

Media

Kennedy Van der Laan

Media

Kennedy Van der Laan has a well-developed and varied media practice. Our clients include Dutch and foreign television and radio stations (both public and commercial), various journalists' associations, television production companies, other entertainment content providers (including mobile operators), newspapers, publishers, internet media and internet providers.

Roughly speaking our media activities can be divided into:

- **Press Law:** Kennedy Van der Laan regularly acts on behalf of clients in freedom of speech cases (both in court and before the Council for Journalism) and in cases concerning the Government Information Public Access Act.
- Issues that arise from the specific **regulation of the media market**, in particular issues related to the Media Act and the Media Decree, such as advice on the rules for public and commercial broadcasters, including compliance with advertising and sponsorship rules, allocation of frequencies (e.g. FM and TETRA) and procedures for access to the public broadcasting system and cable networks.
- Media-specific issues related to **intellectual property rights**, including advice on the use of content on the internet and the relevant boundaries of copyright, admissibility of various types of hyperlinks, entertainment law issues such as image and broadcasting rights, sponsorship contracts, rights issues concerning program formats or the collection of dues by rights organizations.
- **Other internet-specific problems**, including liability of internet intermediaries and notice & takedown, on-line advertisements, internet search engines, cyber crime, domain name disputes.
- Issues in the field of **advertising law**: does an advertisement meet the rules on misleading and comparative advertising?
- Advice and litigation in the field of **games of chance**.

The media group also assists the media in, amongst other things, more general contractual issues, with the purchase and use of content and in the event of media-specific mergers, acquisitions and joint ventures.

Telecommunications, media and internet are not separated technologies anymore. The corresponding markets also show a fast-growing overlap. Therefore, clients want to work with legal advisors who are familiar with all sectors. The attorneys of Kennedy Van der Laan meet this requirement and are able to give innovative – but always practically applicable – legal advice on the basis of their knowledge of the market and technologies.

Track Record Media

For a number of Dutch and non-Dutch television and radio stations, advice and litigation with regard to

- Access to the public broadcasting system
- Compliance with advertising and sponsoring regulations
- For public broadcasters, advice regarding restrictions on engaging in commercial activities
- The rules for allocation of FM frequencies, including assistance in a public auction of FM frequencies and related administrative procedures
- Program formats
- Access to cable networks
- Advice with respect to the acquisition of a radio station

For a major producer of television programs

- Media law advice in general

For various newspapers and publishers of other printed media

- Regular media law advice in general
- Litigation, in particular with respect to free speech and IP issues

For various large non-media clients

- Advice regarding cooperative projects with radio and television broadcasters

For a non-Dutch start-up company in the area of data-networking

- Advice and guidance with respect to the allocation of TETRA (Terrestrial Trunked Radio) frequencies

For various commercial and public radio and television stations

- Advice and litigation before the Media Authority, including advice and litigation regarding compliance with advertising rules and grants of broadcast time

For a mobile telephone operator

- Advice and litigation regarding broadcast antennas
- Regular media law advice in general

For various clients

- Drafting of all sorts of media related contracts
- Negotiations with collective IP rights holder organizations
- Other intellectual property advice and litigation
- Advice relating to comparative and misleading advertising, promotional activities and games of chance

Contact persons

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