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MaxWax Interview with Nicholas C. Ferrara

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Tell us what it is you do, so all of us non music attorney types can understand.

There are essentially two roles that I play. In one role, I am very proactively involved in procuring deals for my clients. These deals may, depending upon the respective client's needs, include Recording Agreements, Publishing Agreements, etc. In the other role, I advise and guide my clients with respect to all of their contractual endeavors in the industry. For example, if the client is a recording artist, I will, in conjunction with the artist's manager, negotiate the aforementioned agreements, Producer Agreements and various other agreements. Frequently, I will also represent the artist with respect to the negotiation of such artist's agreement with the artist's manager. In all instances, I will seek to obtain the most favorable terms (with an eye on both the short and long range) for my client.

Tell me about an average day (if there is such a thing) you get up in the morning, you come to work and....

Fortunately (and occasionally unfortunately), in my opinion, there really is no such thing as an "average" day. In this fast-paced industry, fortunes (and careers) change very rapidly as the tastes of the general public shift. Any given day can present any number of challenges, foreseen and unanticipated. A typical day will consist of numerous e-mails to send or respond to, phone calls to make or take, meetings to attend. And, of course, the meat and potatoes of the job: negotiations.

What do you love about your job?

Assisting a talented artist in achieving the fullest of their potential. The music industry, at its finest, offers the rare opportunity for all involved in an artist's career to enjoy the benefits of success. In an ideal scenario, the artist, the label, the manager and the publisher, all can happily reap the benefits. Of course, unfortunately, it doesn't always work out so smoothly.

What do you hate about it?

Dealing with individuals who insist on making the ultimate objective (success for all concerned) unnecessarily difficult to achieve. Negotiations do not need to be a “zero-sum” game, where one party only wins at another party’s expense. Individuals who live by that standard might be better suited to a career in litigation.

Advice for anyone looking to do what you do?

While the job can be quite fulfilling, like any job, it’s not for everyone. I suggest that an individual who is contemplating a career as an entertainment attorney obtain as much experience in the field as possible via internships, etc. while they are in law school, or preferably beforehand. One should make sure that this is the path they truly want to take. While law school teaches an individual to “think like a lawyer,” it does not teach one to practice Entertainment Law. The only real way to get a feel for what the practice entails is to be a part of it to the greatest extent possible.

Advice for a new band?

These days, with competition being fierce, labels are demanding the whole package before committing to an unknown artist. For better or for worse, image is crucial, so too are having a polished demo and performing excellent live shows. Being aligned with established, respected professionals (management, attorney) is also often a key factor. Anything in addition that distinguishes you from the pack is also helpful; radio play, independent record sales, great popularity on Myspace.com, etc. An interesting story/background never hurts either.

Any good stories you'd like to share?

Due to confidentiality guidelines and discretion, unfortunately, I’ll have to remain silent on this question.

Photography and interview - Max Hsu - MAXWAX - www.maxwax11.com

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