TVSPORTSMARKETS

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PREMIER LEAGUE

ECJ changes 'not likely' to force down European rights fee values

By Frank Dunne

The English Premier League's first
European rights tender since its landmark
piracy case against UK publican Karen
Murphy in the European Court of Justice
was inevitably going to contain changes.
The commercial impact of those changes
will become clear in the coming weeks but
the majority view among experts this week
was that a drop in value of the league's
European rights is highly unlikely.

The challenge the case threw up for the league was how to remove clauses which tried to hermetically seal exclusivity within national borders – deemed illegal by the ECJ – without undermining the value of the rights across Europe, especially the lucrative pub and club rights in the UK. The league felt that the value of the UK commercial rights had been undermined by pubs such as Karen Murphy's in Portsmouth using foreign satellite services to beam in Saturday 3pm Premier League matches which UK broadcasters are not allowed to show.

The invitation to tender for its European media rights issued last week addresses both issues, and also contains a number of changes not driven by the Murphy case. The changes include:

- the scrapping of the 24/7 league channel or 'Content Service'
- restrictions on the live broadcasts of Saturday 3pm matches
- the award of rights in the local language only
- the removal of some clauses relating to the policing by broadcast partners of their exclusivity
- the recognition of the right of paytelevision operators to 'passively' sell residential subscriptions beyond their own national borders
- a ban on joint bids
- a requirement for payment to be made in US dollars outside the 10 major western European territories
- a reduction in the number of possible territory combinations from 60 to 33, including the removal of what was effectively a pan-European option,

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15 YEARS OF TV SPORTS MARKETS 1997-2012

Sport and TV: a digital revolution

TV Sports Markets was launched in the summer of 1997 by former Fleet Street journalist Peter Elman to provide exclusive news and in-depth analysis of the sports broadcasting industry, with a focus on the buying and selling of sports rights. In the intervening 15 years, the industry has undergone something of a revolution.

As 2012 draws to a close, we asked some of the people who have helped shape the industry right across the globe – from the US, Europe, Asia, Oceania, and Africa – to tell us what they consider to have been the biggest change or development in the last 15 years.

Their answers range from the pithy (Bernie Ecclestone) to the poetic (Peter Hutton) but all are thought-provoking and essentially positive in nature, suggesting a strong underlying optimism about the future of the industry.

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FOOTBALL

Early Chile deal driven by clubs' financial plight

By Dan Horlock

The new four-year deal between Chilean commercial broadcaster Megavisión and the Asociación Nacional de Fútbol Profesional, football's governing body in the country, is worth \$106 million (€83 million), or \$26.5 million per year. It represents an increase in value of over 30 per cent on the current deal.

However, some experts believe that in trying to placate financially troubled league clubs the association may have moved too soon, in what is a critical time for the country's media market as it migrates from analogue to digital.

The new deal, which runs from 2015 to 2018, is for all of the association's commercial rights to national team home matches, including media rights, both domestic and international, and sponsorship. It is unusual in Chile for a rights deal to be done so far in advance.

It is understood that the association was under considerable pressure from the 32 league clubs, which make up the top two divisions of Chilean football, to sign a deal which reaped immediate returns. The clubs earned \$16 million from the new deal, or \$500,000 per club. The money was distributed immediately.

The clubs desperately needed the money, according to local market expert, Michael Boys, the director of LOC Consulting and consultant to Fifa, world football's governing body. He said that in spite of the revenues generated by their own league television channel, which the clubs all benefit from, up to 25 of the 32 clubs were under threat of going out of business. In 2012, each club earned at least \$450,000 per season from the channel.

Boys said that management at the clubs "lacked business capacities" and foresight. He said that the clubs' wage bills had spiralled out of control. The clubs needed the cash immediately and selling a complete package of commercial rights

was the quickest way to achieve that.

Boys said that another reason to do a deal now was to exploit the fact that the new ownership at both Megavisión (Bethia group) and Canal 13 (Luksic group) would want to make a statement in the television market, a relatively new venture for both groups, by acquiring the rights.

In its current deals, from 2011 to 2014, the governing body earns a total of \$79 million over four years, or \$19.75 million per year, for the same

Chile federation deals

2015 to 2018: Megavisión acquired all the federation's commercial and media rights for \$26.5 million per year.
2011 to 2014: The federation earned \$19.75 million per year. The media and commercial rights were sold separately.
2007 to 2010: The federation earned \$6.75 million per year. Canal 13 acquired all of the federation's rights, excluding kit sponsorship rights.

rights. The rights were sold in separate packages covering media rights, main sponsorship, merchandising and kit sponsorship. The media rights are worth \$6.5 million per year. Commercial broadcaster Chilevisión acquired the free-to-air rights for \$5.5 million per year. Commercial broadcaster Canal 13 acquired global pay-television and internet rights, as well as free-to-air rights, ex-Chile, in a deal worth \$1 million per year.

Canal 13 sold the pay-television rights in Chile to pay-television football channel Canal de Fútbol. The channel is majorityowned by the federation (*TV Sports Markets* 15:5). The national team matches are simulcast on free-to-air and pay-television.

The \$26.5 million per year that Megavisión is paying in 2015-18 represents like-for-like growth of 34 per cent from the \$19.75 million per year it pays in 2011-14. The 2011-14 deal value represented an increase of 193 per cent, on the previous four-year deal, from 2007 to 2010, which was worth \$6.75 million per season.

The free-to-air rights value in the 2011-14 deal increased by 129 per cent,

from \$2.4 million per season to \$5.5 million per season. The 2007-10 free-to-air rights fee was based on Canal 13 allotting 35 per cent of the overall fee to the free-to-air rights value. In the new deal, Megavisión has not yet allotted an amount to the media rights.

No tender

The association did not tender the rights as it had done for the current contract. It began exclusive talks for the rights with Canal 13. The governing body has struck up a strong relationship with the broadcaster during the current contract period. It is understood that a deal for the new contract had been agreed, at a fee of \$25 million per year, but that Canal 13 then backed out.

The incumbent free-to-air rightsholder Chilevisión was sidelined by the association from the negotiations due to a legal dispute between the broadcaster and the association over the current rights administration.

The association then approached state broadcaster TVN but could not agree a deal. Only after it had exhausted its options did the association turn to Megavisión.

