



## Dr. Martin von Albrecht

### Partner

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### OVERVIEW

Martin von Albrecht is a partner in the Berlin office and a member of the media and entertainment practice group. He has extensive experience in advising leading German and international clients on all aspects of copyright and media law in the areas of film, television, radio and online platforms.

He has special know-how in the field of licensing music rights for television stations, radio stations and online platforms via collecting societies. A further focus is consulting in connection with the distribution of content by means of retransmission and on demand (video-on-demand, music-on-demand). In addition, he also covers IT legal issues in this context.

He is recommended in the *JUVE Handbook*, *Chambers Europe*, *Legal 500*, *Media Law International* and *Best Lawyers/Handelsblatt* as a recognized practitioner in media law. In Chambers Europe 2019, he is named as an "excellent lawyer" in the first tier, who is "known for his expertise in media law."

### PROFESSIONAL BACKGROUND

Martin joined the firm in January 2007. Between 2002 and 2006 he was head of the media & entertainment industry group of another international law firm. Prior to this, he worked for nine years as a legal advisor for leading German film and television companies. Since 2015 he has been a specialist lawyer for information technology law.

### PROFESSIONAL / CIVIC ACTIVITIES

- International Association of Entertainment Lawyers (IAEL)
- GRUR Society for Intellectual Property and Copyright Law

### SPEAKING ENGAGEMENTS

- Martin gives lectures on copyright issues.

## EDUCATION

- Dr. iur., Ludwig Maximilian University of Munich, 1991 (*Dissertation on "Official works and limitations of copyright for official purposes"*)
- Second Legal State Exam, Higher Regional Court of Berlin, 1990
- First Legal State Exam, University of Heidelberg, 1986

## LANGUAGES

- English
- French
- German
- Italian
- Portuguese
- Spanish

## THOUGHT LEADERSHIP POWERED BY HUB

- 21 September 2016, Updating EU Copyright Law in Digital Times (*Alerts/Updates*)
- 26 August 2015, EC Considers Extension of Cable/Satellite Copyright Rules to Online Distribution (*Research Surveys*)

## OTHER PUBLICATIONS

- Judgment note on OLG Braunschweig Judgment of 17.04.2019 - forwarding in a WEG with partially rented apartments, ZUM 2019, Issue 10 (October 2019) Co-author: Dr. Olaf Fiss
- v. Hartlieb/Schwarz: Handbuch des Film-, Fernseh- und Videorechts, 6.A., five chapters on collecting societies, published end 2019. Co-author: Dr. Olaf Fiss
- Heine/Holzmüller: Commentary on the German Collecting Societies Act, 1st edition, commentary on §§ 41, 42, 43, 128, 129, 130 and 131, to be published at the end of 2019. Co-author: Dr. Olaf Fiss
- The Murphy decision and its impact on online sports and film licenses. The exclusive territorial allocation of rights is not a model of the past! ZUM 2/2012, p. 93 f., Coauthors: Dr. Annette Mutschler-Siebert and Dr. Tobias Bosch
- GEMA tariff reform and appropriate remuneration for clubs, K&R 12, 2012, p. 777 f., Dr. Martin von Albrecht, Olaf Fiss and Dr. Sophia Sepperer

- Practice of rights allocation in the online area, ZUM 10/2011, p. 706 f.

## NEWS & EVENTS

- 26 May 2016, K&L Gates, Lawyers Earn Honors in Chambers Global, Regional Guides (*Press Release*)
- 6 May 2015, K&L Gates, Lawyers Recognized as Leaders in Chambers Global Guides (*Press Release*)

## AREAS OF FOCUS

- Technology Transactions and Sourcing
- IP Procurement and Portfolio Management

## REPRESENTATIVE EXPERIENCE

- Advising international media corporation on negotiation of comprehensive endorsement contracts with famous football player.
- Advising international music streaming platform in the field of media law and music rights clearance.
- Advising major international broadcaster on media and copyright law, including distribution issues, the protection of minors and data protection issues.
- Representation of German new TV platform in negotiations of license agreements with licensors of music rights and collecting societies.
- Representation of broadcaster and video streaming platform in copyright litigation initiated by an US composer with subsequent settlement.
- Representation of collecting society VG Media against a housing organisation operating a cable network in proceedings before the Higher Regional Court Braunschweig on the question of whether the retransmission constitutes a communication to the public.
- Representation of collecting society VG Media in a landmark proceeding concerning online video recorders before the Dresden Higher Regional Court and the Copyright Arbitration Board on the question of whether the online video recorder can be operated without the permission of the broadcasting companies.
- Advising international broadcaster on copyright and media law distribution issues as well as remuneration claims of English, German and Austrian collecting societies, in particular under a BREXIT scenario.
- Representation of industry association VAUNET in proceedings before the copyright arbitration board in Munich concerning GEMA's online tariff for ad-financed music-on-demand with the aim of determining an adequate collective agreement.

- Representing industry association VAUNET in negotiation and conclusion of collective agreements with music collecting societies for the radio and television sectors regarding broadcasting and certain online usages (video on demand; music on demand).
- Advising international sports association in connection with an OTT offer in the light of BREXIT with regards to media and copyright law.
- Representation of major sports association in copyright criminal proceedings against the operators of an illegal streaming portal with arrest and realisation of damages.
- Representation of television and video on demand platform in licensing negotiations with right holders regarding retransmission and making available rights.
- Representation of collecting society VG Media in a landmark lawsuit before the Higher Regional Court of Munich for participation of broadcasting companies in the private copy remuneration based on the European Directive 2001/29/EC on the Information Society.