimony
- Scene 3 Arguments and Summation

"Lady Gaga listens to me . . . [h]er mantra is only one word – Bikram – because Bikram makes her what she is today. It works."

-- Bikram Choudhury

"There is no question that Mr. Choudhury has been responsible for spreading the power of yoga to millions of new practitioners across the globe. But the important work he has done to help popularize yoga doesn't give him the right to stifle competition and claim ownership over an asana sequence, which would invite copyright chaos in the yoga community."

-- Richard Karpel,
President, Yoga Alliance

THE CAST

Yana Britan

(“Mary Ann Greene,” Trial Counsel to Bikram, Act II)

Yana is delighted to be a new member of the Inn. This is her first legal/theatrical endeavor. Yana has studied and trained to be a corporate lawyer in Russia and in the U.S. She secured her role of Bikram’s Trial Counsel on the basis of her flexibility (intellectually and also literally). Should you have a hard time understanding the Russian accent, please read the slides and don’t forget to breath.



Allison Charles

(“Moonbeam,” Counsel to Mom & Pop;
“Ms. Rai,” Yoga Teacher, Expert Witness)



Allison enjoys the practice of yoga. However, she does not particularly enjoy heat, humidity or generally being hot. Unless she is at the beach. Which she is not. But with the recent unseasonably warm weather (and arguable evidence of climate change), perhaps she should be? When not aspiring to reach nirvana in Eagle Pose, she practices law at Kublanovsky Law.



Tadasana
(Tree Pose)

Roz Fink
(Judge Marvell, C.Dist.Ca)

Rosalind is thrilled to have been a participant in this Scungio/Kublanovsky production, and apologizes to both Maria and Eugene for having a different definition of “participant” than they had perhaps been expecting. When she’s not hectoring her team leaders (or other Inn members) or pleading for money for Hillary Clinton, Roz is an employment lawyer at Brill & Meisel.

Seth Fiur

(Narrator; “Earnest Higginbothom,” Counsel to Bikram, Act I)



Dhanurasana
(Bow Pose)

Seth Fiur has never practiced yoga, but is considering taking it up to combat the stress and pain of being a New York Jets fan. He is thrilled to be part of his first Inn production, and looks forward to using this performance to launch the upcoming hit series, *Law & Order: Copyright*. He is a graduate of Fordham University School of Law and is currently a Law Clerk on the Court of Appeals for the Third Circuit.

Brooke Haley
("Mom", student of Bikram and owner of
Mom & Pop Yoga Shop; Narrator 2)



Like Sally O'Malley before her, Brooke Haley likes to kick, and stretch annnnnnd kick. When not shopping for red jumpsuits and other equally flattering trends in athleisure wear, Brooke can be found at Emmet, Marvin and Martin, LLP, where she represents and advises financial institutions, corporations and individuals in a variety of commercial litigation and employment matters.

Zachary Herz
("Bikram Choudhury," Guru and Yoga Innovator)



Zachary Herz is a recent law school graduate who is writing a dissertation on Roman legal history at Columbia. He has little dramatic training, but is a very dramatic person. Some would say he is inflexible, literally. But all would agree he is charismatic and then some, thus the most logical choice to bring life to the Bikram character. His most recent credits include: "Yes Virginia, the Skills You Develop in Intermediate Latin WILL Come in Handy!", "I Am a Knowledgeable Person Without an Imposter Complex," and writing the book for the 2015 performance of *ChakaKhannukah!*

Eugene Kublanovsky

(“Pop,” student of Bikram and owner of Mom & Pop Yoga Shop;
“Dan Stretchmore,” Yoga Association)



Garurasana
(Eagle Pose)

Eugene Kublanovsky has not been practicing yoga for his entire life. However, he enjoys all of his other hobbies in a hot room set to 105 degrees Fahrenheit, with high humidity. When not working off his blood-oath to the Inn or bemoaning his spectacular inflexibility, he can be found practicing law at Kublanovsky Law, where he concentrates on intellectual property, commercial litigation and employment matters.

Maria Scungio

(“Prof. Helen Hansen, Copyright Law, Stanford Law School;
Ms. Arabella Arrow; Counsel to Mom & Pop)



Ardha
Matsvendasana

Maria Scungio has practiced yoga off and on since her introduction to hatha yoga as a child. She has also practiced law for decades. Maria’s breathing skills and meditative focus developed from the one pursuit have been sorely tested by the second pursuit, due to last week’s office move from mid-town to Locke Lord’s 200 Vesey Street offices. Even today, she has rooted through myriad boxes, to seek enlightenment. There must be a cosmic lesson in the experience, but Maria is still waiting for that lesson to reveal itself.

The Gavel Pose: Copyright in Yoga Sequence is a Stretch

With appreciation to the following actors:

Yana Britan, Allison Charles, Roz Fink, Seth Fiur, Brooke Haley, Zachary Herz, Eugene Kublanovsky and Maria Scungio

SPECIAL THANKS TO:

- Locke Lord LLP for hosting this evening's program, as well as providing rehearsal space, document production and logistical support
- Kublanovsky Law LLC for graphic and video production
- Brill & Meisel for hosting production meetings
- Michael Phillips and Leslie Gretschel, for CLE materials preparation and program coordination
- Maria Scungio for creation of this Bar Bill and service as Prop Master

"Undisturbed calmness of mind is attained by cultivating friendliness toward the happy, compassion for the unhappy, delight in the virtuous, and indifference toward the wicked."

--Patañjali, *The Yoga Sutras of Patanjali*

"Yoga can't be owned and run like a company. Since there are attempts to [claim intellectual property protection for] this tradition (of yoga) in America, the [Indian Government] and yoga organisations should take measures to prevent it."

--Swami Ramdev, Indian yoga guru