"Megavisión had tons of money coming from their new owners," Boys said. "The national football team is one of the most valuable assets in the Chilean market as it creates a unique emotional relationship with audiences and consumers."

Boys said that Megavisión could start to rebuild its weak programming schedule around sport, especially football, the country's most popular sport. He said that they would now be front-runners for the league highlights rights from next season. TVN paid \$4.75 million per season in the current two-season highlights deal, which expired at the beginning of this month.

Boys said that Megavisión could also invest in rights for the 2018 Fifa World Cup through its membership of the Organización de Telecomunicaciones Iberoamericanas, the regional broadcast union. OTI has acquired the rights in the region. For the 2010 and 2014 World Cups, Megavisión opted out of the OTI deal for the rights.

PREMIER LEAGUE

Restrictions on 3pm broadcasts 'won't hit prices'

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comprising 43 territories.

The rights are for three seasons, from 2013-14 to 2015-16. Bids must be made by January 22. In the current cycle, the league earns about €150 million (\$192 million) per season from its European rights.

3pm question

The most important changes are those designed to protect the exclusivity of UK pubs and clubs. European broadcasters will be losing the opportunity to bid for the league channel which contained live matches, and will be limited to showing one Saturday 3pm match on their main platform. The remaining 3pm matches can be shown, but only on separate standalone services using technology such as internet, IPTV or cable, which can be effectively geo-blocked. The extra games cannot be shown via satellite or mobile technology.

When the rights for the current cycle, 2010-11 to 2012-13, were sold, broadcasters were able to show all 380 matches live. However, subsequently, faced with a likely defeat in the Murphy case, the Premier League renegotiated its rights deals across Europe to reduce the number of 3pm kick-offs that its broadcast partners could show (TV Sports Markets 16:2). In many cases, it agreed small discounts with broadcasters for the loss of inventory. In its most complex and valuable European market, the Nordics, it bought back the rights from the Medge Consulting agency and negotiated new deals with broadcasters (TV Sports Markets 16:4).

Sources at several existing Premier League broadcasters argued this week that the volume of content that they could exploit on their main sports channels was a factor in the valuations, as it was with any sports rights property. Reducing that made the package less attractive.

Other potential bidders disagreed. An

executive at one agency likely to bid for the rights said: "The value lies in being the exclusive partner to the Premier League; it's not necessarily in the bulk of the Premier League matches. The biggest factor affecting rights fees will be the economic context in each territory, rather than the way the rights are offered."

Precedent appears to support that view. In May, when the league agreed deals in Scandinavia including the 3pm restrictions it enjoyed a significant increase in value. It agreed deals with Modern Times Group in Denmark and Sweden, and with TV2 in Norway understood to be worth over €60 million per season. In the last cycle, the league sold its rights in the three countries, plus Finland, to the Medge Consulting agency for just over €40 million per season.

No Sportfive

In addition to the broadcasters bidding, the league is likely to benefit from the kind of aggressive agency bidding which recently drove values in Asia (*TV Sports Markets* 16:21). IMG Media, MP & Silva, Pitch International, Advisers Media International, Medge Consulting (see separate story), the Sportsman Media Group and Mediapro are all expected to bid.

One major agency player that will be missing from the fray is Lagardère Unlimited. Lagardère's decision to stay out will come as no great surprise to the league. Last month, Arnaud Lagardère, the company's chairman and general partner, reiterated a desire first outlined in November 2011 to move the company away from big sports-rights investments (TV Sports Markets 15:21). He said that the company would not be bidding for any of the Premier League's international rights. However, TV Sports Markets understands that two of the company's main rights-trading subsidiaries, Sportfive and IEC in Sports, had carried out evaluations on a number of markets and had prepared bids for the rights in Asia, which were tendered in October, and in Europe, but were told not to make them.

Eurozone crisis

The switch from bids in euros in all territories to a mixture of euro bids in 10 major markets and US dollars elsewhere is hardly surprising given the protracted Eurozone crisis. As one rights trader put it, "four or five years ago all governing bodies were going to euros, because the euro was strong, especially against the dollar. Now there is a concern that the euro may collapse and all the governing bodies are trying to do deals in dollars or their own local currency."

TV POLAND

Medge targets Premier League for new platform

By Kevin McCullagh

Swedish sports marketing agency Medge Consulting is understood to be targeting English Premier League rights in Poland as the centrepiece of a new sports pay-television and internet channel.

Medge is working with several partners on the channel, which is set for launch in the first quarter next year. The agency is seeking to exploit a gap in the Polish market left by the merger of the secondand third-biggest satellite pay-television platforms. Cyfra Plus, part of television group Canal Plus Cyfrowy, and N, part of media group TVN Group, are merging to form NC Plus.

The deal was finalised last month, but the brands are not yet merged, so Cyfra Plus and N still exist as separate paytelevision services.

The Premier League last week launched a tender for its rights in Europe, including Poland, for the three seasons from 2013-14 to 2015-16 (see separate story). Firstround bids are due in January. Canal Plus Cyfrowy has the exclusive rights in Poland in the current cycle, 2010-11 to 2012-13, in a deal worth €13.5 million (\$17.4 million) per year.

Medge and its partners are understood to be in talks with local pay-television platforms about distribution for the new channel. Securing distribution on at least one of Poland's two satellite platforms – Polsat or NC Plus – is a priority.

Medge and its partners have already acquired some football rights for the channel. The deals so far are thought to include English Football Association rights in a deal beginning this season, 2012-13.

The plan for the new service is to broadcast a variety of sports, not just football.

Gap in the market

Medge is entering a market that has become less competitive in recent years primarily because of consolidation in the satellite pay-television market. In early 2010, there were four satellite pay-television platforms in the market – Cyfra Plus, Polsat, Orange and N – each competing for exclusive sports content.

Orange stopped offering a standalone satellite pay-television service in the second half of 2010. The NC Plus merger means there are now just two rival operators in the market. They are positioned quite differently.

NC Plus is expected to be priced at the upper end of the market, like Cyfra Plus and N. A subscription to the Cyfra Plus platform, with access to its Canal Plusbranded pay-television sports channels, costs at least PLZ56 (€13.65/\$17.61) per month. The merged NC Plus will have around 2.5 million subscribers.

