

# Media & Entertainment

The media and entertainment industry is a multibillion-dollar global juggernaut with unprecedented reach and influence. But with growth comes challenge. Constant technological advancement and changing economic models are forcing media and entertainment companies to continually change the way they conduct business. Cozen O'Connor's grasp of the business side of the media and entertainment enables it to spot developing trends and fully prepare clients for the future.

Cozen O'Connor attorneys have been providing legal and business advice to media and entertainment clients for more than 30 years. Our firm is consistently recognized as a leader in the entertainment bar by legal and trade organizations, as well as peers. We work closely with a sophisticated group of film, television, cable, music, radio, media, and telecommunications clients. With offices throughout the United States, as well as in Canada and the U.K., Cozen O'Connor has the international capabilities to deliver the highest level of service to our industry clients from Los Angeles to New York and Toronto to London.

Cozen O'Connor attorneys have long-standing, close relationships with individuals and companies at the highest levels of the entertainment industry. This gives us access to resources and information critical to our client's success and allows us to operate at the cutting edge of this intensely competitive industry. We have been involved in the development of thousands of television productions, working on some of the highest-rated programs, and have served as counsel to dozens of films, from project inception through financing and distribution.

In addition to industry-specific knowledge, our clients benefit enormously from Cozen O'Connor's multidisciplinary strength. We handle our entertainment industry client's issues across many substantive legal areas, including licensing, mergers and acquisitions, intellectual property, finance, tax, labor and employment, litigation, public and project finance, and bankruptcy. Cozen O'Connor attorneys have the breadth to handle the entertainment industry's most complex matters.

Cozen O'Connor attracts and retains forward-thinking lawyers who have the ability and desire to break new ground. Indeed, the attorneys in our Media and Entertainment Group are among the most creative and tenacious practitioners in the field. We are not bound by convention but, simply, by a fierce determination to do what is necessary to help our clients achieve their business goals.

## CLIENTS

Motion picture and television production companies, distributors, writers, directors, and actors

Film studios

Music industry record labels, publishers, and distributors; playwrights and composers

Content distributors

New media ventures

Mobile carriers and digital content service providers

Advertising, public relations, and marketing firms

Retail service and merchandise companies

Private equity, venture capital, film funds, and strategic investors

Financial institutions and service providers



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## Related Practice Areas

- Corporate
- Employee Benefits & Executive Compensation
- Employment Litigation
- Entertainment Law
- Immigration Policy & Strategy
- Intellectual Property
- Labor & Employment
- Labor Relations & Disputes
- Mergers & Acquisitions
- Public & Project Finance
- Tax
- Trade Secrets, Restrictive Covenants, and Computer Abuse
- Trademark & Copyright

## SERVICE AREAS

### Litigation

- Represent clients in state and federal courts, arbitrations, and mediations, including proceedings before the Independent Film & Television Alliance and the California Labor Commissioner
- Provide litigation counsel in dozens of subfields, including accounting, profit participation and royalty disputes, antitrust, commercial disputes, class actions, unfair competition, First Amendment, false advertising, rights of privacy and publicity, trademark, other intellectual property matters, employment, governmental investigations, defamation, and insurance coverage

### Transactions

- Lead mergers, acquisitions, and joint ventures
- Handle complex film financings
- Provide guidance to maximize and monetize production, infrastructure and tax-related incentives, rebates, refunds and credits under federal, state, provincial, local, municipal and other applicable statutes, legislation, laws and regulations pertaining to film and television production
- Negotiate the sale of media rights
- Assist with acquisitions and sale of media catalogues, and name and likeness rights
- Serve as television and motion picture production counsel from project inception through distribution
- Advise clients on business development, media initiatives, multi-platform content creation, brand management, and consumer and retail marketing strategies
- Negotiate and draft agreements for sponsorship, collaboration, merchandising, licensing, confidentiality, employment, and content distribution on behalf of talent, writers, directors, producers, managers, agents, production, financing and distribution companies, and networks in the motion picture and television industry
- Assist with financing, insurance, accounting, and taxation matters
- Negotiate and draft record, publishing, producer, management, distribution, touring, merchandising, sponsorship, licensing, and internet agreements

### Corporate and Regulatory

- Counsel clients on advertising, marketing, and telecommunications regulations
- Provide government relations services
- Offer sophisticated antitrust, tax, and corporate compliance counseling
- Advise clients on employment and labor law regulations specific to the industry
- Promote and protect intellectual property rights, including copyrights and trademarks
- Assist with energy, environmental, and utilities law compliance

### RELATED PRACTICES

- Real Estate
- Intellectual Property
- Labor & Employment
- Commercial Litigation
- Mergers & Acquisitions

### Experience

Obtained dismissal of a “Twibel” (twitter libel)/tortious interference action brought by a pro-Russia

blogger against our client, a blogger and former British Parliamentarian. The plaintiff alleged that the client defamed him and interfered with his employment as a result of a single tweet. The court concluded that the allegedly defamatory statements were nonactionable statements of opinion. It also dismissed plaintiff's tortious interference claim, finding that the complaint was devoid of any plausible allegation that the client intended to interfere with plaintiff's employment contract and that the interference claim was indistinguishable from, and duplicative of, the defamation claim.

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Represented Comcast Spectacor in its acquisition of Paciolan, Inc. from Live Nation Entertainment, Inc., the successor in the Ticketmaster/Live Nation merger.

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Represented Sony Corporation of America in its acquisition of Micronics, Inc., a developer of near patient point of care devices for disease diagnosis and treatment monitoring.

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Represented investor in U.S. rugby franchise, including contribution of USA Rugby League assets.

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Represented a digital media company in sale transaction, including negotiation of investment agreements for remaining executives.

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Represented ARK Partners LLC, in the Belgium and Germany/U.S. purchase of a horse in Europe for delivery in the U.S.

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Remediated and redeveloped the contaminated 10-acre Campbell's Soup riverfront manufacturing site in Camden, NJ, into a state-of-the-art minor league baseball stadium.

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Served as co-counsel representing National Association for Stock Car and Auto Racing, Inc., where NASCAR won a summary judgment leading to a ruling that NASCAR owns the worldwide copyrights to the NASCAR NEXTEL Cup Series Trophy. This ruling was upheld by the Third Circuit.

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Served as lead trial counsel for the estate of the author of the song "Disco Inferno," where we succeeded in negotiating a settlement which confirmed the author's estate was the copyright owner in the renewal rights, could appoint their own administrator of such rights, and could collect licensing fees relating to such rights.

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Served as lead trial counsel representing Jon Bon Jovi and the Philadelphia Soul Arena Football Team in prosecuting a trademark and copyright dispute.

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Represented Grammy-award winning Ivory Productions in litigation in Los Angeles Superior Court. After a protracted trial, we successfully defended our client in a significant breach of contract and declaratory judgment action, and prevailed on a claim for over \$400,000 in counsel fees.

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Served as production counsel for "Restaurant: Impossible," the highest rated show on the Food Network.

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Represented the owners and operators of the American Hockey League member club, Philadelphia Phantoms, in its sale to a new AHL member club.

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Represented the Kimmel Center – Philadelphia's performing arts center – as a major constituent in the Chapter 11 bankruptcy cases of The Philadelphia Orchestra, The Academy of Music, and Encore Series, Inc., as well as in its capacity as chairperson of the Official Committee of Unsecured Creditors of the Philadelphia Orchestra and The Academy of Music.

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