SPORTS LAW (Summer 2012)
TUESDAY AND THURSDAY, 6 p.m.
MICHAEL S. KELLY (MSK1000@aol.com)

SYLLABUS (as of 5/1/12)

1. May 22, The Role of Commissioner
   . Best interests of the game
   . Chicago Black Sox
   . Kenesaw Mountain Landis
   . Charles Finley
   . Ted Turner
   . Jack Molinas
   . Pete Rose
   . PacMan Jones
   . Bountygate
   . Redskins & Cowboys (salary cap)

Reading: Text at 1 - 40

2. May 24, The NCAA and Academic Integrity
   . Jerry Tarkanian (Due Process)
   . Robert Parish (Equal Protection)
   . Tai Kwan Cureton (Title VI)
   . Chad Ganden (ADA)
   . Age & Experience
3. May 29, The NCAA and Amateurism
   . College Expenses
   . Signing a Contract (Shelton)
   . Hiring an Advisor (Andrew Oliver)
   . The Scholarship Contract (Gregg Taylor)
   . Recruiting Promises (Bryan Fortay)
   . Transfers (John English, F. Jarrod Uthoff)

Reading: Text at 748 - 56; 778 - 802

4. May 31, The NCAA and the Agent
   . Conflict of Interest (Billy Sims)
   . Recruiting Athletes (Norby Walters)
   . Regulating the Agent (Thomas Collins)
   . Certifying Agents (Barry Rona)
   . The Fee (Bucky Woy)

Reading: Text at 857 - 70; Zimbalist, Essay 2

5. June 5, The Evolution of Antitrust Law
   . The Populist School (Dr. Miles)
   . Per Se versus Rule of Reason (Chicago Bd. of Trade)
   . The Mistaken Proliferation of the Per Se Rule (Topco)
. The Chicago School Strikes Back (Continental TV; BMI; Okla. Bd. of Regents)
. The Modern Rule of Reason (Rothery)
. The "Quick Look" (Okla. Bd. of Regents)
. Ancillary Restraints


6. June 7, Application of Antitrust to Professional Sports
   . Franchise locations and other owner restrictions among themselves (Oakland Raiders, NASL, Sullivan)
   . Broadcast Rights and Restrictions (WGN)
   . Merchandise Rights and Restrictions (Salvino, American Needle)
   . Equipment Restriction (Blaylock, Ping, Gunter Hartz)
   . Salary Restrictions on Players (Fraser)

Reading: Test at 212 - 15; 872 - 86; 1041 - 48; MLB v. Salvino, 542 F.2d 290 (2d Cir. 2008)

7. June 12, Application of Antitrust to Sports
   . NCAA Coaches (Law)
   . College Athletes and the Draft (Braxton Banks)
   . Exploiting Athletes' Publicity Value (Ed O'Bannon)
   . Scholarship Limitations (Agnew)
   . The BCS

Reading: Text at 896 - 915; Agnew v. NCAA (S.D. Ind. 2011) [will post on TWEN]; Zimbalist, Essay 3
8. June 14, The Intersection of Antitrust Law and Labor Law
   - Pennington and Jewel Tea (1965)
   - Mackey (8th Cir., 1976)
   - Wood (2d Cir. 1987)
   - Powell (8th Cir. 1989)
   - Williams (2d Cir. 1995)

Reading: Mackey v. NFL, 543 F.2d 606 (8th Cir. 1976); Wood v. NBA, 809 F.2d 954 (2d Cir. 1987); Powell v. NFL, 930 F.2d 1293 (8th Cir. 1989)

9. June 19, Antitrust and Labor Law Resolved (or not)
   - Williams (salary cap)
   - Brown (practice squad)
   - Clarett (NFL draft rules)
   - Brady (the NFL lockout)

Reading: NBA v. Williams, 45 F.3d 684 (2d Cir. 1995); Text at 240 - 263

10. June 21, Trademark, Copyright, Rights of Publicity, Misappropriation
    - Copyright: The game or the broadcast? (Pittsburgh Pirates)
    - Common Law Misappropriation (STATS and SPORTSTRAX)
    - Fair Use (ESPN highlights)
    - Right of Publicity (Tiger Woods)
    - Fantasy Baseball
    - Team Logos
Class Hypothetical?

Reading: Text at 437 - 47; 454 - 56; 484 - 502

11. June 26, **Title IX**
   - The Requirements of Title IX
   - OCR's 3-part test
   - Amy Cohen (Brown University)
   - Kelley (Illinois)
   - Stanley (USC)

Reading: Text at 934 -56; 973 - 76; Zimbalist, Essay 4

12. June 28, **Baseball -- The Exemption, The CBA, and Salary Arbitration**
   - Federal Baseball
   - Toolson
   - Radovich (NFL)
   - IBC (Boxing)
   - Flood
   - Piazza
   - The Curt Flood Act
   - The National Association (minor leagues)
   - The History and Structure of the CBA
   - The Collusion Years
   - Salary Arbitration

13. July 3, **The Olympic Games**
   . The Right to Compete
   . The Athlete's Right of Publicity
   . Financial Implications

Reading: Text at 1050 - 1061; Zimbalist, Essay 7

14. July 5, **Review**
