

Johanna Hudgens Speaks at ABA Event on Navigating the Crossroads of Antitrust and Sports Law

FEBRUARY 27, 2024

On February 27, 2024, partner Johanna Hudgens joined a panel discussion titled “Game On: Navigating the Crossroads of Antitrust and Sports Law.” The program, part of the American Bar Association’s “Why Antitrust?” series, was held at NYU Law School. Panelists shared their perspectives about what happens when the NCAA rules and NFL Sunday Ticket get entangled by antitrust law.

KEY TAKEAWAYS FROM THE PROGRAM INCLUDE:

1. The impact of *Alston* on sports antitrust litigation is evident but continues to emerge. *Alston* clarified that the NCAA is not immune from antitrust laws and should no longer receive the level of deference it was previously afforded in some jurisdictions.
2. Name, image, and likeness (NIL) litigation continues, fueling debates about whether athletes are vulnerable to exploitation and how they can be protected. The panel discussed the proposal set forth by the NCCA President regarding NIL rules for Division I schools.
3. Courts are more closely scrutinizing sports ventures and examining whether challenged restraints are ancillary. This includes a focus on NCAA rules as well as NFL licensing practices. The panel discussed the history of antitrust litigation relating to the NCAA and NFL, highlighting new litigation focused on NIL, as well as the NCAA’s transfer rules, and NFL Sunday Ticket broadcasting rights.
4. The panel discussed the *Dartmouth* case currently before the NLRB and the impacts of a decision classifying certain Dartmouth student-athletes as employees entitled to NLRB protections. The panel also discussed previous NLRB cases and their outcomes.
5. All panelists agreed that both collegiate and professional sports will continue to be heavily influenced by antitrust laws.

1 Min Read

Speaker

Johanna Rae Hudgens

Related Capabilities

Antitrust/Competition

Sports

Related Professionals



Johanna Rae Hudgens