ESSENTIAL QUESTION

How did the Grateful Dead’s business practices create a dedicated fan culture and ensure the financial success of the group?

OVERVIEW

In this lesson, students discover some of the steps the Grateful Dead took to develop a robust and dedicated fanbase and maintain financial success.

In the 1960s, popular American music transcended its limited role as mere entertainment to become an integral part of American identity. No longer merely fodder for variety television shows or FM/AM radio dials, music in the 1960s became a proxy for cultural identity amongst the changing landscapes of contemporary values and ideals. Music was not merely a passive activity to observe—it demanded active engagement and informed how people lived their lives, formed their communities, and found their place in society.

Perhaps no band in the history of American Rock and Roll developed a more tight-knit community of fans than the Grateful Dead. The band formed in the 1960’s Bay Area—the epicenter of the burgeoning counter-cultural movement. The Bohemian neighborhood bestowed a sense of experimentation and spirituality to the band’s early development, and they developed a unique sound and repertoire that attracted fans eager to divorce themselves from the restraints of modern society. The combination of this counter-cultural zeitgeist and the band’s relentless touring and performing schedule created a massive fanbase for the Grateful Dead that ultimately gave birth to an entirely unique American identity: the Deadhead.

Whether consciously or unconsciously, the Grateful Dead’s musical and business decisions helped cultivate this large and dedicated fanbase. Rather than focusing on studio recordings, the Grateful Dead sought to provide live experiences for its fans. The improvisational nature of Grateful Dead shows promised a unique experience each night, beckoning the fans attention at every turn. Deadheads saw the band as conduits of spiritual energy, channeling a higher power through the medium of improvisational jamming. Each show’s unique performance provided more material to study, more lore to build the holy scriptures, and more clues to deciphering the cosmic meaning of the Grateful Dead’s message. For their part, the band fostered this culture, allowing their shows to be recorded and shared widely, and ensuring that their concerts were accessible to all, either by providing some for free or even hiring sign language interpreters for hearing-impaired fans.

The Grateful Dead established a fan culture that paved the way for a robustly successful business model based on years of steady product generation. Whether through live concerts, studio
records, live performance records or merchandise, the Grateful Dead constantly released and promoted a stream of material for generations of eager fans to consume. Through decades of innovative engagement with their fans, the Grateful Dead imbued their products with a sense of purpose, quality and importance that demanded their fans attention.

OBJECTIVES

Upon completion of this lesson, students will:

1. KNOW (KNOWLEDGE):
   - How the Grateful Dead created a successful business model through their approach to live events, recording, and trademarking logos.

2. MASTERY OBJECTIVE:
   - Students will develop strategies for successful band management by investigating the Grateful Dead’s business model as a case study.

ACTIVITIES

MOTIVATIONAL ACTIVITY

1. Ask the students to think of a live entertainment event they have experienced. It could be a concert, a sporting event, a play, a fan convention, or a live streamed/televised performance or sports game. Then, on a scratch piece of paper, ask them to list everything they remember about the event, being as specific as possible.

2. Next, ask students to underline every item on their list that relates to the performance itself (the songs being performed, the sports teams involved, etc.), and circle every item on their list that does not relate to the performance specifically (the people they were with, the food at the venue, the journey getting to the event, etc.)

3. Ask students:
   - What event did you choose?
   - What were some things that made the event memorable?
   - How many items on your list were underlined? How many were circled?
   - How might a live event entail more than just the performance itself?
   - How might a live event have a lasting appeal, and help a band, team or artist receive income well after the original event?
PROCEDURE

1. Tell students that in class they will be looking at a case study of the band Grateful Dead, to see how a performing group is able to develop a substantial and dedicated fan following.

2. Show Clip 1, Grateful Dead Fans: Family, Ritual, Spirituality. Ask students:
   - What might incentivize Grateful Dead fans to continually want to attend the band’s “next show”?
   - What might make a concert both “reassuringly familiar and excitingly new”?
   - Why might the people in the clip compare a Grateful Dead concert to a religious event?
   - In the clip, John Berry Barlow suggests that the almost religious appeal of a Grateful Dead show wasn’t coming from the stage. Where might it be coming from?

3. Tell the students they will now examine different strategies the Grateful Dead pursued in order to create a live event that fans wanted to repeatedly attend. Split students into groups, and assign each group to one of the following stations. After they have finished answering the corresponding questions on the station handout, rotate groups to other stations.
   - **Station 1 - Grateful Dead Tapers**
     - Station 1 Handout
     - Clip: Grateful Dead Tapers
   - **Station 2 - Set Lists**
     - Station 2 Handout
     - Image: Grateful Dead Set Lists
   - **Station 3 - Free Concerts**
     - Station 3 Handout
     - Image: List of Grateful Dead Free Concerts
   - **Station 4 - The Fan Mandala**
     - Station 4 Handout
     - Clip: The Fan Mandala

4. Ask student groups to share their answers with the class for each station.

5. Have students return to their groups and list 3-5 strategies the Grateful Dead drew upon to develop their fanbase. Afterwards, ask students to share their responses with the class.

6. Ask students:
   - In what ways does developing a strong fanbase lead to the financial success of a band or group? How are live events important to both developing a fanbase and ensuring the financial success of a band?
   - Beyond concert ticket sales, what other possible ways could have the Grateful Dead generated income from their fans?