NC Plus will have a very strong portfolio of sports rights, including the best international sport. It will have football from the domestic Ekstraklasa, Premier League, Spanish Liga and Uefa Champions and Europa Leagues. It will also have speedway – Poland's second-biggest sport – from the Grand Prix series, and also looks likely to get the rights for the domestic Ekstraliga (see box).

Polsat's business is based on a low-cost service, and its sports acquisitions have focused on relatively small domestic properties, including the volleyball and handball leagues, although it also has rights for the domestic football league, sublicensed from Canal Plus Cyfrowy. Subscriptions including access to its sports channels start from PLZ14.90 per month. It has 3.55 million subscribers.

Local experts say Polsat does not have the financial muscle to engage in expensive bidding wars for the very best sports content, like the Premier League.

The price point of Medge's new channel is unknown, but it is thought that its backers are aiming to make it cheaper than NC Plus.

NC Plus closes in on speedway league

Polish pay-television broadcaster NC Plus is understood to be close to acquiring the rights for the domestic speedway championship, the Ekstraliga.

NC Plus is thought to have entered exclusive talks with the league, having outbid the incumbent rights-holder TVP, the public-service broadcaster, and rival pay-television broadcaster Polsat. The new deal will cover the 2013 to 2015 period. The league is being advised by the Ufa Sports agency.

NC Plus is reported by local media to have bid between PLZ2 million (€490,000/\$630,000) and PLZ3 million per season, which would be an increase of at least 67 per cent on the previous deal. TVP, which showed coverage on its pay-television sports channel TVP Sport, paid between PLZ1.2 million and PLZ1.5 million per season in the current deal, from 2010 to 2012.

TVP was keen to hold onto the rights because they were TVP Sport's strongest content, one local source said. However,

the broadcaster has been weakened by financial problems. It is facing a funding shortfall due to the large number of households that do not pay the licence fee, which accounts for about a third of its funding. The problem has got worse in the last two years.

The rights could strengthen NC Plus in its battle with Polsat for pay-television subscribers. Speedway is Poland's second-biggest sport after football. It is particularly popular in rural areas and the country's smaller cities.

One option for NC Plus would be to put the rights on channels available on its platform, and not on Polsat's. TVP Sport, the Ekstraliga rights-holder, was carried by Polsat, N and Cyfra Plus, among other platforms.

The Ekstraliga is expected to benefit from improved production and commentary should it switch to NC Plus from TVP Sport. The Canal Plus sports channels on Cyfra Plus's platform have a strong reputation for sports television production.

The other main players in the Polish sports-rights market – pay-television channels Orange Sport, Eurosport and TVP Sport – also target second-tier sports, and are not expected to compete strongly for the Premier League, or other properties that could drive pay-television subscriptions priced at the upper end of the market.

Challenges

The main challenge for any new premium sports channel launching in Poland will be getting carriage on one of the two satellite platforms, and the large number of rival channels on the market.

Carriage on either Polsat or NC Plus is considered key, as they are by far the biggest pay-television platforms in the country.

Medge's channel will be competing with around 14 other sports channels. Pay-television in general is also facing stronger competition due to analogue television switch-off, which is scheduled for completion in July 2013.

TV COLOMBIA

Platforms racing the clock in talks to carry new channel

By Dan Horlock

Carriage deal negotiations in Colombia between the new sports channel Win Sports and the country's major cable operators could drag on until at least March, two months into the new football season, well-placed sources say.

Win Sports has the rights to the most important sports property in Colombia – Liga Postobon, the top-tier football division.

The channel, which is jointly owned by pay-television broadcaster DirecTV and commercial broadcaster RCN, launched at the end of last month. It is carried by DirecTV's own pay-television platform, as well as cable-television platforms

SuperCable and Cable Bello, telecommunications company EmCali and satellite-television broadcasters TV Sur and Comunitarias TV.

However, it needs wider distribution and is in negotiation with the country's two largest cable operators Une and Claro (previously called Telmex), as well as telco Telefónica, the fourth-largest pay-television operator.

RCN-DirecTV has a deal for the domestic football rights for 10 years, until December 2021. The rights include the first and second division and the domestic cup. The channel has also acquired domestic basketball rights and is looking at acquiring more domestic sports content, branding itself as the first-ever channel dedicated to Colombian sport.

The carriage talks are thought likely to go on for several months, with RCN-DirecTV looking to recoup its investment by charging carriage fees that are far higher than other premium channels (TV Sports Markets 16:10). In June, RCN-DirecTV set a carriage fee rate for the three platforms which was higher than other premium channels, such as Fox and ESPN which charge about \$0.30 (\in 0.23) per subscriber per month. Talks between RCN-DirecTV and the three platforms broke down.

The three platforms had unsuccessfully tried to negotiate a rights deal directly with the Dimayor, División Mayor del Fútbol Profesional Colombiano, the football league body, until May this year when RCN-DirecTV acquired the organisation's exclusive rights.

The Dimayor had previously implemented a strategy of selling the rights on a non-exclusive basis, setting a price for each bidder related to the size of the operator's customer base. Claro has about 1.7 million subscribers, Une has about 900,000 subscribers and Telefónica about 200,000 subscribers.

One source said he did not expect a deal to be in place before March. The season gets under way in February, but is preceded by a two-legged season-opening tie, between the winners of the opening and closing parts of the previous season, at the end of January. In Colombia, as in most of Latin America, the football season is split into two championships – the Apertura and the Clausura.

CRICKET

Sky sees off BT challenge with new Windies deal

By Kevin McCullagh

UK pay-television broadcaster BSkyB's deal for West Indies cricket rights last week effectively marked the end of a successful defence of the broadcaster's leading position in cricket from a strong challenge from rival BT Vision.

Sky's deal covers rights for Test, One Day International and Twenty20 international matches played in the West Indies. The key content for the UK market is England national team matches in the region.

The deal followed acquisitions by Sky this year for national team cricket in India, Australia and South Africa. BT, in need of sports content for the two pay-television channels it is launching in the UK next year, also bid for the Australian and South African rights. Cricket deals perfectly suit BT's needs, providing long hours of content, from a major UK sport, to fill its currently largely empty schedules.

The India, Australia, South Africa and West Indies deals represent the most valuable overseas cricket board rights for the UK. Rights for cricket from 2013 onwards in several of the sport's smaller nations are yet to be sold, but the content is much less attractive and less useful for BT. UK media rights for New Zealand cricket, from 2012-13 to 2019-20, are being sold by the Pitch International agency. The rights for the Sri Lanka, Pakistan and Bangladesh boards are expected on the market early next year.

