Sports & Gaming Law

Rapid technological growth, shifting consumer preferences to online engagement and modernized regulations are bringing unique legal opportunities and challenges to Canada's sports and gaming industries.

Sports are no longer just played on soccer fields or baseball diamonds. Canada's sports and gaming industries are now an entirely different ballgame, with bigger stakes and new players from across the globe entering the arena.

From eSports to iGaming, we know what separates a MOBA from an FPS, a straight bet from a parlay, and the leagues, platforms, teams, fan bases and operators associated with the rapidly colliding worlds of traditional sports, gaming, technology and eSports.

Clients count on our gaming and sports law experts as their problem solvers, deal makers, advocates, and legal and business partners.

By combining our experience in gaming and sports law, our national cross-disciplinary team of experts are at the forefront of the laws and regulations impacting Canada's rapidly-evolving sports and sports wagering, eSports, iGaming, and gambling industries.

Our clients include:

- National and international sports organizations;
- Provincial and municipal governments;
- Casino operators;
- Multinational corporations and start-ups;
- Video game publishers and developers;
- Leagues and teams;
- Professional and amateur athletes;
- Gamers;
- Event organizers and promoters;
- Funding partners; and
- Broadcasters and distributors.

Leagues, teams, organizations, athletes, gamers and operators rely on us as their trusted advisor on a wide range of complex mandates, as well as industry-specific issues relevant to their businesses and platforms, including:

- Going public transactions;
- Mergers & acquisitions;
- Purchase and sale of teams/leagues/businesses;
- Compliance with provincial gaming, licensing and contest regulations;
- Privacy and data security regulations compliance;
- Video game development and publishing;
- eSports tournaments and events;
- Video game acquisition and licensing;
- Dispute resolution, litigation and arbitration;
- Labour and employment;
- Salary negotiations;
- Commercial and contractual issues;
- Intellectual property matters, monetization and naming rights, licensing and sponsorships, and broadcasting and advertising rights;
- Real estate;
- Concessions and ticketing;
- Competition Review;
- Governance; and
- Immigration.

Experience

- Canadian counsel to The New York Times Company (NYSE: NYT) in its acquisition of global digital subscription-based sports media business The Athletic for US$550 million.
- Playtika Holding Corp., a mobile gaming company and monetization platform, in its US$1.9 billion initial public offering and listing on the Nasdaq Global Select Market.
- CatchCorner, a Toronto-based online marketplace for sport-related activities, in its partnership with Sports Illustrated to create North America's largest hub for sports and recreational activities.
- Bell Media in its acquisition of Octane Racing Group , the exclusive promoter of the Formula 1 Canadian Grand Prix, the largest annual sports and tourism event in Canada.
- Sports IQ Analytics Inc., the sports betting technology supplier and odds provider, in its US$7 million series seed funding round.
- Various national and provincial sports organizations in safe sport investigations, risk management, disciplinary matters, team selection and doping disputes.
- Various NHL clubs in salary arbitration disputes with eligible players.
- 801 Albert Street Inc. and TIP Albert Limited Partnership in a claim arising out of a failed joint venture between Capital Sports Management Inc. (CSMI) and Trinity Development Group Inc. The venture, formed out of a proposal to develop LeBreton Flats in downtown Ottawa, would have resulted in a new arena for the Ottawa Senators. 801 Albert Street Inc. and TIP Albert LP are involved in an adjacent real estate development that CSMI alleged unfairly competed with LeBreton Flats.
- Toronto Region Board of Trade (TBOT) in the Clubhouse Developments Inc. acquisition of The Country Club golf course $220 million.
- Fanatics Inc. in its acquisition of VF Corporation’s Licensed Sports Group, which includes the Majestic® brand and fan wear through licensing agreements with U.S. and international sports leagues and teams.

- City of Ottawa in negotiations with the Ottawa Sports and Entertainment Group (OSEG) regarding the public-private partnership redevelopment of Lansdowne Park, including successfully acting for the City in connection with the Friends of Lansdowne litigation challenging the project.
- Defended the Calgary Sports and Entertainment Corporation (Calgary Flames) from a claim made by a plaintiff official who was allegedly injured during a regular season NHL game. BLG successfully applied to stay the litigation on the basis that the matter was governed by an arbitration clause in the NHL Constitution and associated governing documents, and was not within the Court's jurisdiction. The lawsuit was successfully stayed.
- Ontario Federation of Snowmobile Clubs and Ontario Cycling Association (interveners) in a Court of Appeal hearing after plaintiffs injured while using ski facilities argued the waivers they signed did not exempt ski resorts from their statutory obligation under consumer protection legislation. In the Appeal hearing, BLG successfully acted on behalf of the interveners.
- Regional Municipality of Halton in Ontario Municipal Board (now Local Planning Appeal Tribunal) hearings. BLG represented the municipality on Saw-Whet and Glen Abbey, two controversial golf course developments.
- Whistler Blackcomb Holdings Inc. in resolving First Nations issues related to renewing Mountain Development Agreements, required for ongoing ski operations for Whistler Blackcomb.
- Represented WinSport, who were granted Interested Party status at an Alberta Public Fatality Inquiry following an incident at the Canada Olympic Park (COP) bobsled track in February 2016. In that case, eight young men broke into the COP facility and slid down the bobsled track, which resulted in fatal and other serious injuries.
- High-level planning and expropriation-related advice for a developer attempting to develop a golf course property in Calgary. The city recently indicated a large part of the property will be required for drainage, which could make the proposed development uneconomic. This matter has received significant press coverage.

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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