



Media, Sport and Entertainment

One legal practice has emerged as a preferred choice among parties involved in the media, sport 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/arena and theme park development, and on the resolution of disputes.

We advise leagues, clubs, franchise owners, broadcasters, advertisers, gaming operators and suppliers, international and national governing bodies, rights holders, agencies and promoters, studios and producers, 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 global team is regularly recognized as a leading legal team:

- Band 1 in TMT (*Chambers Global 2021*)
- Band 1 in TMT (*Chambers Asia-Pacific 2021*)
- Band 2 in TMT: Media (*Chambers Europe 2021*)
- Band 2 in Sports Law (*Chambers USA: Nationwide 2021*)
- Tier 1 in TMT: Media and Entertainment (*Legal 500 UK 2022*)
- Band 2 in Sport (*Chambers UK 2022*)
- Band 1 in TMT (*Chambers UAE 2021*)
- Plus many other national top tier rankings in *Chambers* and *Legal 500*.

A selection of our recent experience includes advising:

- Liverpool Football Club and Athletics Grounds Limited (LFC) in defending a GBP1.13 million claim brought by sports intermediary

PERSONNES-RESSOURCES

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SERVICES RELIÉS

- Financement
- Propriété Intellectuelle
- Litiges, arbitrage et enquêtes
- Droit immobilier
- Corporate Disputes

Winlink Marketing Limited

- 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 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 organizations 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
- Various international broadcasters and media companies such as ESPN, Disney, Lionsgate, Warner Bros, Discovery, Scripps, Vice Media, and beIN Sports on the carriage/distribution of their channels and content, in arrangements with various platform operators, including advice on their OTT and other direct to consumer strategies
- The NBA on Ofcom Broadcast Regulations and UK Gaming Law; betting regulation in a number of jurisdictions; sponsorship and marketing arrangements with a number of partners; and issues related to COVID-19
- Unicef UK's ground-breaking partnership to become the official charity of the Rugby League World Cup 2021
- Sony Entertainment Television on acquiring and exploiting media rights to international cricket events, including the Indian Premier League and ICC Cricket World Cups
- LEGO on all international distribution arrangements to broadcasters and other digital platforms for various LEGO television including advising on, drafting and negotiating the content license agreements. We also advise LEGO on various EU broadcast regulations including the Audio Visual Media Services Directive
- Unilever on its recent partnership with the "League of Legends" global esports events
- Zenimax on their worldwide trademark and copyright protection strategy, as well as on leading enforcement actions against counterfeiting and unauthorized pre-launch use, in connection with the release of one of the biggest video game rollouts in history, The Elder Scrolls

Sustainability and ESG

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.