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United States- Sports Law

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United States- Sports Law

1. What is the current legal landscape for Sports Law in your jurisdiction?

The sports law landscape in the United States continues to undergo a significant transformation driven by developing legal standards at both the state and federal levels, emerging and improved technologies that enhance fan experiences, improved efficiency of athlete performance monitoring, assistance in detecting sports betting fraud and expanding customized commercialization resulting in the creation of new opportunities, as well as challenges. Among the most consequential developments has been the 2025 House v. National Collegiate Athletic Association (NCAA) settlement, which established a framework for participating NCAA schools to share revenue directly with student athletes and provides for damages relating to prior restrictions on name, image, and likeness (NIL) rights and athlete compensation. Additionally, the application of Title IX—the federal civil rights law prohibiting sex-based discrimination in educational programs that receive federal funding—is being tested by the rise of NIL agreements and new revenue-sharing models that raise novel issues in connection with pay equity and resource allocation.

Furthermore, proposed federal legislation such as the Protect College Sports Act of 2026 could further reshape the restructured collegiate athletics landscape by establishing a national framework addressing NIL agreements, revenue-sharing, athlete transfers, eligibility, and recruiting, while also providing certain antitrust protections and regulating specified mid-season coaching transitions.

Meanwhile, professional leagues continue to face heightened scrutiny under antitrust and media rights laws and efforts to expand legalized sports betting across the U.S. show no signs of slowing. Sports betting is legal in some form in thirty-nine (39) states, as well as the District of Columbia and Puerto Rico, creating layered challenges in advertising, integrity oversight, and data governance. Technological innovations, particularly artificial intelligence, are further reshaping the industry through data analytics, performance tracking and automated decision-making, raising issues related to privacy, intellectual property, and fairness in competition. Together, these developments underscore a dynamic and increasingly complex regulatory environment that demands proactive legal strategies, cross-disciplinary collaboration, and adaptive compliance frameworks across the sports industry.

2. What three essential pieces of advice would you give to clients involved in Sports Law matters?

- **Diversify investment focus beyond team ownership.** Prospective investors should look beyond acquiring control of professional sports teams and explore a wider range of opportunities within the sports ecosystem. Strategic investments in ancillary businesses such as media, hospitality, customized fan experiences and engagement, data analytics, technology platforms, and event management have the potential to generate significant value. Minority ownership positions, as well as ventures in emerging or non-traditional sports, may also provide meaningful financial and strategic returns. Additionally, public-private partnerships, particularly those tied to major stadium or infrastructure projects, offer distinctive and often underexplored avenues for investment in real estate and other commercial ventures.

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- **Adopt a long-term strategic approach.** Sports-related investments are typically illiquid and require patience to realize value. While the prestige of ownership can be compelling, these transactions demand a disciplined, long-term perspective. Investors should have a clear understanding of the commitment involved in such investments and should establish a realistic exit strategy. Relying primarily on speculative appreciation or resale opportunities is risky; the focus should instead be on sustainable operational performance and strategic growth over time.
- **Address the full legal and regulatory landscape from the outset.** Sports transactions operate at the intersection of multiple legal disciplines, including antitrust, intellectual property, insurance, financing, government regulation, player compensation, real estate, media rights, and sponsorship. League rules and governance structures, compliance obligations, and transfer restrictions can impose significant limitations on investment activity. Conducting comprehensive legal due diligence early in the investment process is essential to (i) ensure compliance with applicable governmental regulations and league rules, (ii) provide flexibility to intelligently react to changes in the sports industry, (iii) mitigate risk and protect the investor's interests throughout the lifecycle of the investment and (iv) assess investment exit scenarios (including required consents, approvals and contractual transfer restriction rights held by third parties).

3. What are the greatest threats and opportunities in Sports Law in the next 12 months?

In the next year, the greatest threats and opportunities in U.S. sports law will arise from the continued expansion of streaming, sports betting, prediction markets, and emerging technologies. These developments offer leagues and teams new revenue streams, direct-to-consumer engagement, and more sophisticated tools for data analytics and performance monitoring, but also create risks involving audience fragmentation, cybersecurity, data privacy, advertising, consumer protection, disenfranchisement of fans due to increased ticket pricing, and game integrity. As betting products and technologies become more sophisticated, teams will face increasing pressure to detect insider threats, address match manipulation and betting-related misconduct, and preserve consumer confidence in the integrity of sports competitions. Renewal of collective bargaining agreements can also be expected to present challenges as to ongoing player compensation and related salary cap issues.

Collegiate sports will remain a particularly active source of legal and operational uncertainty. Schools, conferences, and the NCAA must continue to implement revenue-sharing and NIL oversight while navigating challenges to compensation caps, transfer restrictions, athlete status, and eligibility rules. The NCAA's new age-based eligibility framework, together with litigation concerning fifth-year eligibility and the potential return of athletes with professional experience, illustrates continued antitrust pressure on traditional governance rules and the possibility of inconsistent judicial outcomes. Proposed federal legislation could provide greater national uniformity, but schools and athletes will continue to navigate an increasingly complex and comprehensive combination of NCAA rules, conference policies, state laws, settlement requirements, and court decisions.

