

"This is the pre-eminent sports law conference in the UK in terms of content and the nature of the speakers"

Dalton Odendaal, London 2012



Business Information
In A Global Context

13th International Forum

Sports Law & Business 2011

The Definitive Event on Legal, Commercial
and Regulatory Issues in the World of Sport

4th & 5th May 2011

Millennium Knightsbridge Hotel, London, UK

Hear valuable insights from major clubs,
governing bodies, and broadcasters in
the world of sports:

Sky Sports

British Horseracing Authority

Professional Cricketers' Association

Betfair

Manchester City FC

Liverpool FC

FC Porto

Rugby Football League

International Cricket Council

Royal Courts of Justice

America's Cup

International Council
of Arbitration for Sport

British Olympic Association

London 2012

Glasgow 2014

Fox Sports

C5's 13th annual Sports Law & Business conference will address a range of commercial and regulatory issues affecting in-house counsels, athletes and governing bodies. Hear from a variety of experts with a wealth of experience in sports law and find new ways of reaching goals and overcoming hurdles.

Key topics to be covered at this year's event include:

- **Broadcasting Rights:** The Commercial, Technological and Regulatory Environment
- **Dispute Resolution:** Setting Standards and Dealing with Outcomes
- **Major Events:** Bidding, Preparation, Delivery and Legacy
- **Sports Governance:** Regulation, Enforcement and Partnerships
- **Anti-Doping:** Regulation, Rights and New Technologies
- **Integrity in sports betting:** Challenges and Opportunities
- **Sponsorship Strategy:** Negotiation, Delivery and Protection

Plus a half-day pre-conference workshop:

Legal Regulation of Sports Agents

Hosted by: **Stephen Sampson**, Partner, Hammonds LLP

Paolo Lombardi, Former Head of Disciplinary and Governance, FIFA

Conference Chairs:

Nick Bitel
Senior Partner

Max Bitel Greene LLP


Peter McCormick OBE
Chairman

Legal Advisory Group of the Premier League

Media Partner:



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Controversy and conflict in sport continues to rise with new scandals in cricket and snooker, ongoing disputes regarding broadcasting rights in the European Court of Justice and challenges to governing bodies on the validity of anti-doping regulation. Meanwhile, the outcome of bidding for the World Cup in 2018 has been announced and immediately mired in accusations of deceit and political wrangling. Takeovers of major football clubs have become increasingly common and divisive amongst fans and stakeholders..

Commercialisation of sport has fuelled business opportunities for broadcasting, sponsorship and betting. Inevitably, this has led to the need for revision of regulatory frameworks in many sports and consequently, a whole range of new legal considerations.

Now in its 13th consecutive year, C5's **Sports Law & Business** conference will provide attendees with updates on the latest developments in commercial and regulatory issues affecting the media, athletes, governing bodies, sponsors and law firms. The highly successful panel discussion-based format of this event facilitates the presentation of different perspectives on key topics and makes it unique in the marketplace.

Attend this event for valuable insights into:

- How broadcasters are responding to the challenges of non-exclusivity
- New ways in which bookmakers are responding to suspicious betting patterns
- Cooperation between sports governing bodies and betting operators
- Managing the negotiation process with agents and ensuring transparency
- The impact of new media in relation to misconduct
- The use of biological passports as a new weapon in the fight against doping
- Ramifications of the Lisbon Treaty Article 165 for the regulation of sport in Europe
- Bidding, preparation, delivery and legacy of major events

Our expert speaker line-up includes:

Susannah Gill
European Public Affairs Manager, **Betfair**

Adam Brickell
Head of Legal and Compliance
British Horseracing Authority

David Becker
Head of Legal, **International Cricket Council**

Simon Cliff
General Counsel, **Manchester City FC**

Zoe Ward
Head of Player Administration, **Liverpool FC**

Bobby Hacker, Vice President,
Business and Legal Affairs, **FOX Sports**

Dalton Odendaal
Senior Sponsorship Lawyer, **London 2012**

Attend the Pre-Conference Workshop:

Legal Regulation of Sports Agents
1:30 pm – 5:00 pm, 3rd May, 2011

Agents are well established in professional sports and their role is well publicised in football as well as other team and individual sports. The extent to which agents are regulated and the type of regulation varies considerably. So far as football is concerned, FIFA's recent proposal to soften its regulations has caused surprise and raised a number of concerns in the legal community. Key issues to be addressed in this pre-conference workshop include:

