

Benjamin Jaffe

Partner



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Benjamin Jaffe is a member of the Media + Entertainment Group and co-chair of the Digital Media Practice at Pryor Cashman, where he leads cutting-edge transactions and negotiates deals across a variety of media.

Ben works across a broad range of digital media, emerging content, and entertainment projects with a particular focus in podcasting, music tech, advertising/strategic brand partnerships, digital video content, and blockchain-based content distribution. His clients frequently engage him as outside general counsel, where he handles a wide range of legal and business affairs matters. Ben brings a practical and business-minded approach to his clients' legal issues, and is often recognized for his ability to identify and skillfully negotiate strategic opportunities and partnerships that facilitate people and company growth, profitability, and market position, and for which there is often no existing market or relevant precedent.

In podcasting, Ben is an industry-leading attorney, representing prominent podcast networks, production companies, and individual podcasters, as well as high-profile celebrity talent and influencers across a wide range of scripted and unscripted content projects. He regularly structures and negotiates first-in-class content acquisition and development deals, sales and distribution agreements, slate production and distribution partnerships, branded content production agreements, and talent partnership deals. Ben also frequently advises on complex intellectual property rights issues, including in the adaptation, development, and exploitation of derivative works and ancillary properties based on podcasts and vice versa. He is known for his in-depth industry knowledge and strategic business acumen, which he uses to help his clients develop and grow innovative audio businesses with robust brand recognition. Ben also represents a wide range of established and early-stage digital content distribution services, social media and technology platforms, and mobile applications across a broad range of matters related to the licensing, acquisition, development, production, and distribution of audio and audio-visual content on or through their platforms and services.

In particular, Ben has been active in the music industry for most of his career, frequently structuring and negotiating a wide array of direct licensing deals with music labels, publishers, and performing rights organizations. He also works with blockchain-based, decentralized content distribution services and NFT companies, where he advises on complex licensing matters, drafts terms, and agreements related to the minting and sale of NFTs and the exploitation of underlying intellectual property rights contained within associated content assets, and he assists clients regarding the use of NFTs to build community engagement and increased brand recognition around existing content properties.

Ben has extensive experience advising clients on, and negotiating and drafting agreements related to, joint ventures and strategic brand partnerships, advertising and social media matters (including online contests/sweepstakes/promotions rules, influencer service deals, master services agreements, and

endorsement/sponsorship arrangements), website terms of use and privacy policies, and other related commercial transactions. In addition, he often advises digital media clients with respect to a wide array of user-generated content matters, including the development, implementation, and enforcement of robust user-generated content policies covering end-user community guidelines, content removal, repeat infringement procedures, and reporting requirements.

Before joining the firm, he was a partner and head of the Digital Media + Technology group at another firm in New York, and was a corporate lawyer in the New York office of a firm where he advised clients on a broad range of transactional matters including complex structured financings, corporate restructurings, M+A activity, and securities law matters. Prior to becoming a lawyer, Ben worked at several advertising agencies, including the digital media agency Razorfish, where he focused on paid search (SEM) marketing.

Services

- Media + Entertainment
- Intellectual Property
- Celebrity Branding + Talent Representation
- Content Creators and Digital Influencers
- Interactive + Gaming
- M+E Transactions and Financing
- Music
- Non-Fungible Tokens (NFTs)

Education

- Benjamin N. Cardozo School of Law, Yeshiva University (J.D., *magna cum laude*)
 - Order of the Coif
- Emory University (B.B.A.)

Recognition

- Named one of *Lawdragon* 500 Leading Global Entertainment, Sports & Media Lawyers for Transactions - Digital Media, Podcasting, Music Tech (2025)
- Named to the *Super Lawyers – New York Metro* “Rising Stars” list in Entertainment & Sports (2016-24)
- *Variety* Legal Impact Report (2022)
- *Best Lawyers: Ones to Watch – Intellectual Property Law* (2021)
- *Hollywood Reporter* New York Power Lawyer (Entertainment) (2021)
- *New York Law Journal* “Trailblazer” (2020)
- *Variety* Dealmakers Impact Report, “Up Next,” (2017)

Admissions

- New York

Publications

February 9, 2024

Jaffe Comments on George Carlin AI Deepfake Lawsuit
Law.com

May 11, 2023

Jaffe Talks to Law360 About Joining Pryor Cashman M+E Group
Law360