

# Tracy B. Rane

## Counsel

E: [trane@kfc.law](mailto:trane@kfc.law)

P: (310) 409-4685



## Biography

Tracy B. Rane is a litigator with two decades of experience representing clients in complex entertainment, intellectual property, and business disputes. Her practice focuses on matters involving copyright infringement, trademark infringement, defamation, right of publicity, right of privacy, breach of contract, insurance coverage, and general civil litigation. Tracy has successfully represented clients from the pre-litigation stage through trial and arbitration in various forums in California and other states. She also has substantial appellate experience and has appeared on behalf of her clients before the California Courts of Appeal and the U.S. Court of Appeals for the Ninth Circuit.

Prior to joining Kibler Fowler & Cave LLP, Tracy practiced at several national and international law firms, including Ballard Spahr LLP, Kasowitz Benson Torres LLP, and Kirkland & Ellis LLP.

Tracy's representative matters prior to joining Kibler Fowler & Cave include:

- Represented multi-platinum recording artist in an arbitration involving breach of contract claims. Successfully defended respondent against petitioner's claims and obtained a substantial award of attorneys' fees as the prevailing party pursuant to Section 998 of the California Code of Civil Procedure.
- Obtained writ relief from California Court of Appeal after trial court improperly found defendants were in contempt for violating the terms of a preliminary injunction.
- Obtained partial summary judgment on behalf of a major record label and a prominent R&B artist in a copyright infringement action, pursuant to which the court dismissed the plaintiff's claims for statutory damages and attorneys' fees.
- Represented a multi-platinum artist in a declaratory relief action concerning ownership of the copyrights to various songs. Tracy helped her client reach an amicable resolution of the case with a favorable settlement.
- Represented successful punk band in an action for copyright infringement, breach of partnership agreement, and violation of California Business and Professions Code Section 17200. Tracy helped her clients reach an amicable resolution of the case with a favorable settlement.

- Represented defendant in a lawsuit involving copyright infringement of music composition textbooks. Tracy helped her client reach an amicable resolution of the case with a favorable settlement.
- Represented plaintiff corporation that owns and manages the rights to the legacy of a legendary rock-and-roll artist and cross-defendant in an action to recover possession of a guitar used by the artist. Obtained dismissal of cross-complainant's claims by filing an anti-SLAPP motion, and regained possession of the guitar for plaintiff.
- Represented defendant in a copyright infringement and breach of partnership action involving artwork that was used by the defendant on merchandise, album covers, and during live shows. Tracy helped her client reach an amicable resolution of the case with a favorable settlement.
- Represented defendant and counterclaimant in an insurance litigation dispute. Obtained a favorable decision from the California Court of Appeal regarding the insurer's duty to defend client and thereafter negotiated a favorable settlement.
- Represented plaintiff corporation that owns and manages the rights to the legacy of a legendary rock-and-roll artist in a trademark infringement action. Obtained default judgment and permanent injunction against defendants.
- Represented defendant in a copyright infringement action involving a musical composition. Obtained summary judgment in favor of defendant.
- Represented defendant in a copyright case in which the plaintiff alleged that defendant sampled a portion of plaintiff's song. Tracy helped her client reach an amicable resolution of the case with a favorable settlement.

Tracy is active in her legal community. She is a member of the Los Angeles Copyright Society and is the co-chair of the Trademark and Copyright Committee for the Los Angeles Intellectual Property Law Association (LAIPLA). She is currently the chair of the Women Who Lead Advisory Board for the Association of Media and Entertainment Counsel (AMEC). Tracy has also worked as an adjunct professor of legal writing at the University of Southern California School of Law.

## Areas of Practice

- Entertainment and IP Litigation
- Business Litigation
- Appellate Litigation
- Insurance Litigation

## Education

- University of California, Los Angeles, J.D.
- California State University, Northridge, B.A.

## Bar & Court Admissions

- California
- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California
- U.S. Court of Appeals for the Ninth Circuit

## MCLE Events/Speaking Engagements

- Moderator, Music Breakout Session, 2024 Entertainment and Media Law Conference hosted by the Media Law Resource Center and Southwestern Law School, March 21, 2024
- Presenter, "Entertainment Law Year in Review," Los Angeles County Bar Association, Entertainment Law and Intellectual Property Section, January 2019, 2020, 2021, 2022, 2023 and 2024
- Moderator, "Copyright and Music: The Basics and Beyond," Los Angeles Intellectual Property Law Association, October 19, 2023
- Moderator, "IP and the First Amendment – Two Sides of the Same Coin or Constitutional Principles in Conflict?" Los Angeles Intellectual Property Law Association, February 7, 2023
- Moderator, "Miramax v. Tarantino – The Value of NFT IP Rights Are No Pulp Fiction," Los Angeles Intellectual Property Law Association, January 18, 2022
- Presenter, "Settlement Demands – When Is A Demand Letter Considered Just a Bluff?" Beverly Hills Bar Association – Inn of Court, March 27, 2018
- Presenter, "Insurance and Risk Allocation in Entertainment and Sports Law: Hot Topics and Overlooked Issues," American Bar Association, October 12, 2012