

Sports & Entertainment Beat

## Sports & Entertainment Spotlight - April 1, 2021

By Joshua Bloomgarden on 4.1.21 | Posted in Sports & Entertainment Spotlight

March is over, a new month begins.

Congrats on the Final Four to the Zags, Cougars, Bears and Bruins.

Opening Day is upon us, it's time to play ball,  
And battle for the World Series title deep into the fall.

Enough setting the stage, let's get on with the show,  
Here's what's going on this week to put you in the know:

A devilish sneaker collaboration leads to a lawsuit by Nike,  
with allegations that its brand was tarnished and that consumer confusion is likely.

NFTs as collectibles remain one of the hottest items in town,  
as the creators of NBA Top Shot close a huge financing round.

Apple throws it support behind a DIY music distribution up-start  
That enables creators to shun labels and retain ownership of their art.

Against the NCAA, student-athletes took their case to the Supreme Court,  
And Justices tipped their hands to show the NCAA skepticism and the athletes support.

Will be back next week with my usual pithy prose,  
If you guessed this was April Fools' hijinks, you hit it right on the nose.

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### Endorsement Deals, Sponsorships & Investments

#### [Nike Gets Restraining Order Against Lil Nas X's 'Satan Shoes'](#)

*April 1, 2021 via Yahoo! News*

Nike is waging an all-out war with the devil. The apparel company has successfully blocked the

sale of Lil Nas X's "Satan Shoes" — at least for now. On Wednesday (March 31), a U.S. District Court in New York approved Nike's request for a temporary restraining order against MSCHF, the art collective that collaborated with the rapper to create a pair of sneakers containing "one drop" of human blood. They used modified Nike Air Max 97s for the collaboration...

### **Brand Blasphemy? What Nike's Move To Sue MSCHF for Lil Nas X 'Satan Shoes' Tells Us About Pop Culture**

*March 31, 2021 via Forbes (subscription may be required)*

Lil Nas X has hit a rocky road in his ascent to pop-stardom with the now viral controversy surrounding his "Satan Shoes" designed by the art collective, aptly named MSCHF. Infamous for containing a drop of human blood in the soles, the "Satan Shoes" by MSCHF is more a marketing scheme for Lil Nas X's next music project...

### **Icon Source Launches 50 for 50 Campaign To Support Female Athletes**

*March 31, 2021 via Yahoo Finance - Top Stories*

Icon Source, a digital marketplace that connects aspiring brands and professional athletes, launches 50 for 50 campaign to help boost awareness and financial support for professional women in sports. Icon Source will waive its fees for the first 50 companies to commit to spending a minimum of \$10,000 over the next 12 months with female athletes...

### **Chinese Stars Dump Nike, Adidas and H&M as Beijing Attacks Western Fashion Brands Over Xinjiang**

*March 25, 2021 via Hollywood Reporter*

A slew of A-list actors and musicians, including Wang Yibo and Eason Chan, are ditching their lucrative endorsement deals after a number of Western brands expressed concern about reports of forced labor in China's Xinjiang province. Chinese state TV called Thursday for a boycott of H&M as Beijing lashed out ...

### **Novak Djokovic and a New Players Group Want Tennis To Fix Its Broken Economics**

*March 24, 2021 via Bloomberg – News (subscription may be required)*

It was a rare sight at last year's pandemic-interrupted U.S. Open: a crowd. One afternoon in late August, a group of about 80 male tennis players in T-shirts and masks gathered at the Grandstand stadium in Flushing Meadows, filling up rows of dark-blue seats, like schoolboys assembled for a socially distanced class picture. The only action on the court below was a practice session. The 57th-ranked female player, Ajla Tomljanovic of Australia, was rallying with a partner, glancing up in bewilderment as the men applauded between points...

### **Apple Invests in a Music Start-Up Challenging the Major Record Labels**

*March 31, 2021 via New York Times - Most Recent (subscription may be required)*

Apple is investing in UnitedMasters, a music distribution company that lets musicians bypass traditional record labels. Artists who distribute through UnitedMasters keep ownership of their master recordings and pay either a yearly fee or 10 percent of their royalties...

### **Ed Sheeran Copyright Spat Stayed Pending Separate Case Outcome**

*March 30, 2021 via Bloomberg Law - News Top Stories (subscription may be required)*

A copyright infringement fight between Ed Sheeran and Structured Asset Sales LLC, which owns part of Marvin Gaye's "Let's Get It On," is paused pending a decision in a related case, a federal judge ruled...

