

Media

Expertise

As convergence increases, traditional business models are changing rapidly in the media sector. More and more, businesses are focusing on content ownership and added value content services to push products and services. We increasingly see that business models are becoming cross-border and cross-media which raises new issues and challenges relating to use and distribution of content.

Bird & Bird's EU & Competition Group provides services to all parts of the value chain from rights owners, over aggregators and distributors to users for all forms of premium audio, visual and data content including music, sports, books and film, be it over the internet, mobile phones, TV or the various physical forms of distribution.

We strive to understand our clients' businesses and priorities and to provide advice which marries legal certainty and each client's individual risk-appetite.

We have in-depth knowledge of how competition law is applied in media sectors from ground-breaking cases before the European Commission and national competition authorities and through litigation before the European as well as national courts. In this respect, we have built up significant expertise on the interface between competition law and intellectual property, be it in relation to copyright, patents, know-how or other forms of intellectual property.

A unique feature of our competition law team is its close connection to, and integration into, Bird & Bird's leading media, communications and IP practices. This ensures that we have exactly that bit of extra commercial and practical knowledge that provides an edge.

Our team includes a former director-level European Commission official in competition matters who assists clients in high level issues with the European Commission, as well as former high-ranking officials within national competition authorities. This allows the team to provide even deeper insights into how competition authorities think and act in accordance with their enforcement priorities.

Case study:

Members of the group represented the Spanish public television broadcaster, RTVE, in an action before the European Court of First Instance brought by five private television channels from France, Italy, Spain and Portugal against the Commission's authorisation of the European Broadcasting Union's acquisition of transmission rights for the broadcasting of sports events in Europe ("the EBU system"). This case involved complex issues of Articles 81, 82 and 86 as well as state aids.

Case study:

We advised the Periodical Publishers Association on competition law in support of the industry lobby to the Department of Trade and Industry, regarding the effects of the government's proposed revocation of the Vertical Agreements Exclusion Order under UK competition law.

Case study:

We advised and represented France 5 within the framework of an ultra vires action involving the *Conseil supérieur de l'audiovisuel* (CSA) regarding the numbering of traditional channels on cable



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