Sky's defence of its cricket portfolio has

come at a high cost. Competition from BT forced it to significantly raise its initial offer for the West Indies rights. Sky is understood to have made a very low bid when the rights were initially offered to the market earlier this year by the West Indies cricket board. Sky was seeking to exploit the lack of competition at the time. Its only competitor then was sports broadcaster ESPN, whose UK paytelevision channel has shown little interest in competing with Sky for the latter's most valuable rights.

Disappointed by the weak response from broadcasters, the West Indies board withdrew the UK rights from the market and instead agreed a global rights deal with Taj worth \$101 million over the seven years from 2013 to 2019.

Sky paid a 213-per-cent rights fee increase to renew its rights for Australian cricket in September, agreeing a deal worth £50 million (€63 million/\$80 million) over the four years from 2012-13 to 2015-16. It renewed its rights for South African cricket around the same time in a deal worth £24 million over the eight years from 2012-13 to 2019-20. It had paid an equivalent fee, of £12 million, in the previous four-year deal.

Deal content

Sky has got significantly more England national team content for the \$35 million – equivalent to £22 million – it has paid in the new West Indies deal, than it got for the £20 million it paid in the previous deal, albeit spread over seven years instead of four.

The new deal will include six Test matches, 11 One Day Internationals, and four Twenty20 international matches. These are split between four England tours to the region. In March 2014, England will play three One Day Internationals and three Twenty20 matches. In April 2015, it will play three Test matches. In March 2017, it will play three One Day Internationals. In February to March 2019, it will play three Tests, five One Day Internationals and one Twenty20 match.

The previous deal covered five Tests, five One Day Internationals and one Twenty20 match, all played during one England tour, in January to April 2009.

15 YEARS OF TV SPORTS MARKETS 1997-2012

The digital sports revolution is only just beginning

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What has been the biggest change or development in the sports broadcasting industry in the last 15 years?

"Multi-platform, multi-screen, multi formats, TV anywhere - there is little debate: the internet has had the largest impact on the sports broadcast industry. With the growth of access to the internet going from only six per cent (360 million) to 35 per cent (2.45 billion) of the world's population today, the access, the mobility and the control of the individual fan's sports consumption is our industry game-changer. Just think of the opportunity for sports properties and our fans in the next few years when internet access is projected to be around 50 per cent (3.5 billion) by 2016." Stacey Allaster, chief executive, the Women's Tennis Association

"Social media – the revolution has already started." Neil Duncanson, chief executive, North One Sport

"Better coverage." Bernie Ecclestone, chief executive, Formula One Management

"The behaviour of fans at the event and audiences watching the event from afar has witnessed unprecedented change in the past 15 years. Now the focus is entertainment and interaction where fans and audiences alike feel part of the spectacle like never before. The devices and platforms are now in place that revolutionise our consumption of sporting events and, in our [Uefa's] case, they are having an enormously positive effect on the reach and popularity of our competitions."

Guy-Laurent Epstein, marketing director, Uefa Events "Two things: technological development and the growth of the Asian market. The pace of technological development has been staggering – from super HD, super slow-mos, the second screen, the way today an iPad is used compared to television, the multiple functions that these devices have to an individual user. There's a whole market developing around it. And the way that Asia has transformed itself since 2000. You're now looking at a middle class which is larger than the population of Europe, and they are hungry."

Ioris Francini, head of worldwide sales, IMG Media

"A year of cricket's now worth less than a day.

Free-to-air is a window; the world's switched to pay.

Blackberries now push you scores in a meeting.

Rooms full of devices, attention spans fleeting.

Watching on catch-up, the video's gone.

HD's the norm, not sure if 3D's the one. More bling for the footballers, TV pays the bill.

Now the money's from Doha, Mumbai and Brazil.

America's beginning to know what time it is there.

And Sportel reunions have more sleep and less hair."

Peter Hutton, managing director, ESPN Star Sports

"Live football has come to dominate the global broadcast rights market as it is the only product that can consistently deliver young and upmarket mass audiences in a fragmenting media landscape."

Philipp Grothe, chief executive, Kentaro

"One of the most significant innovations in sports broadcasting since the late nineties, next to technical developments such as HDTV and 3D, is definitely the birth and rise of YouTube. No other service has changed user patterns more

drastically and triggered such a huge demand for new business models. YouTube's worldwide recognition is unmatched and further developments will be of utmost interest to the broadcast industry specifically with the growth of OTT and connected TV.

"Apart from the change fostered by social broadcast media, the digitisation, the roll-out of HDTV/3D, has paved the way for the sustained success of important new exploitation models, such as online, mobile and also public viewing. This shows how important content is and will continue to be."

Stephan Herth, executive director summer sports, Infront Sports & Media

"The internet, or 'digital,' is the obvious and probably only right answer, but I would add the fact that players in the market (rights-holders and buyers) have become more educated, experienced and professional. This has contributed to a partial "disintermediation," or, put more simply, to rights-holders taking (strategic) business in-house. Where rights have not been taken in-house, rights-holders have become more critical and demanding, and look for agencies with clear added value rather than straightforward brokers."

Frank Leenders, director general, Fiba Media & Marketing Services

"The way broadcaster spending has switched from being spread throughout sport to continually narrowing, first to football and now to certain key properties within football."

Phil Lines, head of media activities for Europe and Africa, Lagardère Unlimited

"Digital. It has enabled new means of distribution and ultimately is beginning to deliver the convergence we have been expecting for 15 years. It continues to lower barriers to entry, and makes it easier to connect content creators with users. Though ultimately, in a more crowded and competitive world, quality of content stands out more than ever."

David Murray, head of sports rights, the BBC

15 YEARS OF TV SPORTS MARKETS 1997-2012

"The coming of age of the commercial power of sport; its ability to unite people across cultural and geographical barriers." Imtiaz Patel, chief executive, Multichoice

"Bandwidth. Fifteen years ago the internet was in its infancy and if there were more than a dozen people trying to download moving images at the same time, the world wide web would collapse! Now just a decade later broadcasting and sport have been transformed by the potential of a multiple digital platform, offering any content, any time, any language ... and it is only just the beginning." Michael Payne, consultant, former media and marketing director of the International Olympic Committee

"The ever-increasing worldwide

demand for live sports over multiple distribution platforms." Neal Pilson, consultant, former president of CBS Sports

"Increased choice puts power in the hands of the consumer. Some would measure increased choice by the growth in hours of live coverage and the increased distribution of clips, highlights and archive. Others might point to enhanced standards of production, the combination of data and video and the growth of viewer engagement through social media.

