

## David D. Oxenford

### Partner

David Oxenford has represented broadcasters for over 35 years on a wide array of matters from the negotiation and structuring of station purchase and sale agreements to regulatory matters. His regulatory expertise includes all areas of broadcast law including the FCC's multiple ownership limitations, the political broadcasting rules, EEO policy, advertising issues, and other programming matters and FCC technical rules.

His clients range from family-owned broadcasters to active mid-market venture-backed companies to one of the largest noncommercial radio licensees in the country. In addition to representing station groups, David represents a number of state broadcast associations, the trade association for media brokers, program and service providers to the broadcast and digital media industry and banks and others providing financing to media companies.

David also represents webcasters and other digital media companies. He represents these companies on copyright, music licensing and other business and regulatory issues. He was counsel to the small webcasters group which negotiated the first Small Webcasters Agreement with the recording industry in 2002, represented webcasters who negotiated the Pureplay Webcasters Agreement in 2008, and represented webcasters in litigating sound recording performance royalties in both of the webcasting rate setting proceedings held by the Copyright Royalty Board which led to decisions in 2010 and 2015.

David is a regular speaker at broadcasting and digital media conferences, conventions and trade shows across the country, and regularly conducts webinars for many trade associations. He has also served as an expert witness on broadcasting and music licensing issues. For over 10 years, he has been the editor and principal writer of the Broadcast Law Blog, which is read by thousands of people each week.

He has been active internationally in counseling developing countries on the development of media laws embodying democratic principles.

#### ACTIVITIES AND RECOGNITION

Honored by the Kansas Association of Broadcasters as a KAB Friend to Kansas Broadcasting at the KAB Hall of Fame Reception in Wichita on October 14, 2018

Named to The Best Lawyers in America® for Communications Law and Media Law (2011-2017)

Named a Super Lawyer in Communications (2012 -2016)

Honored as the Texas Association of Broadcasters, Associate Member of the Year, 2011

Federal Communications Bar Association, Co-Chair, Intellectual Property Committee, Past Co-Chair of Mass Media Practice, Transactional Practice, Adjudicatory Practice and Continuing Legal Education Committees

First Vice President, Board of Advisors, Thomas Jefferson Public Policy Program, College of William and Mary




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#### BAR ADMISSIONS

District of Columbia, 1980

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#### EDUCATION

J.D., Emory University School of Law, 1980 (with distinction; Order of the Coif)

B.A., Government, Philosophy, College of William & Mary, 1977

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#### PRACTICE AREAS

Media Content & Distribution

## PUBLICATIONS AND EVENTS

David is the principal writer of the **Broadcast Law Blog**, which provides updates on broadcast and digital media legal issues, and is read by thousands of people each week. Go to [www.broadcastlawblog.com](http://www.broadcastlawblog.com) to read David's Broadcast Law Blog.

On November 15, 2018, David conducted a webinar for the Michigan Association of Broadcasters and seven other state associations called "Getting Ready for License Renewal." The slides from that presentation are available [here](#).

On October 25 and 26, 2018, David was a panelist on five sessions at the CBI College Broadcasters National Student Electronic Media Convention in Seattle.

On October 20, 2018, David conducted a Washington Update session at the Georgia Association of Broadcasters Annual Convention in Savannah.

On October 17, 2018, David was a panelist on a session called "Personal Safety in Today's Broadcasting Environment" and conducted a session called "Washington Legal Issues for Broadcast Engineers" at the Wisconsin Broadcasters Association Broadcasters Clinic in Madison. Video of the Personal Safety panel can be [viewed here](#).

On October 15, 2018, David conducted a session called "Washington Issues For Broadcasters – Two Years Into the New Administration" at the Kansas Association of Broadcasters Annual Convention in Wichita.

