

→ Space & Satellite

Sheppard Mullin provides practical, actionable legal advice and support to a diverse set of clients across every sector of the space and satellite industry. From the smallest start-ups to the largest industry giants, our team is widely recognized for its extensive industry experience and ability to work collaboratively to craft innovative and practical solutions.

What We Do:

Regulatory

We help clients obtain operating authority and licenses for satellites, earth stations, launch vehicles, and other space-based operations and services. We have experience securing approvals from the FCC, NOAA, FAA, gaining market access in foreign jurisdictions, and acquiring approvals at the International Telecommunication Union (ITU). We help clients gain access to frequency bands, manage corporate regulatory issues, secure experimental or temporary authorizations, and participate in important rulemaking proceedings.

Commercial Contracts

We review, structure, and negotiate contracts relating to GEO and NGSO satellite procurements, satellite launches, satellite capacity leases, hosted payloads, ground infrastructure, and antennae.

Investment, Corporate, and M&A

We frequently advise investors – both strategic and financial – on the acquisition of space and satellite companies and assets, including structuring complex financing arrangements and equity investments.

National Security & CFIUS

We counsel foreign companies and investors with respect to complex transactions and investments in the United States that could trigger review by the Committee on Foreign Investment in the United States (CFIUS). We provide clients with strategic advice, lead the preparation of CFIUS filings, and navigate the CFIUS review process until successful clearance of the transaction. We provide practical guidance on export controls and BIS/DDTC matters, OFAC sanctions and other national security regulations to ensure compliance with sensitive and complex legal restrictions.

Litigation and Arbitration

We defend and prosecute complex, multi-jurisdictional disputes involving space and satellite businesses and assets in the United States and abroad.

Government Contracts

We advise clients on all aspects of contracting with the United States Government, including FAR, SBIR, and OTAs.

Experience

Representative Matters

- *Sidus Space*. Represented Sidus Space in an IPO, where the company went public under the Nasdaq symbol, SIDU.
- *SES*: Primary FCC counsel to SES in C-band transaction, one of the FCC's most important proceedings in recent years.
- *Orbital Sidekick*. Corporate and regulatory advice to earth observation satellite service provider Orbital Sidekick.
- *Global IP*. ITU-related advice to Global IP in connection with rights to an orbital slot capable of serving Africa.
- Corporate and regulatory advice to global satellite operator Omnispace.
- Corporate and regulatory advice to OneWeb, the latest satellite venture from Greg Wyler (founder of O3b).
- Regulatory and litigation counsel to KTSAT of South Korea in connection with a dispute over rights to an orbital slot and satellite over Asia.
- *SES Government Solutions*. Served as corporate and government contracts counsel to SES GS in connection with a hosted payload agreement.
- *GeoOptics*. Regulatory and government contracts advice to earth observation company GeoOptics.
- *Hispasat*. Corporate and regulatory advice to European-based investor in connection with the disposition of a large block of stock in Hispasat.
- *Global Eagle*. Corporate advice to Global Eagle in connection with the lease of capacity from a global satellite operator.
- *Thuraya*. Corporate, international trade, and regulatory advice to Thuraya in connection with various matters.
- *AsiaSat*. Served as corporate, finance and export control counsel to AsiaSat in connection with a hosted payload agreement with a US-based company.
- *Iridium*. Served as corporate and government contracts counsel to Iridium and Aireon in connection with a hosted payload agreement.
- *Satmex*. Served as corporate and government contracts counsel to Satmex in connection with a hosted payload agreement.
- *Eutelsat America*. Regulatory counsel to Eutelsat America Corp. with respect to the E172A satellite and related FCC matters.
- *EchoStar*. Served as corporate and FCC counsel to EchoStar in connection with a potential M&A transaction.
- *MLB Network*. Provided corporate advice to MLB Network in connection with a transponder lease agreement.
- *TerreStar*. Served as special FCC and satellite industry counsel to the Committee of Unsecured Creditors of TerreStar.

- *GE Satellite*. Served as FCC and cross-border regulatory counsel to General Electric in the sale of VSAT network operator.
- *SES World Skies*. Served as FCC regulatory counsel to satellite company SES World Skies.
- *O3b Limited*. Served as FCC regulatory counsel to satellite company O3b Limited.
- *Intelsat*. Served as FCC and CFIUS counsel to European private equity group BC Partners in its acquisition of a controlling stake in Intelsat, the world's largest fixed satellite service provider.
- *GE Satellite*. Provided corporate and regulatory advice to General Electric in connection with its acquisition of satellite assets from SES.
- *DirecTV*. Provided FCC regulatory advice to News Corp in connection with its acquisition of DirecTV from Hughes.
- *Inmarsat*. Provided FCC regulatory advice to Apollo Management in connection with its bid for Inmarsat, the world's largest mobile satellite service provider.
- *COMSAT*. Provided corporate and FCC regulatory advice to COMSAT in connection with the sale of the company to Lockheed Martin.
- *Gilat Satellite Networks Limited*. Provided corporate and regulatory counsel to Gilat Satellite Networks Limited in connection with its acquisition of Spacenet from General Electric and served as primary outside counsel to Spacenet on FCC regulatory issues for many years.
- *Telenor*. Provided corporate and FCC regulatory advice to Caprock Communications in connection with its bid for Telenor Satellite Services.
- *Sirius Satellite Radio*. Provided advice to Sirius Satellite Radio in connection with FCC regulatory issues presented by a new satellite design.
- *Protostar*. Provided advice to an investor in connection with a high-yield debt offering by Protostar, a US-based company seeking to provide direct-to-home satellite service in Asia and provided follow-on advice to bondholders concerning priority rights to an orbital slot occupied by Protostar in the Asia-Pacific region.
- *Celsat America*. Provided FCC regulatory advice to Celsat America, Inc. in connection with its successful bid to obtain an S-band license from the FCC to operate a mobile satellite service system.
- *ICO Global*. Provided advice to an investor in connection with an investment in ICO Global, an S-band mobile satellite service system backed by cellular pioneer Craig McCaw.
- *Virtual Geo*. Provided advice to a private equity group in connection with an investment in Virtual Geo, a company proposing a unique satellite architecture allowing it to operate in conventional Ku-band frequencies without causing interference to incumbent Ku-band systems operating in geostationary earth orbit.
- *WorldSpace*. Provided advice to a private equity group in connection with an investment in WorldSpace, Inc., a satellite digital audio radio service system licensed to provide satellite radio outside the U.S.
- *StarQuest*. Provided advice to start-up satellite company StarQuest in connection with obtaining an orbital slot to serve the U.S. market.
- CFIUS advice to global satellite operator in connection with foreign investment into US-based subsidiary.
- Served as FCC and CFIUS counsel to European private equity group BC Partners connection with the \$5 billion leveraged buyout of Intelsat, the world's largest fixed satellite service provider.
- FCC and CFIUS advice to Apollo Global Management in connection with the acquisition of a satellite company.

- Represented two Asian equipment manufacturers in an FCC investigation concerning potential interference caused by radio frequency transmitters in satellite radio consumer devices.
- Provided advice to a private equity group and a satellite company concerning FCC requirements to relocate broadcast auxiliary service licensees to new spectrum.