



## Telecom

Constant innovation and the convergence of legacy and new technologies have created an active federal, state and local regulatory environment in the United States as laws and regulations attempt to keep pace with technological change agreements, capacity and spectrum lease agreements, telematics agreements, technology development agreements, satellite transponder agreements, site development agreements and pole attachment agreements, counseling on regulatory obligations and establishing compliance processes for telecom, broadcast and media entities.

The members of DLA Piper's Telecom group – based in Washington, DC – understand the impact such regulatory uncertainty has on your business plans, including your deployment of new technologies. We are committed to working with you to help navigate and shape a regulatory and commercial climate conducive to expanding your business opportunities, advancing your technologies and adapting to a highly dynamic business environment. Our team includes both legal and engineering professionals, many of whom previously held senior positions within the Federal Communications Commission (FCC) or National Telecommunications and Information Administration (NTIA).

Drawing on decades of industry experience, DLA Piper's Telecom group covers the full range of client needs – from regulatory and strategic counseling, to negotiating transactions and licensing agreements (both large and small), to litigation and defense of government enforcement actions. The group has extensive experience advising a broad cross-section of the telecommunications and technology sectors on a variety of regulatory, transactional and business issues, spanning traditional telecommunications regulation, emerging legal matters and next generation technology issues. Leveraging DLA Piper's global footprint, the group also offers clients comprehensive international coverage of all of their telecom related regulatory needs.

DLA Piper's Telecom practice additionally has extensive experience assisting the broadcast and content industries tackle regulatory and commercial issues important to their current business and future success. The group has advised and represented a broad cross-section of the broadcast, media and content sectors on a variety of legal, commercial and transactional matters.

On behalf of our clients, we have handled a wide variety of telecom matters, including:

- Counseling on regulatory obligations and establishing compliance processes for telecom, broadcast and media entities
- Investigations and defense in enforcement matters (FCC, FTC, CFPB, state AGs)
- Challenging adverse regulatory rulings (including rulings by the FCC and state public utility commissions) in court, including challenges relying on federal preemption

### KEY CONTACTS

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### RELATED SERVICES

- Intellectual Property and Technology
- Data Protection, Privacy and Security
- Cybersecurity
- Technology Transactions and Strategic Sourcing
- Litigation, Arbitration and Investigations

- Advising on FCC equipment authorization regulations and marketing and importation restrictions
- Regulatory obligations of broadcast and media distributors, including, media ownership and attribution requirements, closed captioning of broadcast and Internet-based programming, children's video programming regulations, product placement requirements, advertising regulations and data privacy issues
- FCC foreign ownership rules applicable to licensees and interest holders

- International Trade, Regulatory and Government Affairs
- Transport
- Corporate

#### RELATED SECTORS

- Technology
- Media, Sport and Entertainment

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## Recognitions

- *Chambers Global* ranks DLA Piper in Band 1 for Technology Media and Telecommunications
- *US Legal 500* ranks the DLA Piper Telecom group in Band 1 for both regulatory and transactional
- *Best Lawyers* ranks DLA Piper in National Tier 1 for Communications Law
- *Chambers USA* ranks the DLA Piper Telecom group in Band 2 for Telecom, Broadcast & Satellite in District of Columbia

## Testimonials

*"There is no finer telecom transactions team in the profession. This group of whip-smart telecom lawyers can opine on hyper-technical filings and turn around to offer keen strategic guidance on critical transactions. Their knowledge of the industry and the technical practice informs their guidance and support on larger transactions, to ensure their clients don't miss a beat. They give straight-forward, practical guidance and are always thinking holistically about a deal, always thinking ten steps ahead, to ensure the team remains on the right strategic path and is prepared for whatever may come."*

*"DLA Piper has assembled a team of thoughtful telecom lawyers who understand the industry like no others. They give clear, straightforward and rational guidance without much of the legalese. They take time to understand your business, your goals, your risk tolerance level, and your concerns. Their breadth of experience adds to the richness of their advice. They deftly move from the most technical of filing questions to the most strategic overarching telecom questions."*

*"DLA's telecom team includes several unmatched senior leaders who have attracted a team of up and coming stars among the junior partners and associates. The telecom practice is small, but mighty, and has the chops to handle 'bet the business' projects along with more mundane compliance and regulatory issues."*

*"The practice provides a unique combination of 24/7 responsiveness, in-depth expertise and deep understanding of how to achieve results through integrated approaches to the law, regulation and drivers for Government decision-makers. Their strength comes from having core members with over three decades of experience on cutting edge wireless issues; past Government service at the highest levels; and, engineering capabilities as well."*

*"This team of regulatory lawyers is superb. I have come to rely on them not just for their technical and legal expertise, but also for their good judgment and strategic thinking. The DLA regulatory team is incredibly responsive and on top of issues, unlike many of the other firms practicing in their area. They bring a deep understanding of the FCC, and state bodies, but also have important relationships and political understanding of these regulatory agencies."*