On September 27, 2018, David was a panelist at the NAB Radio Show in Orlando on a panel called "Put on Your Glass Slippers – FCC and Music Licensing Update"

On September 20, 2018, David conducted a webinar for the Michigan Association of Broadcasters and 9 other state broadcast associations on Podcasting Legal Issues for Broadcasters

On September 12, 2018, David conducted a webinar on Digital Media Legal Issues for the Trinidad and Tobago Publishers and Broadcasters Association

On August 14, 2018, David was a panelist on a Hot Issues for Broadcasters panel at the Michigan Association of Broadcasters Summer Advocacy Conference on Mackinac Island, Michigan

On August 8, 2018, David presented a Political Broadcasting Refresher webinar for the Washington State Association of Broadcasters

On August 7, 2018, David was one of two presenters on a webinar on Negotiating Music Licenses for Strafford Publications.

On August 2, 2018, David was one of two presenters on a session, What's New In Washington for Broadcasters, at the Texas Association of Broadcasters Convention and Trade Show in Austin.

On July 25, 2018, David presented a session called "Legal Issues in Podcasting: What Broadcasters Need to Know" at Podcast Movement 2018 in Philadelphia. The slides from that presentation are [here](#).

On June 21, 2018, David presented a session on Washington Regulatory Issues for Broadcasters at the Iowa Broadcasters Association's Summer Convention in Des Moines

On June 20, 2018 David was a panelist on two panels at the Wisconsin Broadcasters Association Summer Convention in Milwaukee – one called “ Journalists Under Pressure” dealing with security issues for broadcasters and the second a “Legislative Update” session.

On June 17, 2018, David presented a Washington Regulatory Update to the Montana Broadcasters Association at their Annual Convention in Whitefish, Montana

On May 23, 2018, David and NAB General Counsel Rick Kaplan conducted a session called “Regulatory Changes in Washington – What Do They Mean for Broadcasters?” at Media Finance Focus 2018, the annual conference of the Media Financial Management Association, held in Arlington, Virginia

On April 19, 2018, David and Aaron Burstein presented a webinar on Legal Issues for Digital and Social Media Advertising, sponsored by the Michigan Association of Broadcasters and 4 other state broadcast associations. Slides from that presentations are available [here](#).

On April 19 and 20, 2018, David presented two sessions to the Oklahoma Association of Broadcasters Annual Convention in Tulsa on Washington Legal and Regulatory Issues for Broadcasters. The slides from one of those presentations are available [here](#).

On April 5, 2018, David conducted a webinar on the FCC’s political broadcasting rules for the Washington State Association of Broadcasters. The slides from that presentation are available [here](#).

On February 1, 2018, David conducted a webinar for the Indiana and Iowa Broadcasters on the Online Public File for Broadcasters. A copy of the presentation is available [here](#).

On January 17, 2018, David conducted a webinar for the Kansas and Oklahoma Broadcast Associations on Political Advertising Regulations. A copy of the presentation is available [here](#).

### **2017 Speeches and Presentations**

On December 7, 2017, David conducted a webinar for the Kansas, Oklahoma, Montana and Wisconsin Broadcast Associations on the Online Public File for Radio

On November 30, 2017, David and Bobby Baker, head of the FCC’s Office of Political Programming, conducted a webinar for 20 state broadcast associations on the FCC’s Political Broadcasting Rules

On November 9, 2017, David conducted a webinar on the Online Public File for Radio for the Michigan Association of Broadcasters.

On November 3, 2017, David made three presentations at the Indiana Broadcasters Association’s Annual Convention in Carmel, Indiana, discussing Washington Issues for Broadcasters, AM Improvements, and Music Licensing Issues for Broadcasters.

