

Entertainment and Sport

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01.

Who we are 

We are a law firm of clients who, by combining **legal quality** with dedication and honesty, accompany them in making their most important decisions.

We work with **dedication and efficiency** in the pursuit of legal excellence, in line with our values.

At Montero Aramburu & Gómez-Villares Atencia every decision we make and every service we offer is imbued with our values:



Honesty

It is the pillar on which the trust our clients place in us is built. We act with transparency and integrity in all situations, ensuring consistency between our words and actions.

Knowledge

We strive to keep up to date and be experts in our field, in order to offer the best possible advice to our clients.

Criterion

Our ability to discern and make informed decisions is a key factor. We offer our clients thoughtful and prudent judgement, always striving for excellence and integrity in every action.



Commitment

For us, commitment is not a formality, but the bond that binds us to our clients. We are by their side every step of the way.

Proximity

We strive to offer personal attention, genuine proximity and friendliness that characterise every interaction with our clients.

Trust

We work hard to gain and maintain our clients' trust in every case and situation, always meeting our objectives and commitments.

In our firm, human quality
is at the same level as legal quality.

We turn every professional relationship into a
personal commitment, anticipating and solving
our clients' legal challenges with solid, innovative,
effective and, above all, honest solutions.

DATA:



+270 Lawyers and economists
+370 Employees



9 Offices located in the
national territory



22 Areas of practice

02.

Services

Our firm has specialists in all areas of law, which allows us to offer comprehensive advice to our clients in both the public and private sectors, seeking an innovative approach that generates a positive impact on business strategy and provides a clear differential value.

Areas of specialisation

- Banking and Finance
- Civil
- Compliance and Corporate Governance
- Corporate and M&A
- Digital
- Family Business
- Energy
- Entertainment and Sport
- Foundations, Associations and other Non-Profit Entities
- Real estate
- Employment Law
- Capital Markets
- Commercial Law
- Criminal Law
- Litigation and Arbitration
- Industrial and Intellectual Property
- Public and Regulatory
- Restructuring and Insolvency
- Insurance
- Sustainability and Environment
- Tax
- Town planning

03.

Entertainment and Sport

Our team advises in the cultural and sports industries with a comprehensive and specialised approach. In the field of entertainment, we provide support in the negotiation and drafting of all types of contracts, the obtaining of public aid and legal-financial structuring of projects for the optimal use of aid and tax incentives. We also provide multidisciplinary legal advice to the audio-visual sector (national and foreign production companies, festivals and other agents in the sector) at all stages of production, as well as to the music and live performance sector, providing support to artists, agents, promoters, record labels, ticketing companies, etc.

In sport, we work with federations, clubs, SAD and sportsmen and women, offering solutions in contracting, legal representation and disciplinary or judicial procedures. Our experience ranges from tax planning to strategic advice on rights and licensing, guaranteeing efficiency and protection with the aim of enhancing the success of our clients.



03.1 Audiovisual industry



Ongoing legal advice

- Drafting and monitoring the negotiation of contracts for the assignment of exploitation rights, starter agreements, national/international co-production contracts and production service agreements (PSA), among others.
- Review of the chain of title and underlying rights.
- Analysis and resolution of queries in relation to applications for national and international production funding. Advice on the initial structuring of the project in order to maximise the compatibility of direct funding (subsidies) and indirect funding (tax credit).
- Analysis of requirements for obtaining citizenship. In relation to international co-productions, review of applicable bilateral and multilateral treaties.
- Advising on the acquisition of commitments affecting the financing and operating plan of projects, such as capitalisations or inter-party agreements for the distribution of profits.

Project-based consultancy

- Review of contracts for the advance acquisition of exploitation rights with broadcasting companies - according to market -, distributors, international sales agents and platforms.
- Review of contracts with the project's authoring team (script, direction, direction of photography and composition of original music), as well as executive production contracts and other contracts related to the execution of the audiovisual production.
- Legal analysis of the script and drafting of the clearance report.
- Agreements/authorisations for brand placement in the project.
- Contractual model in accordance with the terms set out in the collective agreements applicable to the hiring of technical and artistic personnel.
- Advice on the processing of visas and work permits.
- Advice on the recognition of the cost of public funding.

