

PRESS RELEASE

DIGITAL SINGLE MARKET – THE STATE OF PLAY FOR THE FILM INDUSTRY

Berlin, 16 February 2016 – Greenberg Traurig Germany (GT Germany) and the Motion Picture Association (MPA) marked the 66th Berlinale yesterday by hosting a panel debate on the Digital Single Market.

Leading industry experts and public officials including Peter Dinges (President, European Film Agency Directors Association and CEO, German Federal Film Board), Charlotte Lund Thomsen (Legal Counsel, International Federation of Film Producers' Association and International Video Federation), Stan McCoy (President and Managing Director, Motion Picture Association Europe, Middle East and Africa) and Emile Schmieman (Counsellor, Netherlands EU Presidency, Co-Chair Council Working Party on Copyright) discussed the profound effects some of the proposals will have on the future of the film and television industry in Europe. The discussion was moderated by Viola Bensinger (Partner and Chair of the German Technology practice, GT Germany) and Stefan Lütje (Partner and Chair of the German Media Sector Group, GT Germany).

The keynote remark was provided by Senator Chris Dodd, Chairman and CEO of the Motion Picture Association of America (MPAA). "As an industry we are excited about the opportunities offered by digital technology and we are already deeply engaged in the digital environment," Senator Dodd said. "Let's work together to get the Digital Single Market right, to make sure great films and TV series continue to get made, and build on the 7 million jobs in the EU creative sector."

Stefan Lütje, partner at GT Germany, commented: "With its Digital Single Market initiative the Commission aims to establish a harmonized legal framework for the Media and related sectors across Europe. By doing so it attempts to bring one of the most complex and diverse ecosystems in the European Community that is based on cultural diversity in line with profound market changes driven by disruptive technology. It also tries to blend competing legal regimes like copyright and competition law. This creates a level of complexity that is challenging for everyone involved and it should incentivise a thorough analysis of markets and consequences before action is taken. A Digital Single Market promises many opportunities for Europe but it needs to be balanced against market realities and reflect cultural diversity".

Key Quotes from Panelists

Peter Dinges, President, European Film Agency Directors Association and CEO, German Federal Film Board:

"If film financing and distribution doesn't work anymore, we lose creative diversity. We support the digital single market, but we will fight a digital single culture."

Emile Schmieman, Counsellor, Netherlands EU Presidency, Co-Chair Council Working Party on Copyright:

"Modern copyright should strike the right balance between consumers and right holders. It should be technology neutral and future proof. Touching the principle of territoriality requires very careful consideration."

Charlotte Lund Thomsen, Legal Counsel, International Federation of Film Producers' Association and International Video Federation:

"It is the freedom to co-produce between different countries and to pre-sell future distribution rights on an exclusive basis to a wide range of distributors in several countries that enables us to finance attractive European films and to maximize their distribution to Europe's diverse audiences. The policy and legislative framework should promote investment in the creation, production, marketing and distribution of film, and ensure the best possibilities for recoupment of investment and a fair and adequate reward to all right holders."

Stan McCoy, President and Managing Director, Motion Picture Association Europe, Middle East and Africa:

"We need to encourage the European Institutions to adjust course to ensure that they do not jeopardise the trust in well-established principles of exclusive rights and contractual freedom that are the foundation of our industry; these, principles have allowed audiovisual producers and innovative platforms to tailor their offerings to the diversity of Europe's audiences."

About Greenberg Traurig Germany

Greenberg Traurig is one of the largest transactional law firms, serving clients from 38 locations across the globe. In Germany, more than 50 lawyers provide legal advice predominantly on transactions in the real estate, technology & telecommunications, media & entertainment, and infrastructure sectors.

The law firm is characterized by its integrated approach that combines legal know-how with in-depth industry knowledge. For this reason, the attorneys are regularly recommended by leading legal directories. In 2015, German newspaper Handelsblatt in conjunction with Best Lawyers recognized the team once again in its "Best Lawyers in Germany" ranking.

Greenberg Traurig was founded in the U.S. in 1967. Internationally, 1,900 attorneys in the U.S., Europe, Asia and Latin America offer legal advice to innovative companies.

For more information please visit www.gtlaw.de.

About the Motion Picture Association

The Motion Picture Association (MPA) is the international trade association that represents the interests of the major companies that invest in, produce, distribute and market audio-visual content across Europe, the United States and around the world. The MPA is a subsidiary of the Motion Picture Association of America, whose members include: Walt Disney Studios Motion Pictures; Paramount Pictures Corporation; Sony Pictures Entertainment Inc.; Twentieth Century Fox Film Corporation; Universal City Studios LLC; and Warner Bros. Entertainment Inc.

Senator Dodd's complete speech is available under the following [link](#)

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