Our clients strive for perfection on the field, on the set and in the studio. We match their creativity with innovative legal approaches that allow them to realize the full commercial value of their talent and entertainment businesses in a global marketplace.

Entertainment covers a lot of ground, from stadium sporting events to film and television to music to tablet video games. We have seen the legal side of all aspects of entertainment, and our team brings different legal disciplines together to support clients in every facet of their entertainment enterprises. The working relationships among the attorneys who contribute to this practice set the table for fast, creative responses. The practice includes the former assistant general counsel to a worldwide cable television programmer and attorneys who have advised on entertainment, sports and media transactions and contracts valued at hundreds of millions of dollars.

Our news and media clients appreciate our experience, quick turnaround, and practical perspective on a variety of prepublication and prebroadcast review issues, including privacy, defamation, and copyright. Our in-depth experience helps us provide quick answers with an appreciation for keeping the story intact. We have counseled local and national newspapers, broadcast channels, and news aggregators in these issues and in media and intellectual property litigation around the country.

ENTERTAINMENT

Our entertainment clients include film companies, broadcasters, television producers, music studios, game developers, and the talent they employ along with the below the line supporting members of the industry.

FINANCE AND TAX CREDITS

At the end of the day, the entertainment industry is a business, and business requires capital. At Taylor English, we provide guidance to independent producers and below the line vendors just starting out on early stage formation, seed, angel and initial rounds of preferred equity financing, stock options and incentive compensation for employees. As these companies grow, we provide follow-on financing, venture capital and private equity/debt transactions, tax credit financing, strategic acquisitions and company reorganizations.

For those companies with productions in the State of Georgia, we provide insight on the Georgia Entertainment Industry Investment Act. Through the Act, qualifying projects are able to receive and transfer tax credits based on production expenditures in the State. We not only have experience with assisting film, television, and gaming projects using the tax credits, but also with transferring credits and managing ancillary matters related to the credits.

TALENT AND EMPLOYEE RELATIONS

Entertainment is a business—a business driven by creativity. Whether that creativity comes from above or below the line, creativity requires talent, and talent equals people. One of Taylor English’s cornerstone practices is its employment practice. We understand that the employer-talent/employee dynamic is critical to the success of any production or business. We provide counsel related to:

- Employment and talent,
Entertainment, Sports and Media

- Image, talent and materials releases,
- Labor issues,
- Sexual harassment and workplace training,
- Performing rights organizations such as ASCAP and BMI,
- Union contract negotiations and modifications, and
- Union contract grievances and arbitrations involving hiring, firing, discipline, and contract interpretation issues.

INTELLECTUAL PROPERTY

Intellectual property rights for assets such as screenplays and merchandising are key components to recouping financial investments and protecting creative integrity of any production brought to market. Solidifying IP rights provides your company with defense against loss of income due to your production being compromised. We counsel on IP rights related to:

- Anti-piracy,
- Copyrights,
- Digital rights,
- Licensing and clearance,
- Merchandising,
- Social media, and
- Trademarks.

MARKETING AND MERCHANDISING

Over the last 30 years, movies radically changed how the entertainment industry markets its products. Add in social media and marketing can be at warp speed. Today, merchandising and product placements are not only common place, but also may be used as a financing tool. We understand the importance of these functions, and keep this in mind as we negotiate and draft contracts related to:

- Ad clearance,
- Distribution,
- Endorsements,
- Event space agreements,
- Licensing and merchandising, and
- Sponsorships.

DIGITAL DISTRIBUTION

Every sports and entertainment production now is theoretically a global brand. Through digital distribution and e-commerce, our clients have expanded the reach of entertainers and sporting events potentially to every computer and smart phone in the world. We counsel clients on:
Entertainment, Sports and Media

- Intellectual property protection,
- International sales agreements,
- Program licensing and rights clearance,
- Security of programming on digital networks, and
- Technology licensing.

PRODUCTION AND RECORDING

The mechanics of producing a film, a television show or an album require contracts. As the production company or the service provider, understanding how the terms of the contract will impact your business and/or production are key. We work with you to craft and negotiate solid contracts related to:

- Location agreements and releases,
- Production and acquisition agreements,
- Production financing,
- Production services,
- Recording agreements, and
- Studio use and rental.

BUSINESS LAW

Taylor English delivers a full spectrum of corporate and business legal services that are efficient, cost effective and often with the perspective of our more than two dozen lawyers who have worked as senior in-house counsel or general counsels. Our legal advice is tempered by the real-world experience of attorneys who have participated in running businesses. We provide counsel on:

- Corporate law,
- Employee benefits,
- Executive compensation,
- Finance,
- Litigation, and
- Real estate.

