

SUMMARY OF CONTENTS

	Page
PREFACE	v
ACKNOWLEDGEMENTS	vii
TABLE OF CASES	xix
 Chapter One. Moral Integrity of the Sport: The Role of the Commissioner and the Law	 1
A. Pete Rose v. Bart Giamatti	3
B. The Legal Scope of the Commissioner's Authority	7
C. Challenges to the Best Interests of the Sport	30
 Chapter Two. Constructing a Players Market From Contract to Antitrust Law	 91
A. Toronto Blue Jays v. Boston Celtics and Danny Ainge	93
B. Evolving Standards for Contract Enforcement	95
C. Reserve System and Restraint of Trade	128
 Chapter Three. From Antitrust to Labor Law	 172
A. Antitrust Background	172
B. Antitrust and the Players Market	182
C. Labor Exemption From Antitrust	222
D. Labor Deals as an Alternative to Antitrust: Collusion in Baseball	264
 Chapter Four. Labor Law and Collective Bargaining in Professional Sports	 273
A. Free Agency Via Labor Arbitration	276
B. Application of the NLRA to Sports	286
C. Union Support and Employer Retaliation	290
D. Certification of the Players' Bargaining Agent	297
E. Union's Exclusive Bargaining Authority	302
F. Duty to Bargain in Good Faith	308
G. Economic Conflict in Sports Labor Relations	324
H. Administration of the Labor Agreement	332
I. Union and the Individual Player	350
J. Salary Caps and Taxes	356
 Chapter Five. Agent Representation of the Athlete	 365
A. Union and Agent Representation of Athletes	367
B. Breakdowns in the Agent-Player Relationship	386

	Page
C. Emergence of Agent Regulation	405
D. Agents, College Athletes, and NCAA Rules	425
Chapter Six. Sports Broadcasting, Merchandising, and Intellectual Property Law	434
A. Right to Broadcast Games	436
B. Copyright in the Game Broadcasts	452
C. Player Publicity Rights	476
D. Owner Trademark Rights	504
E. Group Marketing of Intellectual Property Rights	530
Chapter Seven. Franchise, League, and Community	539
A. The Nature of a Sports League	540
B. Franchise Ownership Rules	586
C. Admission and Relocation of Sports Franchises	604
D. League-Wide Television Contracts	652
Chapter Eight. Monopoly in Professional Sports	689
A. Monopoly Power and the Relevant Market	692
B. Monopoly Resources and Monopolizing Conduct	705
C. Break up the Big Leagues?	742
Chapter Nine. Intercollegiate Sports: Due Process and Academic Integrity	745
A. The Tarkanian Saga and Procedural Due Process	748
B. Eligibility Requirements	776
C. Judicial Scrutiny of Institutional Decisions	814
Chapter Ten. Intercollegiate Sports: Commercialism and Amateurism	845
A. NCAA Eligibility Rules	847
B. Judicial Reading of the Scholarship Contract	863
C. Antitrust Scrutiny of NCAA Rules	871
Chapter Eleven. Intercollegiate Sports: Gender Equity	925
A. Pre-Title IX in Action	927
B. Administrative Development of Title IX	932
C. Resources	934
D. Administration	971
E. Access	979
F. Afterthoughts	991
Chapter Twelve. Individual Sports	994
A. Umpiring the Game	996
B. Eligibility to Play	1000
C. Disciplinary Authority of the Tour	1023
D. Organizing a Sports Tour	1027
E. Regulating Playing Equipment	1040
F. Olympic Sports	1050

	Page
Chapter Thirteen. Personal Injury From Sports	1086
A. Torts and Sports	1087
B. Criminal Law and Sports Violence	1098
C. Workers' Compensation for Athletes	1104
D. Back to Torts	1120
E. Disability and the Right to Play	1133
INDEX	1151