

Advertising, Promotions & Sponsorships

There are few commercial activities as exposed to risk of negative outcomes than those involving promotional publications. The legal issues range from false advertising and misuse of copyrighted materials, to violating prohibitions on collection of information from minors.

Bean, Kinney & Korman's intellectual property attorneys have a variety of backgrounds in business consulting, marketing and the music industry, making them skilled advisors to clients involved with advertising and promotional campaigns, sponsorships and endorsements.

We provide counsel to all types and sizes of businesses, from small start-ups to large advertising agencies in Virginia, Maryland and the District of Columbia. We review clients' marketing and advertising practices prior to implementation to avoid negative ramifications and to determine when withdrawal or changes to the promotion are advisable. When promotional efforts conflict with the rights of others or cross legal lines, we help our clients adjust and negotiate positive outcomes.

Industry-Specific Agreements and Contracts

We are skilled in crafting and negotiating various types of industry-specific agreements and contracts including:

- multi-media co-promotions
- sponsorship agreements
- spokesperson and endorsement agreements
- agency-client agreements
- media buy agreements

- production contracts
- co-promotion agreements
- vendor fulfillment agreements
- product placement contracts
- website and application development agreements
- social media marketing and technology agreements
- cross-marketing arrangements
- strategic alliance and joint venture agreements

Advertising, Marketing and Promotional Legal Counsel

We also advise clients on a variety of advertising and promotional-related matters including:

- Proper use and form of disclaimers and privacy policies
- Licensing to use music, photographs and other copyrighted materials in advertising
- Privacy and publicity rights, trademark, copyright and other property issues associated with traditional and online advertising
- Internal policies for social media accounts, user generated content and advertising practices, including application of the Digital Millennium Copyright Act and the Communications Decency Act safe harbors
- Issues relating to the collection of personal information (including minors)
- Legal compliance of advertising copy and materials
- Advertising compliance with CAN-SPAM Act and the Children's Online Privacy Protection Act

EVENTS

"Five Common Advertising Mistakes that Could Break the Law"
4600 Fairfax Drive, Suite 804, Arlington, Virginia, Thursday,
October 31, 2013