



## Media, Sport and Entertainment

One legal practice has emerged as a preferred choice among parties involved in the media, sports and entertainment sectors who demand superior representation and client service.

DLA Piper understands the way the media, sport and entertainment industries work. We are trusted legal advisors, with the experience and reach to advise in any major jurisdiction. Our clients benefit from our deep industry knowledge and experience, and from our creative, solution-oriented and responsive approach.

We have a market-leading international team of media, sport and entertainment lawyers throughout the Americas, Asia Pacific, Europe, Africa and the Middle East. We offer the benefits of a global business law firm, with a network of experience extending across the world.

DLA Piper is at the forefront of advising the media, sport and entertainment industries on finance, borrowing, investment and corporate issues, production and rights acquisitions, exploiting media rights, staging and exploiting live sports and other events, intellectual property protection and enforcement, regulatory and administrative issues, antitrust and competition law, stadium and arena development and on the resolution of disputes.

We advise leagues, clubs, franchise owners, broadcasters, advertisers, international and national governing bodies, rights holders, agencies and promoters, studios, distributors, event promoters, sponsors, investors, banks and other leading corporations and individuals. Our lawyers are also well positioned to provide a full range of business legal services to the emerging esports industry.

Our team is regularly recognized as a leading legal team and recent highlights include:

- Band 1 in Media (*Chambers Europe 2017*)
- Tier 1 in Sport and Media & Entertainment (*Legal 500 UK 2016*)
- Band 2 in Sports Law: Nationwide (*Chambers USA 2017*)
- Band 2 in TMT (*Chambers Global 2017*)
- Band 2 in Sport (*Legal 500 US 2016*)
- Band 1 in TMT (*Chambers UAE 2017*)
- Entertainment Law Firm of the Year (*Who's Who Legal 2015*)

### Recent experience

- Premier League with its broadcasting and media rights activities
- A.S. Roma and its affiliates with the construction, planning, real estate and corporate matters for the new Stadio della Roma and

### KEY CONTACTS

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- Finance
- Intellectual Property and Technology
- Litigation, Arbitration and Investigations
- Real Estate
- Corporate Disputes

related mixed-use development

- Los Angeles Chargers in connection with their relocation from San Diego to Los Angeles
- NBA China regarding its complex matters, including responding to a shifting audio-visual regulatory landscape (primary re: the European Digital Single Market), virtual advertising issues and a wide variety of other commercial arrangements
- Qatar's Supreme Committee for Delivery & Legacy on partnership arrangements for the development of a stadium and tournament infrastructure and the legacy redevelopment of one of the 2022 Football World Cup tournament sites
- Vice Media on the creation of 'VICELAND', a series of linear television channels
- Los Angeles Football Club in connection with corporate, tax, finance, employment and commercial matters relating to its run up to its first MLS match and new stadium
- Dentsu Aegis, the world's leading, focused media and digital communications group, with various transactions
- Discovery on its pan-European acquisition of rights to the Summer and Winter Olympic Games for 2018-2024. US and international sporting organisations on trademark, athlete rights of publicity, and ticket resale issues relating to the Olympic Games
- Australian Football League on the landmark acquisition of Melbourne's Etihad Stadium
- Lenders' counsel in connection with a new stadium for Raiders Las Vegas
- Lenders' counsel in connection with a new stadium for Tottenham Hotspur
- Germany's leading broadcasters in connection with important regulatory issues, including advertising regulation on product placement or insertion of adverts, license obligations to carry third parties and the protection of minors

## INSIGHTS

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### Publications

#### An interview with Aldersgate Funding

11 October 2021

In this podcast, DLA Piper partner Henry Quinlan interviews Jim Holding and Matthew Lo at Aldersgate Funding Limited, who shed some light on the advantages of litigation and arbitration funding; the types of claims eligible for funding; the process of funding a case; and the jurisdictional constraints on this type of financing.

