



Tom K. Ara

Partner

**CO-CHAIR, ENTERTAINMENT TRANSACTIONS PRACTICE
CO-CHAIR, ENTERTAINMENT FINANCE PRACTICE**

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Tom K. Ara focuses his practice on entertainment and media industry transactions, both domestic and international. He represents banks, private equity groups, hedge funds, investors and borrowers in financing and strategic industry transactions. In addition, he advises feature film studios, television networks, production companies, Internet and mobile-based content producers and distributors in corporate transactions as well as in the development, production and distribution of feature films, television programs and digital content. Tom's clients also include entertainment, media and technology companies employing new methods and technologies to produce and distribute content and content experiences, including through augmented and virtual reality platforms, as well as financiers and investors active in these areas.

- Intellectual Property and Technology
- Trademark and Copyright
- Finance
- Corporate

- Media, Sport and Entertainment
- Financial Services

Tom has been involved in a multitude of transactions throughout the world in both traditional media and emerging technologies, representing media companies, financiers and industry participants of all types in financing and strategic industry transactions. Tom has successfully counseled his clients in connection with billions of dollars of complex financing, corporate and M&A transactions involving some of the most successful feature film and television franchises, as well as iconic comic book properties. As one of the early legal pioneers from the West to serve the Asian media and entertainment market, Tom offers valuable insights to his clients, both as a lawyer and as a trustee of the prestigious Washington, DC-based US-Asia Institute. He has also been involved in numerous complex industry transactions involving Europe and the Middle East.

DOMESTIC

- Represented a major independent film and television production company in all aspects of a mega-budget multi-year made-for-Internet series deal with a leading SVOD service, covering financing, production and distribution of the series

- Represented multiple leading entertainment banks in negotiations of financing documentation for single-picture film and television financings, including, the financing of foreign presales contracts, gap financing and tax credits
- Represented multiple leading entertainment financial institutions and banks in the negotiation of financing agreements in connection with revolving credit facilities for film and television companies
- Represented a major independent production and sales company in connection with a due diligence exercise and related corporate transactions in anticipation of a strategic sale and/or financing event
- Represented a major studio in a multi-film, US\$500 million co-finance deal with an offshore financing entity
- Represented online subscription and transaction based content distribution companies in connection with the acquisition of streaming, on-demand and sell-thru distribution rights for various film and television content
- Represented private equity groups, high-net-worth investor groups and investors in connection with various forms of financings transactions for film and television projects, including projects targeted to the faith-based community
- Represented a major studio in negotiating slate financing arrangements with several financing partners for investments exceeding US\$150 million
- Represented a Wall Street bank in the sale of a library containing thousands of film and television titles
- Represented a major film and television distribution company in its acquisition of important distribution rights in a slate of films, the structuring of its investment in a film slate vehicle, and the creation of a co-distribution and co-finance arrangement intended to cover a large and diverse assortment of feature films and television content
- Represented a Wall Street bank in structuring its relationship with a television network in connection with the exploitation and ownership of one of the most successful television franchises
- Represented an advertising agency in connection with negotiation, strategy and execution of A-list agreements for brand campaigns as well as brand integration strategies and associated agreements
- Represented a unique mobile device-based app producer in securing various forms of film and television content for exploitation in connection with the app

INTERNATIONAL

- Represented a major China-based media company in multiple cross-border financing transactions involving film and television projects, including the establishment of a multibillion-dollar studio production facility in China
- Represented a publicly-traded Chinese media conglomerate in a variety of corporate, M&A and financing transactions with US-based companies, including the acquisition of an iconic comic book company and a joint-venture to finance and operate live location-based attractions in China and throughout Asia based on one of the most successful film studio franchise film properties
- Represented a China-based investment group in connection with its investment into a location-based virtual reality attraction in the US
- Represented a major China-based film studio and distributor in several complex cross-border investments in media properties
- Represented a China-based investment group with the establishment of a joint venture relationship in connection with financing and exploiting the rights to a collection of comic book characters throughout Asia
- Represented a Hong Kong-based production company owned by a Chinese producer/director in connection with various production, development and distribution matters and the acquisition of English-language properties for production into Chinese-language sequels and remakes
- Represented European and UK production companies in connection with the sale and development of television formats for US markets
- Represented a UK-US-based production company owned by an acclaimed television producer in connection with the production, development and distribution of numerous television formats and series
- Represented a major international distributor in its negotiation with a renowned US producer of a first-look arrangement
- Represented a film and television fund based in the Middle East in connection with various film, television and music endeavors
- Represented a major international distributor in the renewal of a multi-year distribution agreement with the owner of a 400-title US film library, which included multiple critically-acclaimed films and box office hits