"Many perhaps could point to the expansion of HD viewing through screens large and small, portable or fixed, delivered by satellite, cable or online. Whichever measure you prefer, they all add up to a more competitive and

innovative sports business, and that is good for all." Stephen Nuttall, senior director, Google/YouTube

"Google/YouTube. It has a huge reach and immense traction with audiences coupled with the ability to commercialise content on a global basis. It continues to develop itself as a key distribution platform – live streaming, clips, dedicated channels and social media functionality, along with an unrivalled and robust backend that makes it the most popular, engaging and unique aggregator of all types of content. Their partnership model is the market leader and it is well prepared and in advance planning to be a major part of the future of 'broadcasting' - I'm sure they have a few more surprises to come."

Ken Shipp, head of sport, SBS ■

REGULATION

Fifa/Uefa look to policy shift as ECJ opinion bodes ill

By Frank Dunne

Fifa and Uefa, football's world and European governing bodies, are almost certain to shift their challenge to the UK's listed-events regime from the courts to lobbying the government to change the law. But they face an uphill struggle to win over the policy-makers.

Last week's rejection by the European Court of Justice's advocate general of their challenge to the European Commission's approval of the UK list all but rules out the chances of the ECJ issuing a sentence in their favour next year. No further legal appeal would be possible.

Uefa's challenge is to the UK list, Fifa's to the lists of the UK and Belgium, which also includes the entire World Cup and European Championship. The two governing bodies are appealing a February 2011 ruling by the European General Court, formerly known as the Court of First Instance, which backed the decision

of the European Commission to approve the two lists (TV Sports Markets 15:4).

The ECJ does not always follow the opinion of its advocate generals but the comprehensive manner in which the advocate general appointed in this case, Niilo Jääskinen, dismissed the two governing bodies' appeals leaves little room for optimism. Fifa and Uefa each advanced multiple arguments to support their appeals, ranging from procedural issues to competition law. Every single argument was rejected as either "inadmissible," "unfounded" or "ineffective."

Convincing the UK government to change its policy on listed events - in particular regarding its listing in their entirety of the World Cup and European Championship – appears to be the only avenue left to Fifa and Uefa if they want to be able to maximise the value of the media rights to the two competitions by allowing pay-television operators to bid for them.

They would have to demonstrate that market conditions have changed so radically since the legislation was first introduced that the complete listing of the two events can no longer be justified. Most other European governments which have a designated list have only listed the key football matches in each competition.

The European Union's Television without Frontiers directive of 1989 allowed EU member states to identify events of national importance which cannot be denied to a "substantial proportion" of the population through exclusive broadcast on pay-television. The UK enshrined the provisions in its national law in the Broadcasting Act of 1996, and in April 1997 drew up the list of events to be protected.

The broadcasting market has changed dramatically since then, but whether it has changed enough to force a radical policy shift is questionable.

In 1997, pay-television penetration was at about 25 per cent of UK homes, whereas it is now at about 50 per cent. The number of households subscribing to pay-television operator BSkyB's Sky Sports channels has increased from about 3.8 million to around six million. The number of people who routinely watch top sport in local pubs and clubs has also increased dramatically.

Fifa and Uefa can also point to the fact that in football-mad countries such as Italy and Germany, where only the key games are listed, the World Cup is now routinely shared between pay-television and free-to-air television with no discernible public outcry.

However, even at 50 per cent and growing, the number of UK homes with pay-television is still just over half of the 95 per cent of homes which the government said a channel must reach to be able to exclusively broadcast events of national significance.

The government's department for culture, media and sport, which is responsible for reviewing the list, will next year decide on whether to change it. However, far from reducing the number of matches protected, it could yet increase them. A 2009 review carried out for the government by former Football

Association executive director David Davies recommended that the national team qualifier matches of the 'home nations' – England, Scotland, Wales and Northern Ireland – in the World Cup and European Championship should be added to the list.

In July 2010, the minister for sport, Hugh Robertson, deferred a decision on the list until next year, after analogue switch-off, which is now complete.

One UK broadcast source said that it would be a brave government that, in the wake of the 2012 London Olympic Games, which fostered a strong sense of

national unity, started to chop back the events protected for free-to-air television. The BBC's coverage of the event, which is also listed, was integral to its impact on the UK population in a way that would not have been possible had much of the event been shown on pay-television.

The UK rights for the 2014 World Cup have already been jointly acquired by the BBC and commercial broadcaster ITV. Fifa carved the UK rights out of its European tender for 2018 and 2022 awaiting the ECJ ruling. The European rights for Euro 2016 will come on the market in January.

TV EUROPE

Discovery diversifies and targets men

By Kevin McCullagh

Discovery Communications said this week it acquired a stake in pan-European sports broadcaster Eurosport in order to diversify its science and nature-focused channel business, and because the sports broadcaster provided a good fit with its existing male-focused content.

Discovery, which operates paytelevision channels on a global basis, is paying French broadcast group TF1 €170 million (\$219 million) for a 20-per-cent stake in Eurosport. It has an option to increase the stake to 49 per cent after two years. If it takes that option, TF1 could exercise another option to sell Discovery the remaining 51 per cent.

Discovery's core business has traditionally been pay-television channels with programming about nature and science, led by the flagship Discovery Channel. The company has channels in 217 countries and territories.

"What we have really been looking to do on a global basis is opportunistically find high quality assets in markets that we like that we think can help complement and grow the current business," Mark Hollinger, president and chief executive of the broadcaster's international arm, Discovery Networks International, told TV Sports Markets this week.

He added: "We believe that from a sales point of view generally – both from an affiliate sales point of view and from an ad point-of-view – that having a broader and well-diversified portfolio puts us in a better position."