- Who regulates the agents and what powers do they have to intervene?
- A comparative analysis of regulation in different sports
- Legal parameters of regulation
- Benefits and burdens of regulation

Hosted by:

Stephen Sampson, Partner, **Hammonds LLP**

Paolo Lombardi, Former Head of Disciplinary and Governance, **FIFA**

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DAY ONE – WEDNESDAY, 4 May 2011

08:15 **Registration and Coffee**

09:00 **Opening Remarks from the Chair**

Nick Bitel

Senior Partner, Max Bitel Greene LLP

09:15 **Broadcasting Rights: Addressing Challenges Brought on by the Ever-Changing Technological and Regulatory Environment**

Richard Verow

Head of Legal, Sky Sports

Morris Bentata

Partner, Sheridans

Bobby Hacker

Head of Legal, Fox Sports

Darren Berman

Business Manager and Company Secretary, BBC

- How can broadcasters respond when territorial exclusivity is threatened?
 - analysis of QC Leisure/Karen Murphy case
 - implications for broadcasters, agencies and rights holders
 - to what extent can free trade principles be used in defence of the importation of decoder cards?
 - effects on European media rights market
- Adjusting Ad-based revenue models in a multimedia environment
 - how can audience coverage be estimated when there are multiple media platforms?
 - managing commercial broadcasting inventory across platforms
 - what are the latest industry examples?
- Recent regulatory intervention in the sports market
 - sky's challenge to Ofcom's ruling requiring Sky to wholesale its sports channels
 - what will the availability of sports channels to other broadcasters mean for original rights holders and consumers?
 - what are the latest developments in the European challenges to the UK's listed events rule?

10:30 **Morning Refreshments**

11:00 **Integrity in Sports Betting: What are the Challenges and Opportunities?**

Nick Bitel

Senior Partner, Max Bitel Greene LLP

Adam Brickell

Head of Legal and Compliance,
British Horseracing Authority

Susannah Gill

European Public Affairs Manager, Betfair

Simon Taylor

General Secretary, Professional Players Federation

Jason Foley-Train

Head of Communication
Remote Gambling Association

- What are the threats to the integrity of sports?
 - how are the authorities dealing with the diversification of match fixing from football and racing to cricket and snooker

- what are the recent controversies and how are they being handled?
- How are bookmakers responding to suspicious betting patterns?
 - following up on the identification of spot betting patterns
 - responding to sportsmen betting on themselves
 - how is match fixing being prosecuted in different sports?
 - the legality of online sweepstakes in sport
- Conducting and funding integrity investigations
 - what are the responsibilities of sports governing bodies in a betting investigation?
 - how to successfully follow the online audit trail
 - establishing the source of funding and subsequent legal recourse
- Cooperation between sports governing bodies and betting operators
 - commercial principles pertaining to the horserace betting levy
 - the introduction of a sports betting right and its potential application in the 2018 World Cup
 - what can be done to counter threats to integrity of sports events posed by betting?
- Drawing the line between cheating and gamesmanship
 - how specific do professional codes of conduct need to be?
 - scrutinising evidence and testimonies
 - allocating responsibility to individuals and clubs

12:30 **Networking Lunch**

13:50 **Data Protection and Privacy Issues in Sports**

Mark Engelman

Barrister, Hardwicke

David Folker

General Manager, Football DataCo

- Key considerations in sports data management and information-sharing
 - ownership and availability of fixture lists
 - associated security issues
 - the use of data as a betting tool
 - what measures can be taken to protect databases?
 - what needs to be considered when entering into information sharing agreements?
- Handling of personal data in sport
 - what type of data is considered "personal" and who owns it?
 - what situations would the release of personal data be justified
 - privacy laws
- Copyright/database right protection in football fixture lists
 - to what extent are fixture lists protected by legal rights?
 - should betting companies pay for the use of sports data?
 - football DataCo's copyright and database right reference in the ECJ
 - what lessons can be learned to prevent intellectual property disputes?