Have the students analyze the chart. For additional context, explain that the Grateful Dead stopped touring in 1995 after the death of their founder Jerry Garcia. Ask students:

- What is the date range of these live releases?
- How often did the band release an album? How might this schedule compare to other band’s or artist’s album releases?
- What might be the appeal of these albums for Grateful Dead fans? Based on what you learned about the band, why might they be interested in buying recordings of live shows in addition to studio recordings?

8. Pass out **Handout 1 - Trademark Portfolio of the Grateful Dead**. After students have read the handout, ask:

- Why do you think the Grateful Dead trademarked their logos, in addition to their name?
- What advantages do their trademarks confer to their business?
- How is the Grateful Dead able to use their trademarks to monetize different aspects of their fan culture?

9. Display **Image 2, Grateful Dead Fashion**. Tell students that the pictures depict high-fashion products decorated with Grateful Dead iconography currently available for purchase. (Optional: for more context, the students can read **Handout 2 – Grateful Dead Fashion**.) Ask students:

- What are some observations you can make about the clothes featured in the image?
- Have you heard of the brands before?
- Are you surprised to see these brands making apparel with Grateful Dead logos? Why or why not?
- Who do you think is the target market for these clothes?
- What do the styles, brands and prices say about how the apparel companies view Deadheads and the Grateful Dead culture?
- How do you think the Grateful Dead’s ownership of trademarks influenced the development and proliferation of these products?

**SUMMARY ACTIVITY**

1. Display **Image 3, Developing Your Band’s Strategic Plan**. Have students reconvene in their groups and develop a strategic plan based on the instructions in image 4.

2. Ask student groups to present their strategic plan to the class.
EXTENSION ACTIVITIES

1. **Scenario**: You are the manager of a band that is playing at small to medium sized venues. Lately you’ve noticed fans outside the concerts are selling homemade, unlicensed merchandise with the band’s logo. You’ve also begun to see fans bringing in larger, professional cameras to tape the performances. Do you allow these practices to continue, or do you work more closely with the venues to ensure they end? Explain the rationale behind your decision.

STANDARDS

COMMON CORE STATE STANDARDS

College and Career Readiness Anchor Standards for Reading (6-12)

Reading 1: Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.

Craft and Structure 4: Interpret words and phrases as they are used in a text, including determining technical, connotative, and figurative meanings, and analyze how specific word choices shape meaning or tone.

Craft and Structure 6: Assess how point of view or purpose shapes the content and style of a text.

Integration of Knowledge and Ideas 7: Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.

Reading 8: Delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.

College and Career Readiness Anchor Standards for Writing (6-12)

Text Types and Purposes 2: Write informative/explanatory texts to examine and convey complex ideas and information clearly and accurately through the effective selection, organization, and analysis of content.

Production and Distribution of Writing 4: Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

College and Career Readiness Anchor Standards for Speaking and Listening (6-12)

Comprehension & Collaboration 1: Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others’ ideas and expressing their own clearly and persuasively.

Comprehension & Collaboration 2: Integrate and evaluate information presented in diverse media and formats, including visually, quantitatively, and orally.

Comprehension & Collaboration 3: Evaluate a speaker’s point of view, reasoning, and use of evidence and rhetoric.

Presentation of Knowledge 4: Present information, findings, and supporting evidence such that listeners can follow the line of reasoning and the organization, development, and style are appropriate to task, purpose, and audience.
College and Career Readiness Anchor Standards for Language (6-12)

Language 1: Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

Language 2: Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

Vocabulary Acquisition and Use 6: Acquire and use accurately a range of general academic and domain-specific words and phrases sufficient for reading, writing, speaking, and listening at the college and career readiness level; demonstrate independence in gathering vocabulary knowledge when encountering an unknown term important to comprehension or expression.

SOCIAL STUDIES – NATIONAL COUNCIL FOR THE SOCIAL STUDIES (NCSS)

Theme 1: Culture
Theme 5: Individuals, Groups, and Institutions
Theme 7: Production, Distributions, and Consumption

NATIONAL STANDARDS FOR MUSIC EDUCATION

Core Music Standard: Responding

Analyze: Analyze how the structure and context of varied musical works inform the response. Describe how the elements of music and expressive qualities relate to the structure of pieces, including contrasting works and programs of music.

Enduring Understanding: Response to music is informed by analyzing context (social, cultural, and historical) and how creators and performers manipulate the elements of music.

Interpret: Support interpretations of musical works that reflect creators’/performers’ expressive intent. Describe a personal interpretation of works or contrasting works and explain how creators’ and performers’ application of the elements of music and expressive qualities, within genres, cultures, and historical periods, convey expressive intent.

Enduring Understanding: Through their use if elements and structures of music, creators and performers provide clues to their expressive intent.

Essential Question: How do we discern the musical creators’ and performers’ expressive intent?
Core Music Standard: Connecting

Connecting 10: Synthesize and relate knowledge and personal experiences to make music. Demonstrate how interests, knowledge, and skills relate to personal choices and intent when creating, performing, and responding to music.

Enduring Understanding: Musicians connect their personal interests, experiences, ideas, and knowledge to creating, performing and responding.

Essential Question: How do musicians make meaningful connections to creating, performing, and responding? Demonstrate how interests, knowledge, and skills relate to personal choices and intent when creating, performing, and responding to music?

