

Sports & Entertainment Beat

Sports & Entertainment Spotlight: Could Kanye “Ye” West’s Stem Player Create a Number of Copyright Issues?

By Joshua Bloomgarden on 2.24.22 | Posted in Sports & Entertainment Spotlight

Welcome back or for the very first time (what took you so long?) to the “Sports & Entertainment Spotlight”! As the torch is extinguished on, by most metrics (television ratings, in particular) a fairly underwhelming Olympic games, we turn our attention (limited as it may have been) from the five Olympic rings to the three rings (of the big top tent variety) that never seem far behind Kanye “Ye” West. Specifically, this past week, Ye announced that his highly anticipated album, “DONDA 2” would be released exclusively on his brand new \$200 platform called “Stem Player” – not on streaming platforms. Now, a few things interest me about this development (none of which being: Who did/did not make the album; whether a certain reality television star and/or a certain Saturday Night Live cast member were referenced in the album; why the album release date was not met; why the audio at the livestreamed release party left much to be desired; or that the Stem Player looks like an Aspirin-Mentos lovechild (the pacemaker freshmaker?). First, as has been widely observed, is that this a shrewd marketing strategy that could serve as a model for future music releases – Ye grossed \$1.3 million in revenue within just a few hours of his announcement. Of course, \$200 is a lot to pay for an album, but the value proposition in the Stem Player is not just that its users gain access to the album, but also that the Stem Player allows the users to manipulate and record the so-called “stems” or component parts of a recording (e.g., drums, vocals, bass, samples) to create entirely new remixes. Given rumors of Ye having turned down a \$100 million Apple distribution deal for the album, clearly there is conviction about the technology’s prospects. But putting on my lawyer hat, methinks the Stem Player could create a potential morass of copyright issues, for example, from users’ performance or distribution of remixes of others’ recordings. Any lawsuits related to the Stem Player platform could certainly hurt the bottom line, but I suppose that is mere speculation for now. Either way, I will keep tabs on the Stem Player and Ye so you don’t have to (you’re welcome). For now, I bring you this week’s highlights, for which no purchase is necessary:

- *The United States Women’s National Team settled their equal pay lawsuit against the United States Soccer Federation to the tune of \$24 million and a commitment to equalize pay with the Men’s National Team. Your move, [insert your preferred organization with discriminatory pay practices].*

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- *Former Miami Dolphins head coach Brian Flores, himself in of a lawsuit regarding discrimination and the application of the Rooney Rule, lands an assistant coaching job with the Pittsburgh Steelers, incidentally owned by... (check notes)...Rooney.*
 - *Eight months into the name, image and likeness (NIL) era in college sports, the Division I Board of Governors is convening a review of the effects of NIL deals amongst other things, student-athletes’ mental health as part of its efforts to formulate a lasting NIL policy. The Spotlight has exclusively obtained an unofficial draft of the report reproduced here: .*
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Endorsement Deals, Sponsorships & Investments

A Fresh-Faced Scarlett Johansson Joins Instagram to Model Skincare Line

February 23, 2022 via Yahoo News

Scarlett Johansson has joined Instagram via her new 'clean and effective' skincare line's page, The Outset, making her fans very happy. The actor, who has never before had a presence on social media, is due to launch the full product range on 1 March, as unveiled by the social media account.

MLB Player Joins as Investor, Partner at Local Sports E-Commerce Company

February 23, 2022 via Biz Journal

With the announcement of this MLB player joining the Guardian Baseball team, the brand becomes the first sports e-commerce retailer owned by a professional athlete.

Amtrak Returning to Sports Sponsorship, Names Agency of Record

February 23, 2022 via Sports Business Journal

Some five years after exited as a longtime sports marketing brand, it is returning to the fold. After a review, Amtrak has quietly named Hackensack, N.J.-based Source Communications its sports agency of record.

NCAA Division I Board Calls for Review of NIL Policies

February 18, 2022 via Lancaster Online

NCAA Division I's highest-ranking governing body called for a review Friday (February 18) of how name, image and likeness compensation policies are impacting recruiting, transfers, academics and athlete's mental health.