14:30 **Maximising the Value of Sponsorship and Protecting it in an Open Environment**

Karen Moorhouse

In-House Lawyer, Rugby Football League

Dalton Odendaal

Senior Sponsorship Lawyer, London 2012

- What needs to be considered when managing relations with sponsors?
 - examples of innovative revenue streams

- what types of company are most likely to fit the profile of a major sponsor?
- considering the risk of non-delivery of sponsorship
- Researching and setting targets for sponsorship delivery
- What can be done to address ambush marketing in preparation for London 2012?
 - examples at other major sporting events and how can we learn from their mistakes?
 - preventative measures
 - what legal processes are different when acting on evidence of ambush marketing
- What can be done to ensure transparency when negotiating with agents?
 - responding to false information supplied by agents after a contract has been signed
 - in what circumstances would a breach of contract be questionable?
 - what needs to be considered when terminating contracts?
 - what should morality clauses cover?
- Protecting the integrity of image rights
 - evaluating the economic value of images
 - responding to publication of images without the consent of the subjects
 - what if an athlete says or does something to compromise a sponsor?
 - what are the latest cases?
- The impact of new media and dealing with misconduct
 - when can social media act against interests of sponsors?
 - addressing issues brought on as a result of misconduct outside of sport

15:15 Afternoon Refreshments

15:45 Football Panel: Commercial and Regulatory Issues Affecting the Game

Simon Cliff

General Counsel, Manchester City FC

Zoe Ward

Head of Player Administration, Liverpool FC

Daniel R. Pereira

Director, Legal Affairs, FC Porto

Adam Lewis QC

Blackstone Chambers

- Insolvency as a result of bankruptcy and clubs going into administration
 - what are the criteria for sanctioning clubs?
 - what happens to the relationship between sponsors and clubs afterwards?
 - takeovers of bankrupt clubs
- Clashes of interests between national and club teams?
 - insurance/compensation for the players/clubs when injuries take place in national team
 - clash of commercial interests when sponsors of national team compete with individual players
- Implications of the proposed UEFA financial fair play rules
 - what could be the effects of proposed UEFA Financial Fair Play Rules on football in the UK?
 - to what extent are political factors an issue?
 - legal considerations of carrying out investigations against alleged irregularities
- Protecting commercial rights in European football
 - spreading rights of broadcasting and sponsorship across multiple media platforms
 - on pitch advertising regulation
 - comparison of UK and European football leagues

- The influence of fans on club policy, sponsorship and legislation
 - what legislation could be introduced to provide a wider range of choices in the purchase of season tickets?
 - fan boycotts and their potential effect on sponsorship
- Why is FIFA changing its system for regulating football agents?
 - what issues does it raise for clubs?
 - implications for if and when it happens

16:45 Chairman's Closing Remarks

17:00 Conference Adjourns

DAY TWO – THURSDAY, 5 MAY 2011

08:15 Registration and Coffee

09:00 Opening remarks from the Chair

Peter McCormick OBE

Chairman,

Legal Advisory Group of the Premier League

9.15 The Role of Sports Governing Bodies: Regulation, Enforcement and Partnerships

Karen Moorhouse

In-House Lawyer, Rugby Football League

Ian Smith

Legal Director, Professional Cricketers' Association

David Becker

Head of Legal, International Cricket Council

Jeff Blackett

Judge Advocate General, Royal Courts of Justice

Sam Hollis

General Counsel, America's Cup

Nick Tofiluk

Director of Operations, Gambling Commission, UK

- Principles of good sports governance
 - analysis of the different governance models currently in use in sport
 - pros and cons of each
- Principles of good executive decision-making
 - how to invite challenge, and how to avoid it
- Principles of good rule-making
 - how to avoid successful challenges
- Principles of effective enforcement
 - implementing disciplinary and dispute resolution mechanisms
 - managing the risk of challenges
- Building partnerships between non-governmental bodies and the commercial sector
 - setting boundaries and standards for partnerships to work
 - Maintaining connections to government
- What are the key considerations relating to acquisitions and takeovers?
 - corporate and competition law aspects
 - continuing relations with sponsors after takeovers
- The Gambling Commission and sports governing bodies: A shared agenda

