

Luke C. Platzer

Partner

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Areas of Focus

Communications, Internet,
and Technology

Content, Media, and
Entertainment

Copyright

Intellectual Property

Technology



Overview

Luke Platzer is a litigator in the firm’s Communications, Internet, and Technology Practice as well as in its Content, Media, and Entertainment Practice, and has been recognized as a “Rising Star” in the fields of both Telecommunications (2018) and Media and Entertainment Law (2015) by *Law360*. He has over 15 years of experience representing communications providers and content owners in litigating cases at the forefront of online intellectual property protection, the Digital Millennium Copyright Act (DMCA), the intersection of state and federal authority, and the regulatory frameworks governing online businesses and IP services.

Intellectual property owners, including in the music and movie industries, regularly seek Luke's help protecting copyrighted content, in cases involving application the DMCA and for compliance counseling involving online properties. Members of the communications industry, including broadband, cable, and IP voice providers, regularly seek his assistance in regulatory litigation, enforcement proceedings, rulemakings, and in securing regulatory approvals before the FCC and state regulators.

Communications Litigation and Regulatory Proceedings

Luke represents clients in litigation and regulatory matters before the FCC, state regulatory commissions and the federal courts, principally in matters involving broadband and IP voice services. He has been at the forefront of several key cases involving federal preemption of state authority and the regulatory regime applicable to VoIP providers. These have included Charter’s challenge in Minnesota, which established that interconnected VoIP services are “information services” under federal law and not subject to state public utility regulation, *Charter*

Advanced Services v. Lange, No. 17-2290 (8th Cir. 2018) as well Comcast's successful appeal from an order imposing similar regulation in Vermont, *In re Investigation into Regulation of Voice Over Internet Protocol (VoIP) Services*, 2013 VT 23 (VT 2013), and several others. Luke has also represented IP voice providers and broadband internet access service providers in both rulemaking and litigation matters relating to intercarrier compensation and common carrier regulation.

He also regularly assists clients obtain state and federal regulatory approvals for transactions in the communications industry. These have included the 2016 merger between Charter Communications, Time Warner Cable, and Bright House Networks (FCC MB Docket 15-149; Cal. Pub. Utils. Comm'n Docket No. 15-07-009) and Altice's successful 2018 spinoff of its United States operations, among others, as well as enforcement proceedings and regulatory litigation matters arising out of state regulators' transaction approval conditions.

Copyright and Online Content Protection

Luke is a former adjunct professor at American University Washington College of Law, where he taught copyright and other intellectual property issues from 2013 through 2016. He has represented copyright owners in a series of precedent-setting cases involving DMCA and the protection of intellectual property and entertainment properties online. These have included the jury trial and successful appeal in *Capitol Records v. MP3tunes (EMI Christian Music Group, Inc. v. MP3tunes, LLC*, No. 14-4369 (2d Cir. 2016))—recognized by *Managing Intellectual Property* magazine with an Editor's Choice Award in 2017 and by the *New York Law Journal* as one of the top 25 New York verdicts of 2014—as well as *Viacom v. YouTube (Viacom International, Inc., et al. v. YouTube, Inc., et al.*, No. 07 Civ. 2103 (S.D.N.Y.)) and several others, including *Mattocks v. Black Entertainment Television LLC*, No. 0:13-cv-61582 (S.D. Fl. 2014); *Disney Enterprises, Inc. v. Hotfile Corp.*, No. 11-20427 (S.D. Fl. 2013); and *Arista Records LLC, et al. v. Usenet.com, Inc.*, No. 07 Civ. 8822 (S.D.N.Y. 2009). Luke also counsels content owners on combatting online infringement and other misuse of copyrighted materials.

Firm Committees and Pro Bono Practice

In addition to his work on behalf of Jenner & Block's communications and entertainment industry clients, Luke also serves on the firm's Hiring Committee and its Diversity, Equity, and Inclusion Committee. He has a long history of working with national civil rights organizations on impact litigation matters involving LGBT equality. Along with the firm's co-counsel at Lambda Legal and the ACLU, Luke served as class counsel to the class of same-sex couples who successfully challenged the Commonwealth of Virginia's prohibition against same-sex marriage in *Harris v. Rainey*, No. 14-1167 (4th Cir. 2014), which brought marriage equality to the states within the Fourth Circuit. He also represented the plaintiffs in *Gill v. OPM*, 682 F.3d 1 (1st Cir. 2012), the first case to find the Defense of Marriage Act unconstitutional, and in *Pedersen v. OPM*, No. 10 CV 1750 (D. Conn. 2013), which reached the same conclusion in a similar challenge in Connecticut. Luke has authored numerous amicus briefs to the US Supreme Court on behalf of national organizations advocating for LGBT equality, including Lambda Legal, GLAD, the National Center for Lesbian Rights, the National Gay and Lesbian Task Force, and the Human Rights Campaign.

