

MEDIA AND ENTERTAINMENT

OUR TEAM

Our media and entertainment practice provides a “very fast and always reliable” service (Legal 500 EMEA 2013) to clients in this sector through an integrated team of lawyers with established expertise and reputation in their respective fields. Several of our lawyers have gained a unique understanding of the typical issues at stake through long term, in-house projects or secondments. We are considered “expert in entertainment and IP law” (Legal 500 EMEA 2013).

The team is led by partners Thomas De Meese, “a very intelligent and well-prepared lawyer” and Flip Petillion “an extremely measured and thoughtful lawyer, who’s advise is spot-on” (according to Chambers Europe 2012). We are also recommended by various legal publications, such as Chambers Europe 2013, and Legal 500 EMEA 2013.

UNIQUE SECTOR KNOWLEDGE

Our team provides the full range of legal services essential to the success of stakeholders in the media and entertainment sector, irrespective of their size or geographical range. We represent cable operators, gaming and betting companies, sports and media celebrities, television production companies, record labels, singer-songwriters, printed media companies, book publishers, advertising companies, fashion and other designers and many others. The fact that we are involved in so many different legal issues for such a wide range of clients, ensures that our industry knowledge is comprehensive, constantly refreshed and enabling us to provide “swift, clear and no-nonsense solutions” (according to Legal 500 EMEA 2012).

LITIGATION PROFICIENCY, TO THE POINT ADVICE

Although the vast majority of our lawyers are well-seasoned litigators, their first objective is to help businesses either prevent or resolve disputes quickly and favorably, preferably out of court. Our litigation expertise allows us to provide our clients with clear, practical advice on any relevant issues, ranging from a

legal opinion on freedom of expression, to advice on the termination of an exclusive audiovisual production agreement or an artist management deal.

INTELLECTUAL PROPERTY LAW

We provide innovative advice on all aspects of intellectual property law as it relates to the media and entertainment sector. Our lawyers have significant experience in (non-)contentious matters including; fashion, sports equipment, line extensions and advertising. A variety of matters relating to software and databases have also been handled by our team, both for users and for developers of these products. In particular, our team has developed a preeminent role in the representation of clients in court actions concerning the (non-)infringement of copyright protected content, trademarks, registered design and personality rights (image, name and voice). Finally, we are one of Belgium’s leading practices with regard to pre-trial discovery proceedings regarding the gathering of evidence of infringement of intellectual property rights.

REGULATORY FRAMEWORK

Our team has a detailed knowledge of the regulatory framework regarding certain niches in the media and entertainment industry. We advise and litigate on all regulatory issues related to licenses for sports betting, broadcasting, etc. In this area, we have represented clients before the highest administrative court in Belgium (‘Raad van State’ – ‘Conseil d’Etat’) and assist clients in procedures before relevant agencies including the Gaming Commission, the Council for Journalism and the Jury for Ethical Practices in Advertising.

CORPORATE, COMMERCIAL AND LABOR LAW

Our team advises its media and entertainment clients on the full range of corporate and commercial issues that frequently affect their businesses. We aim to help our clients when growth is part of their strategic objective by informing and advising on joint venture arrangements, distribution agreements, mergers and acquisitions,

commercial contracts, management deals, employment matters, corporate governance and compliance issues.

We also advise our clients on issues such as unfair competition, data protection, anti-corruption and anti-competitive behavior.

REPRESENTATIVE MATTERS

- Draft and negotiate carriage agreements between a cable operator and several broadcasters;
- Litigate disputes between cable operators and broadcasters regarding content and carriage fees;
- Litigate advertising disputes between electronic communications operators in civil courts and represent advertisers before the Jury for Ethics in Advertising;
- Represent a leading video distribution business in licensing disputes;
- Represent a book publisher in litigation regarding alleged defamatory claims in books the company had published;
- Litigate on behalf of a well-known performer and his family in proceedings regarding the unauthorized use of their image by a number of tabloids ;
- Negotiate strategic business deals for on-screen and behind- the- scenes top talent in the audiovisual sector, including consultancy agreements, joint-ventures, merchandising deals and sales of formats and scenarios;
- Assist various performers in renegotiating or ending existing agreements with their management / agent;
- Litigate the violation of various distribution/license agreements for recorded music, motion pictures and many others ;
- Negotiate new tariffs with collecting societies on behalf of musical event organizers, theatre companies, broadcasters and cable operators;
- Advise the heirs of a famous novelist on how to best structure the copyright portfolio of their ancestor;
- Advise on the acquisition of a multitude of licenses for the use of (audio)visual content in advertising campaigns;
- Defend a television broadcaster against copyright claims by a service provider in relation to a musical television production;
- Represent a journalist and a magazine in a high-profile defamation case;
- Advise international Belgian artists on the management of their copyright portfolio;
- Advise a famous sports athlete and a well known fashion designer on the use of their image by third parties;
- Represent global social website owners on the management of complaints filed by their users; and,
- Represent a famous private school in a litigation regarding defamatory content on a blog.

CONTACTS



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