

MVP: Jenner & Block's Andrew H. Bart

Law360 (December 5, 2018, 1:09 PM EST) -- Andrew H. Bart, the chair of Jenner & Block LLP's content, media and entertainment practice, brought a successful end to a long-running case involving Digital Millennium Copyright Act issues, earning a spot as one of Law360's 2018 Media & Entertainment MVPs.

WHAT WAS YOUR BIGGEST ACCOMPLISHMENT THIS YEAR?

Capitol Records and MP3Tunes in December 2017 were preparing for a second damages trial following the Second Circuit in 2016 reviving a jury's verdict that the music giant was entitled to damages based on the online music site's "willful blindness" and "red flag knowledge" of illegal online activity when the two sides settled.

After battling over the issue for 12 years and securing a precedential opinion on the limits of "safe harbor" under the DMCA for website owners who are overseeing illegal activity, Bart said he and his client were satisfied with securing the settlement and finally moving on.

"As with any long-term litigation, you have your moments of triumph, your moments of doubt," Bart said. "Having it all play out well in the end becomes a chapter in your career that you look at happily."

WHAT WAS YOUR BIGGEST CHALLENGE?

As the head of his practice group, Bart says that what keeps him up at night is not the particular intricacies of any given case he is handling at the moment, but the broader challenge of ensuring that his firm is best positioned to address the constant changes in the world of media and entertainment.

The larger companies of yesterday are often no longer as relevant, new conglomerates based on various

The logo consists of the letters "MVP" in a bold, blue, sans-serif font. The letter "V" is partially enclosed by a red circle with an arrow pointing upwards and to the right, suggesting a "top performer" or "most valuable player" theme.

Andrew H. Bart
Jenner & Block

media platforms change the way business is conducted, the impact of startup companies are changing and the law and those who practice it are always in flux, particularly as different generations of lawyers shift out of and into the profession, he said.

“Bringing up young people to be the next generation of leaders and trial lawyers is the biggest challenge because you’re writing on a blank slate and dealing with a lot of changing circumstances.

WHAT ADVICE DO YOU HAVE FOR JUNIOR ATTORNEYS?

Bart advises younger attorneys to not simply be trying to find the problems present in a case or on a project, but to actively work on developing successful solutions that can meet the needs of the client and of the firm.

He also encourages young attorneys to engage in networking, believing that the connections that can be developed early in a person’s career are often critical for achieving the success that everyone craves.

“The world revolves around networking and interacting and building up a network of people who you know and who you are rising through the ranks with,” Bart said. “It’s critically important to the success of any young attorney.”

WHAT MOTIVATES YOU?

Bart attempts to take the long view on cases, looking at each set of litigation as a puzzle with many intricate, moving parts that can be modified in one form or another to best benefit his clients, he said.

It’s not a matter of a particular deposition or a particular brief, it’s always a matter of the macro view of a case and setting a strategy from beginning to end,” Bart said.

— *As told to Kevin Penton*

Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2018 MVP winners after reviewing nearly 1,000 submissions.

Correction: A previous version of this story misidentified the practice area for which the attorney was named an MVP.