DLA Piper · Aldersgate Funding on how litigation funding can help your business

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#### Dubai issues decree to consolidate Dubai's main arbitral institutions into one new institution

27 September 2021

The Ruler of Dubai has issued Decree No. 34 of 2021 concerning the Dubai International Arbitration Centre, which aims to abolish the DIFC-based Emirates Maritime Arbitration Centre and the DIFC Arbitration Institute.

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#### Is the state lottery the new online casino?

September 2021

A turf war may be smoldering between state lotteries and the private-sector casino industry.

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#### New workplace sexual harassment laws passed – (some) Respect@Work recommendations become law

8 September 2021

After months of anticipation, the Australian Federal Government's Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021 has now passed both houses of Parliament. The amendment contains important reforms to address workplace sexual harassment.

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## **Green -v- Betfred – online gaming platform unable to rely on exclusion of liability clauses to avoid pay-out to winning customer**

2 August 2021

The growth of online gaming in England means that gamblers are now more likely to be found at computer screens than casino tables. This was illustrated by the case of Andrew Green v Petfre (Gibraltar) Limited t/a Betfred [2021] EWHC 842 (QB).

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## **Personal liability of a director and liability of an agent – the cautionary tale of Tattersalls Limited v McMahon**

21 July 2021

Bloodstock auction sales are a common means of selling thoroughbred horses. It was such an auction that gave rise to proceedings in Tattersalls Limited v McMahon [2021] EWHC 1629 (QB). The case is an important one for any agent in the sports arena and beyond - read our full analysis of the case and recommendations.

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## **Global M&A Intelligence Report 2021**

23 June 2021

Our annual Global M&A Intelligence Report is based on an analysis of key deal terms in over 3,200 private M&A transactions on which we advised since 2015.

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## **Episode 15: Comprehensive New E-Commerce Rules Introduced**

23 March 2021

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

Operators of e-commerce platforms, websites and apps in China, and those using third party e-commerce, social media or livestreaming platforms to sell their products and services in China, must update their operations, services and systems in advance of wide-ranging new rules.

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## **Esports Laws of the World**

26 July 2021

The esports market has been booming over the last few years, but in some cases, regulations have not been able to catch up. In this guide, we look at the local legal and regulatory requirements for the esports industry across 38 countries, to help you identify potential issues and solutions.

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## **Blockchain and Digital Assets News and Trends**

25 February 2021

### **[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)**

Canada's AML regime amendments: is your interactive entertainment service or platform operating a "money service business"?

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## **Gems, coins, bells and bottle caps: Canadian AML regime amendments affect some video game and social media**

## virtual currencies

25 February 2021

Providers of video games and online entertainment that offer virtual currency as part of game play may be "money service businesses" under Canada's anti-money laundering rules.

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## Corruption Perceptions Index 2020 - a regional perspective

11 February 2021

Last week Transparency International launched the 2020 edition of its Corruption Perceptions Index (CPI), which ranks 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people, using a scale of zero to 100 (100 being very clean and zero being highly corrupt).

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## Launch of first edition of DLA Piper's Influencer Marketing Guide

12 January 2021

We introduce you to DLA Piper's Influencer Marketing Guide. Download the full guide for DLA Piper's overview of the legal framework for influencer marketing in 22 countries around the world.

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## Boardroom Brexit: What the deal means for intellectual property

31 December 2020

### [BOARDROOM BREXIT](#)

The TCA is not radical in terms of its immediate impact on holders of IP rights in the UK or the EU. It does not, for example, affect the post-2020 status of EU trade marks in the UK.

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## Boardroom Brexit: What the deal means for trade in services

31 December 2020

### [BOARDROOM BREXIT](#)

The TCA has substantial sectoral coverage, including professional and business services (e.g. legal, auditing, architectural services), delivery and telecommunication services, computer-related and digital services, financial services, research and development services, most transport services and environmental services.

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## Inventions behind the music: From Eddie Van Halen to Michael Jackson and beyond

22 December 2020

Music innovation offers fertile ground for patent protection.

