Media and Entertainment Litigation

Practices and Industries

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A creative industry demands creative legal solutions. With collective decades of media law experience, our team offers practical understanding and knowledge of the particular problems and issues you face.

MEDIA AND FIRST AMENDMENT

The Haynes Boone Media and Entertainment Practice Group is nationally ranked by *Chambers USA*. With offices across America (and beyond), Haynes Boone is able to provide a full range of litigation, counseling, and advocacy services in all aspects of media and entertainment law nationwide. We provide a broad array of services to content providers in connection with media, intellectual property, cybersecurity, data privacy, and related issues. Our expertise includes libel, newsgathering torts, Anti-SLAPP, invasion of privacy, copyright, trademark, theft of idea, right of publicity, and misappropriation matters, data privacy and security, AI-related issues, advertising and promotions laws, and public information matters.

OUR SERVICES INCLUDE:

INDUSTRY KNOWLEDGE AND CUTTING-EDGE DEVELOPMENTS

Each of the lawyers in our Media and Entertainment Law Practice Group has significant industry expertise and a practical understanding and knowledge of the problems and issues media and entertainment clients face.

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Our lawyers stay abreast of current developments by holding leadership roles in and participating in numerous professional organizations related to representations of clients in the media and entertainment industry, including the Media Law Resource Center, the International Trademark Association, the American Bar Association Forum on Communications Law, and more. In addition, our media and entertainment lawyers also help shape public policy in the area of media and entertainment law by serving on the boards of directors for various trade organizations and think tanks (e.g. MLRC, INTA), Bar associations (e.g. ABA Forum on Communications Law), public policy and advocacy organizations (e.g. Public Participation Project, Freedom of Information Foundation of Texas), and by volunteering for organizations such as the Reporters Committee for Freedom of the Press, Society of Professional Journalists, Texas Association of Broadcasters, the Texas Press Association, and more.

LITIGATION AND APPEALS

- Libel, Invasion of Privacy, Defamation, and Related Business Tort Litigation
- Anti-SLAPP cases
- Intellectual Property matters: Copyright and Trademark Infringement Litigation, Theft of Idea, Misappropriation, and Right of Publicity
- Online Speech, including Communications Decency Act, Children's Online Privacy Protection Act, and Social Media laws
- Response to Subpoenas and Journalists' Privilege Issues
- Access to court proceedings and public documents
- Data Privacy and Security issues
- Advertising, Marketing, and Promotions Law
- Artificial Intelligence concerns

ANTI-SLAPP: NATIONAL AND INTERNATIONAL EXPERTISE

Haynes Boone has deep expertise at a national and international level in Anti-SLAPP litigation and legislation, including:

- Testifying before Congress on federal Anti-SLAPP legislation
- Serving as an ABA Advisor to Uniform Law Commission on Model Anti-SLAPP Act and on the ULC enactment committee
- Assisting Coalition Against SLAPPs in Europe (CASE) and UK Anti-SLAPP working group in implementation of EU-wide Anti-SLAPP Directive and UK Anti-SLAPP protections
- Creating and co-chairing national committee on Anti- SLAPP laws with Media Law Resource Center
- Instrumental in passage and defense of Texas Anti- SLAPP law and other state Anti-SLAPP laws
- Presenting and speaking at international and national conferences on Anti-SLAPP laws
- Writing multiple Anti-SLAPP law review articles and editorials
- Defending innumerable Anti-SLAPP cases in multiple jurisdictions at the trial and appellate court level

COUNSELING

- Vetting, Clearance, and Pre-Publication Review and Counseling
- Newsroom Seminars on Intellectual Property Issues, Social Media, and Newsgathering Concerns
- Data Privacy and Security, and AI Seminars and Counseling

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- Newsgathering Advice, including use of Drones
- Copyright, Trademark, Service Mark, Trade Dress Advice, and Fair Use Analysis
- Journalists' Privilege Issues, including Issues Relating to Protection of Confidential Sources
- Courtroom Access Issues, including Federal and State Open Government Matters and the Sealing of Court Records
- Social Media Policies and Advice
- Advertising, Marketing, and Promotions Counseling
- Freelance Writer and Photographer Contracts
- Responding to Retraction Demands

PUBLIC POLICY AND ADVOCACY WORK

Haynes Boone attorneys provide a one-of-a-kind, 360-degree approach to representing clients by not only providing pre-litigation counseling and defending them in the courtroom, but also by identifying, anticipating, and effectuating public policy changes that need to be made to better protect the industry and freedom of expression rights as a whole. In doing so, the lawyers in our Media and Entertainment Practice Group have been instrumental in the passage and defense of historic First Amendment and Open Government legislation in Texas and beyond, including:

- Texas' Neutral Reportage privilege (eff. May 29, 2015)
- Texas' Retraction Statute (Defamation Mitigation Act—eff. June 14, 2013)
- Texas' Anti-SLAPP Statute (The Texas Citizens Participation Act—eff. June 17, 2011)
- Texas' Reporter's Privilege (The Texas Free Flow of Information Act—eff. May 13, 2009)
- Texas Open Government-related legislation (including the expansion of the Texas Public Information Act to include electronic communications on personal devices, calculation of business days, increasing criminal justice transparency reform measures, and improvements to the Texas Open Meetings Act)

MEDIA AND ENTERTAINMENT TRANSACTIONS PRACTICE

The media and entertainment transactions group specializes in all transactions related to the media and entertainment industry. Visit our Media and Entertainment Transaction Practice Group page for more information.

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