



“From Raw Talent to Superstar”

Friday, August 21, 2009

SPORTS LAW

Section 1: An Overview

- *History of Sports Law*
 - *Coliseum Battles of the Greeks & Romans*
- *Modern Day Sports Law*
 - *Contracts, Torts & Antitrust issues*

Division of the Field of Sports Law

- Amateur
- Professional
- International



Section 2: Practical Sports Law

- How to find Sport Law clients?
 - Walk-ins
 - Scout
 - Referrals



Client Intake & Engagement of Representation

- Intake Sheet
- Retainer

Section 3: How to Become a Sports Agent

- Open up your own shop or take a course?
- Do I have to be a lawyer to become a sports agent?
- How long does it take to become a sports agent?
- Will I be a certified sports agent when I complete a course?
- How can I be certified with the “Big Four?”

Section 4: Agent Functions

1. Employment contract negotiation
2. Legal Counseling
3. Obtaining & Negotiation of endorsement contracts
4. Financial Management and planning advice
5. Career planning counseling
6. Marketing of the athlete through public relations and other means
7. Resolution of disputes arising under any contracts

Section 5: Sports Representation Business Models

- Free-Standing Sports Management Firms
- Law Practice Only
- Sports Management Firms Affiliated With Law Firm

Section 6: How Agents Contract

- Contract between the player and agent
- Three basic contracts for an agents services:
 - Contract for negotiation of player-team employment terms
 - Financial services contract
 - Contract for the marketing of the player for endorsements and public appearances

Clauses

1. Parties
2. Services
3. Term
4. Fee Arrangements
5. Grounds for termination
6. Representations and warranties
7. Arbitration
8. Governing jurisdiction
9. Explanatory and other clauses



Section 7: The Agent-Player Agreement

- Review of Contracts
 - National Basketball Players Association Standard Player Agent Contract
 - NFLPA Contract Advisor and Player Standard Representation



Cases

- Typical Agent/Lawyer Pitfalls
 - *Rogers v Healy-Complaint*
 - *Collins v NBPA*
 - *United States v Carter*



Agent Agreements

- Agent Certification
- Regulations Governing Player Agents
- Code of Conduct for Contract Advisors
- State Regulating Agents
- Sample letters/documents Re: Agents

Section 8: Do's and Do Not's for Agents When Advising Amateurs

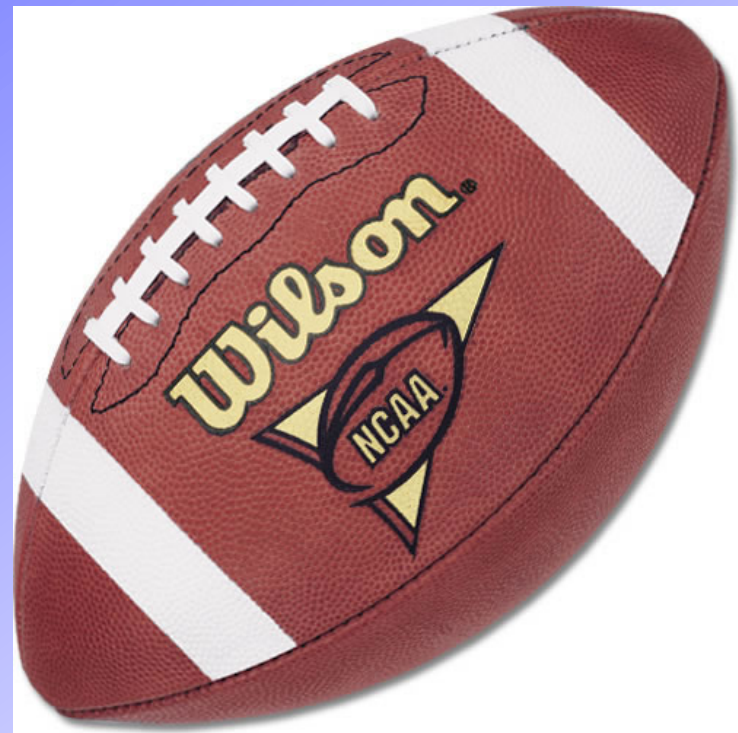
- Agents acting as advisors
 - Allowed
 - Not Allowed