Connecting 11: Relate musical ideas and works to varied contexts and daily life to deepen understanding. Demonstrate understanding of relationships between music and the other arts, other disciplines, varied contexts, and daily life.

Enduring Understanding: Understanding connections to varied contexts and daily life enhances musicians’ creating, performing, and responding.

Essential Question: How do the other arts, other disciplines, contexts and daily life inform creating, performing, and responding to music?

NATIONAL CORE ARTS STANDARDS

Responding

Anchor Standard 7: Perceive and analyze artistic work.

Anchor Standard 8: Interpret intent and meaning in artistic work.

Anchor Standard 9: Apply criteria to evaluate artistic work.

Essential Question: How do we discern the musical creators’ and performers’ expressive intent?

Connecting

Anchor Standard 10: Synthesize and relate knowledge and personal experiences to make art.

Anchor Standards 11: Relate artistic ideas and work with societal, cultural and historical context to deepen understanding.
RESOURCES

VIDEOS

- *Long Strange Trip* - Deadheads: Family, Ritual, Spirituality
- *Long Strange Trip* - Grateful Dead Tapers
- *Long Strange Trip* - The Fan Mandala

HANDOUTS

- Handout 1 - Trademark Portfolio of the Grateful Dead
- Handout 2 – “It’s Hip to Be Hippie: Why Fashion is Obsessed with the Grateful Dead”
- Station 1 - Grateful Dead Tapers
- Station 2 - Grateful Dead Set Lists
- Station 3 - Grateful Dead Free Concerts
- Station 4 - The Fan Mandala
<table>
<thead>
<tr>
<th>Year</th>
<th>Title</th>
<th>Peak Chart Position</th>
<th>Certifications</th>
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<tbody>
<tr>
<td>1967</td>
<td>The Grateful Dead</td>
<td>73</td>
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<tr>
<td>1968</td>
<td>Anthem of the Sun</td>
<td>87</td>
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<tr>
<td>1969</td>
<td>Aoxomoxoa</td>
<td>73 US: Gold</td>
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<td></td>
<td>Live/Dead</td>
<td>64 US: Gold</td>
<td></td>
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<tr>
<td>1970</td>
<td>Workingman's Dead</td>
<td>27 US: Platinum</td>
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<tr>
<td></td>
<td>American Beauty</td>
<td>30 US: 2X Platinum</td>
<td>US: Gold</td>
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<tr>
<td>1971</td>
<td>Grateful Dead (Skull and Roses)</td>
<td>25 US: Gold</td>
<td></td>
</tr>
<tr>
<td>1972</td>
<td>Europe '72</td>
<td>24 US: 2X Platinum</td>
<td></td>
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<tr>
<td></td>
<td>Wake of the Flood</td>
<td>18</td>
<td></td>
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<td>1974</td>
<td>From the Mars Hotel</td>
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<td>1975</td>
<td>Blues for Allah</td>
<td>12</td>
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<td>1976</td>
<td>Steal Your Face</td>
<td>56</td>
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<tr>
<td>1977</td>
<td>Terrapin Station</td>
<td>28 US: Gold</td>
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<td>1978</td>
<td>Shakedown Street</td>
<td>41 US: Gold</td>
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<tr>
<td>1980</td>
<td>Go to Heaven</td>
<td>23</td>
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<tr>
<td>1981</td>
<td>Reckoning</td>
<td>43</td>
<td></td>
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<td></td>
<td>Dead Set</td>
<td>29</td>
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<tr>
<td>1987</td>
<td>In the Dark</td>
<td>6 US: 2X Platinum</td>
<td>Canada: Platinum</td>
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<td>1989</td>
<td>Dylan and the Dead</td>
<td>37 US: Gold</td>
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<tr>
<td></td>
<td>Built to Last</td>
<td>27 US: Gold</td>
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<tr>
<td>1990</td>
<td>Without a Net</td>
<td>43 US: Gold</td>
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<td>1991</td>
<td>One From the Vault</td>
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<td></td>
<td>Infrared Roses</td>
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<td>1992</td>
<td>Two From the Vault</td>
<td>119</td>
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<tr>
<td>1994</td>
<td>Grayfolded</td>
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<tr>
<td>1995</td>
<td>Hundred Year Hall</td>
<td>26 US: Gold</td>
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<td>1996</td>
<td>Dozin' at the Knick</td>
<td>74 US: Gold</td>
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<td>1997</td>
<td>Fallout from the Phil Zone</td>
<td>83</td>
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<td></td>
<td>Terrapin Station (Limited Edition)</td>
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<td></td>
<td>Live at the Fillmore East 2-11-69</td>
<td>77</td>
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<tr>
<td>2000</td>
<td>View from the Vault, Volume One</td>
<td>165</td>
<td>US: Gold</td>
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<td>2001</td>
<td>View from the Vault, Volume Two</td>
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<td>2000</td>
<td>Ladies and Gentlemen... the Grateful Dead</td>
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<tr>
<td>2002</td>
<td>Nightfall of Diamonds</td>
<td>196</td>
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<td>2002</td>
<td>Postcards of the Hanging</td>
<td>120</td>
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<tr>
<td></td>
<td>Steppin' Out with the Grateful Dead: England '72</td>
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<td>2003</td>
<td>Go to Nassau</td>
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<tr>
<td>2004</td>
<td>Birth of the Dead</td>
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<td></td>
<td>View from the Vault, Volume Four</td>
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<td></td>
<td>The Closing of Winterland</td>
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<td>2004</td>
<td>Rockin' the Rhein with the Grateful Dead</td>
<td>75</td>
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<tr>
<td>2005</td>
<td>The Grateful Dead Movie Soundtrack</td>
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<td></td>
<td>Rare Cuts and Oddities 1966</td>
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<td>Truckin' Up to Buffalo</td>
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<td></td>
<td>Filmore West 1969: The Complete Recordings</td>
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<td>2007</td>
<td>Live at the Cow Palace</td>
<td>48</td>
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<td></td>
<td>Three from the Vault</td>
<td>112</td>
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<tr>
<td>2008</td>
<td>Winterland 1973: The Complete Recordings</td>
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<td></td>
<td>Rocking the Cradle: Egypt 1978</td>
<td>35</td>
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<td>2009</td>
<td>To Terrapin: Hartford '77</td>
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<tr>
<td></td>
<td>Winterland June 1977: The Complete Recordings</td>
<td></td>
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<tr>
<td>2010</td>
<td>Crimson White &amp; Indigo</td>
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<tr>
<td></td>
<td>Formerly the Warlocks</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Europe '72: The Complete Recordings</td>
<td>27</td>
<td></td>
</tr>
</tbody>
</table>
Image 2, Grateful Dead Fashion