Michael Rubin’s Fanatics, Jay-Z, Meek Mill, Lil Baby, and More Acquire Mitchell & Ness for \$250 Million

February 18, 2022 via Complex

Michael Rubin’s Fanatics and Jay-Z, as well as several other familiar names, are among those confirmed to have acquired Mitchell & Ness. In a statement shared with Complex, Rubin touted

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the Philadelphia-based company as an “iconic brand” with a limitless future.

Eileen Gu Scores Gold at Olympics and With Brands Despite Controversy

February 17, 2022 via Women's Wear Daily

With her medal-winning free skiing and can-do spirit, American-born Chinese free skier Eileen Gu has dominated the media’s coverage of the Beijing Olympics. But that global fascination has also been ignited by a streak of controversy.

NWSL’s Kansas City Current Sign Ticketing Deal With SeatGeek

February 17, 2022 via Sportico – Business (subscription may be required)

SeatGeek is the new official ticketing platform for the NWSL’s Kansas City Current after the pair signed a multiyear partnership that starts this season. Kansas City is the fourth NWSL team to partner with SeatGeek, joining the Portland Thorns, Houston Dash and Racing Louisville FC.

Sports

Marchand & Ourand Pod: NFL, Olympics Wrap

February 23, 2022 via Sports Business Journal

This week's episode of The Marchand and Ourand Sports Media Podcast casts a wide net, taking a look at what's next for the Olympics, the media offseason and Adam Silver 's comments on limiting locker room access for reporters.

The Winter Olympics Are Won by a Small Circle of Countries, Over and Over

February 23, 2022 via Bloomberg – News (subscription may be required)

There’s an exclusive club of nations that keeps winning the Winter Olympics — which for medal hopefuls has proven tough-as-ice to crack compared to the summer games, despite efforts to bring more diversity into the competition.

U.S. Soccer, Women’s Team Members Settles Equal Pay Lawsuit for \$24 Million

February 22, 2022 via The Washington Post

Members of the U.S. women’s national team reached a settlement with the U.S. Soccer Federation that will guarantee equal pay with the men’s team and offer players millions in back pay, ending a six-year fight in a gender discrimination case that resonated through American sports and beyond.

Brian Flores, Who is Suing the NFL, Will Join the Steelers as a Defensive Coach

February 21, 2022 via NPR

Brian Flores, who filed a racial discrimination lawsuit against the NFL and three of its teams,

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has been named senior defensive assistant and linebackers coach of the Pittsburgh Steelers.

China’s Gamble on a New Olympic Strategy Pays Off in Gold Medals

February 16, 2022 via Bloomberg – News (subscription may be required)

China’s most successful Winter Olympics team ever is a motley lineup that includes the son of hockey legend Chris Chelios, a former child actor, and a Louis Vuitton model.

Music Biz

Voicemod Inks its Third Entertainment IP Content Deal for Music of ODB, Wu-Tang Clan Founding Member

February 23, 2022 via Business Wire - Top Stories

Voicemod, the world leader in augmented voice and interactive audio, has closed its third IP deal in collaboration with the music of legendary hip-hop artist Wu-Tang Clan.

Why Artists Like Springsteen And Dylan Are Suddenly Selling Their Catalogs

February 21, 2022 via The Day

"The best things in life are free. But you can keep 'em for the birds and bees. Now give me money." The Steve Miller Band put it more aggressively: "Take the money and run." It seems many of their colleagues are finally getting the message.

Kelly Accuser Gets Priority in Fight Over Sony Royalties

February 18, 2022 via Bloomberg Law (subscription may be required)

A woman who won a \$4 million judgment against recording artist R. Kelly will receive royalties from Sony Music Holdings Inc. until she's paid in full, while a company with a \$3.5 million award must get in line after her, an Illinois appeals court said.

Kanye West Touts \$1.3 Million in Stem Player Sales, Says Exclusive ‘Donda 2’ Release Sinks Apple Deal

February 18, 2022 via Billboard

After announcing Thursday that his forthcoming album would be streaming exclusively on his branded Stem Player, Kanye West (now known as Ye) says he's raked in over \$1.3 million in sales over the past day alone.