On October 31, 2017, David was one of the panelists on an American Bar Association Webcast called And the Beat Goes On: Securing Music Licensing for Your Business Clients

On October 25, 2017, David was on a panel on Legal and Regulatory Issues for Broadcasters at the Connecticut Broadcasters Association’s Annual Convention in Hartford

On October 16, 2017, David presented an FCC Update at the Kansas Association of Broadcasters Annual Convention in Manhattan, Kansas

On October 11, 2017, David did a presentation on Legal issues for Engineers at the Wisconsin Broadcasters Annual Engineering Clinic in Madison

On September 26, 2017, David was panelist at a CLE session on Legal issues in Broadcasting Live Music at the International Bluegrass Music Association's Annual Convention in Raleigh

On September 19, 2017, David was a panelist on an MFM Distance Learning Webcast called What to Expect from the New FCC

On September 12, 2017, David moderated a FCBA Media Practice Committee lunch discussion on the political broadcasting rules, featuring speakers from the FCC's Office of Political Programming

On September 7, 2017, David was a panelist discussing music royalty issues at the NAB Radio Show in Austin

On September 5, 2017, David interviewed SoundExchange General Counsel Colin Rushing about music royalty issues at the RAIN Summit West in Austin

On August 22, 2017, David participated on an Issue Advertising Outlook Panel at the Michigan Association of Broadcasters Summer Convention at Crystal Mountain

On August 10, 2017, David participated on an FCC update panel at the Texas Association of Broadcasters Annual Convention in Austin, and moderated a panel on music licensing featuring the directors of both the Radio and Television Music License Committees.

On June 25, 2017, David presented an FCC Update at the Montana Broadcasters Association Annual Convention at Big Sky.

On June 22, 2017, David presented an FCC Update at the Iowa Broadcasters Association's Annual Convention in Des Moines, and also moderated a session for broadcast engineers on staying in compliance with FCC rules.

On June 14, 2017, David presented two sessions at the Wisconsin Broadcasters Association Summer Convention in Sheboygan, one of the FCC's EEO Rules and the second on Legal issues for Broadcasters in the Digital Jungle. He also participated on a panel updating the broadcasters on Washington legal and regulatory matters.

On June 1, David was a participant on two panels, one on FCC issues and one on music rights, at the Louisiana and Mississippi Broadcasters Convention in New Orleans

On May 22, 2017, David was a panelist on the FCC Update at the MFM Media Finance Focus Conference in Orlando

On May 17, 2017, David presented an FCC update at the Vermont Association of Broadcasters Annual Convention at Montpelier

On May 8, 2017, David presented an FCC Update at the Pennsylvania Association of Broadcasters Annual Convention at Hershey

On April 25, 2017, David was a panelist with two former FCC Commissioners and FCC Commissioner O'Rielly on a panel called The Washington Outlook at the Noble Financial Media Finance Conference at the NAB Show in Las Vegas.

On March 30 and 31, 2017 David conducted two sessions on Washington Regulatory Issues

for Broadcasters at the Oklahoma Association of Broadcasters Annual Convention in Oklahoma City

On March 2, 2017, David was a panelist on a session called The Radio Regulatory Framework in the Trump Administration at the National Religious Broadcasters Convention in Orlando

On February 7, 2017, David conducted a webinar for the Texas Association of Broadcasters called A Legal Guide to the Online and Digital Jungle

On January 11, 2017, David and the Media Group published a 2017 Calendar of Important Dates for Broadcasters, available [here](#).

### **Speeches and Presentations – 2016 and Before**

On November 30, 2016, David conducted a webinar for 22 state broadcast associations on digital and social media legal issues for broadcasters. The slides from that presentation are available [here](#).

On November 17, 2016, David participated in three sessions at the Indiana Broadcasters Association convention in Carmel, Indiana – one on the use of drones by broadcasters, one on the online public file for radio stations, and one highlighting Washington issues of importance for broadcasters. The slides for the session on the online public file are available [here](#).

On September 28, David was a co-presenter on a panel called Current Music Licensing Issues Created by Streaming Services at the International Bluegrass Music Association's Business Conference in Raleigh, NC.

On October 10, David spoke at two sessions at the Kansas Association of Broadcaster's Annual Convention in Wichita, one as part of a panel called Changes in EAS and FCC Inspections, and a second as the presenter of a session called The Washington Regulatory Landscape for Broadcasters. Slides from the second session are available [here](#).