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Representative Matters

- Mr. Platzer's practice focuses primarily on intellectual property and regulatory issues arising on the Internet and other new media platforms.
- As a member of Jenner & Block's Communications practice, Mr. Platzer represents clients in proceedings before the FCC, state regulatory commissions, and the federal courts, principally involving the intersection of telecommunications regulation with new technologies. He is currently a member of the team securing state and federal regulatory approvals for the merger between Charter Communications, Inc., Time Warner Cable Inc., and Bright House Networks, LLC. Mr. Platzer represented Comcast in its successful appeal involving the regulation of VoIP services by the State of Vermont, *In re Investigation into Regulation of Voice Over Internet Protocol (VoIP) Services*, 2013 VT 23 (VT 2013), has represented providers in numerous regulatory proceedings and federal court cases surrounding state regulation and intercarrier compensation issues surrounding VoIP services, and regularly represents the firm's clients in regulatory proceedings at the FCC and state regulatory agencies involving the regulation of broadband and VoIP services.
- Mr. Platzer, who also teaches Entertainment Law as an adjunct professor at American University Washington College of Law in addition to his position at Jenner & Block, was named a "Rising Star" in the field of Media & Entertainment by *Law360* in 2015. As a member of Jenner & Block's Content, Media, and Entertainment practice, he has successfully represented entertainment industry clients in numerous cases involving the protection of intellectual property and entertainment properties online. These have included the recent jury trial in *Capitol Records, LLC v. MP3tunes, Inc.*, No. 07-9931 (S.D.N.Y.), which the *New York Law Journal* has named among the top 25 New York verdicts of 2014; *Mattocks v. Black Entertainment Television LLC*, No. 0:13-cv-61582 (S.D. Fl. 2014); *Disney Enterprises, Inc. v. Hotfile Corp.*, No. 11-20427 (S.D. Fl. 2013); *Viacom International, Inc., et al. v. YouTube, Inc., et al.*, No. 07 Civ. 2103 (S.D.N.Y.); *Arista Records LLC, et al. v. Usenet.com, Inc.*, No. 07 Civ. 8822 (S.D.N.Y. 2009) and *Atlantic Record Corporation, et al. v. XM Satellite Radio, Inc.*, No. 06 CV 3733 (S.D.N.Y. 2007).
- In addition to his work on behalf of Jenner & Block's communications and entertainment industry clients, Mr. Platzer has a long history of working with national civil rights organizations on impact litigation matters involving LGBT equality. Along with the firm's co-counsel at Lambda Legal and the ACLU, he served as class counsel to the class of same-sex couples who successfully challenged the Commonwealth of Virginia's prohibition against same-sex marriage in *Harris v. Rainey*, No. 14-1167 (4th Cir. 2014), which brought marriage equality to the states within the Fourth Circuit. He also represented the plaintiffs in *Gill v. OPM*, 682 F.3d 1 (1st Cir. 2012), the first case to find the Defense of Marriage Act unconstitutional, and in *Pedersen v. OPM*, No. 10 CV 1750 (D. Conn. 2013), which reached the same conclusion in a similar challenge in Connecticut. He has authored numerous amicus briefs to the U.S. Supreme Court on behalf of national organizations advocating for LGBT equality,

including Lambda Legal, GLAD, the National Center for Lesbian Rights, the National Gay and Lesbian Task Force, and the Human Rights Campaign.

Credentials

Admissions

- District of Columbia, 2006
- New York, 2005

Education

- Stanford Law School, JD, Order of the Coif; Nathan Abbott Scholar, 2003
- Harvard University, BA, *magna cum laude*, 2000

Clerkships

- Hon. Judith W. Rogers, US Court of Appeals, District of Columbia Circuit, 2003-2004

Service / Recognition

Awards

- *The Best Lawyers in America*, Communications Law, 2024, 2026
- Capital Pro Bono Honor Roll, 2024-2025
- *Law360*, "Rising Star," Media & Entertainment, 2015
- *Legal 500*, Media, Technology and Telecoms: Telecoms and Broadcast: Regulatory - 2016-2017, 2018; Media, Technology and Telecoms: Telecoms and Broadcast: Transactional, 2016-2017
- *Managing Intellectual Property*, Editor's Choice Award (*Capitol Records v. MP3tunes*), 2017
- National LGBT Bar Association, Best LGBT Lawyers Under 40, 2012