CYBER

Each year, there are more than 1.5 million cyber-attacks on U.S. businesses. Victims include some of the biggest names in American business, as well as smaller businesses in every industry. Perhaps more importantly, everyday access to data can result in losses even without an attack: devices can be lost or stolen, for example. Most companies benefit from a cross-functional team, including legal counsel, IT professionals and the C-suite executives, that addresses risk management and best practices in order to limit exposure. Our breadth of experience is the perfect complement to your internal cross-funded team. Likewise, we have assembled a multi-disciplinary team of attorneys who work with clients to manage risks in advance of any problems, and respond quickly if an incident occurs. Every data incident has the potential to become a legal
matter and can result in financial losses, litigation and erosion of investor and customer confidence. We advise clients on:

- Compliance with government regulations,
- Internal assessment and planning,
- Response to incidents and litigation

**PROMOTIONS AND CONTESTS**

Promotions, contests and sweepstakes often are an important part of the marketing strategy for our entertainment clients. We show you how to keep the fun in such promotions while we assist with the details of compliance. We counsel clients on:

- CAN-SPAM Act,
- Children’s Online Privacy Protection Act,
- Direct Mail Prevention and Enforcement Act,
- Federal Trade Commission Act (FTCA),
- State consumer protection laws, and
- Telemarketing and Consumer Fraud and Abuse Prevention Act.

**SPORTS**

Our sports work is, literally, big league. We have represented pro baseball, football and basketball franchises; NASCAR teams; and Division I college programs; as well as individual players, associations, venues, and event organizers. Our work encompasses talent contracts, construction and acquisition financing, licensing and merchandising, and endorsements. We’ve handled the sale of a major league baseball team, negotiated a major credit facility for a pro team, set up licensing for a major university sports program, and advised athletes on the formation of foundations, employment contracts and wealth planning.

Our work for clients includes:

- Contracts,
- Employment agreements and other issues,
- Executive compensation,
- Finance,
- Intellectual property protection,
- Merchandise licensing and enforcement,
- Mergers and acquisitions,
- NCAA investigations,
- NCAA license for sponsorships and media rights,
- Player contracts,
- Public performance rights,
• Real estate acquisition and leases,
• Sponsorships,
• Tax issues,
• Trusts and estates, and
• Venue licensing and vendor contracts.

MEDIA AND NEWS

Our news and media clients appreciate our experience, quick turnaround, and practical perspective on a variety of prepublication and pre-broadcast review issues, including privacy, defamation, and copyright. Our in-depth experience helps us provide quick answers with an appreciation for keeping the story intact. We have counseled local and national newspapers, broadcast channels, and news aggregators in these issues and in media and intellectual property litigation around the country.

Our attorneys have represented major newspapers, television stations, public relations firms, and news aggregators in litigation and in day-to-day clearance work. We counsel clients on:

• Copyright and fair use,
• False Advertisement,
• Defamation / libel and related privileges,
• First Amendment Rights,
• Invasion of privacy and false light, and
• Freedom of Information Act (FOIA) and sunshine law requests.

PRE-PUBLICATION

Additionally, our attorneys provide pre-publication review which includes analysis and advice, often on a fixed-fee basis, to both experienced and first-time publishers, authors, and self-publishers to assist in preparing a book for publication. Available services include analysis of content for infringement or defamation concerns, preparation of licenses for content, copyright registration of the manuscript and corporation formation.

PRACTICE HIGHLIGHTS

Privacy Policies. Creation and review of privacy policies and procedures for media, healthcare, retail, service, and other clients in conjunction with findings from security audits and pursuant to emerging regulations such as the CCPA.

Patent litigation defense involving artificial turf. Served as counsel to UBU Sports and Maumee Bay Turf Center, premier providers of synthetic turf systems for use in a variety of sporting events, in patent dispute brought by a competitor. *Sprinturf, LLC v. UBU Sports and Maumee Bay* (N.D. Ga.)

Defeated Preliminary Injunction to Keep BattleFrog from Airing Obstacle-Course Race on ESPN. Taylor English handled the successful defense of a motion for a temporary restraining order and preliminary
injunction brought against our client, BattleFrog, LLC, a company that organizes and stages obstacle-course races that are televised on ESPN. The stakes in this case were very high, as plaintiff Modtruss, Inc., sought to prevent the airing of a recent BattleFrog race on ESPN and to enjoin our client from putting on additional races based on claims of alleged patent and trade dress infringement related to temporary construction beams. Our team handled all aspects of the patent infringement defense, which resulted in a sweeping order by the court denying all relief requested by plaintiff in its motion, including a finding that plaintiff did not have a likelihood of success on the merits of any of its claims. The firm then filed a successful motion to dismiss, resulting in a dismissal of all plaintiff's claims for failure to state a claim. *Modtruss, Inc. v. BattleFrog, LLC* (N.D. Ga.)

**Outside media and intellectual property counsel to Red Ventures.** Amanda Hyland represents Red Ventures, a portfolio of digital brands that include Bankrate, The Points Guy, creditcards.com, Healthline, and reviews.com. She provides day-to-day outside counsel on matters of media, advertising, and intellectual property to Red Ventures and manages its trademark portfolio.

**Screenwriter/producer agreements.** Drafted and negotiated Screenwriter/producer agreements for feature film adapted from public domain material.

**Reality series talent agreements.** Drafted and negotiated talent agreements for reality series focused on amateur dancers.

**Reality series talent attachment agreements.** Drafted and negotiated talent attachment agreements for reality series starring professional athlete and his circle of intimates.

**Documentary film agreements.** Drafted and negotiated screenwriter collaboration agreements for documentary film.

**Independent documentary film producer agreements.** Drafted and negotiated producer agreements for various independent documentary films.

**Work made for hire agreements.** Drafted and negotiated work made for hire agreements for various productions.