

Press Release

Bavarian Newspaper Publishers and BEITEN BURKHARDT Win Their Case Before the Regional Court of Munich I

Munich, 10 June 2016 – Eleven Bavarian newspaper publishers, advised by the law firm BEITEN BURKHARDT, have been successful with their action before the Regional Court of Munich I against the latest news app "BR24" of Bayerischer Rundfunk (Bavarian broadcaster; BR) and won their case. While still in proceedings, BR has fully submitted itself and will bear all costs of the proceedings.

Last Tuesday, 7 June 2016, the oral proceedings were held before the Regional Court of Munich I. When the proceedings commenced, the court had already clearly expressed its intention to render a decision in favour of the publishing houses bringing the action due to the fact that the court itself deems the BR24 app, launched September last year in its version at issue in the proceedings a press-like product, and the Bavarian broadcaster BR thus infringes the German Interstate Treaty on Broadcasting. BR then submitted itself subject to criminal sanctions and undertook to refrain from offering the BR24 app in the version in litigation. Moreover, BR will bear all the costs of the proceedings. For procedural reasons the parties have unanimously declared the proceedings to have been concluded as BR had removed with its declaration of submission the injunctive relief claimed by the publishing houses. The question in how far the apps offered by public service broadcasters have a press-like character and are therefore unlawful has not yet been finally decided though. Furthermore, the proceedings on the Tagesschau app (originally a daily news format on German TV) offered by the public service broadcaster NDR is still pending in Cologne.

BEITEN BURKHARDT regularly advises the Association of Bavarian Newspaper Publishers VBZV on all issues under media law and has represented the complainant community of Bavarian newspaper publishers in these model case proceedings which were of major relevance for the German newspaper and magazine publishers.



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Information about BEITEN BURKHARDT

- BEITEN BURKHARDT is an independent international commercial law firm with a focused range of services and some 280 lawyers working in 10 locations.
- Through our long-established offices in Germany, Brussels, China and Russia we advise large and mid-sized companies and corporate groups from various industries, banks and financial institutions as well as the public sector.