

# Media Entertainment and Sports in the United States

## Overview

Clients across the media and entertainment ecosystem—movie production studios, gaming companies, and traditional and social media outlets—rely on Dentons for advice and representation.

Whether you are a multimedia giant or an emerging growth company, we can help you structure and close deals with certainty and resolve disputes quickly and efficiently because we bring to each assignment a sharp business acumen; a diverse range of strengths, including intellectual property, litigation, corporate, tax, privacy and financial services; and, above all, an understanding of the business models that are most likely to succeed, and how best to navigate the regulatory environment in which you operate.

**Depth of experience:** Dentons lawyers represent companies and individuals against claims of defamation, invasion of privacy and infringement of right of publicity, in billboard advertising litigation and in cases brought under state public access and open door laws. We provide pre-publication and pre-broadcast content reviews to identify potential liability exposure relating to intellectual property, access, defamation, privacy, FCC regulations and other areas. We advise and represent clients regarding retraction requests and takedown notices, responses to subpoenas, and issues relating to public records access and open door laws. And we provide newsroom seminars to reporters and editors on a vast array of media-related issues.

Technological advancements have changed the media and communication environment from one where paper documents were the norm to a world where digital communications, such as emails, text messages and social media posts, rule the day. Our team has contributed to the development of this cutting edge area of the law.

**Diverse industries:** Our clients have included newspaper publishers, such as the Tribune Publishing, Dow Jones & Company and Condé Nast; wire services, such as the Associated Press; television networks, such as NBCUniversal and CNN; radio stations, such as WGBH Boston, America's preeminent public broadcaster; providers of cable programming such as HBO and A&E; entertainment and content producers, including Netflix, Multimedia Productions; Universal Television; Studios USA; Fox Studios and MGM Television; professional associations, such as the National Association of Broadcasters, the Society of Professional Journalists, the Indiana Broadcasters Association and the Hoosier State Press Association; and watchdog groups, such as the Better Business Bureau, the Better Government Association, the ACLU and Greenpeace; and sports franchises, including the Chicago Cubs and the Los Angeles Rams.

**Thought leadership:** We are recognized authorities in this field, contributing media law articles to the *Trademark Reporter*, *Law360*, the Media Law Resource Center's *MediaLawLetter* and the ABA's *Tort Trial and Insurance Law Practice Journal*; authoring MLRC surveys on Illinois and 7th Circuit defamation law; and presenting at numerous CLE seminars, including an annual in-house counsel program at the University of Chicago's Booth Business School, and at the ABA Forum on Communications Law's annual conference. One of our partners has served as co-chair of the MLRC's annual media conference for seven years running and another partner was a member of the MLRC's Defense Counsel Section Executive for six years, and served as Chair of the DCS and member ex officio of the MLRC's Board. One of our partners has also taught a seminar entitled "Entertainment Law" at Northwestern University's Pritzker School of Law for nearly three decades.

Our media advisory and litigation services include:

- Advising on newsgathering conduct, including First Amendment right of access, use of confidential sources, national security issues, electronic eavesdropping, intrusion-upon-seclusion, trespass and misrepresentation

- Conducting pre-publication and pre-broadcast defamation, invasion of privacy, obscenity, breach of contract and intellectual property infringement reviews
- Defending against defamation, infringement of rights of privacy and publicity, and other statutory and common law claims
- Advising on access to government information, including FOIA requests for documents, right to attend government proceedings under Sunshine Act and open meetings laws, and court-issued gag orders
- Defending assertions of reporter's privilege and opposing prior restraint of expression
- Negotiating news service contracts with local and overseas agencies, and litigating any related disputes.
- Advising on all aspects of content distribution and licensing
- Managing copyright and trademark protection and enforcement
- Drafting and negotiating confidentiality and nondisclosure agreements
- Advising on Internet law and drafting website terms-of-use and privacy policies
- Reviewing and clearing advertising copy for use in on-line and off-line media, and protecting clients' marketplace advantage in unfair competition and Lanham Act false advertising lawsuits
- Advising on contests and promotions, including games of chance

We handle commercial agreements relating to all aspects of media, entertainment and sports, including:

- Production contracts
- Employment agreements
- Location agreements
- Licensing and distribution agreements
- Franchising agreements
- Corporate transactions
- Equity and debt refinancing
- Mergers and acquisitions
- Antitrust and competition analysis
- Takeovers

## Your Key Contacts

### United States



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