10:30 Morning Refreshments

11:00 **Dispute Resolution: Setting Standards and Dealing with Outcomes**

Adam Lewis
QC, Blackstone Chambers

Bobby Hacker
Vice President, Business and Legal Affairs
FOX Sports

Jeff Blackett
Judge Advocate General, Royal Courts of Justice

Stephen Sampson
Head of Sports Law group, Hammonds LLP

- Update and analysis of recent disputes
 - which sports are most commonly affected?
 - patterns of resolution
 - forthcoming changes in legislation
- Club vs. country: Who legislates in such conflicts?
 - what sponsorship conflicts of interest arise and how are they handled?
 - how can governing bodies intervene to facilitate resolution?
- Resolving disputes with the media
 - defamation and privacy rights
 - compensation claims
 - assessing the validity of requests for super injunctions
- Resolving disputes through Arbitration
 - what are the benefits of arbitration in sport?
 - arbitration at a national level and the role of courts
 - use of impartial and independent bodies
 - what is the appeal process when using arbitration?
 - standardising arbitration for dispute resolution in the rules and regulations of sport

12:30 **Networking Lunch**

13:45 **Anti-Doping: Regulation, Rights and New Technologies**

Peter Charlish
Principal lecturer, Sheffield Hallam University

Jonathan Taylor
Partner, Bird & Bird LLP

Peter McCormick OBE
Chairman,
Legal Advisory Group of the Premier League

- Biological passports as a new weapon in the fight against doping
 - what were the results of the trial use by the UCI (Cycling Union) and ISU (Speed Skating Union)?
 - how does the Claudia Pechstein case affect future judgements?
 - adoption of the WADA scheme in the UK.
- Pharmacological categorization of supplements
 - drawing the line between drugs and supplements
 - how are acceptable levels defined?
- Perspectives from sports unions and athletes
 - responsibility and rights of unions in doping accusations
 - relationships between unions and governing bodies
 - compensation from governing bodies when sponsorship is affected by disproved accusations
 - potential extension of strict liability principles to capture athlete support personnel

14:30 **Major Events: Bidding, Preparation Delivery and Legacy**

Dalton Odendaal
Senior Sponsorship Lawyer, London 2012

Shahab Uddin
Lawyer, British Olympic Association

Euan Faulds
Lawyer, Glasgow 2014

- Managing the preparation and submission of a bid
 - assessing event feasibility
 - commonalities in the bidding process of major events in different sports
 - liaising with government agencies
 - is funding obtained via local or central government
- The business logistics of successful delivery
 - setting up a timeframe
 - managing relations with broadcasters, sponsors and suppliers
 - insurance and risk management
 - maximising the return on investment
 - challenges faced by emerging nations as hosts for major events
- Media relations in the build-up to a major event
 - gaining positive press
 - how much information should be divulged before the event
 - what marketing strategy should be implemented?
 - accreditation issues
- Managing event personnel efficiently
 - drawing up contracts for different types of personnel
 - volunteers, event managers, staff, government, police and fans
- What can be done to ensure a successful post-event legacy?
 - to what levels can sponsorship be maintained after the event?
 - who inherits event responsibilities and what becomes of the commercial interests?

15:30 **Afternoon Refreshments**

15:45 **What does Lisbon Treaty Article 165 mean for the Regulation of Sport in Europe?**

Alfonso Valero
Co-Editor, Lawinsport.com

Richard Parrish
Professor and Chair of the Association for the Study of Sport and the European Union Centre for Sports Law Research, Edge Hill University

Gianluca Monte
Policy Officer, Sport Unit, European Commission
DG Education and Culture

- Achieving higher legal certainty for sports organisations in the EU
 - how will Article 165 support sport and provide a formal legal grounding for sport in the EU?
 - what changes will there be to the position of the European Court of Justice in sport-related cases?
 - encouraging social dialogue in the sports sector
 - how will the new laws affect economics in certain sports?
- Impact of article 165 on sports governing bodies?
 - will the treaty increase level of accountability for governing bodies?
 - promoting EU Sports Programmes through soft competence
 - nationality restrictions for international football

16:30 **Chairman's Closing Remarks and Close of Conference**

The Definitive Event on Legal, Commercial and Regulatory Issues in the World of Sport

4th & 5th May 2011 | Millennium Knightsbridge Hotel, London, UK

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Date: 4 – 5 May 2011

Time: 8:15 – 17:00

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