

Arthur D. Sims, II

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EDUCATION:

Cornell University Law School; Juris Doctor, 1994, Mersereau Fellow, 1993

Morehouse College; Bachelor of Arts, English, 1990
Magna Cum Laude, 3.79 GPA
Brazael Award in English Literature for Highest Academic Average
Minors: Economics, Biology, and Spanish all with High Honors

Further Study, University of Central Florida Rosen School of Hospitality; 2001-2002; 2004-2006
Further Study in Theme Park and Attractions Management; The Negotiation, Administration, and Litigation of Hotel Franchise and Management Agreements; and The Financial Analysis of Hotel Issues with a focus on REIT's and Hotel Acquisitions.

EXPERIENCE:

Diverse legal and business experience representing professional sports franchises and leagues, professional athletes, entertainers, music and publishing companies, gaming enterprises and casinos; music, television, and film producers; entertainment venues, mobile application and game developers, luxury resorts, tourism companies, municipal theatrical and arts organizations, theme parks, amusement parks, destination businesses, vocal coaches and producers, writers, and convention bureaus in matters relating to lobbying, intellectual property, licensing, acquisitions, litigation, commercialization of technology and intellectual property products, and personal service contracts. Substantive areas include:

Technology, Intellectual Property, Sports and Entertainment Matters

- Negotiated and drafted web-site development and hosting agreements; Internet service provider, telecommunications and co-location management agreements; and, Internet marketing, e-commerce, and distribution agreements. Also, served as arbitrator and mediator for domain name dispute issues and Internet piracy.
- Negotiated labor and employment disputes with professional sports associations and assisted in drafting labor agreements.
- Negotiated and drafted miscellaneous domestic and international multi-million dollar licensing, distribution, production and multimedia agreements in the fields of music, film, television, theater, art and museums, games, and publishing; and advised clients regarding the trademark and copyright issues arising from such agreements for clients including Johnny Wright (Jonas Bros, Justin Timberlake, Menudo, Ciara, Sean "Diddy" Combs, Janet Jackson, Pop Nation, Live Nation, Making The Band, Danity Kane, Back Street Boys, and N' Sync), Nickelodeon talent Malese Jow, Wind Up Records, Rip It Records, (69 Boys, 95 South, Quad City DJ's) Robert Stevenson, Michal "M Squared" McPherson (Red Bull Three Style Champion, NBC Universal Orlando), Megan McCauley (Fantastic Four, Beverly Hills Chihuahua), D. J. Prostyle (BET, Ciroc, MTV), and Grammy Nominated songwriter Nazerine Henderson.

- Negotiated and drafted multi-million dollar professional sports contracts for high first round draft picks in the National Football League as well as marketing and endorsement contracts for clients including Ray Lewis, Kenard Lang, Leon Searcy, and Jason Ferguson.
- Represented emerging and established domestic and international biotechnology, applied science, pharmaceutical, and engineering companies in corporate, intellectual property, regulatory and governmental, and product development matters with an emphasis on aggressive licensing and the formation, structuring, and financing of such companies.
- Prepared copyright and trademark registrations and patent, trademark, copyright and trade secret license agreements; and advised litigation teams in regards to the discrete aspects of technology applications and various proprietary rights.
- Negotiated and drafted endorsement agreements, talent agreements, licensing agreements, venue and event agreements, merchandising agreements, and multi-level marketing agreements for international fitness and pageant company, Bombshell Fitness (The Olympia, The Arnold Classic, The Europa, “Bomicon”, Miss USA, Miss America, Miss Universe, and BSF Men).

Academic and Guest Lecturing

- Cornell University Entertainment and Sports Law Symposium
- University of Florida Law School Entertainment and Sports Law Symposium
- Barry University Law School Sports and Entertainment Law Symposium
- Florida A&M Law School Sports and Entertainment Law Symposium
- Nova Southeastern Law School Sports and Entertainment Law Symposium
- Florida Music Festival Industry Professional Panel
- University of Central Florida Adjunct in Hospitality and Entertainment Law and Business

PROFESSIONAL POSITIONS:

August 2016 – Present; Baker Donelson, Berman, Caldwell & Berkowitz, P.C., Orlando, Florida
Of Counsel in the Entertainment, Intellectual Property, Digital Media, Hospitality, Gaming, and Sports Group.