Madeworn Grateful Dead Denim Jacket
$1,185

Del Toro x Grateful Dead Wake Up To Find Out Slipper
$145

Proenza Schouler Grateful Dead Trapeze Zip Wallet
$495
Scenario: You are a part of a musical group and hope to make a stable income performing and recording your songs.

Outline a strategic plan for success for your group, taking into account the following considerations:

1) How will you grow and maintain your fanbase?

2) How will you translate your fanbase’s interest into income?

3) What will you do to ensure your concerts or recordings hold the attention of your fanbase?

4) How can your band supplement its income beyond concert tickets and album sales?
<table>
<thead>
<tr>
<th>Date</th>
<th>Show</th>
<th>Venue</th>
<th>Set List</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/02/70</td>
<td>Early Show</td>
<td>Fillmore East (NYC)</td>
<td>Mason's Children&lt;br&gt;Casey Jones&lt;br&gt;Black Peter&lt;br&gt;Mama Tried&lt;br&gt;Hard To Handle&lt;br&gt;Cumberland Blues&lt;br&gt;Cryptical Envelopment&lt;br&gt;Drums&lt;br&gt;The Other One&lt;br&gt;Cryptical Envelopment&lt;br&gt;Cosmic Charlie</td>
</tr>
<tr>
<td>01/02/70</td>
<td>Late Show</td>
<td>Fillmore East (NYC)</td>
<td>Uncle John's Band&lt;br&gt;High Time&lt;br&gt;Dire Wolf&lt;br&gt;Easy Wind&lt;br&gt;China Cat Sunflower&lt;br&gt;I Know You Rider&lt;br&gt;Good Lovin'&lt;br&gt;Me And My Uncle&lt;br&gt;Monkey And The Engineer&lt;br&gt;Dark Star&lt;br&gt;St. Stephen&lt;br&gt;The Eleven&lt;br&gt;Turn On Your Love Light</td>
</tr>
<tr>
<td>01/03/70</td>
<td>Early Show</td>
<td>Fillmore East (NYC)</td>
<td>Morning Dew&lt;br&gt;Me And My Uncle&lt;br&gt;Hard To Handle&lt;br&gt;Cumberland Blues&lt;br&gt;Cold Rain And Snow&lt;br&gt;Alligator&lt;br&gt;Drums&lt;br&gt;Jam&lt;br&gt;And We Bid You Goodnight Jam&lt;br&gt;Jam&lt;br&gt;Alligator Reprise&lt;br&gt;Caution (Do Not Stop On Tracks)&lt;br&gt;Jam&lt;br&gt;Feedback</td>
</tr>
<tr>
<td>01/03/70</td>
<td>Late Show</td>
<td>Fillmore East (NYC)</td>
<td>Casey Jones&lt;br&gt;Mama Tried&lt;br&gt;Big Boss Man&lt;br&gt;China Cat Sunflower&lt;br&gt;I Know You Rider&lt;br&gt;Cryptical Envelopment&lt;br&gt;Drums&lt;br&gt;The Other One&lt;br&gt;Cryptical Envelopment&lt;br&gt;Cosmic Charlie&lt;br&gt;Uncle John's Band&lt;br&gt;Mason's Children&lt;br&gt;Black Peter&lt;br&gt;Dire Wolf&lt;br&gt;Good Lovin'&lt;br&gt;Drums&lt;br&gt;Good Lovin'&lt;br&gt;Dancin' In The Streets&lt;br&gt;St. Stephen&lt;br&gt;Midnight Hour</td>
</tr>
</tbody>
</table>

**Selected Comment:**
Mason’s, h2h, Cumberland, all great. TIFTOO>cosmic Charlie total acid rock.

**Selected Comment:**
Fantastic show to kick off one of my favorite years. . .Nearly had one of those flashbacks they’ve been promising us during this DARK STAR, one of the best you’ll ever hear.