David and Rachel Wolkowitz of the firm wrote an article called Don't Ruin a Perfect Evening – Get the Appropriate Licenses for Radio and TV in Bars and Restaurants, published in the September/October edition of Landslide, the magazine published by the American Bar Association's Section of Intellectual Property Law. A copy of that article is available [here](#).

On September 21, David presented a "Legal Snapshot: Issues for Audio Companies" at the RAIN (Radio and Internet Newsletter) Summit in Nashville, Tennessee. A copy of the slides from his presentation is available [here](#)

On August 12, 2016, David was one of two speakers at a session called Navigating Copyright Law and the New Webcasting Royalty Regime at the Texas Association of Broadcaster's Annual Convention in Austin. Copies of the slide's from his presentation are available [here](#).

On June 30, 2016, David talked about the timing and legal issues involved in the repacking of the television spectrum following the incentive auction as part of a webinar sponsored by 12 state broadcast associations and NETA. The slides from his presentation are available [here](#).

On June 26, 2016, David presented a Washington Update for Broadcasters to the Montana Broadcasters Association at their annual convention, held in Big Sky this year. The slides from his presentation are available [here](#).

On June 23, 2016, David presented a Washington Update for Broadcasters to the Iowa

Broadcasters Association Annual Convention at Des Moines.

On June 18, 2016, David presented a Washington Update for Broadcasters to the Wyoming Association of Broadcasters at their annual convention, held in Cheyenne this year.

On June 2, 2016, David conducted a webinar for 19 state broadcast associations on the Online Public Inspection File for radio stations. Slides from that presentation are available [here](#).

On May 25, 2016, David presented a Washington Update for Broadcasters to the Vermont Association of Broadcasters Annual Convention in Montpelier.

On May 23, 2016, David and NAB General Counsel Rick Kaplan conducted a Washington Update session on legal issues for media companies at the Media Financial Manager's Annual Conference in Denver.

On April 19, 2016, David was a panelist on a panel called "Election 2016 – A Whole New Playbook for Political Advertising" at the NAB Show in Las Vegas

On March 30, 2016, David presented an FCC Update at the Oklahoma Broadcasters Annual Convention in Tulsa. On April 1, David conducted a one on one interview with FCC Commissioner Michael O'Rielly at the OAB Annual Convention

On April 17, 2016, David moderated a panel called "This Isn't the Data You Are Looking For: Privacy, Marketing and Online Issues" at the American Bar Association Forum on Communications Law Annual Representing Your Local Broadcaster Conference in Las Vegas

On April 17, 2016, David moderated a panel on Music Rights issues for webcasters at the Radio and Internet Newsletter's Summit in Las Vegas.

On March 13, 2016, David presented two sessions for the College Media Association's Annual Convention in New York City – one a session on FCC Requirements for College Radio, and a second on Digital Media Legal Issues for College Media

On February 3, 2016, David was a panelist on the Federal Communications Bar Association's Continuing Legal Education Seminar on the FCC's political broadcasting rules.

On January 14, 2016, David and the Media Group published a **2016 Calendar of Important Dates for Broadcasters**, available [here](#).

On December 21, 2015, David was the featured speaker on a webinar sponsored by Triton Digital on the new Copyright Royalty Board's decision on webcasting royalty rates, called "The New Streaming Music Rates –Everything You Need To Know." You can listen to that webcast, [here](#).

On December 17, 2015, David presented, with Bobby Baker, head of the FCC's Office of Political Broadcasting, a webinar for 16 state broadcast associations on the political broadcasting rules for broadcasters. Copies of the slides from that presentation are available [here](#).

On November 18, 2015, David moderated a distance learning seminar for the Media Financial Managers Association (MFM) titled "Evolving World of Retransmission Fees – Plan Now for 2016."

David attended the CBI (College Broadcasters, Inc.) National Student Electronic Media Convention in Minneapolis, held October 21-23, 2015, and participated in four seminars – talking about FCC issues at a New Advisors Training session, participating on panels on Music Royalties for College Broadcasters and an Ask the FCC Experts session, and conducting a session on Legal Issues in Digital Media (a/k/a Staying Safe in the CyberJungle). The slides from the CyberJungle session are available [here](#).

