

## Content, Media, and Entertainment

Few industries evolve as quickly as media and entertainment. Groundbreaking technologies have repeatedly transformed the way our clients entertain, inform, and connect consumers, while presenting unprecedented challenges from digital piracy, increased regulation, and industry consolidation. Content creators, buyers, and distributors must adapt at lightning speed, and we are there every step of the way.

Jenner & Block's nationally recognized and award-winning Content, Media, and Entertainment (CME) team is immersed in virtually all aspects of the media and entertainment industries and understands the highly complex issues innovative companies face. We practice at the forefront of these changes and guide clients in evaluating and analyzing emerging technologies and platforms, navigating and litigating disputes, advising on legislation and regulation, and providing practical, creative guidance on strategic transactions.

### **Decades of Shaping "What's Next" for Clients**

For decades, we have successfully protected our clients' valuable content in groundbreaking, industry-shaping cases—such as *WNET v. Aereo*, *MGM Studios v. Grokster*, *Capitol Records v. MP3Tunes*, *UMG Recordings, et al. v. Grande Communications*, and *Atlantic Recording Corp., et al. v. Spinrilla*—that have changed laws and impacted the way business is conducted and content is delivered. Our clients include every major US recording company and motion picture studio, many of their industry associations, television networks, major technology companies and social media platforms, video game, news media, and sports and entertainment companies. Widely recognized as among the best in the United States by *Chambers USA* and *The Legal 500*, the practice has been named a “Practice Group of the Year” in Media & Entertainment eight times by *Law360*. Many other legal and entertainment industry publications, including *Variety*, *The Hollywood Reporter*, *Crains*, *Billboard*, and others, have similarly acknowledged our CME lawyers as top in the nation.

### **A Whole-Industry Approach**

We work across the spectrum of media, entertainment, and technology businesses: television, motion pictures, music, video games, social media, sports and betting, news, live events, digital assets and blockchain, technology, art, fashion, and advertising/marketing. Regardless of the challenge or opportunity, we are sophisticated lawyers with a constant focus on our client's overall business objectives. Our multidisciplinary, nationwide capabilities include collaboration with our Technology; Investigations, Compliance, and Defense; Appellate and Supreme Court; Government

Controversies; Fintech and Digital Assets; and Environmental and Workplace Health and Safety practices.

## **Protecting Content and Commercial Interests**

Leading media and entertainment companies rely on us from the boardroom to the courtroom. We counsel, litigate, and try cases involving copyright, trademark, First Amendment/defamation, right of publicity, licensing, compensation accounting, content moderation, immersive technologies, antitrust, and many other high-stakes commercial disputes. Our industry leading transactional lawyers work with our clients to leverage and expand their content and other IP rights through M&A transactions, joint ventures, strategic partnerships, and IP licensing deals.

## **Experience**

- Represented Princeton University in litigation in the Northern District of California alleging copyright infringement and trade secret misappropriation related to academic research into machine learning and computer vision, securing dismissal and summary judgment wins before reaching settlement.
- Representing the *Las Vegas Review-Journal* in defending against monopolization claims brought by the Las Vegas Sun while successfully challenging the validity of one of the nation's last Joint Operating Agreements under the Newspaper Preservation Act.
- Representing Disney, NBCUniversal, and Warner Bros. Discovery in landmark copyright infringement litigation against AI image and video generator services, Midjourney and MiniMax. The lawsuits challenge these services' large-scale copyright infringement of the studios' movies, TV shows, and iconic characters.
- Representing News Corp and Dow Jones in a first-of-its-kind copyright and trademark infringement lawsuit against Perplexity AI, alleging it scraped and repackaged proprietary news content without authorization for use in its retrieval-augmented generation (RAG) system.
- Advising multiple major news organizations on their AI disputes and licensing deals. We have worked with these clients to develop innovative ways to protect their rights and leverage their content, against the backdrop of legislation and copyright litigation.
- Won a motion to dismiss federal trademark claims brought against AMC Networks Inc. and Sony Pictures Television Inc. by Liberty Tax Service. The plaintiff alleged that defendants had infringed on their trademark and trade dress with the depiction of a fictional business in an episode of the popular series *Better Call Saul*.

- Represented Fox Corporation in its acquisition of Red Seat Ventures, a leading business in the creator economy that powers talent across a range of genres as they build their direct-to-consumer media businesses.
- Representing Live Nation and Ticketmaster in a series of class action lawsuits in federal and state courts alleging “drip pricing” and violations of state pricing laws. These matters, which are being litigated in multiple courts across the country, are among the first to seek to apply various state pricing laws.
- Represented Warner Bros. in successfully resolving a lawsuit for trademark infringement, copyright infringement, and trademark dilution against a business operating “virtual running clubs” that made unauthorized uses of Warner Bros.’ Harry Potter and Gilmore Girls trademarks and copyrighted images in their business names, websites, marketing materials, and merchandise sales. The matter concluded with the entry of a permanent injunction.
- Won a victory for NBCUniversal in its lawsuit accusing two companies of squatting on trademarks from former NBC hit shows *The Office* and *Friday Night Lights* by selling merchandise branded with “Dunder Mifflin” and “Dillon Football.” The court entered a permanent injunction in favor of our client.
- Represented Studio Ramsay Global in a \$100 million investment in HexClad, including contributions of integrations, advertising, and other media assets featuring multi-Michelin starred Chef Gordon Ramsay.
- Achieved a complete victory for Paramount Global (f/k/a ViacomCBS) in a \$100 million trademark dispute over the title of the MTV reality show *MTV Floribama Shore*. The plaintiffs, owners of the “Flora Bama Lounge, Package and Oyster Bar,” sued ViacomCBS seeking an injunction to stop MTV from using the term “Floribama” in the title and alleging claims for federal and state trademark infringement. After years of litigation, the judge granted summary judgment to ViacomCBS, dismissing the case in full. The US 11th Circuit Court of Appeals affirmed the ruling.
- Secured a multibillion-dollar arbitration win for Fox Corporation in its litigation against Flutter Entertainment, the parent company of sports betting company FanDuel.
- In a case of critical importance to the television industry, represented a consortium of broadcast television companies at every stage of litigation in a copyright case against Aereo, Inc., a company that captured over-the-air television programming and retransmitted that programming over the internet without the authority of the copyright owners. The Supreme Court ruled in favor of our clients, resulting in a monumental win for broadcasters and copyright owners.

## Co-Chairs



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## Related Capabilities

Antitrust and Competition Law

Appellate and Supreme Court

Bankruptcy and Restructuring

Business Litigation

Class Action

Communications, Internet, and Technology

Congressional Investigations

Consumer Brands

Copyright

Corporate

Culture Risk and Sensitive Investigations

Data Privacy and Cybersecurity

ERISA

ESG: Environmental, Social, and Governance

Environmental and Workplace Health and Safety

Government Controversies and Public Policy Litigation

Hedge, Investment, and Private Equity Funds

Insurance Recovery and Counseling

International Arbitration

Investigations, Compliance, and Defense

Litigation

Mergers and Acquisitions

Post-*Chevron* Task Force

Real Estate Transactions

Real Estate and Hospitality

Reproductive Health Task Force

Sports and Gaming

Technology

Trade Secrets and Restrictive Covenants

Trademark, Advertising, and Unfair Competition