What Amateur Athlete's Can Accept

- Gifts/Money
- Scholarships
- Transferring Schools

Section 9: Coaches Recruitment Do's and Do Not's

- Recruiting procedures
- “When too much hurts”



Section 10: Turning Pro

- Turning Pro (Big Four)- Drafts
- Other Sports
 - Boxing
 - Wrestling
 - Skate Boarding, Tennis, Race Car Driver, Golf etc.

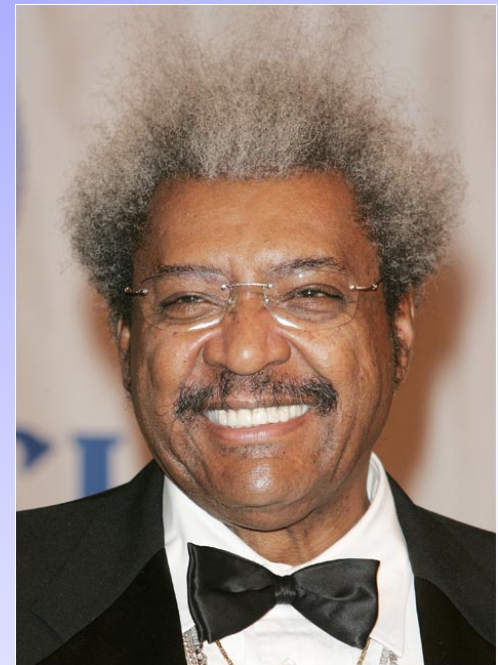
Section 11: Professional Athlete: Contracts and Contract Negotiation

Top 10 Concerns for Pro Athletes and Their Representatives

1. Contracts
2. Sponsorship /
Endorsement Deals
3. Free Agency/
Transactions
4. Injury Settlements/
Buyouts
5. Players Association
requirements/rights
6. Drug Testing
7. Off the field trouble
8. Saving Money/Financial
Advice
9. Charity Work
10. Marital Issues

Boxing Contracts

- Boxer Manager Agreement
 - Standard Boxer/Manager Agreement
 - Nevada Athletic Commission
 - Pennsylvania Athletic Commission
- Bout Contract
 - Bout Contract
 - Boxer/Promoter Contract



Wrestling Contracts

- World Wrestling Federation Entertainment-Booking Contract



Standard Player Contracts

- Between Players Unions and Franchise Owners
- Agents/Lawyers negotiating for clients
 - Bonuses
 - Guarantees

Football Player Contract

- Collective Bargaining Agreement (Union Contract with League)



National Football League Player Contract

- Terms:
 - Other Activities
 - Compensation
 - Skill, Performance and Conduct
 - Termination
 - Injury Grievance
 - Rules
 - Integrity of Game
 - Disputes procedure
- Additional clauses for each new concern

Baseball Player Contract

- National League of Professional Baseball Uniform Player's Contract
 - Payment
 - Baseball promotion
 - Picture and public appearances
 - Player representations
 - Moving allowances
 - Termination (by player or franchise)
 - Government Regulation
 - Supplement Agreements

