

REPRESENTING INTERNATIONAL SPORTS LEAGUES AND EVENTS

WORLD DOMINATION

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Think ‘international sports events’, and surely the Olympic Games, World Cup, Tour de France, Wimbledon, and many other such global sporting venues come to mind.

But most people do not give much thought about the teams of lawyers who work behind the scenes—along with numerous governing bodies—to make sure all of these events come off without a hitch and at a profit. It is not just champion athletes who have to perform their best, but champion lawyers as well. We will look into the key issues involved in representing international sports leagues and events.

The Goal of International Sports Lawyers

Any lawyer thinking of practicing in the field of international sports law would do well to take a page out of the playbook of Emilio Garcia Silvero.

Holding a Master in Sports Law degree, and a Master in Sports Governance, his resume covers his career from being a Member of the Athletes’ Entourage Commission of the International Olympic Committee (IOC) to being a Member of the International Court of Arbitration for Sport (ICAS) and the past four years, Chief Legal and Compliance Officer at FIFA.

At any given time, Mr. Garcia Silvero is involved with numerous different issues around the world, most of which would not appear on the surface to have any real connection with sports. His job takes him from corporate matters that have to be decided in accordance with Swiss law to a FIFA antitrust issue in New York, followed by conferencing with Australian lawyers about the 2023 Women’s World Cup. Different countries, different time zones, but the same client: FIFA. Even the conflict in Ukraine has an impact on his work as he deals with extending and adapting FIFA’s temporary employment rules related to the war.

Ambush and Anti-Ambush

Among the emerging practice areas for international sports

lawyers is that of ambush marketing, whereby advertisers who are not official event sponsors and have not paid the whopping multi-million-dollar fees try to create an association with the event for their own marketing purposes. If left unchecked, this frustrates the efforts of legitimate advertisers who pay millions of dollars to be official sponsors, and it can adversely affect the bargaining position of an event organizer’s bargaining position. It is for that reason that every major international sports event employ a team of lawyers to pursue anti-ambush strategies covering everything from the visibility of billboards and banners near racetracks and ski slopes to the vending of merchandise and even balloon and aircraft flyovers.

Olympics: Winter/Summer

Not all international sports lawyers have the privilege of coaching FIFA’s legal team, and for the rest, there is still plenty of work to go around. At major events such as the Winter Olympics in Sochi, lawyers were kept busy with negotiating last-minute Sochi sales rights contracts, as well as negotiating with global stakeholders who arrived for the event, over commercial agreements for future competitions. After Sochi, lawyers switched gears to dive into dealing with European broadcast rights for the Rio Summer Olympics and negotiating sub-contracts for global broadcasters.

Executive Summary

> The Issue

What are some of the key issues when representing international sports leagues and events?

> The Gravamen

This field of law is less about sports and more about just about every topic of business law that you can imagine.

> The Path Forward

As an industry with one of the most diverse demands for lawyers, international sports law offers an extensive list of opportunities.

IOC Legal Affairs

As with FIFA, the IOC has its own Legal Affairs Commission that advises the IOC Session, the IOC Executive Board and the IOC President on juridical issues. Lawyers who serve on the Legal Affairs Commission play both a consultative and operational role, with responsibilities that include:

- › Providing legal opinions to the IOC President, the IOC Executive Board and the IOC Session, upon their request, on issues relating to the exercise of their respective competences;
- › Providing opinions concerning draft amendments to the Olympic Charter;
- › Consideration of actions or defenses concerning the IOC;
- › Carrying out legal studies on issues which may affect the interests of the IOC; and,
- › Perform any other tasks of a legal nature entrusted to it by the IOC President, the IOC Executive Board or the IOC Session.

UEFA Football Legal Program

The Union of European Football [Soccer] Associations (UEFA) sponsors a Football Legal Program (FLP) designed specifically for legal professionals who need to stay up to date on the latest developments in European football law. The program was developed by the UEFA in close collaboration with internationally renowned academic experts and legal practitioners, and it is comprised of four week-long sessions analyzing topical aspects of European football law. FLP brings together specialists handling legal issues within the UEFA community who would like to deepen their understanding of European football law.

Arbitration and Anti-doping

The Court of Arbitration for Sport (CAS) is an independent institution founded by the IOC that provides services to facilitate the settlement of sport-related disputes through arbitration or mediation. The CAS operates according to procedural rules that have been adapted to the specific needs of the sports world and deal with anti-doping matters, sporting eligibility, and governance cases. With doping a major topic of arbitration, the World Anti-Doping Agency (WADA) has a right of appeal to CAS for doping cases under the jurisdiction of World Anti-Doping Code signatories.

Whether your practice niche is in regulatory compliance, marketing, arbitration, IP licensing, media, contracts, or just about any other field of law, you will very likely be able to score a goal in the growing game of international sports law.

“SOME PEOPLE BELIEVE FOOTBALL [SOCCER] IS A MATTER OF LIFE AND DEATH, I AM VERY DISAPPOINTED WITH THAT ATTITUDE. I CAN ASSURE YOU IT IS MUCH, MUCH MORE IMPORTANT THAN THAT”

— **BILL SHANKLY, LIVERPOOL LEGEND**

Action

1 Academic Credentials:

Programs are offered worldwide for Masters in Sports Law, Masters in Sports Governance and related degrees for those interested in pursuing a career in international sports law.

