

The Application of Competition Law to Sports – 2019 in Review and a Look at What 2020 Might Bring

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Winston & Strawn Partner Peter Crowther discusses key topics that have arisen over the course of 2019 and provides insights into potential developments in 2020 for competition law as it applies to sports.

2019 was particularly marked by substantial developments in competition law as it applies to sporting rules and the ability of athletes to compete and commercialise. The [article](#) considers important developments that took place in 2019 in respect of the scope of the International Olympic Committee's Rule 40 and the different approaches to implementation that have been taken at the national level in Germany, Australia, the U.S., and the UK. The article also discusses changes to FINA's rules regarding athlete participation in independent events and enforcement action taken in Italy against the Italian Federation for Equestrian Sports for breach of commitments which had been imposed regarding the Federation's conduct vis-à-vis potential competitors.

The application of competition law to commercial practices in the sports industry is also reviewed, in particular, the imposition of fines by the European Commission on Nike for infringement of competition law in respect of its distribution arrangements for sports merchandise.

In the run-up to the 2020 Olympic Games, sport-related issues might be expected to assume a higher profile. This article looks at developments that might be expected in 2020, including in respect of further amendments to Rule 40 and progress with the claim by British athletes that the British Olympic Association's approach to Rule 40 is anti-competitive. The spectre of a number of other claims and complaints was raised in 2019, including a complaint made by Velon against the Union Cycliste Internationale, and if these are picked up by the European Commission, then progress in the course of the year is anticipated. Accordingly, 2020 looks to be another important year in this area.

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