
MEDIA, MUSIC, ENTERTAINMENT, CULTURE, PUBLISHING

Our Media Law Team is made up of 17 lawyers spread across various offices. We are experienced, expeditious, thorough and enthusiastic about our work. We offer you both, the know-how of the major commercial law firm BEITEN BURKHARDT and individual service. We provide you with support for large projects, and are also there for you when you have smaller problems or questions. We can give you brief advice on the telephone or a comprehensive legal opinion – most importantly, we will give you exactly what you need.

Media law

We provide comprehensive advice to our clients on all elements of media law. While we advise publishers, broadcasters (radio and television), companies with websites and/or online shops and games providers, we also advise companies from other sectors on the protection of their information, content, business secrets and reputation. Our extensive experience and the fact that our media law team is strongly networked with our teams from other areas of law enable us to assist our clients with the legal protection of their business models.

Press law

Our expertise covers press law, including the general right of personality. We advise our clients on all legal issues related to the publication of media products:

- Freedom of expression
- Law of print and visual reporting
- Freedom of speech
- Right of reply
- Information notices under press law
- Right to personality
- Advising on the unauthorised use of images
- Providing comprehensive advice to publishing houses
- Defence against negative media campaigns
- Legal support with respect to imminent damage to reputation
- Advising on for-sale publications
- Imprint obligations for printed materials
- Merger control in the press sector

Broadcasting, film and multimedia law

Our expertise also allows us to advise on broadcasting, film and multimedia law for our clients in these industries. This includes negotiating with authorities and other institutions from the media sector on behalf of our clients.

- Licensing of radio and television stations
- Advising on distribution via cable, internet protocol and satellite
- Pay TV, on-demand services and over-the-top content (OTT)
- Advising on the procurement and marketing of ad time
- Advising on the marketing of online advertising space
- Entertainment, music, sport and cultural events
- German and European law on the support and promotion of culture
- Advising on television and film projects
- Film rights database, film inventories and individual film rights

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- Advising on copyright remuneration
- Media authorities of the Laender and their supervision
- Advising on the Interstate Broadcasting Treaty (RStV)
- German Society for Musical Performing and Mechanical Reproduction Rights (GEMA)

Law of new media

Our legal expertise also extends to new media and the internet. Our highly specialised teams are always up-to-date with the latest developments in this fast-moving area of media law and can swiftly offer our clients practical solutions.

- Providing comprehensive legal advice on e-commerce
- Editorial telemedia, blogs, internet communities
- Licensing agreements for new media and mobile entertainment
- PC, video, online and mobile games, e-gaming and in-game advertising
- Providing advice on advertising, sponsoring, testimonials and merchandising
- Content marketing, product placement, branded entertainment, influencer marketing
- Advising on liability for own content and third party content in digital media
- User-generated content, notice and take down proceedings and hate speech law
- Corporate presence in social networks
- Rights of use for social media platforms
- Defending image rights in the internet
- Providing advice in relation to competitions and gambling
- State Treaty on Gambling and lottery legislation

Intellectual property

We protect the intellectual property, licences and rights of use, as well as the business activities of our media industry clients. We have a strong track record, established over many years of providing comprehensive advice and representing clients in and out of court in intellectual property, copyright and unfair competition matters.

- Purchase, sale and licencing of newspaper and magazine titles
- Licencing of radio and television stations
- Sale and acquisition of companies; media for equity, start-ups
- Notification and maintenance of publisher-specific trademark rights
- Press distribution law and copyrights
- Advising authors and photographers
- Drafting publishing and sub-publishing agreements
- Law of collection societies
- Combatting piracy and online monitoring
- Registering, monitoring and researching domain names
- Protection against counterfeited goods under the law of unfair competition
- Protection of business secrets and know-how

Data protection law

Our know-how in data protection law for both print and online media is of note. We advise on the entire bandwidth of this area of law, especially as it affects our clients in the media sector. In addition, we are familiar with the various requirements of the law on the protection of minors, despite the fact that they are spread over numerous statutory provisions.

- Implementing the General Data Protection Regulation (GDPR)
- Designing digital business models in line with data protection rules
- Data protection in e-commerce, mobile commerce and digital marketing
- Data protection with respect to advertising in a digital environment and targeted advertising
- Customer relationship management systems and customer loyalty programmes
- Distributed ledger technology, blockchain and the internet of things
- Data protection with respect to crowdfunding and electronic payment transactions
- International data transfer in the media sector
- Data protection in the case of big data and artificial intelligence
- The protection of minors in the media

Russia

In this strictly regulated sector, we have assisted publishing houses, internet operators, news agencies, and radio and TV broadcasting companies for more than 15 years. To this end, we have combined our experience in intellectual property with our expertise in information technology to advise on all regulatory and day-to-day business issues, e.g. on the formation of media companies, the grant of access to and use of content or on the requirements for websites, advertising, or data protection.

AT A GLANCE:

- Establishing media companies, including assessing proposed activities
- Compliance with copyright and similar rights
- Regulatory provisions on the activities of mass media
- Assessing the compliance of advertising, advertising measures and materials
- Assessing websites and other content made available on the web
- Data protection (protection of personal data and other confidential information)
- Representation in disputes regarding the infringement of copyright and similar rights or the protection of business reputation, and on standing

China

We provide comprehensive advice on your projects in the media industry in China. You can rely on our profound track record of industry expertise in both Europe and China.

Foreign direct investment projects form a particular focus of our work. Our specialists have in-depth knowledge of the typical requirements in these industries, whether corporate law, the protection of intellectual property or licencing matters.

AT A GLANCE:

- National and international distribution and licensing agreements
- Protection of intellectual property, encryption, data security
- Internet entertainment and online gaming
- Establishing and restructuring companies
- Licensing agreements