Deduction for investment/Media production management

- Control of the tax benefits generated, including their correct determination and quantification.
- Review of compliance with the requirements necessary for the correct transfer of the tax rebate.
- Active search seeking investors interested in tax credits for investments in audiovisual productions.
- Advice on how to obtain the tax rebate for the execution of foreign audiovisual productions (tax rebate).
- Formalisation of contracts governing the relationship with investors - framework agreement - through EIGs or financing contracts.

03.2 Music industry



Music creation and production

- Specialised legal advice on intellectual property matters: mapping of rights, analysis of ownership chains, drafting and negotiation of contracts (recording, distribution, publishing, commissioning of works, licences for synchronisation and transformation of works, theatrical performance and musical performance, among others).
- Tax planning service for artists.
- Internal organisational framework for music ensembles: band contracts and partnership agreements.
- Advice on the negotiation of artistic and executive production contracts.
- Legal support in dealings with institutions in the field of intellectual property (registrations, licences or settlements with collective management entities) and industrial property (registration and defence of trademarks at national or international level).
- Drafting of a legal framework in order to generate NFT licences.

Live performances

- Drafting and negotiation of live performance contracts, contracts with venues and concert locations, co-production contracts for events. Development of the contractual framework for the exploitation of live streaming and fake live streaming of artistic performances.
- Negotiation of advertising contracts (sponsorship contracts, naming rights contracts and advertising broadcasting contracts, among others).
- Structuring of tax incentives and attracting investment for projects. Specialised advice on international taxation and tax implications of performances by foreign artists in Spain. Legal support in the processing of subsidies.
- Specialised legal advice in the field of ticketing, RFID/NFC cashless payment systems and cryptocurrency payment services at concerts and festivals.

Management and representation

- Drafting and negotiation of management, booking and 360° management contracts.
- Creation of a contractual framework governing the orderly termination of the manager-artist relationship (residual income time horizon and sunset clauses, among others).
- Legal advice in those areas of the artist's activity managed directly by the agency (agreements with brands and sponsorship or endorsement contracts, among others).

Deduction for the production and exhibition of live shows

- Control of the tax benefits generated by the live show produced and their proper determination and quantification.
- Review of the necessary requirements for the correct transfer of the tax deduction.
- Active search and recruitment of investors interested in acquiring these tax deductions (tax credit).
- Formalization of the documents that regulate the relationship with investors: financing contract or entry into an AIE.

03.3 Sport



Athletes and sports organisations

- Specialised advice to sports entities, being familiar with of the particularities of the sector in each of the main legal areas.
- Advice to sports entities on compliance with and/or drafting of the specific regulations for each sporting modality: general and disciplinary regulations, as well as economic control regulations, among others.
- Negotiation and drafting of all types of contracts, especially contracts for the transfer of federative rights, sponsorship contracts and collaboration agreements with public administrations, among others.
- Tax and estate planning for professional sportspersons , both nationally and internationally.
- Advice on criminal proceedings related to sport (doping, betting, etc.).

Sporting events

- Defence of clubs, sportspersons and managers in disciplinary proceedings, both federative and administrative or contentious, in the different competitions in which they participate.
- Advice to sportspersons and sports entities in any type of legal and/or arbitration proceedings, both before the contentious or civil jurisdiction as well as before the Court of Arbitration for Sport (CAS).
- Advice to sports federations of any modality in their correct in-house functioning and in the fulfilment of their delegated public functions, as well as in the management and functioning of the competitions in which they act as organisers.

Other services

- Drafting of legal reports on specific matters of considerable legal and sporting complexity.
- Active participation as lecturers in numerous conferences and courses, as well as teaching in different legal specialities (disciplinary law, tax law, administrative law) and in various specialised postgraduate courses.
- Comprehensive advice to sportspersons and sports entities, covering matters of any legal speciality.

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ACCOMPANYING YOU
IN EVERY
DECISION

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