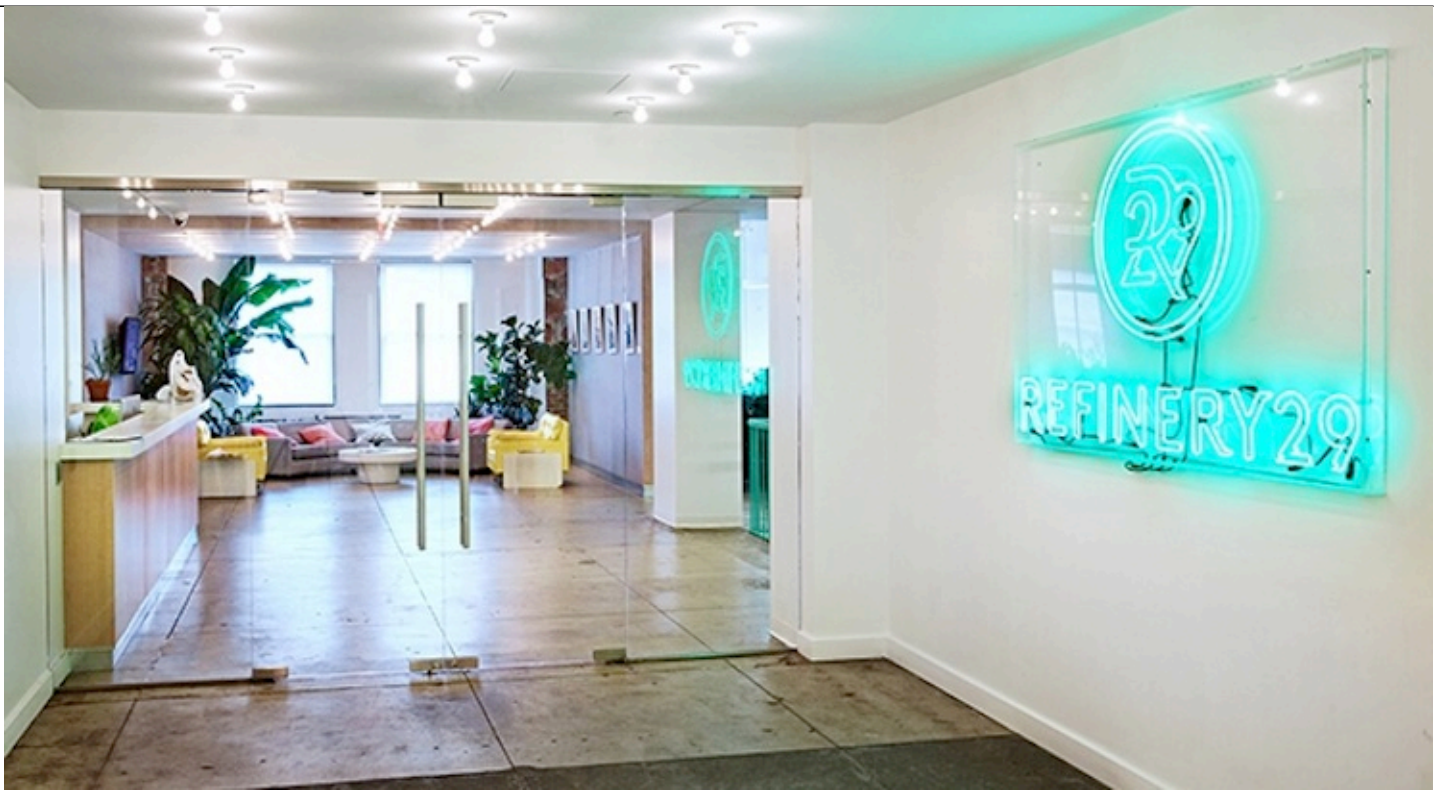




The Three-Factor Approach: How Sara Marston of Refinery29 Has All the Answers

Skills and Professional Development



“Can we bring an anteater, some snakes, and a few other wild animals for the video shoot in the office? Or, how about shooting a political-related video in North Korea? Do you see any concerns?” Sara Marston, general counsel of Refinery29, the fastest-growing independent fashion and style website in the United States, faces these questions daily and loves every minute of it. Refinery29 is more than just a fashion website; the lifestyle media company is committed to delivering nonstop inspiration to help women live a more stylish and creative life. “By now I am good at facing any question with a straight face and answering it in a calm and collected way, sometimes with a sense of humor. You can rarely ask me something that will surprise me at this point. Try me!” she jokes.

Refinery29 connects over 25 million unique monthly visitors and 175 million users across all platforms with 24/7 programming, covering everything from politics and news, shopping and beauty to wellness and celebrities, giving readers all the tips, tricks, and tools they need to live a more beautiful, educated life — and share it with the world. With this hefty mission, Refinery29 is definitely in business to entertain, surprise, and delight its users and partners. To this end, Marston — who has built her career and legal department following a three-factor approach of working hard, building relationships, and sharing knowledge — is the perfect woman for the job. In the face of wild, unconventional questions, she seems to have all the answers. How? She has applied this three-factor approach consistently, persistently, and systematically since law school and credits her strategy for getting it right.

Work hard

To say that Marston works hard is an understatement. After all, she regularly splits her time between Los Angeles and New York. “The reality of this bicoastal lifestyle forces me to be efficient with my time to respond to the company's many legal needs,” she explains. Refinery29 is a full service shop

that produces original videos, creates custom editorial content, and facilitates large, experiential events. They also work with talent and have launched a talent collective that provides advertisers with access to a network of social media influencers. Consequently, a high volume of deals and fast-paced legal issues are a reality for Marston and her four-person legal team.