**Selected Comment:**
My first Grateful Dead show, on my birthday! One thing you missed. They played Saint Stephen-Midnight Hour, for the encore. You left out St. Stephen. Pigpen was incredible!

**Selected Comment:**
I'm starting my archive i have a good number of things but really no early stuff can any one point me in a direction i know of torrents already.
### Station 3 Image: List of Grateful Dead Free Concerts

**Free Concerts by the Grateful Dead, 1966-1972**

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/3/1966</td>
<td>Stanley Park, Vancouver, BC</td>
</tr>
<tr>
<td>9/1/1966</td>
<td>Speedway Meadows, Golden Gate Park, San Francisco, CA</td>
</tr>
<tr>
<td>10/6/1966</td>
<td>The Panhandle, San Francisco, CA</td>
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<tr>
<td>1/14/1967</td>
<td>Polo Grounds, Golden Gate Park, San Francisco, CA</td>
</tr>
<tr>
<td>6/1/1967</td>
<td>Tompkins Square Park, New York, NY</td>
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<tr>
<td>6/17/1967</td>
<td>Monterey Peninsula College, Monterey, CA</td>
</tr>
<tr>
<td>7/2/1967</td>
<td>El Camino Park, Palo Alto, CA</td>
</tr>
<tr>
<td>7/16/1967</td>
<td>Golden Gardens Beach, Seattle, WA</td>
</tr>
<tr>
<td>7/31/1967</td>
<td>O'Keefe Center, Toronto, ON</td>
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<tr>
<td>8/6/1967</td>
<td>Place Ville Marie, Montreal, QC</td>
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<tr>
<td>8/6/1967</td>
<td>Youth Pavilion, Expo ‘67, Montreal, QC</td>
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<tr>
<td>8/13/1967</td>
<td>West Park, Ann Arbor, MI</td>
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<tr>
<td>9/16/1967</td>
<td>Elysian Park, Los Angeles, CA</td>
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<td>9/24/1967</td>
<td>City Park, Denver, CO</td>
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<tr>
<td>4/14/1968</td>
<td>Graynolds Park, Miami, FL</td>
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<td>5/3/1968</td>
<td>Low Library Plaza, Columbia University, New York, NY</td>
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<td>5/5/1968</td>
<td>Central Park, New York, NY</td>
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<tr>
<td>11/23/1968</td>
<td>Memorial Auditorium, University of Ohio, Athens, OH</td>
</tr>
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<td>7/7/1969</td>
<td>Piedmont Park, Atlanta, GA</td>
</tr>
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<td>5/6/1970</td>
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<tr>
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<td>Coronation Park, Toronto, ON</td>
</tr>
<tr>
<td>6/21/1971</td>
<td>Chateau d'Herouville, France</td>
</tr>
<tr>
<td>5/13/1972</td>
<td>Fairgounds, Lille, France</td>
</tr>
<tr>
<td>9/30/1972</td>
<td>American University, Washington, DC</td>
</tr>
<tr>
<td>10/21/1972</td>
<td>Alumni Lawn, Vanderbilt University, Nashville, TN</td>
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</table>
Handout 1 - Trademark Portfolio of the Grateful Dead

From Daniel S. Kirshner, Attorney at Law

As is expected, most well-known rock bands have an extensive portfolio of trademarks registered in the United States Patent and Trademark Office. (Most likely, there are foreign registrations as well, which is beyond the scope of this discourse.) This is a look at the trademark registrations of The Grateful Dead, and related entities.

The Grateful Dead was an American rock band founded in the 1960’s, who recorded and toured extensively until the death of its lead guitarist, Jerry Garcia, in 1995. Mainly through touring, but also its recordings, the Grateful Dead generated a loyal and devoted following of fans, colloquially known as “Deadheads”. Following the death of Garcia, merchandising became a more important aspect of their business model.

A search of the Federal Trademark Register for marks owned by the Grateful Dead reveals over 25 registrations which are still alive, some dating back as early as the 1970’s.

Naturally, the name Grateful Dead is protected by several trademark registrations. Since as early as 1974, the band registered the trademark for its name. For example, the U.S. trademark registration bearing registration number 0982352 protects the name in connection with live performance by a musical group. This registration, as it is for a standard character mark, is broad in its scope of protection. After the band formed its own record label, another standard character mark registration was obtained in the 1980’s for use with sound recordings. The name has been protected by the band many times since, and in connection with a wide variety of goods and services. Examples of these goods and services include t-shirts and other articles of clothing, stickers, posters, decals, etc. Even after the death of Garcia, the band has continued its merchandising enterprises by registering the band’s name in connection with loungewear, neckwear and the like.

Likewise, the band, which is well known for its associated artwork and iconography, has multiple trademark registrations to protect its logos. Familiar Grateful Dead logos such as the Skull and Lightning, Skeleton and Roses, Dancing Bears, Space Your Face and Lightning Bolt are the subject of trademark registrations, both in connection with music and also in connection with merchandise.

As is evident, the Dead have an extensive portfolio of trademark registrations and appear to be well protected. It is doubtful that anyone beside the band could profit from the use of the Grateful Dead’s trademarks, or anything similar, without the risk of trademark infringement. This model should serve well to instruct other musical acts on the protection of their brands and extension into merchandising.
Handout 2 - It’s Hip to Be Hippie: Why Fashion is Obsessed with the Grateful Dead

It’s Hip to Be Hippie: Why Fashion is Obsessed with the Grateful Dead

From zany flower power-printed T-shirts to tie-dyed tank tops on the runway, dressing like a Dead-head is suddenly in. But why now?