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## Coronavirus: Directors' duties and making decisions in a crisis

2 November 2020

Directors need to carefully consider how to address the risks of the ongoing COVID-19 pandemic within their business, given its impact on the global economy. As many companies are continuing to face significant, and increasing, cash flow pressure, directors should

carefully consider their actions in the context of the legal framework.

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## **China Enforces Tax Collection on Employees Working for Chinese-invested Enterprises Overseas**

16 October 2020

With the recent IIT reform in 2019, and the introduction of a number of implementation rules (particularly the tax policy on overseas income), it appears the China tax authorities are taking a harder stance on how overseas income derived by China tax residents will be taxed in China, starting with Chinese expatriates working for Chinese state-owned enterprises.

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## **COVID-19 – Galvanising your business against supply chain and customer insolvency risk**

7 October 2020

The risk of unforeseen counterparty customer or supplier financial distress and failure amidst the on-going challenges for businesses from COVID-19 means that pre-emptive legal and operational protections against the risk of heavy financial loss or business disruption from customer/supplier failure are more valuable than ever.

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## **Mass layoffs and collective redundancies guide**

6 October 2020

As COVID-19 continues to impact the global economy in unprecedented ways, companies that have had to scale back or shut down operations are bracing for what the next few months will bring, and what this means for their workforces. In this guide, we examine key considerations for employers looking to make permanent reductions in force across APAC.

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## **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.

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## **Sports betting and the protections of "enhanced" sports data in the US**

30 September 2020

A supply of reliable, available data is the fuel needed for sportsbooks to create and compile odds, bet types, and risk management products.

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## **Details of the second tranche of Hong Kong's Employment Support Scheme released**

24 August 2020

On 18 August 2020 the Hong Kong government announced details surrounding the second tranche of the Employment Support Scheme. While the majority of the rules surrounding the second tranche remain largely the same as the first tranche, there are new penalties for employers who have fallen foul of a number of nebulous terms.

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## **Safeguarding children in the virtual world of esports – lessons to be learnt from the real world**

11 August 2020

## **PATCH NOTES: DLA PIPER GUIDE TO ESPORTS STATE OF PLAY IN 2020**

The challenge of protecting the rights of young people facing the esports industry is not unique. Traditional sports industries have been learning how to balance the nurturing of talent with the protection of young people for many years. In this article we explore the lessons that can be learnt from traditional sports in the growth of esports.

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### **Release of exposure draft legislation for major reforms to Australia's Foreign Investment Framework**

10 August 2020

Many governments around the world have been strengthening their laws relating to foreign investment. Australia is no exception to this development and has just released proposed sweeping reforms to its foreign investment regime. In this article, we provide a high level overview of the key proposed amendments and our thoughts on how some of those proposals are likely to affect foreign investment into Australia.

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### **Vlog series: How to raise equity capital during the Coronavirus pandemic (UK)**

4 August 2020

The first half of 2020 has seen an unprecedented volume of activity by companies raising capital through follow-on equity offerings on the London Stock Exchange in response to the Coronavirus pandemic. There have been over 140 equity issues on the London Stock Exchange's main market or AIM since 20 March 2020 raising more than GBP14 billion.

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### **Hong Kong Government increases statutory entitlement for maternity leave**

16 July 2020

On 10 October 2018, the Chief Executive stated in her policy address that the government proposed to increase the statutory maternity leave entitlement from ten to 14 weeks.

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### **New Dutch Franchise Act poses challenges for franchisors**

1 July 2020

#### **FRANCAST**

The legislation offers a number of protections to franchisees, which will be problematic for foreign franchisors who transact with well-established Dutch franchisees. The law will take effect on January 1, 2021, although it provides a two-year transition period for existing agreements.

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### **Changes to Hong Kong anti-discrimination legislation**

30 June 2020

Anti-discrimination laws in Hong Kong have undergone a series of changes over the past few years.

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## Australia tightens rules on foreign investment

17 June 2020

In this article we summarise the tax-related developments from early June 2020, as Australia takes a more stringent approach towards compliance procedures involving foreign investments.

