



David Kushner

PARTNER

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David Kushner has nearly 25 years of experience in media and communications law, focusing on broadcasting, media policy, and First Amendment issues. A trusted advisor, he is recognized as one of the nation's leading authorities on retransmission consent agreements.

MEDIA AND COMMUNICATIONS LAW

David has extensive experience helping businesses navigate the dynamic media landscape and the unique legal challenges that they face in the digital age. His media and communications practice focuses on issues related to broadcasting, media policy, and First Amendment matters. One of the broadcast industry's leading attorneys, he has also guided some of the nation's largest media companies in creating new revenue sources and exploring new ways to deliver content.

From the technical details of signal compression and propagation to the broader politics of communications and copyright regulation to the future of broadcasting with ATSC 3.0, David brings an unparalleled depth of knowledge to his practice. Equally comfortable in conversation with a company president or a broadcast engineer, David is able to serve as a comprehensive resource for clients.

"I derive great professional satisfaction from helping clients navigate difficult business decisions and develop revenue opportunities. But more importantly, I deeply value the friends I have made in my nearly 25 years of practice."

RETRANSMISSION CONSENT AGREEMENTS

David is recognized as one of the nation's leading authorities on retransmission consent agreements, having successfully negotiated agreements with a total value in excess of \$9 billion.

COMMERCIAL LITIGATION

David has significant experience in commercial litigation, including a focus on intellectual property and copyright issues.

INTELLECTUAL PROPERTY

David represents businesses on a wide range of intellectual property issues, focusing on copyright and trademark matters.

EXPERIENCE

Client Success

The E.W. Scripps Company

SERVICES

Appellate

Corporate & Business

Complex Business Litigation

Film & Television

Intellectual Property

IP Litigation

Litigation

Media, Publishing & Communications

Mergers & Acquisitions

Regulatory & Administrative

CREDENTIALS

Clerkships

Law Clerk to Judge Sam J. Ervin III, U.S. Court of Appeals, Fourth Circuit, 1996-97

Honors & Recognitions

Selected by his peers for inclusion in *The Best Lawyers in America*© in Media Law (2012-2022)

Education

Duke University School of Law, J.D., 1996, with high honors; Order of the Coif; B.S. Womble Scholar

Princeton University, Ph.D., 1990, National Science Foundation Fellowship; Mellon Fellowship in the Humanities

University of North Carolina at Chapel Hill, A.B., 1985, with honors; Morehead-Cain Scholar; Phi Beta Kappa

Admissions

North Carolina

U.S. Supreme Court

U.S. Court of Appeals for the 2nd, 4th, 7th, 11th, and D.C. Circuits

U.S. District Court for the Eastern, Middle, and Western Districts of North Carolina

PROFESSIONAL & CIVIC

Member, Board of Directors, Raleigh-Durham International Airport Authority (2019-present); Secretary, (2021-present)

Member, Board of Directors, United Arts Council of Raleigh & Wake County (2007-2014); Vice Chair, Administration (2008-11); Chair-Elect (2011-12), Chair (2012-2013)

Member, Board of Advisors, United Arts Council of Raleigh & Wake County (2014-present)

Chair (2007-08), Vice Chair (2006-07), Council Member (2003-06), Member (2003-present), Constitutional Rights & Responsibilities Section, North Carolina Bar Association

Editor, *The Constitutionalist*, Constitutional Rights & Responsibilities Section, North Carolina Bar Association (2003-2007)

Member, North Carolina Bar Association (1996-present)

Member, Federal Communications Bar Association (1994-present)

Member, Intellectual Property Law Section, American Bar Association (1997-present)

Member, American Bar Association (1993-present)

Member, Wake County Bar Association (1997-present)

Member, History of Science Society (1987-present)

ABOUT ME

Long ago, as a Ph.D. student at Princeton University, I spent long hours studying and researching the history of geophysics. Even after nearly 25 years at Brooks Pierce, the analytical skills that I developed during that time have served me well as I help my clients solve their most complex legal problems. What I enjoy most about my practice is analyzing the details of my clients' unique challenges and becoming their trusted counselor and advisor. With the ever-changing landscape of communications and technology, my goal is to help businesses navigate these often daunting waters by finding practical, sustainable solutions.

NEWSROOM

News

72 Brooks Pierce Attorneys Recognized in *The Best Lawyers in America*® 2022 Guide
The Best Lawyers in America®, 08.19.2021

Brooks Pierce Partners Represented The E.W. Scripps Company in its Acquisition of ION Media
01.26.2021

73 Brooks Pierce Attorneys Recognized in *The Best Lawyers in America*® 2021 Guide
The Best Lawyers in America®, 08.20.2020

55 Brooks Pierce Attorneys Recognized in *The Best Lawyers in America*® 2020 Guide
The Best Lawyers in America®, 08.15.2019

Brooks Pierce Partner Named to Raleigh-Durham Airport Authority Board
01.23.2019

Publications

Brooks Pierce Media Attorneys Author Survey of North Carolina Privacy and Related Claims Against the Media
07.13.2015