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Film & TV

Big 12 Commissioner Bob Bowlsby Discusses Conference Divisions, Texas And Oklahoma, TV Contracts

February 23, 2022 via Salt Lake Tribune

Senior Big 12 officials visited Provo for first time since conference expansion. The Big 12 Conference is in transition as it prepares for the arrival of four new member schools, including BYU.

Contrast Among Alliance Leagues More Apparent as Big Ten Looks to Media Rights

February 23, 2022 via Sports Business Journal

The Alliance conferences, Big Ten and Pac-12, seem to "view governance and other important topics through the same prism," but "no matter how it relates with other leagues, the Big Ten is still the Big Ten," according to Scott Dochterman of "The Athletic."

PFT Suggests NFL Sunday Ticket Could Fetch \$7.5 Billion/Year, but is That Even Realistic?

February 21, 2022 via Awful Announcing

Now that the 2021-2022 NFL season is over and Super Bowl LVI is behind us, the focus is back on where it matters most (to the league’s accountants), what will happen next with Sunday Ticket?

NBC Won’t Profit on Beijing’s Least-Watched Olympics, but Hopes are High for Paris

February 21, 2022 via Sportico – Business (subscription may be required)

The 2022 Winter Olympics was less an unforeseen disaster for NBC than something that, almost by design, was fated to be forgotten even while it was happening.

NBC's Beijing Olympic Ratings Called a 'Disaster' for Network: 'I'm Stunned... There is Karma in the World'

February 21, 2022 via Fox News - Latest News

A sobbing Russian figure skater berated by one of her coaches for a poor routine. Grim-looking cooling towers in the background of acrobatic snowboard jumps. Diplomatic boycotts. Half-empty stands. Announcers covering the games from Connecticut. It all played out in a host country engaged in human rights atrocities that was also the origin site of a global pandemic. For NBC, it wasn't exactly Olympic glory in China.

Croatian Football TV and Media Rights Sold For €44 Million

February 21, 2022 via Croatia Week

After the termination of the contract with Endorphin Magine, the HNS management held meetings with companies interested in buying TV and media rights, followed by three official offers to buy TV rights – A1 Croatia, Hrvatski Telekom and Sportklub and AB SportConsulting. At the same time, the SuperSport offer for media rights arrived, HNS said in a statement today.

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SBJ Unpacks: NBC Wraps Up Beijing With Another Record-Low Olympics

February 21, 2022 via Sports Business Journal

Tonight in Unpacks: The Beijing Games were the least-watched Olympics on record, per SBJ's Austin Karp.

MGM Inks Development Deal With ‘The Mentalist’s Simon Baker

February 17, 2022 via Television Business International

MGM International Television Productions has signed an exclusive multi-year first-look deal with “The Mentalist” star Simon Baker. Under the terms of the agreement, Australian actor and director Baker will look to develop scripted projects with MGM with an international focus.

Tiktok Comedian Zoe Roe Inks Scripted Deal With Invisible Narratives

February 16, 2022 via Tubefilter Feed

Comedian and influencer Zoe Roe is the next creator to forge a deal with Invisible Narratives. Invisible Narratives, which is working with the likes of Larry and Cherdleys on feature film releases bundled with custom merch, has signed Roe for a scripted content development deal.

Non-Fungible Tokens (NFTs)

An NFT Bubble Is Taking Over the Gig Economy

February 22, 2022 via Wired - Headlines

Argentinian musician Frank Tavis had the life he always dreamed of. The 26-year-old was traveling the world and performing on the streets and in bars in more than 20 countries — each coin dropped in his guitar case helping pay his way to the next country for five years.

Wrangler® Announces First-of-its-Kind NFT, That Links the Metaverse With Physical World

February 22, 2022 via Business Wire

Wrangler®, a brand that has spent the last 75 years dedicated to creating the world’s best denim, is kicking off its milestone anniversary focused on the next frontier, the metaverse, by releasing 75 digitally animated Icon-Tier NFTs featuring one of Bridges’ signature dance moves.

How NFTs Could Redefine the Future of The Music Industry

February 19, 2022 via Venturebeat

NFT sales skyrocketed in 2021. From a transaction volume of merely USD \$40.69 million in 2018, NFT trading volume surged over \$44.2 billion in 2021 and is continually shattering records and reaching new heights.

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Tags: copyright, Equal Pay Act