Jacob Gallagher, The Wall Street Journal (06/06/2018)

“HIPPIE STYLE ALWAYS comes back,” explained Elijah Funk. He should know. Mr. Funk, 28, and his friend and business partner Alix Ross run Online Ceramics, a two-year-old Los Angeles-based brand that has gained currency for its Grateful Dead-inspired T-shirts. The designers and their work were recently showcased in a GQ Style magazine spread, and their shirts (whose trippy graphics feature, say, a peace sign passing through a basketball hoop or a sun wearing sunglasses) are sold at boutiques like Union in Los Angeles, next to high-end wares from designers like Raf Simons and Thom Browne.

Online Ceramics’s success is part of a larger Deadhead infiltration of higher fashion. Tie-dyed pieces from designer labels like Amiri, Saint Laurent and Balenciaga are pouring into stores for spring, denim cutoffs are back in and decades-old Grateful Dead shirts are fetching hundreds of dollars at vintage stores.

“The Grateful Dead has gone very mainstream,” said Darryl Norsen, 37, a longtime fan and writer based outside Boston, who’s penned a Grateful Dead column for the music site Aquarium Drunkard since 2013. When Mr. Norsen looks at the crush of Grateful Dead fashions showing up out there, even on unlikely celebrities, he just wonders where they all were 20 years ago. Back then, a few of his friends were quietly screen printing bootleg T-shirts, but the Deadhead influence on clothing “certainly wasn’t [being felt] to the extent that it is now.”

So how did the Dead go from hide-it-from-your-girlfriend lame to cool enough for a full-blown GQ spread? Some credit is due to Dead & Company, the psuedo-revival of the band (with John Mayer subbing in for Jerry Garcia) that has been touring since 2015, but there’s a lot more to the story than that.

In 2015, Mason Warner, a Philadelphia-based graphic designer and devoted fan (he traveled with the original band from 1989 to ’94) started @FromTheLot, an Instagram account dedicated to cataloging the many bootlegged, fan-made Dead T-shirts, some dating back decades. Today, @FromTheLot has nearly 28,000 followers ranging from Sarah Andelman, who owned the now-closed iconic Parisian fashion boutique Colette, to Atlanta Hawks forward Miles Plumlee to film director Max Winkler. Showcasing many versions of dancing bears, skeletons and lightning-bolt-emblazoned skulls (the band’s famous “Steal Your Face” logo), Mr. Warner’s scrollable archive exemplifies how Dead iconography has found a second life on social-media platforms.
This Deadaissance isn’t just happening on the internet: Last year, film director Amir Bar-Lev released “Long Strange Trip,” a 238-minute documentary (now streaming on Amazon) covering the Dead’s career. A romantic vision of the life on the road, the film portrays blissed-out fans in tie-dyed tops, floral shorts and pale blue jeans. Any given frame of the movie could be pinned to the mood-board of a designer intent on turning out hippie-dippie designs—see Russian designer Gosha Rubchinskiy’s swirling tie-dye sweatshirts, J.W. Anderson’s above-the-knee jorts or Missoni’s rainbow-plaid trucker jacket.

Such labels are clearly hoping to tap into the carefree ethos of the Dead. When we’re chained to our smartphones and bombarded with bleak news alerts and emails from the office at all hours, laid-back liberation appeals. “It is a fun little break from stuff that otherwise might make you pretty bummed out,” said Jeremy Dean, a graphic designer who’s been making Dead-inspired T-shirts since 2012.

When Mr. Dean started out, he made the shirts for himself: “I just wanted to wear something weird and goofy,” he said. Apparently, others do too. When he releases shirts that riff on, among other things, the Dead’s Steal Your Face logo, they sell out in a matter of hours on his website, he said. What Mr. Dean and his peers are offering, particularly to a younger generation that wasn’t there the first time around, is a wearable token of the Dead lifestyle. Jerry’s gone. The ‘60s are never coming back. Your cellphone keeps buzzing with that message you should’ve replied to days ago. But when you slip on a tie-dyed sweatshirt or one of Mr. Dean’s grin-inducing T-shirts, you can feel for a moment like you’re on the road, without a worry in the world.
Watch the clip “Grateful Dead Tapers” and read the article below. Then answer the following questions:

What seemed to be the Grateful Dead's reaction when fans started recording their live shows?

What motivated people to tape Grateful Dead concerts?

Why did allowing tapers into concerts prove to be an effective way of marketing?

How might have taping expanded and strengthened the Grateful Dead’s fanbase?
‘Tapers’ at the Grateful Dead Concerts Spread the Audio Sacrament
Joe Coscarelli, New York Times (07/05/2015)

CHICAGO — Between his first Grateful Dead show in 1988, at the age of 15, and the death of Jerry Garcia in 1995, William Walker saw the band about 130 times, a modest number in the Deadhead universe. But Mr. Walker has experienced many, many more of the band’s concerts through his passion for live audience tapping, collecting thousands of cassettes and terabytes-worth of digital audio, while also contributing his own recordings to the seemingly endless archive.

