

Pitmans LLP

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–Let’s talk about

Entertainment, Media & Sport

The Pitmans’ Perspective on:
Entertainment, Media & Sport

“A wide range of services and guidance in all aspects.”

We work across all areas of the Entertainment, Media & Sport industries. We are, however particularly regarded for our work in the listed sectors which include: music, sports, events, theatre, film and TV, marketing and advertising, sponsorship and computer games. Our work is not limited to these areas.

Over the years, different areas within the entertainment and creative industries have developed at different speeds. Our experience in these areas means that we are able to apply best practice from one sector to our work in all other sectors.

Our clients and activities span six continents and include some of the largest and most respected companies and individuals in these sectors.

The fee earners in these areas have worked in sports events administration, in-house business affairs positions at major record and publishing operations, leading brand manufacturing companies, sports and music agencies as well as private practice.

As well as having specialist Entertainment, Media and Sport departments, we are able to draw on specialist legal expertise across Pitmans to deal with all our clients’ needs.



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Computer Games

What we do: We provide advice on copyright and other related rights issues to games developers and games companies across all gaming formats.

Who we act for: Developers, publishers and games companies such as Microprose, Ocean, Empire and GT Interactive and their licensees. We have worked on such legendary titles as Worm.

We have licensed major movie properties and acted on many major titles including Cricket Ashes 2009 and the latest Rugby League titles.

Our expertise: We have extensive experience right across the gaming industry from global multiplayer online games to mobile gaming and applications. We have advised on traditional console and PC formats as well as games on interactive digital television.

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Events

What we do: We provide legal advice on all aspects of event production on a clear practical and cost effective basis. We also advise on all business affairs relating to the hosting and promotion of such events.

Who we act for: Ashes Series Test Matches, Twenty20 Cup, Royal Ascot, FISA World Rowing Championships, Royal Parks Foundation Half Marathon, Peace One Day, Reading and Leeds Festival, Isle of Wight Festival, Monsters of Rock and the Concert for Diana 2006.

Our expertise: We draft and negotiate all contractual arrangements: venue hire, ticketing; hospitality, sponsorship, hosting and joint marketing agreements; concessions, franchises; licensing and merchandising. We address all rights clearance issues to ensure that any recording or broadcast of the events proceeds smoothly.

We help stop illegal activity such as ambush marketing, unofficial hospitality and ticket sales and help implement anti-counterfeiting measures.

We advise on the establishment, delivery and operation of events. We have been integral to the delivery of major ceremonies at Olympic and Commonwealth Games (Sydney 2000, Manchester 2002) the Doha Asian Games 2006.

Our service: Our expertise enables our clients to deliver events on time and on budget.

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Film & TV

What we do: We advise on all intellectual property, production and broadcast issues in television, video and film and related media.

Who we act for: Actors and actresses, script writers, producers and directors, GMTV video productions, broadcasters such as C4, BBC and ITV as well as cartoon networks such as Nickelodeon and SFX companies namely Artem.

Our expertise: We have extensive experience in the film and TV industries including acting as in-house counsel with production companies such as Picture Music International. We have advised on production and development agreements with all major broadcasters including C4, BBC, ITV and Sky as well as cartoon networks such as Nickelodeon. Our experience ranges from live broadcasting, TV, video, film and other audio-visual productions, director, producer, writer, performer and other talent agreements including option agreements, location releases, crew and facility agreements.

We advise on digital distribution issues, worldwide TV sales and distribution agreements, content clearances and licensing and programme format issues and other rights clearances.

We advise on financing, EIS schemes, tax advice, royalty accounting and payment structures and all issues relating to collection societies in relation to performance income. We have been extensively involved in advising on Ofcom advertising and sponsorship Codes of Practice.

Our service: We provide a comprehensive one stop service throughout the entire production process through to theatrical release and broadcast. In addition as the audio-visual sector becomes more sophisticated and attracts increasing investment, we work in tandem with other departments in the firm such as finance, tax, corporate and litigation.



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Marketing and Advertising

What we do: We advise brand owners, marketing agencies, designers and PR companies on a range of issues within the advertising industry above, below and through the line.

Who we act for: Agencies, PR companies, corporations, individuals and rights owners.

