

Media, Entertainment & Publishing

As business lawyers to media and entertainment companies, Sullivan & Worcester LLP is general counsel to, among others, ad agencies, marketing companies, publishers, telecommunications and triple-play service companies, and new media companies and media licensing companies. The firm provides legal advice grounded in our clients' business needs and realities.

Sullivan & Worcester advises on legal issues relating to media content creation, and licensing, as well as Web site development and maintenance. We handle a wide range of transactions for media and entertainment companies, including mergers and acquisitions, bank financings and debt and equity offerings. The firm also provides advice on privacy issues and other terms of use for companies with an Internet presence. Our lawyers advise on First Amendment issues, including parody and satire as well as rights of publicity and privacy in connection with works created, published, and licensed by media clients. In addition, we advise on the regulatory issues related to media transactions.

Advertising

Sullivan & Worcester provides advice on content and manner of advertising. Our lawyers are experienced with issues affecting advertising on the Internet, traditional and non-traditional advertising campaigns, and co-branding ventures. We review advertising content in order to assess risk and advise clients regarding potential litigation.

Publishing

Sullivan & Worcester is experienced in negotiating and drafting book publishing deals. We advise on editorial issues, clearance work, including privacy and publicity rights, defamation, fair use, and other potential litigation matters. The firm similarly advises Web site operators in their capacity as publishers of content on the Internet.

Media Licensing

Sullivan & Worcester represents licensing companies in both the acquisition of licensing rights and the exploitation of those rights. This representation includes agency agreements between licensing companies, rights holders, license agreements between the licensing companies and licensees, as well as rights management, enforcement, and litigation.

Litigation

Sullivan & Worcester represents clients both prosecuting and defending claims of complex commercial matters, including matters involving trademarks, copyrights, advertising issues, and general business torts. We practice on the cutting edge of law relating to fair use, specifically with regard to parody and satire, as well as in other areas of importance to our media clients. The firm's lawyers are experienced in bringing matters in Federal and State Courts across the country. We also advise on drafting and managing appropriate alternative dispute resolution provisions.

Most important, our litigators are closely involved in the businesses of our media and entertainment clients, providing advice on the front-end of deals in order to avoid litigation. Our litigators routinely review original and licensed content for use and provide assessments to our clients taking into account relevant law and our clients' business needs.

Representative Matters

S&W lawyers have advised on a wide array of media, entertainment, advertising, publishing and licensing matters, including the representation of:

Marketing and Media

- uLocate Communications, Inc. in drafting and negotiating a complicated set of wireless and content deployment agreements with Apple, Inc. for the iPhone
- TLC Marketing Group on the equity restructuring of its subsidiary, TLC Americas LLC, based in Boston
- GTECH Corporation, a leading international gaming company, in connection with the preparation and negotiation of trademark and brand licensing agreements as well as product development agreements with companies such as MGM Consumer Products, FremantleMedia and Harrah's Entertainment
- Vice Entertainment, a North American media publishing conglomerate well-known for its trend-setting magazine, retail stores and clothing line, popular "counter-culture" Web site and record label, in the enforcement of the client's intellectual property rights against the sponsor of a Super Bowl 2008 celebrity party
- On2 Technologies, Inc., serving on the board of directors and acting as principal corporate counsel
- Marketing company for TAE BO in launching a successful international intellectual property enforcement program, and advising on licensing, video reproduction, fulfillment and distribution deals, negotiations with various home shopping networks, contract negotiations and disputes between the company and the creator of TAE BO, and civil litigation



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Publishing

- NB Publishing Group of London and its Boston-based subsidiary, Intercultural Press, in their acquisition of the Davies-Black publishing business from CPP Inc. of Mountain View, California
- Giant Magazine LLC on editorial issues including privacy and publicity rights, defamation, fair use and other potential litigation matters as well as content and manner of advertising in print and on product packaging in order to assess risks and avoid litigation
- The New York City Police Department in negotiating the contracts that led to the publication of photos from 9/11 in a best-selling book entitled, *Above Hallowed Ground*

Entertainment

- Halmi Communications (now Crown Media) in a series of bank financings, library acquisitions and content acquisition agreements
- Major independent producers and distributors of motion picture entertainment in negotiating and drafting financing agreements, acquisition agreements, distribution agreements, talent agreements and other related documentation

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For further information about our Media & Entertainment practice, you may review the biographies of its members on our website (www.sandw.com) or contact them directly:

Mitchell C. Stein	212 660 3042
Kimberly B. Herman	617 338 2943