CREDENTIALS

Admissions

- California

Recognitions

- *Chambers USA*
 - Band 3, California Media & Entertainment: Transactional, 2020-2022
 - Up and Coming, California Media & Entertainment: Transactional, 2014-2016
- *The Legal 500 United States*
 - Recommended, Media and Entertainment: Transactional, 2022
- Selected, *Variety*, "Dealmakers Impact Report," 2009, 2013, 2018, 2020
- Selected, *The Hollywood Reporter*, "Power Lawyers: Top 100 Most Influential Entertainment Lawyers in America," 2015
- Selected, *Variety*, "Legal Impact Report," 2015
- Selected, *The Daily Journal*, "Top 50 Entertainment Lawyers," 2015
- Selected, *The Daily Journal*, "Top 20 Under 40," 2014
- Featured, *Who's Who Legal*, The International Who's Who of Sports & Entertainment Lawyers, Public Finance Law, 2013
- Selected, *Variety*, "Legal Impact Report," 2012
- Listed, *Law 360*, "Rising Stars," 2012

Education

- J.D., Loyola Law School Los Angeles 1999
Editor, *Loyola Law Review*
- B.S., San Jose State University 1996

Courts

- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California
- United States District Court for the Northern District of California
- United States District Court for the Southern District of California

Memberships

- Advisory Board Member, The Blackhouse Foundation
- Member of Law360's 2021 Media & Entertainment Editorial Board
- Board Member, Planning Committee, UCLA Entertainment Law Symposium
- Trustee, US-Asia Institute
- Member, Academy of Television Arts & Sciences
- Member, American Bar Association
- Member, Beverly Hills Bar Association
- Member, California Bar Association

Civic and Charitable

- Visiting Professor, Shanghai Vancouver Film School
- Editorial Board Member, Los Angeles Lawyer, Los Angeles County Bar Association

INSIGHTS

Publications

Exploring the metaverse: What laws will apply?

22 June 2022

Intellectual Property and Technology News

For those intrigued by the metaverse, and for creators building metaverse projects, here are practical considerations.

Episode 2 - Is the Metaverse the virtual wild, wild west?

20 June 2022

The Media Sport and Entertainment Law Podcast

In this episode we explore the Metaverse – including discussion of what this new technology is; its applications and potential benefits; key hurdles to consumption; and the anticipated regulatory and IP uncertainties. The team highlight key considerations on how Web 3.0 is expected to change our day-to-day lives and what laws currently apply.

Exploring the metaverse: What laws will apply?

22 February 2022

Like any new foundational technology, the metaverse remains confusing and unknown to many. Writing for *Chambers TMT 2022*, we explore key questions.

COVID-19: DLA Piper's global industry guide to resuming production post-pandemic

5 October 2020

Now that many countries are slowly beginning to experience COVID-19 lockdown restrictions easing and a push to restart industries, we have compiled this comprehensive report on the key considerations for resuming film and TV productions across 15 jurisdictions.

Events

- Lecturer, "Chinese Investments in Hollywood" and "Film Financing," Shanghai University's Film Academy, November 2018
- Moderator, "The Realities of Entering the Chinese Film Market," Shanghai, China, June 2016
- Speaker, "American Films Cooperation and Investment," Beijing, China, April 2016
- Moderator, "Breaking into China: Power Players and Strategic Partnership Opportunities," Cannes, France, May 2015

NEWS

MEDIA MENTIONS

- Featured, "Law360's 2021 Media & Entertainment Editorial Board," *Law360*, April 28, 2021
- Quoted, "Will COVID-19 Hand the 2020 Box Office Crown to China?," *Variety*, July 31, 2020

- Quoted, "The Unhinged Bet to Jump-start the Movie Business," *The Financial Times*, June 16, 2020
- Featured, "International insiders in the US: bankers and legal experts," *Screen Daily*, November 4, 2019
- Quoted, "Who will win the streaming wars?" *Los Angeles Times*, October 10, 2019
- Featured, "Sealing the Deal: CFI Interview with Entertainment Attorney Tom Ara," *ChinaFilmInsider*, June 18 2019
- Featured, "The Cannes Q&A: Tom Ara," *Le Film Francais*, May 2019
- Quoted, "The Future of Global Film Finance at the AFM," *Huffington Post*, November 2017
- Featured, "The Heart of Asia's Film Business," *HKTDC*
- Featured, "Tom Ara Joins US-Asia Institute Board, Plans Congressional Visit To China," *Variety*, March 2015
- Featured, "'Peaky Blinders' A Hit In France; Tom Ara Joins US-Asia Institute Board – Global Briefs," *Deadline Hollywood*, March 2015