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## Influencers and esports

9 June 2020

### [PATCH NOTES: DLA PIPER GUIDE TO ESPORTS STATE OF PLAY IN 2020](#)

Esports have been widely reported as a beneficiary of the restrictions flowing from the COVID-19 pandemic as other competitive sports were placed in lockdown. This article explores the commercial background to the European esports sector and how far the last few months will have a lasting impact.

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## The rules of the game

4 June 2020

### [PATCH NOTES: DLA PIPER GUIDE TO ESPORTS STATE OF PLAY IN 2020](#)

As we look to the future of sport, our global MSE team consider a variety of the issues impacting on esports and their development. In this report we consider some of the concerns regarding the regulation of esports and the lessons which organisers, participants and administrators need to learn as the industry continues its meteoric rise.

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## COVID-19 Media productions and filming

28 May 2020

As the world looks tentatively towards opening economies and takes its first steps toward the “new normal”, we are pleased to introduce this guide to provide the latest updates on the legal aspects of lockdown, and on restarting production work.

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## Coronavirus: Changes to rules governing meetings and the execution of company documents (Australia)

7 May 2020

Certain requirements in the *Corporations Act 2001* (Cth) (**Corporations Act**) relating to shareholders meetings, and document signatures, are not compatible with public health requirements for social distancing during the coronavirus pandemic. In order to facilitate these important corporate functions during this period, on May 6, 2020 the Australian Federal Government introduced the Corporations (Coronavirus Economic Response) Determination (No. 1) 2020.

This determination modifies the legislative requirements regarding meetings and execution of company documents. These changes come into force on 6 May 2020, and will expire after six months, on 5 November 2020.

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## COVID-19: New York and Other Northeast Council states take phased approach to reopening economy

6 May 2020

These developments raise a number of immediate questions and considerations for businesses operating in the region.

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## **Coronavirus: Directors' duties and making decisions in a crisis (Australia)**

4 May 2020

Directors need to carefully consider the risks of the COVID-19 outbreak within their business, given its impact on the global economy. As many now face significant, and increasing, cash flow pressure, directors should carefully consider their actions in the context of the legal framework.

In this new guide we have set out the practical steps directors should be taking to protect their company and its business going forwards.

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## **Coronavirus: Reopening businesses – compliance risks**

24 April 2020

Companies looking to reopen are urged to do so in compliance with varying, changing government restrictions to avoid longer term liabilities that could potentially outweigh short term gains

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## **Adapting to a new consumer market**

15 April 2020

As consumer-facing businesses consider changes in their business models, avoiding legal pitfalls in some key areas is necessary for a successful transition.

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## **Impact of COVID-19 on the sports sector**

15 April 2020

Sporting events around the world are being postponed or cancelled by governing bodies in a bid to prevent the spread of coronavirus. A range of sports have taken action, with the Football Association suspending the 2019-2020 professional football season, UEFA delaying Euro 2020 until the summer of 2021 and Formula 1 postponing a number of races with a view to announcing new race dates later on in the 2020 season.

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## **COVID-19: New York State provides new guidance on essential businesses**

13 April 2020

The Guidelines raise a number of immediate questions and considerations for New York businesses.

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## **Contract analysis in a crisis: flowcharts**

7 April 2020

Flowcharts providing considerations for analyzing commercial contracts in the context of the COVID-19 pandemic through a logical process flow that can serve as a practical checklist.

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## **Cost-cutting considerations in the time of COVID-19 (Part 3 – employment issues outside the US)**

7 April 2020

A deeper dive into various cost-saving measures and their viability for employers outside the US.

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## **COVID-19 and the "essential business" designation: Practical guidance for businesses that fall in the gray area between "essential" and "non-essential"**

6 April 2020

Certain frequently asked questions as well as practical guidance.

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## **Beyond social distancing: What employers need to know to keep their workplaces safe and manage privacy obligations in the face of COVID-19**

2 April 2020

Guidance from OSHA, EEO and CDC to help employers seeking to protect the health, safety and privacy of their on-site employees.

