

MEDIA | FRANCE

Audiovisual and Film Production

Financing Films

The Telecommunications, Media & Technology (TMT) team at Gide assists clients in setting up complex film production financing and film and television broadcasting rights portfolios. Additionally, the team has recognised expertise in the specifics of French public subsidies for audiovisual production, notably the rules and procedures followed by the Centre National de la Cinématographie, as well as the regulations and systems of aid for European productions.

Co-production and Distribution

The TMT team assists clients in negotiating national and international co-production and distribution agreements by seeking to establish global accords that can encompass the financial viability of a production and conditions for the pre-purchase of distribution rights.

Audiovisual Regulations

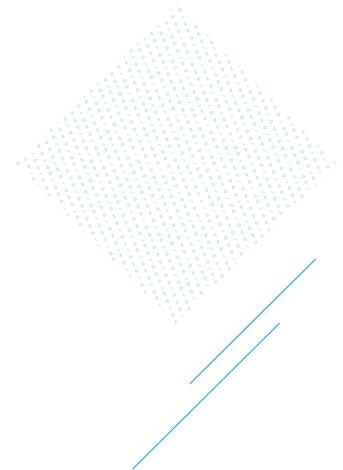
The TMT lawyers can draw on their experience gained in over fifteen years of close cooperation with the Conseil Supérieur de l'Audiovisuel (the independent authority in charge of audiovisual communication in France). We are thus well placed to provide clients with the best possible assistance in obtaining television and radio broadcasting licences and the necessary agreements in the event of the capital restructuring or transfer of a television or radio production company. These many successful transactions and our experience of legal doctrine have led to the firm playing a significant role in the development of audiovisual regulations in France.

Broadcasting Assistance

Our main activity is to provide full legal assistance to national terrestrial television broadcasters and thematic cable, digital and satellite channels in their relations with programme editors and rights' owners representatives. This assistance encompasses both flow and the programmes themselves and incorporates all legal issues to ensure the creation and making of programmes, the broadcasting of existing programmes, and the production of new programmes.

Terrestrial and Digital Broadcasting, Cable and Satellite Distribution

The TMT team assists infrastructure operators (tower companies, cable networks, satellite platforms) in the acquisition and deployment of their infrastructure, their financing and the management of technological and regulatory constraints (triple play offers, operating agreements with content providers). Following our successful involvement in the launch of the Canal Satellite and TPS channels, the firm has also been consulted for the development of recent technologies such as MMDS, DVB-T, personal mobile TV, IP TV, and digital radio.



ALGIERS

BEIJING

BRUSSELS

CAIRO

CASABLANCA

ISTANBUL

LONDON

NEW YORK

PARIS <

SHANGHAI

TUNIS

WARSAW

Music

Our in-depth knowledge of the legal aspects of the music industry makes Gide a unique and reliable counsel to handle major deals and specialised litigation. We are involved in acquisitions of music publishing and production companies by national and international investors, and is recognised for its ability to gather a tailor-made staff under aggressive time constraints. The TMT team is also acknowledged for its understanding of music rights licensing and its capacity to act quickly and efficiently on behalf of, or against, licensing companies.

Advertising

Gide specialises in a wide range of areas in advertising law and works alongside the different players operating in the market (advisor to advertisers, advertising networks and media). Many major French and foreign groups seek the assistance of the firm for their business communications, in the preparation of competitions, sponsorship, and the organisation of promotional events. The team works with the advertising networks in radio and television. It is also actively involved in creating and operating on-line networks. The TMT lawyers assist private clients in unfair competition and unlawful advertising cases.

Publishing

In recent years, the TMT team has built up considerable expertise in the copyright field, particularly publishing rights. It regularly advises clients in the preparation and negotiation of publishing and co-publishing agreements, and has been instructed in acquisitions of publishing groups on behalf of both French and foreign investors. The TMT team is also developing expertise in electronic publishing, particularly in the area of CD-ROMs and the Internet. It advises and assists its clients in litigation concerning copyright infringements.

Press

The TMT team is fully conversant with the complex rules laid down under the French Press Act of 29 July 1881, and how these rules apply to new technology in our information society. It advises various media operators on such matters, acting both for newspapers and the radio and television press. It also represents various private clients either as plaintiffs or defendants in libel actions or for the respect of their right of reply. It advises and assists online content operators in copyright matters (including the publishing of journalistic works and photographs). The team also assists press groups in the development and implementation of company agreements for the management of employee copyright issues, including the rights of in-house journalists and freelance writers.

Art Law

Gide's lawyers help to implement various agreements in the field of art law, including copyright transfers and licensing agreements for the production of spin-off cultural products. Our assistance is also requested on complex copyright issues (*droit de suite*, moral rights of heirs, etc.) and issues of portrayal and privacy protection in art. The TMT team represents its clients before the courts in litigation concerning the authenticity of works of art, and in claims against the unauthorised export of works of art. It is also called upon in all legal and tax matters concerning the international circulation of works of art (transportation, conservation, import/export formalities, etc.).

“The TMT department at Gide Loyrette Nouel A.A.R.P.I. consists of experienced litigator Olivier Coussi and counsel Julien Guinot-Deléry, who jointly assist major television and cinema clients with the protection of their intellectual property rights; recently, the duo advised a production and distribution company on the review of an intellectual property pledge agreement. In other work, the group represented France Télévisions in a litigation against a BBC subsidiary pertaining to the ownership and protection of a specific television series format, and advised the National Foundation of Political Sciences on the procurement of an online platform and internet service. On the sports front, recent work highlights include representing the French Tennis Federation in a major dispute with the descendants of the architect of the greenhouses in the Auteuil botanical gardens in connection with the extension of Roland-Garros and the construction of a new court in these premises. Arte, be IN Sports and RTL are other key clients. »

Legal 500 EMEA 2018

“Olivier Coussi specialises in media, entertainment and telecoms. He is active on IP law and the regulation of electronic communications in both France and Africa. He is described as ‘a rigorous lawyer with a certain intellectual agility,’ while another source compliments him on ‘his ability to adapt to the local context.’ »

Chambers Europe 2018

CONTACTS

OLIVIER COUSSI

Partner

tel. +33 (0)1 40 75 61 73

coussi@gide.com

JULIEN GUINOT-DELERY

Counsel

tel. +33 (0)1 40 75 99 94

guinot@gide.com