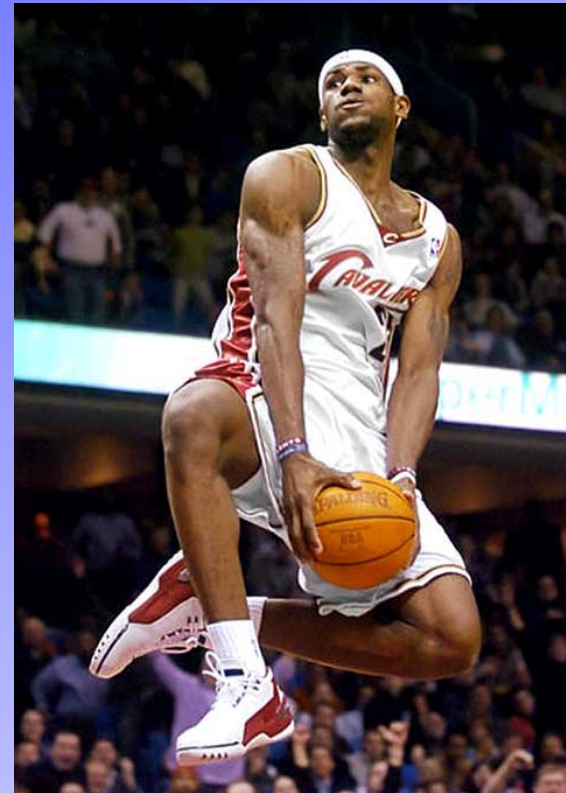


Minor League Uniform Player Contract

- Recital and Scope
- Duration and Conditions of Employment
- Payment
- Picture of Player
- Player's Representatives
- Playing for other's
- Assignments, Transfers and Directions
- Addendum to Minor League Player Contract

Basketball Player Contract

- NBA Uniform Player Contract
 - Misconduct
 - Deferred Compensation
 - Salary Protection
 - Assignment
- Addendums
 - No trade provision
 - Signing bonus clause
 - Individual incentive compensation clause
 - Salary protection



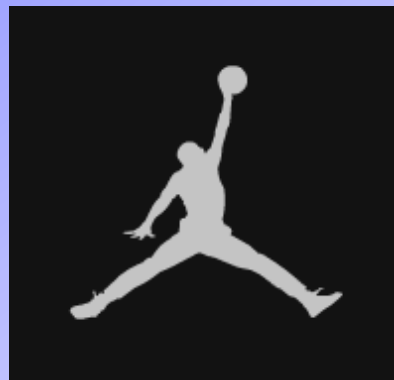
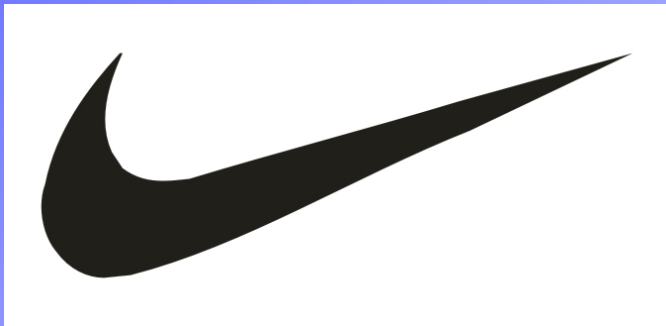
Endorsement, Licensing & Sponsorship

- For the Superstar Athlete
- Issues of exploiting likeness, client's name and image
- Strong brand or image recognition that must be governed



Endorsements

- How Endorsements Come About:
 - Initial Contact
- Types of Agreements:
 - Deal Memo
 - Endorsement Agreement



Licensing

“Allowing someone else to use your name, likeness, trademark, logo, etc...”

1. Major League Baseball Licensing Agreement
2. National Football League Players Association License Agreement
3. National Basketball Association Properties Retail License Agreement
4. Revocable Nonexclusive License

Sponsorship

“Company X puts on/hosts an event and becomes major advertiser”

1. Motor Race Sponsorship Agreement
2. Boxing Match/Event Sponsorship Agreement
3. PGA Tour Sponsorship Agreement



Section 13: Post Career Issues

- Post Career Employment Opportunities
 - Investment
 - Broadcasting
 - Coaching/Front Office
 - Sponsorship/Endorsements
 - Franchise Ownership
 - Running Sports Camps
 - Charity Work
 - Products