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## **Coronavirus: Cybersecurity considerations for your newly remote workforce (United States)**

31 March 2020

Cyber risk management involves balancing the productivity of a workforce with ensuring confidentiality, integrity and availability of the company's own systems and data, as well as that of their supply chain.

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## **Coronavirus: DHS Response to COVID-19 - What US Employers Need to Know**

29 March 2020

Key questions and answers related to the new DHS guidance.

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## **Coronavirus: Cyber hygiene practices**

25 March 2020

While the world is responding to the coronavirus disease 2019 (COVID-19), and individuals are increasingly focused on personal hygiene and social distancing, augmenting cyber hygiene efforts at home and at work are increasing in importance too.

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## **Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures (Part 2 – Employment issues outside the US)**

25 March 2020

A general overview of key employment issues to consider outside of the US in light of COVID-19.

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## **Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures in the US - Part 1**

25 March 2020

Key employment-related issues for US-based employers in relation to cost-saving measures due to COVID-19.

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## **Coronavirus: Several state and local governments issue “shelter in place” orders (United States)**

23 March 2020

Between March 17 and 22, state and local governments have promulgated at least a dozen “Stay-at-Home” / “Shelter-at-Home”-type Orders. This alert provides details on a number of state and local government orders.

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## **Coronavirus disease (COVID-19): Business interruptions and resulting effects in the global economy (Global)**

16 March 2020

While the overall scope and duration of the economic impacts are difficult to forecast, there will undoubtedly be a significant increase in workouts, restructurings, rescue financings, forbearances, and other similar activities over the coming months.

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## **An update on the impact of the coronavirus on business in Singapore**

12 February 2020

Due to the evolving 2019- nCoV acute respiratory disease (the COVID-19) situation, the Ministry of Health (the MOH) and the Ministry of Manpower (the MOM) have, since January 2020, issued advisories which employers will need to be aware of. In particular, the MOH and MOM have, since our last update on February 12 2020, updated and issued new advisories due to the increased risk of importation of COVID-19 into Singapore.

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## **Hong Kong Government introduces mandatory quarantine measures**

11 February 2020

On 9 February 2020, the number of deaths due to the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Numerous governments have been implementing restrictions barring entry to those with recent travel history through Mainland China, including Singapore, Japan, Australia and the United States. Following pressure from public health workers, the Hong Kong Government has now followed suit and has begun a mandatory two-week quarantine for anyone arriving from Mainland China.

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## **How to resume business amid the coronavirus outbreak (China)**

11 February 2020

As reported in our previous article, China has extended its Chinese New Year holiday and work suspension period as a result of the novel coronavirus outbreak which has now infected more than 40,000 people around the world.

This is a summary of the Back to Work Day and compensation for working before Back to Work Day in key cities and provinces across China.

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## **EU Policy & Regulatory Alert**

3 February 2020

On 29 January 2020, the new European Commission has adopted its 2020 annual Work Programme, announcing 43 new concrete policy and legislative measures to be introduced over the course of the year of 2020, and thereby translating into practice the Political Guidelines of new European Commission President Ursula von der Leyen.

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## **APAC employment issues arising out of the Coronavirus (AsiaPac)**

31 January 2020

On 29 January 2020, the number of confirmed cases of the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Multinationals with local operations around the APAC region have been significantly affected. As staff return to the office following the Chinese New Year holiday period, businesses are now considering what they can do to minimise any risk to health and safety and support staff through this challenging period where anxiety and uncertainty is rife, whilst at the same time complying with their employment obligations and maintaining business continuity. Putting in place detailed business and contingency plans and ensuring careful communications with staff to address key topics and concerns is key, as is keeping such plans and communications under frequent review given the fluidity of the current situation.

This alert considers some of the key issues that HR and business leaders should be considering across the APAC region.

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## **Harsher penalties on discriminatory employment practices in Singapore**

29 January 2020

The Fair Consideration Framework was updated in January 2020 to impose harsher penalties on employers found to be engaging in discriminatory practices such as by favouring the hiring of foreigners over Singaporeans.

