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Legal experts in
Communications



Delivering for you in communications

Communications players and users of communication platforms face numerous challenges – not least runaway technological development, convergence, and changes to the regulatory landscape, with deregulation in some areas and greater regulatory control in others.

CMS's global communications team is well versed in advising clients on a host of legal issues. Decades of knowledge of the communications sector mean we can not only guide you on the issues you currently face, but also pre-empt and suggest solutions to challenges coming up. Our communications lawyers are familiar with a broad range of technologies and work closely with our technology team given the overlap and convergence of these industries. We also have specialists in niche areas such as network and infrastructure sharing, MVNOs, data centres, and postal and subsea cables.

All rounders



As well as working for communications players and their end-users, we advise regulators and governments on the development of their national policies. We advise investors and financiers too. We know telecoms and offer a holistic view of the market and where it is going.

We've stood in your shoes



Many of our lawyers have worked in-house, for companies such as Deutsche Telekom, Liberty Global, Vodafone, Orange, Telstra and Viatel. Several have also worked with national regulators. The advice we give our clients is shaped by this inside experience.

Unrivalled coverage



CMS is one of the world's largest law firms. Our multi-lingual experts in Europe, Latin America, MENA, and Asia can advise you on both national and international projects. We are ranked for our work in telecoms in 13 countries – plus Europe-wide – by Chambers and Partners.



They are really experts in telecoms. They know the market, our competitors and our business very well. They can assist in very complex and sensitive files.

*Client quote,
Chambers and Partners 2018*



Gifted team skilled at transactional and regulatory telecoms mandates, particularly in MVNO projects.

Chambers and Partners 2017



Really excellent in-depth knowledge and understanding of the industry as well as the law.

Chambers and Partners 2018



How we help you

Regulatory

Traditional monopolistic telecoms markets have evolved into a genuinely competitive digital environment, and communications regulation worldwide will have to adapt accordingly. Staying abreast of this and anticipating what the regulators will do next is crucial for business continuity. We provide regulatory advice to a variety of communications players, and many clients turn to us specifically because of the sector background of our lawyers, many of whom previously worked for communications regulatory bodies.

Competition

Competition and regulatory authorities now possess far-reaching powers to investigate companies and commercial arrangements, prohibit M&A deals, force the divestment of merged businesses, review markets and impose penalties. Recent years have seen major deals in the communications sector blocked on competition grounds. Being compliant and implementing effective risk mitigation strategies is key. Our competition team's widespread local presence – complemented by the CMS EU Law Office in Brussels – is unique in Europe.

Corporate transactions

We transact more deals than any other law firm, closing more than a deal a day. In communications, our advice spans mergers and acquisitions, share purchases and disposals, complex due diligence exercises, joint ventures, corporate finance, private equity funding and capital raising.

Finance

We act for banks and funds with communications or technology finance teams and work with lenders worldwide. We advise on loan and security arrangements, and our communications experts advise on the risks specific to each business and an enforcement strategy based on its particular assets. For corporates, we provide structuring advice and work to make groups as attractive as possible for lenders.

Outsourcing agreements

Outsourcing the information and communication technology elements of a business is a complex process – finding the right service provider, ensuring the right

set up, contracting for appropriate performance incentives and ensuring good governance are just a few of the considerations. We advise both customers and suppliers and can assist on system integration and management issues, multi-vendor arrangements and second-tier supplies.

National and international spectrum strategies

5G mobile networks are coming, and the rights to spectrum are being auctioned. Auction theory is complicated. On the one hand, 5G is about increasing network capacity and, on the other hand, it's all about providing reliable connections to the billions of sensors that will make up the Internet of Things. 5G technology has the potential to be endlessly disruptive for a wide range of players, from vehicle manufacturers to governments and sports authorities. Our communications experts are well placed to advise both telecoms and non-telecoms players as 5G deployment models are rolled out, adapted and evolve.

Content licensing, acquisition, and distribution

Telecoms operators are increasingly becoming providers of content services. We have advised platforms and content owners for decades on these types of deals and can assist you with content development, original commissions, financing and production, as well as rights acquisition across all types of distribution platforms. We know what market practice is, so we can identify areas where you are likely to see pushback and recommend compromise positions. We also advise on the often complex copyright analysis underpinning the range of new content propositions in the market, and on negotiations with collecting societies.

Data protection

Communications companies are vulnerable to data protection issues. Our team can advise you on all aspects of data protection law, including notifications, policy development, audits, data transfer matters, access requests, data subject rights and consents, commercial transactions, disputes, investigations and regulatory proceedings. We also have a 'Crash team' for 24/7 support in the case of a data breach or cyber incident.



Highlight experience

American Tower Corp

On all aspects of their Chilean business regarding infrastructure acquisition, construction, and lease to operators.

Celtel International

On the GBP 3.4bn sale of its mobile business to MTN, covering 13 different African countries, including a detailed review of each regulatory regime.

Cinia Group Oy

On the procurement process and construction of a submarine cable system between Finland and Germany.

CityFibre Infrastructure Holdings plc

On the transformational acquisition of national infrastructure assets from KCOM Group plc, a leading provider of communications solutions to both consumer and business markets across the UK.

Comcast Corporation

On specialist media, telecoms and gambling regulatory aspects of its successful GBP 30bn bid for Sky Plc.

euNetworks

On the completion of its merger with investment firm Stonepeak Infrastructure Partners.

Ferrovial

On a global outsourcing agreement with Telefónica, including data security, email, mobile phone, fixed line and internet access agreements.

Groupe Algérie Télécom

On the ORVAL project, a cable linking Algeria and Spain.

Liberty Global

On the Czech, Hungarian and Romanian aspects of Vodafone's EUR 18.4bn acquisition of its European assets.

Liberty Global

On the sale of its direct-to-home satellite TV operations in the Czech Republic, Hungary, Romania and Slovakia to M7 Group.

LinkUK

On the innovative financing of a new service for BT, providing the UK's fastest free public Wi-Fi and a range of other services.

Magyar Telekom

On all content acquisition matters, including programme distribution agreements and licence agreements for VOD services.

Marguerite Telecom III, S.à.r.l.

On one of the largest investments to date by an infrastructure fund in a subsea system, the EllaLink transatlantic project.

Ooredoo Myanmar

On the procurement of network equipment, data centres and information technology systems for its USD 15bn greenfield telecommunications rollout in Myanmar.

Orange

On competition and regulatory aspects of its landmark network sharing deals in Romania.

Proximus

In numerous appeals against regulatory decisions made by the Belgian Institute for Postal and Telecommunications Services.

Siemens

On drafting and negotiating an MVNE/MVNO agreement with German mobile network operators.

Telefónica

In connection with the EUR 1.27bn sale to KKR of a 40% stake in Telxius Telecom SA, a wholly owned subsidiary of Telefónica that owns and manages infrastructure assets.

Telefónica Deutschland Holding

On the sale of 2,350 radio tower masts to Telxius Telecom SA for EUR 285m.

Telefónica Deutschland Holding

On the acquisition of the E-Plus Group, including advice and representation in merger control and regulatory proceedings.

Ventura Next

On all aspects of the construction of an open access broadband network in central London – the first of its kind in the UK.

The Americas

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Lima
Mexico City
Rio de Janeiro
Santiago de Chile

Europe

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