



Sport in 2008 - The Key Issues

At the end of the year, the editorial board of World Sports Law Report look ahead to what the key issues will be for the coming year.

Michael Brader, head of the sports team and member of the editorial board, considers three issues - the changing broadcast landscape, targeting audiences and the forthcoming Beijing Olympics.

As a result of Setanta's moves away from its traditional audiences to a wider audience base by making content available on a variety of platforms there has been a challenge to the monopoly over Premier League rights, previously held by BSkyB. The broadcast landscape for Premier League rights is expected to continue to change over the coming year as the sector awaits a key decision by the regulator Ofcom on whether National Grid Wireless Ltd and British Sky Broadcasting Ltd can remove the three free to air (FTA) channels that Sky currently provides on the digital terrestrial television (DTT) platform and replace them with five pay TV channels.

The regulator acknowledged that the launch of a Sky pay TV service on DTT, offering premium sports and movies, as well as related technical platform services (including conditional access encryption services), was a "significant development and would have an impact on competition for pay TV services on the DTT platform and possibly across other digital TV platforms." Given the critical stage in the development of pay TV on DTT, the competition issues need to be considered with great care.

Should the regulator allow the proposals, this may well impact on Setanta's business model. There is also the impact that ESPN may have - it has announced its intention to acquire Premier League rights which it sees as a platform upon which to build its European viewing audience, with a view to increasing its foothold in the region.

Audiences are also going to be key - the distinction between rights owners, brands and media owners will be increasingly blurred as "empowered consumers" are pursued across an increasing number of platforms. Expect to see more branded sports events, bespoke broadband channels where rights holders and brands seek to aggregate audiences and an increase in social networking sites to engage with the target audiences.

Beijing is of course the major sporting event for 2008 - of interest will be the extent to which sponsors and the organising committee will be working to successfully prevent ambush marketing.

See "2008 Predictions: Views from the Editorial Board" World Sports Law Report, January 2008 for details.