### **Justin Tranter, Emily Warren, More Songwriters Sign Letter Calling for Artists To Stop Demanding Credit for Songs They Didn't Write**

*March 30, 2021 via Variety*

Three days after an anonymous songwriters group named the Pact called for artists to stop demanding credit for songs they did not write, the group has followed with a letter signed by Emily Warren, Ross Golan, Justin Tranter, Victoria Monet and others pledging that the signatories "will not give publishing or songwriting credit to an artist who did not create or change the lyric or melody or otherwise contribute to the composition without a reasonably equivalent/meaningful exchange for all the writers on the song."

### **Bob Dylan Fights Back Against Copyright Suit**

*March 29, 2021 via Jewish Business News*

Bob Dylan is fighting back against a civil suit. The legendary musician was sued by the widow of one of his collaborators over claims that she should be entitled to a share of proceeds from Dylan's recent sale of his entire song catalog. The Tambourine Man is trying to get the law suit tossed. Last December Robert Zimmerman, AKA Bob Dylan, sold his entire song catalog to Universal Music Publishing Group for \$300 million...

### **Record Labels May Have Falsely Taken Credit for Artists' Works, Charter Tells Court**

*March 27, 2021 via Torrent Freak*

Charter Communications, one of the largest Internet providers in the United States, stands accused of deliberately turning a blind eye to its pirating subscribers. Several music companies including Capitol Records, Warner Bros. and Sony Music filed a lawsuit against the ISP, arguing that it failed to terminate or otherwise take meaningful action against the accounts of repeat infringers...

### **Tuneln Loses Appeal Against Judgment in Sony and Warner Copyright Infringement Lawsuit in the U.K.**

*March 26, 2021 via Music Business Worldwide (subscription may be required)*

The Court of Appeal of England and Wales has upheld a copyright infringement verdict against a U.S. streaming radio service Tuneln. The company was hoping to overturn the judgment in

the Warner Music Group and Sony Music Entertainment copyright infringement lawsuit that was made in November 2019...

### **RIAA, NMPA, More Music Groups Slam Twitter's 'Rampant Theft of Creative Works' in Letter To Congress**

*March 25, 2021 via Variety*

Ahead of Twitter's CEO Jack Dorsey testifying before the House Energy & Commerce Committee this afternoon, the RIAA, the National Music Publishers Association, the American Association of Independent Music, Songwriters of North America and the Music Artists Coalition have jointly penned a letter to committee leadership detailing how Twitter has "failed to meet the basic standards of moderation when it comes to the rampant theft of creative works on its platform," and to ask the congress members to engage Dorsey on its accountability...

### **What's in a Name? For Musical Posers, Bill Could Bring Hammer of Justice**

*March 25, 2021 via GPB News*

Georgia is known for having lots of artists who are making waves within the music industry today, but a bill backed by a local organization hopes to bring protection to legacy artists living in the state. A Senate bill, SB 157, seeks to outlaw the "deceptive practice of musical performance groups advertising and appearing as the recording group without the recording group's permission or denoting that it is a salute or tribute performance."

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## **Non-fungible Tokens**

### **Inside Hollywood's Rush To Cash in on NFTs**

*March 30, 2021 via TheWrap*

With the new NFT (non-fungible token) market fetching multimillions of dollars for digital art assets including jpegs, video clips and even tweets — like \$ 2.8 million for Twitter CEO Jack Dorsey's first tweet — it comes as no surprise that Hollywood is jumping on the bandwagon in a feverish quest...

### **NFT Mania Subsides After Breakout Month of Sales**

*March 31, 2021 via Bloomberg – News (subscription may be required)*

For the digital art market, there really was no direction to go other than down. Weeks after non-fungible token mania reached a crescendo with the record breaking \$69.3 million Beeple auction at Christie's, sales figures across online marketplaces for digital art and collectibles have made a swift retreat...

### **NFTs Are Suddenly Everywhere, But They Have Some Big Problems**

*March 30, 2021 via CNN Edition*

For several weeks, it's been near impossible to exist on the internet without at least hearing a mention of NFTs. Short for non-fungible tokens, they are pieces of digital content linked to the blockchain, the digital database underpinning cryptocurrencies such as bitcoin and ethereum...

### **Dapper Labs, Creators of NBA Top Shot, Get \$305 Million in Funding, Including From Michael Jordan**

*March 30, 2021 via Chicago Tribune*

Canadian blockchain technology company Dapper Labs has secured \$305 million in private funding — some of it from current and former NBA players, including Michael Jordan — to scale up its virtual NBA trading card site, the company said Tuesday...

