

Sponsorship Legal Issues: A Comparison Of Finland And The United States

Norros, Olli¹; Dodds, Mark²

¹University of Helsinki, Finland; ²SUNY Cortland, USA

E-mail: olli.norros@helsinki.fi

Aim of the research project

The aim of this study is to compare how two distinct sport law systems (Finland and the United States) analyze conflicting team and individual sponsorship issues. There is a potential conflict between the benefits granted to national team sponsors that limit the sponsorship elements of individual athletes. This problematic issue will be examined from the Finnish and US perspectives.

Theoretical background/literature review

Modern comparative law focuses on the legal similarities and the differences between two nations and utilizes document analysis techniques (Van Hoekle, 2015). This legal exploration may compare the European Union and the United States model of sport law (Parrish & Dodds, in press). Recently, Dodds & Norros (2017) examined the Finnish and United States models of sport law across numerous sport business areas, including sponsorship.

There are many similarities between the two models. The jurisprudence depends on the use of standard business law like competition/antitrust, intellectual property, and contract law for its legal decisions.

Specifically, there is a gap in the comparative sport law literature focusing on how national sport teams deal with sponsorships. Many Finnish and the US sport sponsorships offer category exclusivity at the national level. A potential conflict exists due to possible team and individual sponsorship agreements. This study attempts to address this issue from the Finnish and US perspectives.

Methodology, research design, and data analysis

The authors investigate this issue by first comparing the Finnish and United States legal systems. Next, two recent and similar legal decisions dealing with national team sponsorships and potential conflicts will be scrutinized.

In MAO 244/13 (Finland), a Finnish firearms athlete is sponsored by a German cartridge manufacturer. This agreement conflicts at the international level due to a competitor sponsorship with the Finnish Shooting Sport Federation, which may preclude the athlete from using her sponsor's product during international competition. A holding in the national team's favor would dramatically decrease the value of sponsoring the athlete. The legal issues of both the competition law and industry-cropping are discussed in the court's ruling.

In the comparison case, a US court considers how a national team sponsorship may include individual players without their consent. *United States Soccer Federation, Inc. v. United States National Soccer Team Players Association* (2016) ruled that the collective bargaining agreement did not require the players association's approval for print advertisements. Thus, the advertisements for the national sponsors can include individual athletes. This may affect the athlete's sponsorship value.

Results, discussion, and implications/conclusions

This paper discusses legal outcomes from both decisions. This investigation shows how the law impacts potential sponsorship strategy by identifying possible legal conflicts. In both cases, the national sponsorship is granted preference over the individual athlete sponsorship rights. The outcomes of this analysis advise sport sponsors in their strategic decisions to avoid unnecessary legal issues and costs.

References

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