- Represent Grammy Award Winning Artist, Producers, and Songwriters
- Draft and Negotiate publishing deals, artist agreements, film and television agreements
- Draft and Negotiate complex intellectual property agreements
- Represent professional athletes, fitness models, pageant contestants, and media personalities
- Serve as an executive producer and creative advisor in music, television, film, and video gaming

November 2012 – February 2015; Lowndes, Drosdick, Kantor, and Reed, P.A., Orlando, Florida
Of Counsel in the Hospitality, Entertainment, Intellectual Property, Sports, and Media Practice Group

- Draft and negotiate hotel purchase agreements, franchise agreements, management agreements, procurement and vendor agreements, licensing agreements, leases, financing documents, construction agreements, real estate acquisitions, employment agreements, intellectual property agreements, and general corporate documents.
- Draft and negotiate complex intellectual property agreements in the music, film, television, and gaming industry
- Advise, draft, and negotiate hotel and restaurant management and franchise agreements
- Advise, draft, and negotiate labor and employment agreements
- Manage entertainment personalities in the music, film, television, modeling, and fitness industries and produce entertainment properties.

February 2007 – June 2012; Bray and Gillespie/ Ocean Water Management, LLC, Inner Circle Capital, LLC Daytona Beach, Florida

Senior Vice President and General Counsel – March 2008 – June 2012

Deputy General Counsel and Hospitality Contract Consultant - February 2007 – March 2008

- Member of the seven-person Executive Committee for a 27-property hotel ownership and investment company,
- Draft and negotiate hotel purchase agreements, franchise agreements, management agreements, procurement and vendor agreements, licensing agreements, leases, financing documents, construction agreements, real estate acquisitions, employment agreements, intellectual property agreements, and general corporate documents.
- Develop and Created the Daytona Beach Music Festival featuring Blake Shelton, Usher, Jonas Brothers, and Tony Bennett.
- Assist in due diligence process for traditional and private equity financing.
- Negotiated entertainment contracts with NASCAR, ESPN, DAYTONA BIKE WEEK for concert and specialty events
- Drafted hotel, restaurant, night club, and amusement park agreements including licenses, employment agreements, human resource issues, and statutory compliance

2006- 2012 Sims & Torres, LLP, Orlando, Florida

Managing Partner and Chair of Hospitality, Intellectual Property, and Entertainment Practices. Corporate Counsel for hospitality companies, hotel investment groups, real estate companies, hotel development and management companies, entertainment companies, and intellectual property portfolios. Focus of practice includes:

- Advise, draft, and negotiate all forms of entertainment deals including but not limited to music, film, television, literary, and lifestyle content
- Also, serves as lead corporate and intellectual property counsel in matters involving trademarks, copyrights, licensing, corporate due diligence, and private equity administration
- Clients include Ocean Waters Management, a 40-hotel development and Management Company, Wind Up Records, and Wright Entertainment Group (Johnny Wright), the preeminent entertainment manager in the world (Justin Timberlake, Danity Kane, N Synch, Jonas Brothers)

2006- Present Adjunct Professor, University of Central Florida Rosen School of Hospitality, Orlando, Florida

Professor of Hospitality, Restaurant, Hotel, Entertainment and Events, and Gaming Law.

- Instruct Students in legal matters affecting the hospitality, gaming, hotel, theme park and amusement entertainment, restaurant, and media industry. Special emphasis on corporate transactions, licensing, music and film agreements, intellectual property, administrative and regulatory issues, live events, hotel management and franchise agreements, public liability, and technology issues.
- Editing and Drafting new edition of The Law and Business of Entertainment with Dennis Greene (deceased) for Cognella Publishing.

2002- 2006 Senior Associate, Becker & Poliakoff, Fort Lauderdale, Florida

Member of Corporate, Intellectual Property, Entertainment and Sports Law, Gaming and Hospitality.

- Represented clients in the hospitality, gaming, entertainment, and technology industry. Special emphasis on entertainment contracts, licensing, complex intellectual property agreements, administrative and regulatory issues, hotel management agreements, franchise agreements, and

real estate issues focusing on REIT's, condominiums, timeshares, and resorts.

- Negotiated major motion picture soundtrack agreements, talent agreements, and product licensing deals.
- Worked and traveled extensively in Europe representing international clients.

1999-2001 *Associate, Carlton Fields, Orlando, Florida*

Member Corporate and Intellectual Property Departments.

- Represented corporate clients in matters involving complex intellectual property transactions and litigation. Special emphasis on new media and technology, licensing, trademark and copyright, entertainment and sports contracts, and literary publishing.

1997-1999 *Prodigy Sports and Entertainment Management Services, Orlando, Florida*

Founder and CEO.

- Represented clients in matters involving intellectual property, professional service contracts, labor disputes, and licensing and distribution.

1994-1997 *Associate, Foley and Lardner, Orlando, Florida*

Member of the Corporate, Intellectual Property, and Labor Departments.

- Represented clients in matters involving technology, telecommunications, franchise agreements, trademark and copyright, labor issues (Greater Orlando Aviation Authority, Major League Baseball, National Football League), and regulatory and governmental compliance.

PROFESSIONAL AND BAR ASSOCIATIONS:

- Florida Bar Association: Sections on Business, Entertainment, and Intellectual Property
- Admitted to Florida

Professional, Academic, and Legal References Available Upon Request