

LAWS70275 Sports Marketing and Media Law

Credit Points:	12.5									
Level:	7 (Graduate/Postgraduate)									
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: September, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.									
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.									
Prerequisites:	<p>Melbourne Law Masters Students: None</p> <p>JD Students: Successful completion of all the below subjects:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50057 Copyright and Patents</td> <td>Semester 2</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50026 Obligations	Semester 1	12.5	LAWS50057 Copyright and Patents	Semester 2	12.5
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LAWS50057 Copyright and Patents	Semester 2	12.5								
Corequisites:	None									
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.									
Non Allowed Subjects:	None									
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support.									
Contact:	<p>Lecturers</p> <p>Mr Paul Czarnota (http://www.law.unimelb.edu.au/staff/Paul%20Czarnota) (Coordinator)</p> <p>Ms Sally McCausland (http://www.law.unimelb.edu.au/staff/Sally%20McCausland)</p> <p>Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au)</p> <p>Phone: +61 3 8344 6190</p> <p>Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)</p>									
Subject Overview:	Sponsorship announcements and media rights deals in sport can attract publicity like gold medals. The ingenuity of an ambush marketer may rival the game plan for an upset victory.									

	<p>This subject surveys the legal underpinnings of modern sports marketing and the role of the media, especially the new media, from the perspectives of key stakeholders: sports bodies, athletes, sponsors, the media and venue owners. Conflict between rights holders and those who claim commercial free speech at the fringe of official rights is analysed. This subject covers how specific new laws and increasingly intricate contractual allocation of rights aim to contain the ambusher. This subject will be of interest to lawyers, sports, marketing and media executives, and player agents. One lecturer is a barrister who has studied and written in the area and the other is a lawyer who has been in-house counsel in a public broadcaster for many years.</p> <p>This subject considers the legal aspects of sports marketing and associated media in Australia. Attention is paid to the different legal needs of key stakeholders in sport. It involves assessing the impact on the legal environment of sports marketing and media rights in an era of increased commercialism and professionalism in sport and of significant change in the technology of communication and marketing.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # Commercial environment of sports marketing # Intellectual property and related legal principles as they apply to sports marketing: passing-off, copyright, designs, misleading or deceptive conduct, trade marks, trade names and internet domain names # Laws promoting competition as they apply to sports marketing and the sale of media rights: restraint of trade at common law and restrictive trade practices under the <i>Competition and Consumer Act 2010</i> (Cth) # Olympic marketing arrangements and protection of Olympic insignia # Athlete marketing rights, including personality rights, misleading or deceptive conduct and defamation # Event, facility and organisation marketing, including rights to a spectacle # Television and electronic media, including broadcast agreements, anti-siphoning laws, virtual advertising and regulation of alcoholic beverage advertising # Regulation of tobacco advertising # Principles of sponsorship agreements # Ticketing.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the legal principles of marketing sport and related media rights in Australia, including recent developments in this field of law and practice # Be able to critically examine, analyse, interpret and assess the effectiveness of these legal principles # Be an engaged participant in debate regarding emerging and contemporary issues in the field, such as unauthorised broadcast of sports events, controls over the use of social media by athletes, and laws concerning anti-siphoning of broadcasts of sports events # Have a sophisticated appreciation of the factors and processes driving parliamentary and sporting body revision of the legal and regulatory framework # Have an advanced understanding of situations in which sports marketing and media legal issues may arise # Have an understanding of sports marketing and media legal issues in an international context # Have the cognitive and technical skills to generate critical and creative ideas relating to sports marketing and media law issues in sport, and to critically evaluate existing legal and regulatory theories, principles and concepts with creativity and autonomy # Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to marketing and media issues in sport # Have the communication skills to clearly articulate and convey complex information regarding marketing and media law issues in sport to relevant specialist and non-specialist audiences # Be able to demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of marketing and media law issues in sport.
Assessment:	10,000 word research paper (100%) (12 December) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.

Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70275/2016
Related Course(s):	Graduate Diploma in Communications Law Graduate Diploma in Legal Studies Graduate Diploma in Sports Law Juris Doctor Master of Commercial Law Master of Intellectual Property Law Master of Laws