

SPORTS MEDIA INSIGHT

Jon Higton, Head of Broadcasting, Couchmans LLP

In the third of four articles Jon Higton, drawing on his 25 years of sports broadcasting experience, discusses his take on some recent developments in the industry.

For part one in Jon's series please click here:

http://www.couchmansllp.com/ssi_folder/right_nav/documents/SportsMediaInsight-WherenowforBBCandSport.pdf

For part two in Jon's series please click here:

http://www.couchmansllp.com/ssi_folder/right_nav/documents/SportsMediaInsightContentandTechnology.pdf

Globalisation

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How much control should sports rights owners retain over the international exploitation of the rights to their events? The trend has been for the rights owners either via their own recourses or in a tie up with an international media agency to retain (at least a significant element) of control of exploitation and to build relationships with potential partners in each territory.

Over the last few years we have seen the increased presence of pan-national media players with connected broadcasters/channels in many territories. The acquisition of 100% of Eurosport by Discovery (<http://tiny.cc/lj2h3x>), the expansion of Fox channels and the growth of beIN Sports channels (beyond Middle East and North Africa, ("MENA"), to France, Spain, Turkey, Australia, North America, Indonesia and various other territories either on its own or in bed with a local entity) are the most high profile examples, however there are other multi-jurisdiction entities – MCS (owned by the Altice Group), Eleven Sports Networks (currently with operations in four countries), as well as the pan-national satellite services in South America, Asia, Sub-Saharan Africa or MENA. For the established pan-nationals rights are generally sold on the basis of their territories but for multi-jurisdictional broadcasters with separate territory by territory services, they can acquire rights either by territory or across a combination of territories.

There have long been occasions when certain rights would be sold in a single deal on a global basis with rights sub-licensed by the "gatekeeper" but is this now more likely? The media rights to ICC Cricket World Cups have, since 2003, been sold as part of a global deal. The most recent deal, covering the next 8 year cycle (<http://tiny.cc/8j2h3x>), has seen the global rights sold to Star India and Star Middle East (part of the extended News Corporation family). The International Handball Federation moved from a relationship with the intermediary UFA Sports to licensing all rights worldwide to its World Championships to beIN Sports. beIN have also acquired the global media rights to Davis Cup and Fed Cup tennis, rights that were previously sold territory by territory by the ITF (<http://tiny.cc/uk2h3x>).

Where does it leave the agents and intermediaries who historically have exploited rights territory by territory? Obviously there are still many properties which can be exploited via the traditional models but in other cases the role may be to assist the global rights purchaser – eg beIN Sports – to distribute in territories where the purchaser does not have the means to exploit the rights itself.

For further information, please contact Jon Higton, Couchmans LLP:
jon.higton@couchmansllp.com or 020 7611 9660

About Couchmans LLP

Couchmans is the UK's leading specialist sports law firm (as ranked by the independent legal directories), providing advice to clients operating in the sports industry around the world. The firm serves many of the most prestigious operators in sport, who benefit from an unrivalled collective experience and highly commercial approach.

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"If you want someone who knows the sports business inside out, these are the guys to call" (Chambers & Partners)

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"The premier sporting boutique ... extremely commercial, increasing the value of every deal with the knowledge it brings" (Chambers & Partners)

"The achievement of this firm is incredible ... the country's number one sports boutique" (Chambers & Partners)

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