Hollinger said Eurosport was an attractive investment for several reasons. Discovery believes that Eurosport has the potential to grow. The US-based broadcaster has said that development opportunities for Eurosport included "geographical expansion, new product launches and digital rollout." Discovery's chief executive, David Zaslav, told media this week that his company and TF1 were looking at opportunities to expand in Asia but were not planning on launching Eurosport in the US.

Hollinger said that the fact that Eurosport's audience was predominantly male, like most of Discovery's current channels, could help it generate stronger advertising sales. Discovery also wants to diversify its channel portfolio, and previously had no sports channels. Eurosport's pan-European distribution, and the strength of its brand, were also attractions for Discovery.

Sport 'not a priority'

Discovery last week also acquired another Western European channel business with a strong position in sport when it agreed to pay \$1.7 billion to Germany-based broadcast group ProSiebenSat.1 for 100-per-cent control of the SBS Nordic general entertainment pay-television

business. SBS has used sport to drive audience share at its pan-Nordic basic-tier channels, most notably in Denmark where it has rights for English Premier League football.

But sport is not a particular focus of Discovery's acquisition strategy, Hollinger said. "We didn't go into this process saying 'We want to get big in sports, what can we buy?'"

He added: "Clearly this is a move for us into different genres, so to that extent it's a broadening out of our strategy, but it's not the result of a specifically sports-focused strategy or a specifically general entertainment-focused strategy. It's really around: 'Can we find high quality assets that we think can contribute to growth?"

Eurosport and SBS deals were part of a global growth strategy that Discovery had been pursuing for several years, Hollinger said, and it was "somewhat coincidental" that both were done at the same time and both were in Western Europe. The company is reported to have also made a bid for Telecom Italia Media, owner of the Italian commercial channel La7.

Zaslav this week sought to allay any fears by Discovery's investors that the company could become involved in expensive battles for sports rights by pointing out that Eurosport's focus was on second-tier, niche sports. "There isn't one sport that they have to have... It doesn't strive to be that big massive platform, which is consistent with what we do," he said.

Discovery is forecasting revenues in 2012 of around \$4.5 billion. ■

TV RIGHTS 1

Football: Chilean national team, Premier Soccer League and more

- **Football:** Chilean commercial broadcaster Megavisión acquired domestic and international rights for Chile national team matches, in the four years from 2015 to 2018 (page 2).
- Football: UK public-service broadcaster the BBC acquired rights for the England team's matches at the 2013 European Women's Championships in Sweden. The BBC acquired the rights in a sublicensing deal with pan-European sports broadcaster Eurosport, which had
- the rights under a deal with football's European governing body Uefa.
- broadcaster Ecuadorian commercial broadcaster Ecuavisa agreed rights deals with several clubs from the country's Serie A league, for coverage that will be shown on its US pay-television channel Ecuavisa Internacional. Ecuavisa struck the deals, which cover rights for league matches, directly with Barcelona, Emelec, Deportivo Quito, Deportivo Cuenca and Universidad Católica.
- Football: Pan-Asian sports broadcaster ESPN Star Sports, international sports broadcaster ESPN and UK paytelevision broadcaster Sports Tonight acquired rights for the South African Premier Soccer League game between the Orlando Pirates and the Kaizer Chiefs on December 8. ESPN's one-game deal covered Latin America, the Caribbean, Australia, New Zealand and the US.

SINCE LAST TIME

- US pay-television subscribers were granted permission to pursue a lawsuit accusing several television networks, Major League Baseball and the National Hockey League of antitrust violations related to the packaging of sports events for exploitation on television and internet platforms. US District Judge Shira Scheindlin said that subscribers could pursue claims that the packaging of sports content had reduced competition, raised prices and prevented subscribers from watching their favourite teams. The subscribers are complaining because they are unable to buy sports television packages which allow them to watch only the matches of the teams that they are interested in.
- The European Broadcasting Union, the consortium of publicservice broadcasters, elected a nine-member executive board for a two-year term starting January 1, 2013. Jean-Paul Philippot of RTBF in Belgium was re-elected as president, and Claudio Cappon of Rai in Italy was re-elected as vice-president.

FOOTBALL

- Carlos Slim's Mexican telco América Móvil acquired second-tier Mexican football club Estudiantes Tecos.
- Media Networks Latin America, a division of telecommunications company Telefónica, disputed claims by Peruvian football club Universitario de Deportes that a rights deal between the two parties had expired. Media Networks, the operator of paytelevision broadcaster Movistar TV, which shows Universitario's games on its Cable Mágico Deportes pay-television sports channel, said it would "defend the validity... of the contract to all authorities" Universitario claims that the deal is finished, and it is free to negotiate a new agreement starting in 2013.

TV INTERNATIONAL

French telecommunications company SFR agreed a deal with ESPN to carry the international sports broadcaster's US sportsfocused channel ESPN America on its pay-television platform.

- SFR also renewed a carriage agreement for the ESPN Classic archive channel. ESPN America and ESPN Classic are now available as part of SFR's Bouquet Sélection and Grand Spectacle packages.
- L'Équipe 21, a joint venture sports channel set up by French sports newspaper L'Équipe and the French Olympic Committee, launched on French digital-terrestrial television on December 12.
- Telecommunications company Portugal Telecom is close to acquiring a stake in Portuguese pay-television broadcaster Sport TV. The *Diario Economico* newspaper said that the deal, which needs to be approved by Portugal's competition authority, the Autoridade da Concorrência, will be worth €70m (\$90m).
- The NBC Sports division of US media group NBCUniversal struck a content and promotional deal with internet company Yahoo Sports. Yahoo will promote and provide links to the NBC Sports Live Extra online video player. The two companies will also develop original programming that will appear on both the Yahoo Sports and NBC Sports websites.
- Cable-television platform Mediacom agreed a carriage deal with the Iowa State University's athletics department for its sports channel Cyclones.tv. The agreement will run for five years, from 2012-13 to 2016-17. The channel will show one American football game per year, between five and 10 men's basketball games plus women's basketball, volleyball, wrestling, football, gymnastics and softball events. Mediacom will also carry the university's sports magazine programmes and archive footage.
- Canadian telecommunication company Bell added NBA basketball content to its mobile television service. The service now offers the pay-television channel NBA TV Canada, and NBA programming shown on Bell's sports pay-television channel TSN.
- T Sport, a new sports television channel in Tunisia, will begin broadcasting on January 14. The channel's owner, Hichem Bouajila, said that the network would broadcast 12 hours of live programming and 12 hours of pre-recorded content per day. Football, motorsports and combat sports will feature strongly in the programming schedule.