### **Billionaire Mark Cuban Wants To Turn Mavericks Tickets Into NFTs**

*March 29, 2021 via Yahoo Finance - Top Stories*

Dallas Mavericks owner Mark Cuban has always been a bit of a financial maverick himself, so it's no surprise that he's taking an offbeat approach to generating new revenue that involves NFTs, or nonfungible tokens. As reported by CNBC on Friday (March 26), Cuban wants to turn Mavericks tickets into NFTs so fans can buy and resell them — and the Mavs can make royalties on the sales...

### **As Worries Spark Over the Carbon Impacts of NFTs, Some Unexpected Boosters Come To Their Defense**

*March 30, 2021 via GeekWire*

Time will tell whether buying NFTs for Beeple's digital collage for \$69 million or Twitter founder Jack Dorsey's first tweet for \$2.9 million were smart investments, or simply falling prey to hyped consumer fads dating back to the tulipmania of the 1600s. The more urgent question for many is this: What are the climate impacts of tethering the sales of virtual items to blockchains?

### **How NFT Collectibles Can Lead To the Gamification of Everything**

*March 31, 2021 via Sportico – Business*

It has been almost impossible not to notice the explosive growth of NBA Top Shot and the broader category of non-fungible tokens (NFTs). In just the past several weeks, NBA Top Shot had one 24-hour period in which it saw \$10 million in sales; Christie's auctioned off a piece of digital art for \$69 million; Logan Paul completed the sale of \$5 million worth of NFTs ahead of a Pokémon card unboxing; and Jack Dorsey's first tweet, in NFT form, sold for \$2.9 million...

### **Some NFT Sales Could Be Illegal: SEC Commissioner Hester Peirce**

*March 30, 2021 via Crypto News Australia*

U.S. Securities and Exchange Commission regulator Hester Peirce - sometimes known as Crypto Mom - said investors should be wary of creating unregistered investment products with NFTs. Fractionalized NFTs could potentially be securities, she said. The hype around NFTs, or non-fungible tokens, refuses to die down, and regulators are taking notice...

### **New York Opens the First (Physical) Art Gallery Dedicated To NFT**

*March 30, 2021 via News Break - Top Stories*

The New York 'Superchief Gallery' this Thursday (April 1) became the first physical gallery in the world to dedicate itself to the exhibition of works in NFT, a new digital art format that has reached stratospheric popularity in recent months...

### **Blockchain Entrepreneur Explains Why He Is Excited About NFTs**

*March 29, 2021 via CNBC*

Non-fungible tokens should be used as a new tool to monetize digital content in general, not just digital art, says Jiannan Ouyang, co-founder and CEO at Openmining...

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## **Right of Publicity**

### **Supreme Court Weighs Whether NCAA Is Illegally 'Fixing' Athlete Compensation**

*March 31, 2021 via Business Google News*

As March Madness heads into its final days, college athletes are playing on a different kind of court: the Supreme Court. On Wednesday (March 31), the justices heard arguments in a case testing whether the NCAA's limits on compensation for student athletes violate the nation's antitrust laws...

### **Take To The Court: Justices Will Hear Case on Student Athlete Compensation**

*March 31, 2021 via NPR - Morning Edition*

As March Madness plays out on TV, the U.S. Supreme Court takes a rare excursion into sports law Wednesday (March 31) in a case testing whether the NCAA's limits on compensation for student athletes violate the nation's antitrust laws. The outcome could have enormous consequences for college athletics...

### **NCAA Board of Governors Chair Expresses Confidence in Emmert**

*March 27, 2021 via U.S. News & World Report - Top Stories*

The Chairman of the NCAA's Board of Governors gave President Mark Emmert a vote of confidence Saturday (March 27), saying the association's top governing body was satisfied with how he has addressed inequities in the college basketball tournaments and with his leadership through a tumultuous 10 days...

### **Supreme Court Takes on NCAA Restrictions**

*March 31, 2021 via Washington Times*

The NCAA and former college athletes are getting ready to play ball at the Supreme Court. With the March Madness basketball tournament ongoing, the high court will hear arguments on Wednesday (March 31) in a case about how colleges can reward athletes who play Division I basketball and football...

**Eleven States Have Still Done Nil on Name, Image and Likeness**

*March 25, 2021 via Sportico – Leagues*

Just more than two years since California state Sen. Nancy Skinner introduced SB 206, the nation's first law addressing the publicity rights of college athletes, the strong majority of the country's legislatures have jumped on the bandwagon. Despite a pandemic that has severely hindered both lawmaking and sports-playing over the last year, at least 39 state legislatures have by now produced at least some kind of college athlete name, image, likeness (NIL) bill...