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ARTICLES

articulate and explore what he believes to be an important connection between these two areas of entertainment law. Using *Main Line v. Basinger* as a backdrop, Mr. Giordano argues that dealmakers ought to continue to rely on and enforce oral contracts because they are valuable, both intrinsically and instrumentally. He explains how in order to foster an atmosphere in which oral agreements can thrive, there are numerous practical and principled reasons to limit the scope of the agent's privilege.

Advertising Entertainment: Can Government Regulate the Advertising of Fully-Protected Speech Consistent with the First Amendment?

Recent revelations that entertainment distributors target violent film, music and other entertainment products to minors have prompted government interest in regulating the content of entertainment advertisements, as well as the manner by which entertainment is advertised. Whether entertainment advertisements are categorized as commercial or fully-protected speech will dictate if and how the government can regulate the marketing of this core First Amendment speech. In her Comment, Tara Kole asserts that entertainment advertising should be treated as fully protected speech; that entertainment advertising's nebulous place in the speech hierarchy reflects the limited value in distinguishing between commercial and fully-protected speech in the first place; and that, instead of allowing government to regulate entertainment advertising, the entertainment industry should continue its tradition of self-regulation. The entertainment industry should, however, be wary of simply supplanting the government as a "ministry of culture," and should instead regulate with an eye to encouraging the "free flow of information" about its products.

Digital Sampling: A Cultural Perspective

Although a wide variety of views on the subject of digital sampling has been presented over the past decade, one very important perspective on the topic has remained almost entirely unexamined: the cultural motivations *behind* the now widespread practice of sampling, and the legal implications thereof. This comment seeks to identify some of those motivations by briefly exploring the cultural roots of sampling in New York, Jamaica and Africa. It examines the relative absence of case law addressing the matter and describes the overly cautious industry licensing practices that have resulted. The comment concludes with a discussion of why sampling is widely perceived as antagonistic to modern Anglo-American copyright law.

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