

Press release

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CMS Spain secures a significant win for Atresmedia in landmark media case

Madrid, 18 November 2020

The ECJ ruled today in a landmark case following a preliminary ruling case relating to copyright and collective management of copyrights and neighbouring rights, declaring that users (broadcasters) do not need to pay an equal remuneration rights of synchronised phonograms in audiovisual works communicated to the public through broadcasting. CMS Spain represented the Spanish leading media group, Atresmedia Corporación de Medios de Comunicación S.A., against intellectual property rights management entity (AGEDI) and performing artists management entity (AIE). CMS Spain's team was composed of litigators and IP experts. IP partner [María González Gordon](#) and associate Ricardo Gómez-Barreda, and Litigation partners [Carlos Aguilar](#) and [Luis Javier Vidal](#) represented the client at the hearing before the European Court of Justice.

This is a landmark case as it has a significant impact in the audiovisual broadcasting market (including television channels, streaming platforms, video on demand services, etc.) throughout Europe. As a result of today's resolution, we have now confirmation that each time a film or television show where a pre-existing phonogram has been synchronised is broadcasted, televisions and platforms in Europe will not have to pay music producers nor music artists for the public communication of that film or series. This is clearly the most significant case year in the EU audiovisual market.

About CMS Spain:

With more than 100 lawyers located in Madrid, Barcelona and Seville, CMS Albiñana & Suárez de Lezo is regarded as one of the most prestigious firms in the Spanish market, striving to establish a close working relationship with clients in order to fully understand their needs and offer innovative solutions across all areas of law. The firm has been a member of CMS since 2005.

CMS - A sizeable international organisation:

Founded in 1999, CMS is a top-ranked full-service international law firm based on the number of lawyers (Am Law Global 100, 2018). With 77 offices in 43 countries across the world and over 4,800 lawyers, CMS has longstanding

expertise both at advising in its local jurisdictions and across borders. CMS acts for a large number of Fortune 500 FT European 500 companies, as well as for the majority of the DAX 30. Revenues totalled EUR 1.426bn in 2019.

For more information, please visit www.cms.law.

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