*"The DLA Piper Telecom Group has played a lead role in our transaction. They have advised on key deal issues. They secured FCC approval of the deal in the face of intense opposition; secured CFIUS approval of the transaction and assisted in settlement negotiations with federal and state authorities. Their unique capabilities were probably best reflected in their preparation of the key merger advocacy documents. The DLA Piper Telecom Group took all these inputs and produced an elegant, understandable and persuasive presentation."*

## EXPERIENCE

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Drawing on decades of industry experience, DLA Piper's Telecom group covers the full range of client needs – from regulatory and strategic counseling, to negotiating transactions and licensing agreements (both large and small), to litigation and defense of government enforcement actions. The group has extensive experience advising a broad cross-section of the telecommunications and technology sectors on a variety of regulatory, transactional and business issues, spanning traditional telecommunications regulation, emerging legal matters and next generation technology issues. Leveraging DLA Piper's global footprint, the group also offers clients comprehensive international coverage of all of their telecom related regulatory needs.

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On behalf of our clients, we have handled a wide variety of telecom matters, including:

- Federal and state regulatory approvals for mergers and FCC license acquisitions, including for some of the largest deals in the telecom and media sectors
- Finding spectrum and securing necessary waivers and/or regulatory changes for the deployment of new technologies
- Structuring and negotiating complex commercial agreements for the purchase and sale of telecommunications products and services, including master purchase and services
- Compliance with network security agreements/ national security agreements
- Spectrum auctions and compliance with anti-collusion requirements
- Deployment issues, including litigation and federal strategies to prevent unreasonable state/ local restrictions
- Access and service agreements for commercial and residential real estate including for broadband fiber and Distributed Antenna System (DAS) networks
- Universal service issues
- Spectrum leases
- Satellite and earth station licensing and market entry
- Submarine cable systems
- Fixed microwave and radiolocation services
- MVNO setup and regulatory counseling
- Public safety and FirstNet
- Truth in billing (slamming and cramming)
- E911
- CALEA and CPNI/customer privacy
- Broadband privacy and data security
- Cybersecurity
- Cable television franchising
- Use of public rights of way
- Private radio, aviation and maritime communications services

## INSIGHTS

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### Publications

#### **Navigating China Episode 13: (More) Important Developments in China's Privacy and Cyber Laws**

10 June 2020

#### **NAVIGATING CHINA: THE DIGITAL JOURNEY**

China's privacy and cyber authorities have been busy in the last month enacting substantial enhancements and clarifications to data

protection compliance obligations; and even more changes are expected before the end of 2020.

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## **US telehealth update: New federal guidance to state Medicaid agencies suggests more coverage is coming**

27 April 2020

A powerful signal that CMS is ready to support targeted interventions in favor of telehealth.

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## **Connected care funding for healthcare providers from the CARES Act**

24 April 2020

New funding to promote and support telehealth.

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## **Episode 12: More obligations on Chinese mobile app operators to comply with**

9 April 2020

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

Following the crackdown by Chinese authorities against non-compliant mobile apps in late 2019 (please see Episode 8 in this series), the authorities have issued a series of app compliance guidelines (including the Guide to Self-Assess Illegal Collection and Use of Personal Information by Apps, Methods for Identifying Unlawful Acts of Apps to Collect and Use Personal Information, and Draft Specification for Collecting Personal Information in Mobile Applications). These guidelines imposed detailed obligations and practical actions to urge mobile app operators to conduct self-assessments and to rectify any non-compliant data processing practices. Organisations may have noted that some of these guidelines contain conflicting requirements.

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## **FCC declares COVID-19 communications fall within TCPA emergency exemption**

23 March 2020

The FCC issued an order declaring that hospitals, health care providers, state and local health officials, and other government officials may lawfully communicate information about COVID-19 without violating the Telephone Consumer Protection Act.

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## **Episode 10: Stricter data localisation and security rules for financial and insurance data in China**

06 Mar 2020

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

The People's Bank of China has released new guidelines on the collection and processing of personal financial information (PFI Guidelines), which provide much-needed clarity on how personal financial information in China should be processed, secured, and transferred. While the PFI Guidelines do not impose an outright ban on personal financial information leaving China, mandatory compliance steps (including consent and impact assessments) must be taken.

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## **Opportunities arising from Asia's data protection frameworks (AsiaPac)**

14 February 2020

The media controversy surrounding China's coronavirus COVID-19 detection app, the "close contact detector," has highlighted a common misapprehension about how data protection law is universally applied around the world.

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## **Huawei Temporary General License extended for third time**

14 February 2020

The extension applies to Huawei and the 114 other non-US Huawei affiliates on the Entity List.

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## **The almost free US-Japan Trade Agreement is now in effect**

9 January 2020

This trade agreement reduces or eliminates US customs duties on numerous goods.

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## **Episode 8: Crackdown on infringing China apps**

13 November 2019

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

China's authorities have launched a crackdown against non-compliant mobile apps. The crackdown is taking place during November and December 2019, so businesses operating apps in China must take urgent action or else face sanctions.

