

MEDIA & FIRST AMENDMENT

OVERVIEW

Our Media and First Amendment Team represents a wide range of news and content companies, including publishers, broadcasters, technology companies, authors, content creators, artists, entertainers, and game developers, as well as other individuals and businesses facing First Amendment, intellectual property, and other content-related issues.

With team members located in offices across the U.S. we are well-positioned to help our clients navigate through the many issues confronting both traditional and new media.

Our experience includes:

- Access to public records, including administrative and court records
- Advertising clearance and representation in false advertising litigation
- Defense against claims involving right of publicity, defamation, invasion of privacy and other content-related claims
- Anti-SLAPP motions
- Digital and online media issues, such as Section 230 of the Communications Decency Act, the Digital Millennium Copyright Act
- Reporter's privilege and related subpoena and search warrant issues
- Representation concerning adjudication to publish legal advertising
- Other matters involving First Amendment speech rights

We also work closely with our [Data Privacy and Security Team](#), [Sports and Entertainment Team](#), and [Technology](#) and [Commercial Practice](#), among other practice groups across our offices, to provide the full range of advice and representation required by both online and traditional media clients.

MEET THE TEAM



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- Sports, Media & Entertainment
- Intellectual Property & Technology Disputes
- Trademark Litigation
- Trademark Prosecution, Counseling & Protection Services
- Copyrights
- Marketing & Advertising
- Technology Transactions
- Commercial Transactions
- Higher Education

AREAS OF FOCUS

- Business Speech

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AI & Your Business: Libel Risks

As lawyers who often defend defamation suits, we know from experience that it's not just media defendants who are sued for libel. Defamation suits are routinely filed against all sorts of businesses, arising from all kinds of content and communications. As the pressure to compete pushes more businesses to incorporate generative AI into their content-creation processes, it is important to be mindful of the different ways a libel lawsuit might arise. This applies to text, images, video, audio, and all other types of content and information. We expect to see a flurry of cases stemming from AI-generated content in the coming years falling into one of these four general categories: Libel by juxtaposition: This can result where truthful information about two different individuals or entities is juxtaposed as part of generative AI output, making it seem like the output is about the same person or entity. Libel by hallucination:...

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