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## **China extends holidays for workers amid coronavirus outbreak (China)**

28 January 2020

Learn about how the widely publicised corona virus outbreak affects business in Greater China.

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## **Panels examine trademark litigation and the CCPA at our 13th annual Women in IP Law CLE Luncheon**

19 December 2019

Most of the more than 180 guests were leading IP counsel] for some of the Bay Area's largest tech companies.

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## **EU launches preparatory work for a global sanctions regime for human rights violations**

17 December 2019

On 9 December 2019, High Representative/Vice-President of the European Union Josep Borrell announced that the Foreign Affairs Council has agreed with strong consensus to start the preparatory work for a global sanctions regime to address serious human rights violations.

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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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## **Law à la Mode**

1 MAR 2012

[LAW À LA MODE](#)

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## **UK: The real risk of cyber attack**

1 AUG 2011

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## **EVENTS**

### **Previous**

#### **Embracing Digital Evolution**

15 September 2021

Webinar

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#### **The intersection of private equity and sport**

5 March 2021 | 10:00 AM - 11:30 AM EST

Webinar

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#### **Media and sport: Anti-piracy, esports and gambling**

3 December 2020

[MEDIA & SPORT SUMMIT 2020](#)

Webinar

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#### **Media: Social media and music**

1 December 2020

## [MEDIA & SPORT SUMMIT 2020](#)

Webinar

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### **EDPB recommendations for safeguarding data transfers after Schrems II**

19 November 2020

Webinar

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### **Planning for an Uncertain World**

16 November 2020

## [TECHLAW EVENT SERIES](#)

Webinar

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### **Sport: Sport and sports finance**

12 November 2020

## [MEDIA & SPORT SUMMIT 2020](#)

Webinar

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### **Media: OTT and film**

10 November 2020

## [MEDIA & SPORT SUMMIT 2020](#)

Webinar

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### **TechLaw**

31 July 2020

## [TECHLAW EVENT SERIES](#)

Webinar

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### **Global return to work in the media industry**

11 June 2020

Webinar

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### **Webinar: Impact of COVID-19 on the sports sector - Update**

30 April 2020

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## Webinar: Impact of coronavirus COVID-19 on the sports sector

18 March 2020

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### TechLaw

5 March 2020

#### TECHLAW EVENT SERIES

Sydney

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### TechLaw

3 March 2020

#### TECHLAW EVENT SERIES

Melbourne

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## NEWS

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### DLA Piper awarded UAE Technology, Media & Telecoms Law Firm of the Year at The Chambers Middle East Awards 2021

8 April 2021

DLA Piper has been named UAE Technology, Media & Telecoms Law Firm of the Year at The Chambers Middle East Awards 2021, underscoring the firm's continued strength in the technology, media and telecommunications sector.

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### DLA Piper advises Concord in closing of US\$1 billion in debt financing

18 August 2020

DLA Piper represented Concord in a US\$600 million term loan B debt offering and US\$450 million revolving credit facility, providing the company with access to over US\$1 billion of total debt financing in one of the largest music industry financings in recent times.

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### DLA Piper advises AS Roma in its sale to The Friedkin Group for €591 million

17 August 2020

DLA Piper represented AS Roma SPV, LLC, the majority shareholder of Italian soccer club AS Roma, in the sale of its controlling interest in the team and certain related assets to The Friedkin Group, Inc., in a transaction valued at €591 million.

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### DLA Piper wins landmark broadcasting dispute at the Federal Administrative Court for SAT.1

21 July 2020

DLA Piper has obtained two landmark decisions on central broadcasting law issues for ProSiebenSat.1 TV Deutschland GmbH and

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Sat.1 SatellitenFernsehen GmbH in a dispute with the state media authorities of Rhineland-Palatinate (LMK) and of Hesse (LPR) at the Federal Administrative Court (BVerwG).

