

MEDIA MENTION

Washington Post Highlights Wiley Rein First Amendment Arguments for Net Neutrality Petitioners

The Washington Post
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A First Amendment challenge to net neutrality rules, filed by Wiley Rein on behalf of two petitioners, was highlighted by *The Washington Post* in a September 28 article that called the firm's commercial speech arguments a "big deal."

A joint petitioners' brief, authored by the firm on behalf of a Texas broadband provider and a developer of Internet communications services, has led to a "showdown over the meaning of corporate speech," according to the *Post* article. Wiley Rein's clients are among a group of petitioners urging the U.S. Court of Appeals for the District of Columbia Circuit to vacate the Federal Communications Commission's (FCC) Open Internet Order.

The FCC order, which took effect in June, regulates broadband Internet access service as a telecommunications service under Title II of the Communications Act. The Wiley Rein brief notes that Title II expressly allows for "different charges" for "different classes" of Internet service, and argues that the new rules violate the First Amendment. The brief was filed by a team that included firm Chairman Richard E. Wiley, who also chairs the Telecom, Media & Technology Practice; Communications Appellate & Litigation Practice chair Andrew G. McBride; Telephony & Information Technology Practice chair Bennett L. Ross; and partners Eve Klindera Reed and Brett A. Shumate.

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The *Post* highlighted the brief's central arguments that "broadband providers are First Amendment speakers because they 'engage in and transmit speech,'" and that decisions by the government that mandate what types of content companies have to transmit are unconstitutional.

To read the full *Washington Post* article, please [click here](#).