TV RIGHTS 2

Baseball, basketball, bowls, boxing, bull riding, cricket and cycling

- Baseball: International broadcaster Fox International Channels acquired rights for live coverage of home matches of Japanese Nippon Professional Baseball League teams the Fukuoka SoftBank Hawks, the Chiba Lotte Marines, and the Orix Buffaloes. FIC will use the rights on Fox Sports Japan, a new sports channel it is launching in the country in March 2013. Other sports on the channel will include football from the English Premier League and FA Cup, German Bundesliga and Italian Serie A.
- Basketball: Viasat Sport East, the pay-television channel operated by media group Modern Times Group in Russia, CIS states and Georgia, acquired rights for the NBA. The deal, which will initially run for the remainder of the 2012-13 season, covers up to five regular-season games per week, plus the all-star match, eastern and western conference play-offs, and the finals.
- Basketball: Pan-Asian broadcaster ESPN Star Sports acquired rights for the Association of South East Asian Nations Basketball League, the pan-regional club competition. The deal will run until at least the end of the 2013 season, which starts in January. The broadcaster will establish a dedicated ABL Friday

- Basketball programming slot for live coverage of games on its television, internet and mobile platforms. The broadcaster will also show weekly magazine programmes and will assist the league in producing the coverage.
- Premier Sports agreed a deal with the World Bowls Tour and the English Indoor Bowling Association for the 2013 season. Premier Sports will show coverage of a number of events including the World Bowls Tour International Open, World Pairs and Premier Threes events.
- Boxing: UK pay-television channel Loaded TV acquired rights for the British light middleweight fight between Brian Rose and Sam Webb on December 14. Promoter Frank Maloney brokered the deal in his role as a consultant to the channel. Maloney also said that UK pay-television broadcaster Box Nation would continue to show fights involving his leading British heavyweight boxer David Price.
- **Bull Riding:** US broadcaster CBS Sports renewed its exclusive domestic rights for events staged by the Professional Bull Riders organisation in the US. The deal will run for at least the

- duration of 2013. The CBS Sports Network cable-television channel will show 40 programmes, covering 25 events, including the World Finals in October. The CBS Sports cabletelevision channel will show 10 events.
- **Cricket:** UK pay-television broadcaster BSkyB acquired the rights for all live international cricket played in the West Indies involving all the major Testplaying countries, including England, in a seven-year deal, from 2013 to 2019, with pan-Asian pay-television broadcaster Taj Television (page 5).
- Union, the consortium of public-service broadcasters, renewed its European rights for the Critérium du Dauphiné in a deal with event organiser Amaury Sport Organisation, covering three years, 2013 to 2015. French public-service broadcaster France Télévisions will provide the international signal for the event.
- Cycling: The EBU renewed its
 European rights for the Amstel Gold
 Race for three years, 2013 to 2016. As
 part of the deal, Dutch public-service
 broadcaster NOS, an EBU member, will
 continue to serve as the event's host
 broadcaster.

TV RIGHTS NEGOTIATIONS

- The CAA Eleven agency is expected to launch a tender for the European media rights to the Uefa Euro 2016 football tournament on January 8. The tender will exclude France and Germany, where the rights have already been sold.
- The Austrian Bundesliga accepted offers for its domestic rights from public-service broadcaster ORF and pay-television operator Sky. The deals are expected to be finalised in January.

ORF bid for a five-year deal, from 2013-14 to 2017-18. Sky is reported to have bid for a three-year deal, 2013-14 to 2015-16, with a two-year extension option. The offers are worth a total of €20m (\$26m) per year. The league earns between €16m and €17m per year in the current cycle, 2010-11 to 2012-13, in deals with Sky and ORF.

The rights in the new offers are the same as in the current cycle. Sky bid for the rights to show every match live. ORF bid for one live match per round, on Sundays at 4.30pm, plus a highlights

- programme shown after the live match. ORF's bid includes rights for second-tier league the Bundesliga 2.
- The International Biathlon Union, biathlon's global governing body, invited companies to express an interest in bidding for the worldwide rights for its events in 2014-15 to 2017-18. Interested parties must request the tender documents by January 4.
- The Olivedesportos agency cancelled its deal to sell pay-television rights for the Taça da Liga, the Portuguese football league cup. The agency complained that a rights deal for the competition agreed by the the Liga Portuguesa de Futebol Profissional, the country's football league and the operator of the league cup, with commercial broadcaster TVI had undermined the value of the pay-television rights, making it "impossible" for the agency to reach its target sales figure. The league had sold the rights to Olivedesportos in a four-year deal, from 2010-11 to 2013-14.
- Australian network Nine and pay-television broadcaster Fox were reported by the Sydney Morning Herald to have proposed a five-year renewal, from 2013-14 to 2017-18, of their rights for domestic

TV RIGHTS 3

Golf, horse racing, ice hockey, rugby league, sailing and tennis

- **Golf:** US pay-television broadcaster the Golf Channel acquired live rights to the National Collegiate Athletic Association men's and women's division one golf championship in a multi-year deal. The broadcaster will begin showing coverage from the men's division in 2014, and from the women's division in 2015.
- Horse Racing: UK horse racing media company Racecourse Media Group agreed a deal to distribute the Ascot Racecourse's domestic and international media rights, beginning June 12, 2014. The deal was agreed directly with Ascot Racecourse. Racing from Ascot will transfer to RMG's pay-television channel Racing UK from rival channel At The Races.
- Ice Hockey: The Infront Sports & Media agency secured rights deals for the Red Bulls Salute European Trophy Finals ice hockey competition, taking place December 13-16, in more than 30 countries. Deals were agreed: in the US with sports broadcaster ESPN; in Sweden, Norway and Denmark with free and pay-television broadcaster Modern Times Group; in Finland with free and pay-television broadcaster MTV3; in the Czech Republic with pay-television broadcaster Nova Sport; in Slovakia with commercial broadcaster TV

- Markiza and pay-television broadcaster Nova Sport; in Switzerland with sports broadcaster SSF; and in Austria and Germany with commercial broadcaster Servus TV. A deal for international news coverage was agreed with sports news distributor SNTV.
- Rugby League: Australian telecommunications company Telstra renewed its digital media rights for the Australian National Rugby League for five years, 2013 to 2017. The deal covers mobile, tablet and internet platforms and includes a renewal of the league's title sponsorship rights. The deal is worth about A\$30m (€24m/\$32m) per year, double Telstra's fee in the previous cycle. The NRL is establishing a new digital media division to produce content for Telstra.
- Rugby League: The IMG Media agency extended its deal with the Australian National Rugby League to distribute the league's international rights for five years, 2013 to 2017. The deal covers rights in all markets except Australia and New Zealand. As part of the new deal, IMG will work with the NRL to develop an online channel providing free-to-view coverage in territories where there is no other coverage available.