Also noteworthy are the rule changes across U.S. sports leagues permitting private equity funds to acquire minority stakes in teams—unlocking new capital. Despite scrutiny, the momentum behind private equity investment in sports is unlikely to slow in the next year. That investment is also expanding beyond team

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ownership into media rights, technology platforms, women's sports, venues, and mixed-use real estate. As stadiums and arenas increasingly operate as year-round commercial platforms, opportunities involving naming rights, premium experiences, sponsorship activation, and surrounding development will be accompanied by complex financing, governance, land-use, and public-private considerations. Preparations for the 2028 Olympic and Paralympic Games will further focus attention on venue agreements, infrastructure and transportation commitments, security and public-service costs, sponsorship and intellectual-property protections, and the allocation of operational and financial risk among organizers, host jurisdictions, and venue operators.

Moreover, the continued rise and evolution of women's sports and esports continue to present new commercial and legal opportunities worth tracking in the next year, including the creation and growth of new leagues, increased institutional investment, enhanced sponsorship, media rights, and expanded merchandising, licensing, and athlete-brand arrangements.

4. How do you ensure high client satisfaction levels are maintained by your practice?

We maintain high client satisfaction by leveraging our sports-industry experience to develop bespoke solutions to address our clients' issues and objectives. Our approach addresses both the immediate objectives of a matter and each client's broader business, legal and strategic priorities. Commercially focused advice is tailored to address the immediate objectives, as well as long-term objectives. Responsiveness, collaboration and real-time communication ensures that clients remain informed and positioned to make timely decisions.

Sports transactions often require more than agreement among the immediate parties, making a client-focused approach especially important. Assistance in navigating relationships with leagues and other governing bodies whose consent, approval or cooperation may be required is often central to successful execution. Experience with these processes helps identify requirements early, engage stakeholders constructively and address timing, communication and execution issues before such issues adversely affect a closing. Representation of clients across the sports industry, and advising participants on different sides of comparable transactions, provides valuable perspective on competing interests, practical challenges and potential risks. Our multidisciplinary team delivers coordinated, practical solutions designed to build the long-term trust on which client satisfaction depends.

5. What technological advancements are reshaping Sports Law and how can clients benefit from them?

Technological developments will continue to reshape Sports Law in 2027, creating both commercial opportunities and legal, regulatory and governance considerations. Artificial intelligence and data analytics are increasingly used for athlete-performance evaluation, injury-risk assessment, content creation, venue operations and fan engagement. Clients can benefit from such advancements by developing clear frameworks for ownership, licensing, permitted uses, security and commercialization of player, team and fan data, including data used to train or support AI-enabled products. Real-time analytics support more informed decisions regarding valuation, sponsorship, ticketing and operations, while also requiring careful consideration of privacy, intellectual property, employment and contractual issues.

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Sports betting technology and the continued growth of digital media will remain particularly significant. Leagues, teams and data-rights holders can generate value through real-time data licensing, integrity-monitoring arrangements and carefully structured relationships with betting operators while protecting game integrity and complying with applicable regulatory requirements. Streaming platforms likewise enable more flexible exploitation of media rights, including short-form content, archival footage, alternative broadcasts and event-specific offerings, making precise rights allocations and technology-update provisions increasingly important. Blockchain-based ticketing and digital collectibles may further help clients reduce fraud, authenticate ownership, manage secondary-market resale and create differentiated fan experiences. Our role is to help clients capture those opportunities and assist in establishing practical safeguards that protect their intellectual property, data, brand and long-term commercial interests.

6. Describe a particularly interesting or complex matter you have advised on recently, and explain the challenges involved, your approach, and the outcome achieved for the client?

Private equity has become an increasingly important source of capital across the sports industry, including investments in leagues, professional teams and, more recently, college athletics. Recent work in this area has involved navigating the intersection of transaction structuring, governance, financing, media rights, regulatory considerations and league-approval and financing requirements. The principal challenge is not simply negotiating favorable economic terms, but structuring an investment that complies with applicable ownership rules and consent processes while advancing the client's long-term strategic objectives. College-level investments may introduce additional considerations involving institutional governance, athlete-related arrangements, intellectual property and reputational risk.

Our approach begins with a careful assessment of the investor, existing ownership base, target asset, governing rules and approvals required for the proposed transaction. Advice is coordinated across the relevant corporate, finance, intellectual-property and regulatory disciplines to address investment terms, governance rights, financing and associated commercial issues. Managing the relationship with the relevant league or governing body is often central to the engagement, including identifying approval requirements early, organizing diligence and communicating constructively through the consent process. Experience representing clients across the sports industry helps us anticipate the competing interests and practical considerations that may affect execution. Early attention to approval, governance and stakeholder issues helps position clients to make informed decisions, protect their commercial objectives and move efficiently toward closing.

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