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## **Hong Kong's SFC introduces strict conditions on cloud data storage**

8 November 2019

All entities licensed by the Hong Kong SFC and storing data in the cloud must urgently review their data storage arrangements in light of a new circular from the SFC on "Use of external electronic data storage". This circular introduces strict new conditions on both cloud users and cloud vendors.

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## **Episode 7: New China encryption law passed**

6 November 2019

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

The new PRC Encryption Law will come into force on 1 January 2020. It will bring fundamental changes to the sale, import and use of encryption technologies in China by foreign and domestic organizations.

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## **Episode 6: Further developments in PRC data privacy regulations**

1 November 2019

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

An updated draft of China's Amended Personal Information Security Specification (Amended PIS Specification) and proposed new amendments to the privacy specification for mobile apps (App Privacy Specification) were published this week, alongside brand new draft regulations for the banking sector.

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## **Hikvision and other Chinese companies added to the Entity List**

10 October 2019

The list includes Chinese companies in the video surveillance, artificial intelligence, voice recognition, deep learning and other technology fields.

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## **Treasury Department proposes regulations comprehensively implementing FIRRMA and reforming CFIUS national security review**

19 September 2019

The proposed regulations affect non-controlling investments involving critical technologies, critical infrastructure, and sensitive personal data; and transactions involving real estate near sensitive national security facilities.

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## **US Trade Representative publishes fourth list of Chinese products subject to Section 301 tariffs**

19 August 2019

Yet more Chinese products will be subject to an additional 10 percent tariff.

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## **Episode 5: Apps are being shut down in China - will yours be next?**

12 July 2019

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

While apps are incredibly popular in China, in recent months some have been disappearing from app stores in the country because they do not comply with recent apps regulations. Indeed many companies are not even aware of the comprehensive new privacy compliance obligations for apps in China.

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## **Deadlines approaching fast for fourth set of Section 301 tariffs**

4 JUN 2019

Companies have the opportunity to present their views on specific products before the list is finalized but there is less than one month before the window closes.

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## **Episode 2: New stringent cyber security rules announced in China, what will your business need to do?**

29 May 2019

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

Organisations with operations in China must prepare now for new comprehensive cybersecurity rules. The Chinese authorities have announced MLPS "version 2.0", which will come into force on 1 December 2019, and have potential significant impact to businesses' infrastructure and operations in China.

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## **Commerce issues Temporary General License for Huawei**

22 MAY 2019

The Temporary General License is a brief reprieve.

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## **Trump issues Executive Order on securing information and communications technology and services – key points**

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16 MAY 2019

The order is issued pursuant to the National Emergencies Act and the International Emergency Economic Powers Act, the latter creating potential civil and criminal liability for those violating EOs and regulations issued under its authority - liabilities that can expand to include those who facilitate a violation.

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## **eSignature and ePayment News and Trends**

30 NOV 2018

### **ESIGNATURE AND EPAYMENT NEWS AND TRENDS**

In this issue, a fintech Q&A with the team, plus the latest developments from the legislatures, the regulators and the courts

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## **Tax incentives in Puerto Rico: a quick introduction**

13 JUN 2017

Puerto Rico offers a spectrum of economic incentives aiming to promote many key industries. This handbook offers a quick look at ten of the most significant of these incentives.

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## **Events**

### **Previous**

#### **Axis Corporate Edition: Telecom**

5 December 2019

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## **NEWS**

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### **DLA Piper announces partnership promotions for 2020**

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

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### **DLA Piper lawyers named Acritas Stars**

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out

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lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

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### **DLA Piper to advise ITW Global Leaders' Forum on blockchain-based telecoms platform**

2 July 2019

DLA Piper has been appointed to advise the ITW (International Telecoms Week) Global Leaders' Forum (GLF) on the launch of a special purpose vehicle that will develop a live, blockchain-based platform.

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### **DLA Piper announces launch of Artificial Intelligence practice**

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

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### **DLA Piper announces partnership promotions for 2019**

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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### **DLA Piper hosts leading business and diplomacy conference**

14 MAR 2019

DLA Piper's London office has hosted the Annual Conference of the International Diplomatic and Business Exchange (IBDE).

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### **DLA Piper announces launch of Blockchain and Digital Assets practice**

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

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### **DLA Piper joins Governing Council for Hedera Hashgraph**

20 FEB 2019

DLA Piper has joined the initial group of Governing Council members for Hedera Hashgraph, a next-generation public ledger designed to have highly diversified governance and the most distributed consensus at scale. The announcement was made at Hedera Hashgraph's first annual summit in Seoul, Korea.

As part of the council, DLA Piper will help oversee changes to the software run by millions of Hedera distributed nodes over time. The governing council has been established to ensure stability and guaranteed continued decentralization to the Hedera Hashgraph

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distributed public ledger.

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### **DLA Piper bolsters Data Protection practice**

4 FEB 2019

DLA Piper in Germany has hired Intellectual Property & Technology of counsel Prof Dr Jürgen Taeger, who joined the firm's Cologne office with effect from 1 February 2019.

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