

Mark Prak Quoted in Article on TVnewscheck.com

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Brooks Pierce partner Mark Prak was quoted in a May 22 article on www.tvnewscheck.com. The article, “Affils Join Call For SCOTUS To Consider Dereg,” discusses how the broadcaster associations affiliated with the “Big Four” Networks—ABC, CBS, NBC and Fox—joined the National Association of Broadcasters (NAB) and other broadcasters in requesting the U.S. Supreme Court reverse a ruling by the Third Circuit Court of Appeals that kept decades-old restrictions in local media ownership rules in place.

The article highlights an *amici curiae* brief filed by Prak, Julia Ambrose and Tim Nelson and colleagues at Cooley LLP on behalf of the four affiliates associations. The brief outlines how today’s broadcasting landscape looks vastly different than it did in the 1970s—or even the 1990s—when many of the Federal Communications Commission’s current media ownership rules were enacted. Among the biggest changes are the rise of competitive providers of video programming, including cable, satellite and digital platforms like YouTube, Netflix and Hulu, all of which are largely unregulated, placing the business model of traditional broadcasters at a disadvantage. Outdated rules limiting the common ownership of broadcast stations and newspapers or multiple TV stations in the same media market are hampering the financial viability of local media outlets that find themselves fighting for reduced local advertising revenue among increased competition, not only from streaming platforms but from internet giants like Facebook and Google.

The affiliates associations’ amicus brief asks the Supreme Court to review the decision of the Third Circuit Court of Appeals, which struck down FCC efforts to loosen the ownership rules to allow increased common ownership of media outlets in order to further the public interest. This move, pursuant to a congressional directive in legislation enacted in 1996, would make it easier and more cost effective for local broadcasters to provide the news and other public interest programming their local communities need.

Prak has practiced media and communications law for 40 years. His principal clients are media and communications enterprises, such as digital media and web-based businesses, television and radio stations, newspapers, wire services, magazines and cable companies as well as trade associations representing these industries.

Ambrose has significant experience helping media companies and broadcast trade associations navigate this new era of video programming consumption. She has also represented media clients in the notice-and-comment process before the FCC as it creates new rules for television broadcasters and regularly provides written advocacy on hot-button issues before federal agencies and the courts.

A former television news reporter, Nelson has significant experience representing media clients including television stations, radio stations, newspapers, broadcasting companies and trade organizations. He helps these clients navigate the ever-changing media landscape and its particular legal, regulatory, and political challenges, including issues related to

broadcast programming, content licensing, First Amendment matters and defamation.

To read the full article in TVnewscheck.com, click [here](#).