2 Foreign Language Skills:

Although English remains the international language of business, honing one's skills in a foreign language can be a significant resume builder.

3 Cross-border, Cross-discipline:

To achieve advancement within a global sports organization, the practitioner should be prepared to gain proficiency in a number of legal disciplines and a working knowledge of different jurisdictions' requirements.

4 Sports Law Programs:

Beyond one's academic credentials for practicing in this field, it is important to keep abreast of the rapid changes that the industry is undergoing by way of continuing sports law programs.

Further Reading

1. <https://www.globalsportsadvocates.com/faqs/hiring-an-attorney-for-your-court-of-arbitration-for-sport-appeal.cfm>
2. <https://uefaacademy.com/courses/flp/>
3. <https://olympics.com/ioc/legal-affairs>
4. <https://www.topendsports.com/events/sport-events.htm>
5. <https://www.fifa.com/legal/education/football-law>





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After receiving his Juris Doctor degree from The John Marshall Law School in Chicago, Mr. Brochin served as an Administrative Law Judge with the Illinois Department of Labor for six years where he presided over cases dealing with job separation issues and matters pertaining to contested Unemployment Insurance claims. He also co-wrote the agency's administrative rules, and periodically served as a 'ghost writer' for Board of Review decisions.

Following that position, he was Director of Development for a Chicago-area non-profit college where he was responsible for High Net Worth donations to the institution. For the next eighteen years he practiced as a solo practitioner attorney with an emphasis in the fields of Real Estate law and Commercial Contracts transactions, and was an agent for several national title insurance agencies.

In 2003 he was recruited to head up a U.S. title insurance research office in Israel, a position he held for four years, and between 2007-2017 he participated in litigation support for several high-profile cases. He has taught Business Law as a faculty member of the Jerusalem College of Technology, and has authored a wide variety of legal White Papers and timely legal articles as a professional legal content writer for GPL clients. Separate from his legal writing, he has co-authored academic articles on Middle East security topics that have been published in peer-reviewed publications.



William H. Anderson, Esq.

MANAGING DIRECTOR

William Anderson is Managing Director and Head of Law & Compliance. He leads the GreenPoint practice in providing regulatory, legal, and technology solutions to law firms, legal publishers, and in-house law departments around the world, overseeing our team of experienced US attorneys and data and technology experts. Will has over 25 years' experience working with corporations to improve the management of their legal and corporate compliance functions. Will began his legal career as a litigator with a predecessor firm to Drinker, Biddle LLP. He then served as in-house counsel to Andersen Consulting LLP, managing risk and working with outside counsel on active litigation involving the firm.

Will has leveraged his legal experience interpreting regulations and appearing before federal (DOJ, SEC, FTC) and state agencies (NYAG) to oversee research and other areas at Bear Stearns. In this capacity, he counseled analysts on regulatory risk and evolving compliance requirements. Will also consulted on the development of a proprietary tool to ensure effective documentation of compliance clearance of research reports. Will then went on to work in product development and content creation for a global online compliance development firm pioneering the dynamic updating of regulated firms' policies and procedures from online updates and resources. Will holds a Juris Doctorate with High Honors from the Washington University School of Law in Saint Louis and is admitted to state and federal bars. He lives in Pawling, NY, with his wife and daughter.



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About GreenPoint Executive Search and Recruiting

- Founded in 2001, GreenPoint Global offers a blend of proprietary technology and US-trained lawyers to provide advanced legal solutions to our clients. As part of GreenPoint Global, the GPESR team draws upon a deep knowledge base across multiple disciplines including Legal, Publishing, IT, Finance, and numerous other industries.
- By virtue of our unique methods and a proven history of providing top-tier legal services to our clients, the GPESR team is capable of supporting a diverse client base both in the US and globally. From solo practitioners to AmLaw 100 firms, legal publishers, Fortune 1000 companies, and in-house law departments, our team offers legal staffing solutions to suit any business needs. GPESR provides skilled attorneys in either permanent placements or temporary contracts through a selective recruiting process. Adherence to quality, value, and flexibility are hallmarks of our offerings.
- Ensuring privacy and security of client data is a critical component of our business. GreenPoint has instituted rigorous physical, administrative, and technical safeguards to protect the integrity, security, and privacy of client data, all of which comply with the most stringent US and global standards and regulations.

About GreenPoint Law & Compliance

- GreenPoint Global was founded in 2001 and since that time has faithfully served an expanding roster of clients. GreenPoint leverages a unique combination of US-trained attorneys and proprietary technology to deliver a unique offering of skill and flexibility to meet client needs.
- Our core team of experienced US attorneys is based in Israel and works US hours. The breadth of experience of our attorneys ensures high-quality, cost-effective results across a wide range of legal, compliance, and regulatory matters.
- GreenPoint's methodology and proven track record of achieving client objectives has resulted in a broad base of clients in the United States, ranging from Fortune 500 insurance companies to solo practitioners, law firms, in-house law departments, and legal publishers. GreenPoint attorneys are selectively recruited and deployed based on possessing demonstrable subject matter expertise covering a broad spectrum of substantive US laws and regulations. The work product of our attorneys is thoroughly vetted internally before delivery to client. Adherence to quality, value and flexibility is at the core of our foundation.