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### **DLA Piper advises Pricecheck Toiletries on Warehouse Expansion Deal**

20 June 2020

DLA Piper has advised international wholesaler and distributor of fast-moving consumer goods, Pricecheck Toiletries Limited, on the expansion of their warehouse operation capacity.

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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 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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## **Sustainability and ESG**

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The global Media, Sport and Entertainment (MSE) sector faces a broad spectrum of sustainability and environmental, social, and corporate governance (ESG) challenges. Key sustainability issues across the sector include data privacy, diversity and inclusion, equality, anti-discrimination, competition, and fraud and corruption. Social and governance issues are particularly prevalent in the sector, although, increasingly, attention is turning to environmental issues, such as high energy use, waste, and climate change concerns.

Having advised a range of MSE clients, among them the world's largest football league, top-tier professional sports franchises, leading global media outlets, premier advertising agencies and major Hollywood studios, we understand the sector is complex and multi-faceted, operating across multiple jurisdictions and responding to an array of different stakeholders. We have seen that businesses that respond to sustainability issues in a reactive, siloed manner may risk their market position, profit, access to capital and brand value.

We take a holistic approach to these complexities. We begin with our extensive experience advising clients on such issues as intellectual property protection, finance, corporate governance, regulatory compliance, media rights, antitrust and competition law, and disputes and crisis management. Our team combines this in-depth legal experience across the MSE sector with wider experience on cross-cutting ESG issues to offer our clients integrated, comprehensive advice whatever their circumstances – whether developing a sustainability strategy or managing disputes and crises.

Leaders in the transition to a sustainable future face not only risks and challenges but ample opportunities for growth. Our team strives to work with our clients to manage the risks and harness the opportunities in this transition.

## MEDIA, BROADCASTING AND FILM

Media, broadcasting and film companies face systemic risks associated with customer engagement, data security and the right to privacy. Content regulation has moved beyond mere compliance; consumers have become social media activists and companies are judged for media bias, prejudice and discriminatory content. For example, film and content companies are exposed to key person risk and are highly vulnerable to social controversies which may result in program changes and cancellations. While social factors predominate, film studios and broadcasters today are also facing pressures to address environmental concerns – to limit emissions and ensure energy efficiency and to manage waste in high-budget productions.

## PUBLISHING

For the publishing industry, the changing nature of its relationship with the consumer in the digital era has uncovered new sustainability challenges. Companies need to respond to customer concerns, particularly on data privacy and security, as well as regulatory concerns on anti-competitive practices and content regulation. Compliance in one area is often not enough to meet stakeholder expectations: for example, social movements are raising pressure on publishers to be accountable for content.

## ADVERTISING

The shift to a greater emphasis on sustainability and ESG issues is particularly noticeable in the advertising sector, where brands are increasingly making claims about their products' sustainability credentials and are also giving greater precedence to ethical issues in ad placement. Given the increased importance of sustainability issues to consumers, advertising regulators are more closely focusing on such matters. This means that compliance with advertising regulation around issues such as environmental ad claims, charity partnerships, and social cause-linked marketing campaigns is more important than ever before, for both advertisers and agencies.

## SPORTS TEAMS AND LEAGUES

The focus in sports has largely been on the social aspects of ESG, including anti-discrimination, equality and diversity and inclusion, as well as the governance aspects, such as fraud and corruption. Sports teams and leagues that have failed to meet stakeholder expectations – for example, with respect to racial inequities and sexual harassment – have faced social and stakeholder, including sponsor, backlash. In addition, stadiums are now routinely evaluated on environmental performance, including emissions, energy efficiency and waste management.

## INTERNATIONAL EVENTS

International events involve a range of sustainability considerations, from regulation of emissions, energy use and waste management to supply chain management, employment rights, and jurisdictional risks in each host country. The coronavirus disease 2019 (COVID-19) pandemic, which swiftly led to the cancellation or postponement of competitions and performances on every level around the world, has shown how such large-scale events can be particularly vulnerable to social and environmental factors. Planning for events such as international sport competitions will continue to be challenging in the new normal.