

Chicago Daily Law Bulletin®

Volume 157, No. 251

Friday, December 23, 2011

Lawyer goes from Harpo to Much, Shelist to lead social media practice

By John Flynn Rooney
Law Bulletin staff writer

Charles H. Gardner said businesses should be aware and cognizant of issues related to social media use.

Gardner, former director of legal and business affairs for Harpo Studios Inc., principally owned by Oprah Winfrey, recently joined Much, Shelist, Denenberg, Ament & Rubenstein P.C. He is special counsel in the intellectual property and technology group and heads the firm's new social media practice.

Social media includes use of applications such as Facebook, Twitter and LinkedIn, Gardner said. Broadly defined, social media consists of electronic communication through which users create online communities.

"It's like being at a coffeehouse but you're at your computer," Gardner said.

Gardner said he has a twofold mission in his new job.

"First, I counsel clients about how they can intelligently and successfully integrate social media into their business models," Gardner said. "Second, I help those businesses comply with the law and at the same time, I work to help lawmakers keep pace with technology."

Before his five years at Harpo Studios, Gardner practiced law in California but also worked for about a decade in television production.

"There is probably not a hotter topic out there in the business world than the effective use of social media and its implications for businesses," said David T. Brown, a principal with Much, Shelist and chairman of the firm's management committee. "Coupled with that, there's so much uncertainty and risk associated with social media and having (Gardner), who has background



Charles H. Gardner

expertise and industry experience, was an opportunity for us to be on the cutting edge of social media and its implications for our clients."

Gardner, 45, grew up in California. Following his graduation from the University of California, Berkeley, Gardner worked on television programs, including the Academy Awards, the Emmy Awards and "Star Search."

He also received two Emmy Awards for his work on an annual show called, "Live from the Hollywood Bowl."

While working on a reality series, "LAPD: Life on the Beat," Gardner said he developed a close relationship with the show's legal counsel who suggested Gardner attend law school.

In 1997, Gardner enrolled at Loyola Law School Los Angeles and received his law

degree from the school in 2000.

For the next six years, Gardner worked as an associate at two Los Angeles law firms and as business and legal affairs counsel at Warner Bros./Telepictures.

In 2006, Gardner moved to Chicago to work for Harpo Studios. He oversaw Oprah.com and new media related ventures.

Gardner left Harpo Studios in September after Winfrey ended her Chicago television talk show and moved part of her business operations to California. Gardner met with representatives of several law firms before he agreed to join Much, Shelist in October.

Gardner is admitted to practice law in Illinois, California, New York, the District of Columbia and before the U.S. Supreme Court.

"He's probably one of the most experienced attorneys in the country in this evolving area of the law," said James M. Kunick, a Much, Shelist principal and chairman of the firm's intellectual property and technology practice group, said referring to Gardner and social media law.

Last week, Gardner made a presentation to a social media marketing company about the use of trademarks and running sweepstakes and contests on social networks.

Gardner also recently spoke at a seminar about social media attended by about 70 lawyers and clients.

"The biggest challenge is to show the social media generation and the traditional business generation that this technological evolution is not something to be feared, but something to be embraced," Gardner said.

"In the not-to-distant future, the social media generation will have the reins of our society," he said. "I would like to help them to make that society a democratic, flourishing and international one."