- secured rights deals with several broadcasters in Asia for the Monsoon Cup, the final event of the 2012 World Match Racing Tour series. Deals were agreed with Singapore pay-television operator Starhub, Philippines paytelevision broadcaster Solar, Thai pay-television broadcaster TrueVisions, Indian pay-television broadcaster Neo Sports and pan-Asian sports broadcaster Eurosport Asia.
- Tennis: Indian subcontinent paytelevision broadcaster Taj TV renewed its rights for the Chennai Open ATP Tour 250 event to cover the 2012-13 edition, in a deal with the event's organiser, the sports and entertainment group IMG Reliance. Coverage will be shown on the Ten Sports channel.
- Tennis: The MP & Silva agency agreed an exclusive deal with the Kremlin Cup, the ATP Tour 250 event, to distribute the event's international rights for five years, 2014 to 2018. The agency will sell a rights package including a minimum of 17 matches each year from the tournament. MP & Silva replaces the IEC in Sports agency as the event's international rights distributor.

cricket to Cricket Australia, the sport's national governing body. The broadcasters are in an exclusive negotiation period with CA which expires on December 31. The proposed deal would put coverage of the Big Bash Twenty20 league on free-to-air television for the first time. Fox currently has exclusive rights for the Big Bash. Under the proposed deal, Fox would retain rights to all matches, but Nine would be able to simulcast the competition's semi-finals and final.

ALSO SINCE LAST TIME

- German public-service broadcaster ZDF hired production company Plazamedia to produce its coverage of Fédération Internationale de Ski World Cup events for the 2012-13 season. The deal covers five World Cups.
- Cycling media agency Shift Active Media was appointed by Google to produce content for a new cycling channel, the Global Cycling Network, which will launch on the internet company's video-sharing website YouTube on January 1.

- Sports media production company Deltatre opened new offices in Munich, Germany, and Paris, France. Stefan Schuster, formerly head of new media and sales and business development at football's world governing body Fifa, was appointed to lead the Munich office. Bastien Lacheny, the former product manager of Deltatre's digital solutions, was appointed to lead the Paris office.
- The International Boxing Association (AIBA) agreed a deal with satellite communications company SatLink Communications to deliver the World Series of Boxing competition to broadcasters globally via satellite in the 2012-13 season.
- North America's Major League Baseball is seeking a potential buyer for the television rights to games involving the Washington Nationals and Baltimore Orioles in a move that could result in the creation of a new regional sports network. The league hired an investment bank to find buyers for the franchises' media rights.
- The NBC Sports division of US media company NBCUniversal plans to stream between 800 and 1,000 sporting events per year

TV RIGHTS 4

US college sport, volleyball, World Mind Games and more

- US College Sport: US pay-television broadcaster ESPN acquired live rights to the National Football League Players Association Collegiate Bowl in a multi-year deal beginning in 2013. The deal also includes four hours of live coverage of practice sessions.
- US College Sport: The Learfield Sports agency agreed an exclusive multimedia rights distribution and production deal with the University of Illinois covering the university's intercollegiate sports events. The deal, which also includes marketing rights, is for ten years, 2012 to 2021.
- Volleyball: German pay-television broadcaster Sky Deutschland agreed a five-year deal, from 2013 to 2017, for the broadcast and marketing rights of the beach volleyball competitions of the German volleyball federation, the Deutsche Volleyball-Verband. Sky will broadcast the finals of the four

- SuperCups of the Beach Cup Tour, along with the semi-finals and finals of the men's and women's German beach volleyball championships. Sky's marketing subsidiary, Sky Media Network, will market the German Beach Cup Tour and the federation's beach volleyball championships.
- Various: Brazilian pay-television broadcaster SporTV agreed a deal with rival pay-television broadcaster Fox Sports Brasil to exchange rights for several properties between now and 2018. SporTV will receive exclusive and non-exclusive rights for games from the Copa Libertadores, South American club football's leading competition. Fox will receive rights to the Campeonato Série A, Brazil's top football division, two games per round from the Copa do Brasil domestic football cup competition and some rights for the 2014 Fifa World Cup and the 2016 Olympics Games.
- World Mind Games: Sports confederation SportAccord and its media rights partner the IEC in Sports agency agreed rights deals in 64 territories for the 2012 SportAccord World Mind Games. The territories covered by the deals include: China, with state broadcaster Beijing Television, which will also be the host broadcaster; Africa, with pan-regional broadcaster Setanta Africa; Asia with pan-regional broadcaster ESPN Star Sports; Bulgaria, with sports broadcaster Ring TV; the Indian subcontinent, with pay-television channel Ten Sports; the Philippines, with pay-television broadcaster Solar Sports; Croatia, with free-to-air channel SPTV; Afghanistan, with pay-television broadcaster Saba; and Hong Kong, with free-to-air broadcaster TVB. The SportAccord Sports Hub channel on YouTube will also stream coverage.

online by 2014, according to Rick Cordella, the division's senior vice-president and general manager of digital media. Cordella said that NBC Sports streamed about 100 events in 2012 outside its online coverage of the London 2012 Olympic Games.

INDUSTRY MOVES

Stéphane Dor resigned as marketing and media director of the Ligue de Football Professionnel, the French professional football league. Dor had served in the role for 11 years.

- Simon Potter was promoted to head of programming and production for Europe, the Middle East and Africa at ESPN. Charly Classen became the sports broadcaster's new head of digital media.
- Thilo Proff resigned as chief operating officer of sports at the Constantin Medien media company for personal reasons.Following the departure, Constantin chief executive Bernhard Burgener took responsibility for the company's Sports segment, including German sports broadcaster Sport1.

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