So when he scored passes earlier this year to be one of the few fans allowed to record the final shows at Soldier Field, culminating on Sunday, “I completely freaked out all the animals in my house — jumping, screaming and running around,” Mr. Walker said of his two dogs and two cats.

A proud member of the increasingly obsolete jam-band fan contingent known as “tapers,” Mr. Walker drove 900 miles from New Orleans armed with equipment he would lug from show to show — an intricate rig he estimated to be worth at least $8,500, including furry microphones, a hydra-headed stand, tangles of wires, a Tascam digital recorder and a plastic protractor straight out of a high school geometry class. One custom-made cable alone cost him $400.

Although there would be fewer than three dozen approved bootleggers in what’s known as the taper’s section each night in a crowd of more than 70,000, it wouldn’t be a Dead show without them. Not content to relive the performances via the on-demand, high-quality video streams available immediately, the concert replays from local and satellite radio, or the band’s own commemorative 12-CD, seven-DVD box set, scheduled for release this fall, tapers like Mr. Walker still — in 2015 — insist on doing it themselves, for reasons both practical and traditional.

“This is the last big taper section,” Mr. Walker, whose digital recordings are typically available online within hours of the encore, said of the Dead’s “Fare Thee Well” 50th-anniversary shows. “It’s legitimately the end of an era.”

Introduced to taper culture by his older cousins, Mr. Walker, 42, sees his continued dedication as a carrying of the torch for previous generations of Deadheads. Despite taping at so many shows that he has lost count, “I still consider myself a novice — an up-and-comer,” he said, estimating that most of the remaining tapers (the vast majority of whom are men) are in their 50s or 60s.

Officially approved for noncommercial recording by the Grateful Dead since the early 1980s, tapers are a subculture within a subculture — spreaders of audio sacrament among a famously evangelical following. While the band never matched the record sales of its classic-rock peers, the Dead thrived as a freewheeling live act thanks in part to a word-of-mouth trade network of concert recordings, a system it passed down to its spiritual children such as Phish and Widespread Panic.

“The band was very farsighted — it reified an informal practice that had been going for many years,” said David Gans, the host of “The Grateful Dead Hour,” a nationally syndicated radio show. “In time, it proved to be one of the most efficient marketing mechanisms.”

Authorizing the tapers and giving them their own section in the crowd had a less business-minded rationale, too, said Dennis McNally, the band’s former spokesman and the author of “A Long Strange Trip: The Inside History of the Grateful Dead.”
“To stop it would require security measures so draconian that it would ruin the ambience of the show,” and the Dead “hated being cops,” he said. Corralling tapers behind the soundboard, where they remain today, allowed the band’s longtime audio engineer, Dan Healy, as well the audience, to see the stage instead of being blocked by microphone stands, he added.

David Lemieux, the Dead’s official archivist, was a hard-core taper between 1989 and 1991. “I did it specifically because I had no patience,” he said. “I wanted to walk out of that show and drive back to my hotel listening to what I’d just seen.”

“There was nothing more thrilling than getting two or three padded envelopes in the mail every day,” he said, recalling the camaraderie he felt with strangers as they created copies of their favorite shows to share. “We would plan our days around 46-minute intervals” — the length of one cassette side — “so you could be back to flip the tape. I remember sleeping and setting alarms every 45 minutes.”

Even as its necessity has faded, with bands like Phish offering a free MP3 download of every show to attendees straight from the venue’s soundboard, the seemingly archaic hobby has thrived thanks to technological advances. Most tapers switched to digital recording in the ‘90s — although there was at least one analog holdout at Soldier Field, Mr. Walker said — and sites like etree.org, taperssection.com and the Live Music Archive, part of the archive.org, offer meticulously organized, easily downloadable databases.

Alex Whitney, a Deadhead with taper tickets to all five farewell shows, including those in late June in Santa Clara, said tapers are similar to wine connoisseurs: “They know the vineyard, they know the grapes, they know the farmer, they know the vendor,” he said. “Deadheads who are uploading stuff to archive.org are including every tape deck, every cable, every microphone, every preamplifier.”

Mr. Whitney added that while the Dead’s studio albums are “decent enough, they don’t really capture the sound quality of the live experience.”

It’s all about the ambience, Mr. Walker concurred: “There are some recordings of shows where you can almost feel how hot the room was. That just doesn’t transfer to a soundboard recording.”

Yet he knows it’s a dying art. “It’s built on this culture of sharing,” he said of taping. “Younger people don’t really understand the effort that people put into it, and that’s a bummer.”

When his sister graduated from college, Mr. Walker gifted her about 4,000 hours of live music, including Phish and the Dead, on tape — “a significant portion of my analog collection,” he said. The rest of his cassettes were destroyed in Hurricane Katrina. But he is committed to carrying taping through the digital age, even helping to spread “the entire opus” of the Grateful Dead online — more than 10,000 recordings, including multiple sources for some shows, across 12 terabytes of data.

Of having his own microphones at the farewell shows, Mr. Walker said, “I don’t want to sound sappy, but this is the closing chapter to a part of my life.”
Station 2 - Grateful Dead Set Lists

The image copied below comes from a fan-made website which archives the “set lists,” or the songs performed by the Grateful Dead at any given concert, and allows room for online comments. Examine the image and answer the following questions:

When and where did these three concerts occur?