On October 19, 2015, David conducted a session for the Kansas Association of Broadcasters at their annual convention in Lawrence, Kansas, providing a Washington Update for Broadcasters.

On October 14, 2015, David conducted a webinar hosted by the Michigan Association of Broadcasters and 18 other state broadcast associations called Navigating the FCC's EEO Rules and Public File Requirements. The slides from that presentation on the FCC's public inspection file are available [here](#), and those on the FCC's EEO requirements can be found [here](#).

On October 1, 2015, David moderated a panel called The Future of Music Licensing, featuring representatives of the NAB, Pandora, the RIAA, BMI and the Copyright Office at the NAB Radio Show in Atlanta.

On August 25, 2015, David Oxenford and Jonathan Cohen presented a webinar "FCC Incentive Auctions: What TV Stations Need to Know" to members of 10 state broadcast associations. The slides from that presentation are [available here](#).

March 13, 2015, David conducted two seminars at the College Media Association's Annual Convention in New York City. The first, on FCC legal obligations of college broadcasters, is [available here](#). The second, on digital legal issues for college media, is [available here](#).

January 2, 2015, Publication - **2015 Calendar of Important Dates for Broadcasters** – a memorandum prepared by David and the other WBK lawyers who represent broadcasters listing important regulatory dates for broadcasters in 2015.

August 13, 2014 - NAB Webcast, Moderator, "Audio Streaming Legal Issues for Broadcasters." The slides are available [here](#). An archived copy of the entire webcast is available to NAB members [here](#).

August 7, 2014 - Texas Association of Broadcasters Annual Convention, Presenter, "Helping Clear the AM Static: Filing for FM Translators" and "The Future of Music Royalties," Austin, Texas.

July 23, 2014 - Indiana Broadcasters Annual Meeting, Presenter, "An FCC Legal Update for Broadcasters," Indianapolis.

July 16, 2014 (recorded) - NAB Webcast, Panelist, "Online Political File Refresher." Available to NAB members, [here](#).

June 26, 2014 - Iowa Broadcasters Association Annual Convention, Presenter, "A Washington Update for Broadcasters" and Moderator, "Preventing Trouble with an FCC Inspection" with head of FCC Field Office and Iowa ABIP inspector, Des Moines.

June 22, 2014 - Montana Broadcasters Association Annual Convention, Presenter, "An FCC

Legal Update for Broadcasters," Whitefish, Montana.

On June 3, 2014, David Oxenford and David O'Connor presented a webinar to members of seven state broadcast associations describing the obligations of broadcasters with respect to their online political file. The obligation to maintain an online political file goes into effect for small market television stations on July 1, 2014. [The slides from that presentation are available here](#)

March 1, 2014 – David Oxenford and David O'Connor have prepared a [Guide to Political Broadcasting: Questions and Answers on the FCC Rules](#) and Policies for Candidate and Issue Advertising.

Publication - [2014 Calendar of Important Dates for Broadcasters, February 6, 2014](#) – a publication listing important dates for broadcasters in 2014.

David Oxenford moderated a panel discussion on streaming music licensing at RAIN Summit NYC: Pureplays and Podcasts, on February 5, 2014. For more information, visit the [event website](#).

David Oxenford moderated an FCBA CLE panel discussion on social media legal issues for traditional media companies on January 27, 2014. For more information, visit the [event website](#).

On January 21st, 2014, David Oxenford presented a session on [Legal Issues in Digital and Social Media](#) to the Wisconsin Broadcasters at their Winter Conference in Madison.

Political Broadcasting Webinar: On December 10, 2013, David Oxenford and Bobby Baker, Head of the FCC's Office of Political Programming, conducted a webinar for 11 state broadcast associations. The slides from that presentation are [available here](#).

On August 14, 2013, David Oxenford provided an FCC update to the attendees at the Indiana Broadcasters Association Annual Meeting in Indianapolis. [Click here](#) to access the slides from his presentation.