This work ethic has been developed and applied over the course of her career. Marston, who previously was a music lawyer for Google, eMusic, and The Orchard, spent the beginning of her career understanding the complexities of music law. She put her head down and embraced the industry, with its multiple stakeholders, complex licensing structures, and numerous rights. To add to her trials, the nature of the ever-changing industry landscape leads to a fast-paced learning curve that's not for the faint of heart. "Even a simple hip hop song is a bouquet of legal issues, numerous stakeholders, and a multitude of jurisdictions," Marston explains. For example, a song's lyrics may have many different authors, each signed to a different publisher, with different rights administrators and affiliates outside of the United States, in addition to multiple sound recording rights holders and administrators. The same song may include "samples" of other songs, multiplying the various rights

holders. Finally, depending on the song's use, the matter of different worldwide licensing systems will top off these many issues. To succeed in such a complex industry, Marston focused on diving head first into learning and understanding its intricacies. This commitment to hard work has followed her throughout her career, including her work at Refinery29.

Build relationships

Marston pursued the non-traditional path of going directly in-house. During a networking event in law school, her pre-law experience working in marketing led to a conversation with Joel Schoenfeld, former general counsel of the RIAA and BMG Entertainment, the entertainment division of Bertelsmann AG. They chatted about digital marketing and after a series of conversations he offered her an internship. "I leveraged what I had at the time — my past marketing experience. And luckily, it was helpful." Seeing a unique opportunity, she joined Joel for the summer as he was building a media company and providing consulting services for a number of clients, including the private equity group, Dimensional Associates. At the time, Dimensional Associates was buying music assets, including eMusic.com and The Orchard. Joel became an important mentor while she worked with Dimensional Associates throughout law school, and she was able to turn this experience into a job offer with Dimensional after law school. She initially provided in-house legal support for both eMusic and The Orchard, occasionally helping on other Dimensional matters and eventually transitioned to solely eMusic as the companies grew. Marston feels fortunate to have learned from great attorneys during this time and to have built strong relationships with her internal clients.

Her path to Google was paved through relationships she built at The Orchard and eMusic. Joel gave her the tip that Google was looking for a music lawyer. "I then summoned and leveraged at least five other relationships to make sure that I was highly considered for my then-dream job. I asked folks who are familiar with my work to reach out to their contacts at Google to share their experiences working with me," Marston explains. Her path to Refinery29 was through another relationship built with eMusic's former CFO, Tom Etergino, now Refinery29's CFO. It was difficult for her to think about leaving Google when he approached her about the role, but she saw it as a great opportunity to become general counsel and to build a team in an exciting, rapidly growing company, with a known, highly-regarded CFO.

Throughout her career, Marston has developed a gift for keeping her relationships alive for decades. Through periodic check-in calls, information sharing, and meeting for breakfasts, lunches and dinners, she tries to stay in touch with people she networks with. This keeps her on the minds of people — both lawyers and non-lawyers — who help her tackle new opportunities, give her tips, or provide support at necessary times. This ability to "connect the dots" by leveraging her strong relationships is what helped her successfully navigate her non-traditional in-house law career.

Share knowledge

Marston's legal career began after she shared what was her most relevant asset at the time — knowledge about marketing. Over time, as she gained other knowledge, she made it a point to share her knowledge and be helpful to others. Through this, she continued building new relationships and increased the depth of the existing ones. For example, she says, "I regularly meet with a few other general counsel who work at other New York media companies. We talk about life, law, and everything in between. We get each other. We face the same problems and deal with some of the

same vendors. And, most importantly, we enjoy each other's company." When time permits, she also attends industry conferences and events. "The relationships that I build with people in the industry smooth out the rough corners. I can't tell you how many times I was able to avoid costly conflicts by reaching out to people with whom I've developed relationships with over the years," she shares.

In retrospect, Marston's legal career path looks like a flawlessly-executed and cleverly masterminded plan. "In reality, it was a lot of hard work and sweat of the brow that was occasionally followed up by glimpses of luck," she clarifies. "What made it fun and thrilling is the company, expertise, and generosity of people who shared my path. Not only did they open many doors for me. They also made this a journey that I wouldn't trade for anything." Although she denies following a master plan to her success, Marston's career shows that a well-applied approach of hard work, strong relationships, and shared knowledge can be key to forging an unconventional career path. With her three-factor approach at hand, she is well-equipped to face even the most unexpected questions.

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Mack is also an award-winning (such as the prestigious ACC 2018 Top 10 30-Somethings and ABA 2022 Women of Legal Tech) general counsel, operations professional, startup advisor, public speaker, adjunct professor, and entrepreneur. She co-founded SunLaw, an organization dedicated to preparing women in-house attorneys to become general counsels and legal leaders, and WISE to help female law firm partners become rainmakers.

She has authored numerous books, including *Get on Board: Earning Your Ticket to a Corporate Board Seat*, *Fundamentals of Smart Contract Security and Blockchain Value: Transforming Business Models, Society, and Communities*. She is working on her next books: *Visual IQ for Lawyers* (ABA 2024), *The Rise of Product Lawyers: An Analytical Framework to Systematically Advise Your Clients Throughout the Product Lifecycle* (Globe Law and Business 2024), and *Legal Operations in the Age of AI and Data* (Globe Law and Business 2024).