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Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

Media & Entertainment Group Of The Year: Weil

By Elliot Weld

Law360 (February 3, 2026, 4:00 PM EST) -- Weil Gotshal & Manges LLP earned a complete appellate victory for Paramount Global against claims brought under the Video Privacy Protection Act, securing a win on an issue that has split the circuit courts, and it defeated a \$150 million royalties claim against SiriusXM, earning it a place among the 2025 Law360 Media & Entertainment Groups of the Year.

Ben Marks, who heads Weil's intellectual property and media practice, said the firm stands apart from competitors in terms of the "breadth of our practice and the depth of our team." Other firms working in media generally excel in one particular vertical, but Weil has a "really great array of clients" in numerous sectors, including book publishing, streaming, television distribution, television production, news publishing and financial publishing, he said.

Marks said the firm also stands out for its depth both at the associate and partner level.

"There are excellent firms in the space where they have one or two superstars, but they don't have five or six or seven," Marks said.

He said it's difficult to say exactly how many attorneys work in the media practice. About 20 work in the intellectual property practice group, but other attorneys handle media cases from outside the group, he said.

Among its recent wins, Weil successfully argued to the Sixth Circuit — after scoring a dismissal for Paramount Global in district court — that someone merely subscribing to an e-newsletter on 247Sports.com and watching videos on the site did not make them a "consumer" under the VPPA.

David Yohai, a senior partner in Weil's complex commercial litigation practice who argued the case for Paramount, said one of the challenges in the case was that the Second Circuit had ruled the other way on the same issue. Now, Yohai said, there's a two-two split in the circuits on whether someone subscribing to a newsletter qualifies them as a "consumer" under the act.

"We had to convince the Sixth Circuit to take a different path," he said.

In August, the firm defeated a case against SiriusXM brought by record industry



representative SoundExchange alleging SiriusXM had underpaid on royalties. SoundExchange is a nonprofit designated by Congress and the Copyright Royalty Board to collect and distribute royalties for music artists.

Weil said the ruling marked the first time a court had found that SoundExchange did not have authority under the Copyright Act to bring such a case. The firm said this is likely to reshape copyright enforcement and lead to artists and SoundExchange resolving royalties disputes amicably.

Weil represented longtime clients Warner Bros. Discovery and Turner Broadcasting in suing the NBA after the league tried to transfer broadcast rights from TNT to Amazon, threatening TNT's popular basketball show "Inside the NBA." According to the firm, Warner Bros.' contract allowed it to match any offer to distribute NBA games, and it matched the offer made by Amazon, but was rejected anyway.

A global settlement reached in November 2024 allowed Turner to keep producing "Inside the NBA." Yohai, who worked on the case, described it as a "very intense litigation." He said the case was interesting in that it pitted old-school cable broadcasting against streaming giant Amazon.

Weil secured a global settlement for A&E Television Networks in a copyright infringement case around its show "Live PD," which the firm said was one of the most popular shows on cable from 2016 to 2020. After A&E took it off the air, the production company launched a show with the same hosts and format on Reelz called "On Patrol Live."

Weil fended off Reelz' efforts to dismiss the case and said it negotiated a "highly favorable settlement" for A&E at the summary judgment stage.

According to Marks, "very few" cases in the reality TV sector make it past the motion to dismiss stage, and they were able to convince the judge that the copying was very substantial and that the two shows were "virtually identical." As part of discovery, Marks said he deposed "On Patrol Live" host and television legal analyst Dan Abrams.

Asked about trends in the media sector, Yohai said he's seen a "huge amount of consolidation" in the media industry in the past year, such as bids to acquire Warner Bros. Marks also mentioned the impact of generative artificial intelligence and the debate over whether AI companies need licenses to train their models.

"I think that can't be understated," Marks said. "If not every day, then certainly every few months there's another major licensing deal that's been reached in that space."

Marks said he expects there to be disputes regarding AI for years to come, along with more high-profile licensing deals.

--Editing by Linda Voorhis.
