The main findings of the study can be summarized as follows:

1. In the great majority of the countries for the interests of sports organizers that direct or indirect recognition in the general laws of property and contracts. The study does not point out an urgent need for a harmonizing initiative in this regard.

2. The laws on copyright and neighboring rights that provide legal protection of the audiovisual recordings and broadcasts of specific events are mostly harmonized among the EU countries.

3. While the rights of sports organizations for effective enforcement remedies are comparable to those of the traditional copyright holders, the scope of the remedies available is significantly more limited for sports organizations.

4. It is recommended to establish a priority-driven distribution system that obviates the need defined from (commercial) betting or other gambling services.

5. It is essential to be able to contractually bind the various interested parties to cooperate in such a way that the interests of all parties are adequately satisfied.

The main objectives and findings

A study on sports organizers’ rights was launched by the European Commission on May 14, 2014. The study was financed by the Preparatory Action ‘European Knowledge and Information Centre for Sports and the Law’.

The study was carried out by a consortium consisting of the University of Glasgow (UK), CREATe Centre, and the Institute for Information Law (IViR) of the University of Amsterdam.

The study’s findings can be summarized as follows:

1. In the great majority of the countries for the interests of sports organizers that direct or indirect recognition in the general laws of property and contracts. The study does not point out an urgent need for a harmonizing initiative in this regard.

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4. It is recommended to establish a priority-driven distribution system that obviates the need defined from (commercial) betting or other gambling services.

5. It is essential to be able to contractually bind the various interested parties to cooperate in such a way that the interests of all parties are adequately satisfied.

Thanks to this new, sports organizers are able to include the necessary and, in order to extract the necessary benefits, the parties have, as such as, losses or other gambling-related revenues.

Protection of related activities

The second element to consider relates not only to copyright law as such, but also to another class of activities based on the sport event. This different class of activities are mainly constituted by the recording of the sport event in a variety of media formats, and by the live or on-demand broadcast thereof. Various activities, in fact, are very readily within the proper conditions – represent the subject matter of copyright and/or related rights.

The study demonstrated that although the audiovisual product of a major sporting event nowadays constitutes an extremely valuable and significant asset, which is very much appreciated by both copyright and/ or neighboring rights, the standards for which the sport event is protected, and the contractual instruments that are to be satisfied.

Nevertheless, another main issue is that the audiovisual product is too modest and the level of originality is too low to constitute the subject matter for copyright law as such. The study points out similarities and differences between the legal systems of different countries in this regard.

Furthermore, the study also analyzed the variety of other rights that relate to the organization of sports events, from athletes’ image and personality rights to replication rights to organizing rights. The right of organizing events is a fundamental right, and it is recognized by the study as a key element of sports organizations’ interests.

The study also focuses on the legal protection of the sport event as such and other activities based on the sport event, e.g. its recording and broadcasting.

Sport events as such

The study indicated that the audiovisual product of a major sporting event nowadays constitutes an extremely valuable and significant asset, which is very much appreciated by both copyright and/or neighboring rights.

The recognition is many times not granted, but some other times explicitly and takes the name of “sports right”. The concept is employed in some countries and the study focuses on the different applications in the context of the study.

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