Our expertise: Individuals within the team have been recognised by the legal directories for their experience in this area more than 15 years ago. Our work in this area includes copy clearance and advice; defamation; comparative advertising; copyright and trade mark infringement issues, sales promotions and competitions; brand creation and clearance work; sponsorship; ambush marketing; campaign clearance and related issues including demonstrations.

Our service: Our expertise enables our clients to meet their deadlines on time and budget.



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Music

What we do: We deal in all aspects of the music industry as well as the evolving digital music sector. We provide specialist intellectual property legal advice and business affairs support.

Who we act for: Musicians, record companies, publishers, producers, management companies and industry executives. We represent Live Nation, the world's largest music promoter as well as William Morris Endeavour Entertainment.

We act for and protect key music IP assets such as Monsters of Rock, White Lies, Ting Tings, Secret Garden Party, Reading Festival, Rokstarr (Taio Cruz) and Café del Mar.

Our expertise: We have extensive experience. We advise on recording and publishing agreements, band partnership agreements, production, rights clearances, touring, live events, sponsorship, licensing, merchandise, naming rights, trade marks, brand protection, sponsorship, agency and management agreements.

Members of the team have held senior in-house positions in major labels such as Universal, Virgin and EMI, music publishers and others.

Major live music events include the Concert for Diana, the UN endorsed Peace One Day the Opening and Closing Ceremonies of the Sydney Olympics and the Manchester Commonwealth Games.

Our service: We advise our clients in the fast evolving music industry and help them address the issues presented by development of new technologies.

We also work with our client's financial advisers to make sure our client's receive regular and accurate statements and payments.

As the industry becomes more sophisticated, we work with other Departments in the Firm such as finance, tax, corporate and litigation.

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Sponsorship

What we do: We advise on sponsorship, endorsement and merchandise agreements throughout media, entertainment and sports industries. With the sponsorship group split within the Sports, Entertainment and Media Departments, we are in the enviable position of being able to advise on sponsorship across all sectors including regulatory issues (such as issues with broadcast sponsorship).

Who we act for: Events, sports governing bodies, music and theatre producers, sponsors, corporations and individuals including the England and Wales Cricket Board, Ascot Racecourse, Volvo Ocean Race Teams, the Royal Parks Foundation and Olympic gold medal athletes.

Our expertise: Sponsorship is now a major industry valued globally at reported US\$46 billion a year. It is becoming increasingly more sophisticated. To be truly effective, sponsors and rights holders need to understand the rights being granted and how these can be exploited. Over the last 10 years, we have advised upon more than US\$1 billion in sponsorship deals.

We have developed tools to quantify the value of sponsorship packages so rights holders can distinguish themselves from their competition.

We also advise on strategies to protect the value of sponsorship rights including action that can be taken to prevent ambush marketing.

We can audit these rights on behalf of either party to ensure that a rights holder can grant the rights is claims and to identify any other rights it owns or controls which may be of valuable. For the sponsor we can advise the best ways to ensure it gets access to the key rights promised.

Whilst sports sponsorship accounts for over 85% of the sponsorship market, sponsorship of the arts, music, theatre, film and TV is becoming increasingly important. Issues of controls of rights become more complicated.

We have advised on sponsorship within sports, music, theatre and arts and TV and film as well as individual athlete and performer endorsement agreements. We advise rights holders and sponsors.

Our service: Our expertise and experience enable our clients to complete transactions quickly and efficiently.

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Theatre

What we do: We advise on all aspects of theatrical productions including securing the underlying rights, financing and staging.

Who we act for: We represent actors and actresses, writers, rights owners, set designers, creatives, joint ventures and co-productions, international touring ventures and venues. Our key clients include Priscilla, Queen of the Desert, ACT Productions Back – co producers of Enron and Legally Blonde, Row Productions – producers of Matthew Bourne’s Swan Lake, Tap Dogs, English National Ballet and Illuminated Manuscript – producers of Good Night and Good Luck and Through a Glass Darkly.

We have worked on international productions including Cats, Starlight Express, Mamma Mia and are currently involved in Priscilla Queen of the Desert’s transfer to Broadway.

Our expertise: We advise on all rights issues and the engagement of all talent. We secure all music and other rights clearances. We advise on the legal and commercial issues involved in merchandise and sponsorship agreements. We advise on all recording and filming and any audio and audio-visual exploitation.

We also help resolve any disputes relating the ownership and exploitation of the theatrical rights around the world.

Our service: We aim to be an integral part of the development and staging of a theatrical production.



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