

# Sport

## Topic & description

## Duration

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### **e-Privacy for Sports Marketers**

(60 or 90 mins)

This webinar considers the EU's proposals for the new e-privacy regulation and how it will affect the marketing activities of sports. We will cover:

- Basic legal concepts and definitions
- Marketing under the GDPR and its relationship with e-Privacy
- The new rules for data profiling and analytics, social media campaigns, and online behavioural advertising

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### **Sports: Data Analytics - navigating legal issues**

(60 or 90 mins)

The collection, analysis and exploitation of athlete data is now vital to the success of many sports teams on the field of the play, and increasingly a valuable asset that can be exploited. This session will guide you through the legal issues with an eye on the GDPR including compliance and enforcement. This session will look at the following topics:

- Update on data protection legislation and application to sensitive, biometric and telemetric data
- Considerations when athletes are/are not employees
- Ensuring your right to process athlete data
- Maximising opportunities for exploitation

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### **Sports: Becoming a Media Entity**

(60 or 90 mins)

Today everyone has the ability to become a publisher or broadcaster, and most sports rights holders are now, even if they don't realise it, in the process of becoming a media entity, creating and distributing content. Whether you're just posting behind the scenes clips, or looking at the best way to live stream your events to new audiences, this session will help you navigate this fast-changing landscape.

We will cover:

- Back to basics: acquiring the rights
- Clearance and compliance: avoiding complaints
- Working with digital media platforms
- Monetising your content: commercial and legal considerations
- Understanding the regulatory framework (Ofcom, AVMS Directive, and the regulation of on-demand services).

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## Sports: Social Media and Native Advertising

(60 or 90 mins)

Social Media continues to disrupt and provide challenges and opportunities. Sports organisations use their online platforms for a whole host of communications including a lot of advertising, whether for tickets or merchandise, or to promote sponsors.

We will cover:

- Key legal and regulatory issues concerning social media
- Latest CAP guidance on vlogging and blogging
- Native advertising - What it is and what it is not
- Online endorsements and reviews
- Recent issues in User Generated Content
- Can you use third party IP on social media?

We can also run this session for players/athletes and/or their agents.

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## Sports: Sponsorship

(60 or 90 mins)

There is no such thing as a 'standard' sponsorship package, each package will be different and bring about unique legal and commercial considerations. We can tailor this session for rights holders or brands/agencies and will provide insight on standard industry approaches.

We will cover:

- Initial considerations: understanding the objectives and the use of deal terms/MOUs
- Key clauses: from the grant of rights to negotiating limitations on liability
- Rights specific considerations: naming rights, kit branding, athlete images and data, etc.

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## The law behind Sports Marketing

(60 or 90 mins)

Every sports fan thinks they own a bit of 'their' sport but what is the reality?

This session is designed for non-lawyers in marketing teams or lawyers who are new to sports marketing. We will aim to provide an understanding of:

- What is different about Sports Marketing?
- IP basics
- Who owns what?
- What is ambush marketing and what can be done about it?
- the Regulation of Sports Marketing

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## Sports: IP Clauses

(60 or 90 mins)

IP is often the most valuable asset of a sports organisation, but when it comes to drafting a licensing, sponsorship or software agreement, how closely do you examine the IP provisions?

This session will take the form of a mock negotiation of an IP-heavy agreement and consider:

- What rights can you actually assign/licence?
- Licensing third party IP
- Rights in performances
- Approval processes
- IP warranties and indemnities
- Consequences of termination

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## Sports: Getting out of a contract

(60 or 90 mins)

A talk focusing on termination of contractual dealings: how and when you can terminate a fixed term contract without fault, termination for breach, how to terminate rolling contracts which are not limited in time. The talk would look at common scenarios, discuss strategies and risks and advise on best practice.

This session covers:

- Can a contract be disowned?
- Is there even a contract in place?
- Serving break clauses
- Reasonable notice provisions
- Terminating where contract has a rolling/unlimited term
- Force majeure
- Terminating for breach
- Meaning of material breach
- Meaning of remedial breach
- Remediation notices
- Repudiation and common law rights to terminate