



# Sports & Entertainment

## Overview

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The world of sports and entertainment is constantly evolving. Changes that include new technologies and new platforms continue to impact the way sports, media, and entertainment is created, distributed and consumed. New devices, delivery methods and types of content brings both new opportunities and new risks. Archer's Sports & Entertainment Group provides thorough representation for clients in the entertainment, sports, and media industries while protecting their business interests and creative assets.

As a full-service law firm, we bring a great deal of value to our clients by drawing on our broad-based combined experience in a variety of services areas, including, among others, corporate and transactional, immigration, labor and employment, litigation, real estate, bankruptcy, intellectual property, media and communication, personal injury, civil rights, insurance, nonprofit, estates and trusts, and tax law. By being able to readily draw upon the resources of the entire firm, we can provide our sports and entertainment clients with a comprehensive understanding of solutions and opportunities that exist in each of their unique industries.

### SPORTS

The sports industry involves a wide range of legal issues across an ever-changing athletic and legal landscape, which includes rapidly evolving concepts of what constitutes professional sports, together with the emergence of cutting-edge types of sports and sports venues. Each has its own unique set of issues and challenges.

Archer's sports law team has long-standing experience in the sports sector providing comprehensive services to athletes and players, sports leagues and organizations, owners and operators of sports facilities, as well as college and university sports programs. We have a deep-rooted understanding of sports from both a competitive and business perspective. Our attorneys are also well positioned to provide a full range of legal services to the emerging esports industry.

Our experience spans the full spectrum of sports industry legal matters, including, but not limited to:

- Contracts/agreements
- Immigration issues
- Sports betting
- Cannabis

- Intellectual property
- Sponsorship, naming rights and licensing
- Labor and employment issues
- Crisis management
- Litigation/arbitration/investigative matters
- Mergers and acquisitions
- Financing
- Media-related transactions
- Insurance and risk management
- Internal governance
- Not-for-profit designations
- Personal injury matters
- Insurance matters
- Tax matters
- Regulatory affairs and compliance counseling
- Criminal law
- Estate planning
- Reorganizations and bankruptcy proceedings

### **Collegiate Sports**

Both laws and administrative regulations play a role in sports law for collegiate athletics. Colleges and universities must comply with a myriad of federal and state laws, as well as governing body regulations when they run college athletics programs. These regulations cover everything from equal opportunities to banned substances, practice schedules and other regulations for the health and safety of athletes. Colleges and universities must understand these laws and regulations and implement them to the satisfaction of law enforcement or sport governing bodies like the NCAA. Organizations that violate laws may find themselves the subject of discipline by enforcement agencies.

The NCAA now allows college athletes to earn money by using their own name, image, and likeness (“NIL”) for profit. This development has changed the landscape of collegiate sports, including the need to understand and comply with new NCAA legislation. In the age of social media where every NCAA student athlete has the ability



to become his or her own brand and profit, commercial exploitation of NIL can come into play. We can help you establish your identity as an exclusive trademark and will stand in your corner against anyone who violates that.

Our Sports Law practice related to NCAA and other collegiate and high school associations includes the following areas:

- Name, Image and Likeness
- Title IX and gender equity issues
- Title VII and coaches compensation issues
- Procedural due process issues
- Drug testing programs
- Athlete eligibility requirements
- Collegiate licensing and intellectual property protection
- Exploitation concerns
- Employee benefits and tax issues

## **Esports**

From innovative technologies and platforms to new regulations and industry players, the sports industry continues to evolve at a rapid pace, which includes the growing popularity of esports, which presents new challenges and legal questions in the sports world.

As a full-service law firm, Archer's esports team represents multiple disciplines, including, among others, immigration, public finance, labor and employment, intellectual property, litigation, business counseling, mergers and acquisitions, real estate, media and communication, international law, and data privacy and cybersecurity.

By combining our experience in gaming and sports law, our lawyers are well-positioned to advise clients on all aspects of the industry, from regulatory, financial and other legal issues common to more traditional professional sports, to the host of challenges unique to esports.

To learn more about Archer's unique esports services, click [here](#) for our esports services overview.

## **ENTERTAINMENT**

Our entertainment law attorneys have a deep understanding of the unique needs and challenges the entertainment industry presents and strive to provide clear, actionable, and practical guidance in representing our clients' interests. Our practice works across the full spectrum, from clients focused on artistic creation to those who work primarily on the business side of the industry. We see the opportunities and the risks, and we are in a great position to help clients through them.



We have worked with various types of clients in the industry, including media and production companies, authors, writers, publishers and digital content providers, musicians, song writers and music producers, theater companies, commercial actors and sports celebrities, social media influencers, artists, fashion companies, and game developers, among others.

As the demand for new and innovative media and entertainment content grows, our team helps clients navigate this evolving landscape and diversify the types of content they participate in, produce and endorse. We help clients find the right strategic partners, creatively structure deals, maintain ownership, and protect and monetize their assets across all entertainment and social media platforms.

We work with clients in the following areas:

- Negotiation, review and development of contracts and agreements
- Copyright, trademark and publicity rights
- Intellectual property acquisition, licensing, vetting and distribution
- Protection and prosecution of intellectual property rights
- Immigration issues
- Business formation
- Joint ventures
- Product line launches
- FTC advertising compliance
- Labor and employment matters
- Litigation and alternative dispute resolution
- Bankruptcy and creditors' rights
- Tax matters
- Estate planning
- First amendment counseling and litigation
- Criminal law

#### **NON-FUNGIBLE TOKENS (NFTs)**

Archer provides counsel in the unique and emerging area of Non-Fungible Tokens (NFTs). NFTs are positioned to become the leading method of acquiring, collecting, and trading digital assets for clients within the sports and entertainment industries who are looking to monetize new types of revenue streams and broaden ways of connecting with fans.



Our team can assist you with certain types of NFT transactions, including:

- NFT deals, contracts and agreements
- NFT Intellectual property issues related to copyrights, licensing, and trademarks
- Formation of LLCs and corporations to hold NFTs
- Asset protection strategies for NFTs
- Compliance with SEC, FinCen and state laws governing cryptocurrencies for NFTs
- Smart contracts for blockchain transactions

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