What do you notice about the songs presented between these three concerts?

Why might a fan want to see all three concerts, rather than just one?

What observations might you make about Grateful Dead fans, based on their comments?
<table>
<thead>
<tr>
<th>Date</th>
<th>Show</th>
<th>Setlist</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/02/70</td>
<td>Early Show Fillmore East (NYC)</td>
<td>Mason's Children, Casey Jones, Black Peter, Mama Tried, Hard To Handle, Cumberland Blues, Cryptical Enveloptment, Drums, The Other One, Cryptical Envelopment, Cosmic Charlie</td>
</tr>
<tr>
<td>01/02/70</td>
<td>Late Show Fillmore East (NYC)</td>
<td>Uncle John's Band, High Time, Dire Wolf, Easy Wind, China Cat Sunflower, I Know You Rider, Good Lovin', Me And My Uncle, Monkey And The Engineer, Dark Star, St. Stephen, The Eleven, Turn On Your Love Light</td>
</tr>
<tr>
<td>01/03/70</td>
<td>Early Show Fillmore East (NYC)</td>
<td>Morning Dew, Me And My Uncle, Hard To Handle, Cumberland Blues, Cold Rain And Snow, Alligator, Drums, Jam, And We Bid You Goodnight Jam, Alligator Reprise, Caution (Do Not Stop On Tracks), Jam, Feedback</td>
</tr>
<tr>
<td>01/03/70</td>
<td>Late Show Fillmore East (NYC)</td>
<td>Casey Jones, Mama Tried, Big Boss Man, China Cat Sunflower, I Know You Rider, Cryptical Envelopment, Drums, The Other One, Cryptical Envelopment, Cosmic Charlie, Uncle John's Band, Mason's Children, Black Peter, Dire Wolf, Good Lovin', Drums, Good Lovin', Dancin' In The Streets, St. Stephen, Midnight Hour</td>
</tr>
</tbody>
</table>

**Selected Comment:**
Mason's, h2h, Cumberland, all great. TIFTOO>cosmic Charlie total acid rock.

**Selected Comment:**
Fantastic show to kick off one of my favorite years. ..Nearly had one of those flashbacks they've been promising us during this DARK STAR, one of the best you'll ever hear.

**Selected Comment:**
My first Grateful Dead show, on my birthday! One thing you missed. They played Saint Stephen-Midnight Hour, for the encore. You left out St. Stephen. Pigpen was incredible!

**Selected Comment:**
Im starting my archive i have a good number of things but really no early stuff can any one point me in a direction i know of torrents already.
Station 3 - Grateful Dead Free Concerts

Read the blog entry below, and examine the accompanying chart. Then answer the following questions:

Why might the Grateful Dead have organized and played so many free, large outdoor concerts in their career?

How do you think the Grateful Dead benefited from staging these inclusive, audience-friendly events, often with multiple bands sharing the stage?

How is the modern music festival similar to these events?
Music in Late Capitalism, and performance in general, was designed to be a scarce resource, withheld until payment was offered. If music was performed too freely, than people would stop paying for it. As a practical matter, this led to some mid-century nightclub economics that Jerry Garcia derided as "Cabaret": playing a short set to sell drinks, and then taking a break, and either turning over the house or forcing everyone to buy more drinks for the next set. Radio disrupted this model, but not by much, since a listener didn’t know when their favorite song would be played, and thus kept listening to ads while they were turned in.

The Grateful Dead had a contrary assumption about music. To the Dead, if you gave people music for free, they would just want more of it, and pay for that privilege. Prior to the Grateful Dead, free concerts in the music business were the actions of the desperate. Free concerts in 1966 and ‘67 San Francisco upended the notion that music was a finite commodity, and the Grateful Dead were fundamental to that equation. When free concerts became an untenable promotional scheme, the Dead moved to live FM broadcasts, another area in which they were pioneers. Ultimately, the Dead formally encouraged their fans to tape concerts in the mid-1980s, again undermining decades of music business orthodoxy. Thus the Dead are credited with “inventing” internet marketing, since giving it away in the hopes that people will pay later is the go-to business model for the internet.

I am hardly alone in the formulation that the Grateful Dead were foundational in enticing fans by simply playing music for free. Of course, Bob Weir and others have said that the Grateful Dead often did what was easiest, with little forethought, and so assigning them as incipient marketing geniuses may not be entirely warranted. While I think the Dead’s influence in the music business has been overstated, however, it isn’t irrelevant. Whether the Dead gave away music for free by accident or design, it has had a profound effect on the 21st century live music market. Today, free concerts abound all over cities and college campuses in America, and many performers accept that at least some free performances help get your music across to people who otherwise might never hear it. This post will look at the Dead’s free concerts as a commercial endeavor, primarily by examining the first free concert in any city where the Dead played. Since the 20th century is now complete, this analysis probably has no current commercial value, but it should make for an interesting catalog.
Station 4 - The Fan Mandala

Watch the video clip “The Fan Mandala,” and answer the following questions:

What does the sophisticated arrangement of fans at a Grateful Dead concert tell you about the Deadhead community?

How do you think this arrangement came to be?

How do you think the band themselves facilitated bonding and proliferation amongst different sub-cultures of fans? In what ways might have the band made their shows inclusive to a broad range of fans?