

21ST CENTURY CORPORATE MEDIATHLETICS: HOW DID WE GET TO SLAMBALL?

*Ray L. Waters**

Corporate Mediathletics are shaped by many considerations: who watches, who buys, who plays? The tie that binds is advertising. The extent of who's bound has changed over time. In the early 20th Century athletics and corporate organizations had varying relationships. Chicago teams can illustrate this point. The Chicago Cubs play in the National League's oldest ballpark, Wrigley Field. It bears a corporate name. [EN 1] Another Chicago team, the Bears originally carried a company moniker. They were the Decatur Staleys. [EN 2]

The relationship then was about sponsorship for benefit. The benefit, as now, was maximal exposure. Whether it's a headline from a Cincinnati newspaper that read *Cubs beat Reds in Wrigley Field* or a Minneapolis newspaper that advertised *Decatur Staleys in town to play Marines*, the Wrigley Company and the A.E. Staley Company benefited from the national advertising. Then, the athletic team was the medium. Today, the medium has changed.

The national broadcast medium for sports changed dramatically during the 20th Century. It went from newsprint to radio. Then it changed from radio to television. Today mass media has altered the sports broadcast from local coverage of national sports to local blackouts required by leagues to benefit the highest bidding television distribution outlet. [EN 3] Moreover, these outlets are varied and commingled. The means of entertaining through athletic competition has evolved from attendance at the arena, to listening on the radio, to watching on the television, to audio-visual simulation.

The Compact Disc (CD) was born around the same time that the Superstation developed. [EN 4] As the Superstation developed as a conduit of sports broadcasts into the home, the CD serves as a conduit of sports simulation. [EN 5] Sports simulation evolved because the video-gaming industry proved its popularity. Television-based computer home gaming began with the very basic Atari games in the 1970s. [EN 6] By the 1990s a full-fledged industry was forged. This industry grew and flourished, but very singularly faceted. There was much competition for the home video-gaming market but not much compatibility with television and sports programming. Now sports simulation forges a relationship between the video-gaming industry, the television (as the medium) and sports organizations. These relationships have advanced to create MEDIATHLETICS.

This advancement is best depicted by the onslaught of the Superstation. The importance of television to sports franchises began with local competition for broadcast rights. In what is known today as the "small markets" the local station, often *independent*, would broadcast a select number of games. The relationships were mundane and very rarely competitive.

In larger markets it was very competitive. In places like New York, Philadelphia and Chicago the relationships were developed with more intensity. In these markets competition should have included the local stations of the television networks, but it couldn't. The networks, all of which had radio affiliations, were the American Broadcast Company (ABC), the National Broadcast Company (NBC) and the Columbian Broadcast System (CBS). The local affiliates had to conform, almost without any variation, to the network broadcast schedule. [EN 7] This conformity did not allow the affiliates to create a substantial local broadcast schedule. A trivial schedule did not appeal to sponsors looking to sports for a mass market. The autonomous ability

to schedule the games gave independent stations [EN 8] in large markets a competitive advantage.

The independent stations became the television “home” of professional sports teams. The relationship between the sponsors, the stations and the teams developed into very profitable ones. Blackouts, *supra*, guaranteed attendance at home. More importantly, profitability brought on the commitment to broadcast away games. The home market could *keep up* with the team while it was on the road. These independents began to own retransmission agreements with cable companies. The retransmission agreements and the national exposure of the teams spawned the Superstation. [EN 9]

Superstations are local broadcasters that negotiate with local sports teams for local TV rights to games. [EN 10] They are different from other local broadcasters because satellites to cable systems around the country send Superstations' local game broadcasts to a national audience. [EN 11] These Superstations were able to develop because the laws allow[ed] cable systems to pick up broadcasts without permission from the program's creators. [EN 12]

In 1985 WTBS broadcasted, through retransmission, to more than 33 million households via more than 8,000 cable systems. [EN 13] By 1992 TBS, carrying Braves games, reached 57.6 million households; WGN, carrying the Cubs and the White Sox, reached 34.9 million households; and WWOR, carrying the Mets, reached 13.5 million households. [EN 14] In 1992 Major League Baseball lobbied Congress to change the law. [EN 15]

The modern relationship- between sports teams and broadcasters and sponsors and advertisers and owners and leagues became complicated; Superstations symbolized this. Contention had been the binding element upon the evolution of the Superstation. To address this changing relationship, the former baseball commissioner, Peter Ueberroth, negotiated payment by the owners of the teams broadcasting on Superstations into baseball's central fund for equal distribution to the other [baseball] clubs. [EN 16] This is known as a *supplemental rights fee*. It came into existence in 1985. By 1992 Congress was wrestling with the baseball issue. [EN 17] During this period the question of the Superstation and the relationship with other professional sports was before the Seventh Circuit. [EN 18]

Chicago Professional Sports Limited Partnership and WGN Continental Broadcasting Company v. National Basketball Association embodied the past strained relationship between the cable television industry and the leagues. The case tested the parameters of the Sports Broadcasting Act. [EN 19] The NBA placed a twenty game restriction for telecasts on all teams. The Chicago Bulls had an agreement with Superstation WGN to broadcast thirty of their regular season games. The United States District Court for the Northern District of Illinois opined that the Bulls would suffer an injury under the twenty-game limit. It furthered that the Sports Broadcasting Act did not exempt the NBA from an antitrust violation. The District Court enjoined the league from enforcing its restriction. The Supreme Court agreed. The case stayed in the courts as the relationship between the broadcast industry and the leagues evolved. That was the 20th Century. The 21st Century landscape is quite different- insert interactive video-gaming; insert (and remove) the XFL; insert SlamBall.

Video-gaming, the XFL and SlamBall show how the relationship between television and sports organizations has developed into one which is quite interesting. There was none more interesting, in concept, than the relationship between NBC, the WWF and the XFL. [EN 20] The XFL [was] jointly owned and operated by World Wrestling Federation Entertainment and NBC. [EN21] Moreover, the exclusive cable broadcasting rights to those games were sold to The National Network (TNN) a Viacom-owned cable company. The Viacom-owned TNN created its

own game- SlamBall. SlamBall is the merger of large media conglomerates and athletic leagues. The hybrid sport embodies the merger of ownership- of the mass medium and the product.

Ownership is another facet in the complex relationship between sports, broadcasting and corporations. [EN 22] Consider the leagues as traditional (MLB, NHL, NFL and NBA) and non-traditional (e.g. Arena Football, MLS). The complexities are present in considerations such as corporate sponsorship. The complexities are manifested through media interaction. The Tribune Company owns the Superstation WGN. It also owns the Chicago Cubs. This is allowed in Major League Baseball.

There are thirty franchises in Major League Baseball. Media companies own Ten percent of them wholly or partially. The Tribune Company, along with its ownership of the Cubs and WGN also own the LA Times. The LA Dodgers are owned by the Times Mirror Corporation. The Atlanta Braves are owned by AOL Time Warner, owners of CNN and America Online. The California Angels are owned by the Walt Disney Company, owners of ESPN and ABC.

The Walt Disney Company also owns the Anaheim Mighty Ducks of the National Hockey League. The NHL is a traditional league that allows corporate and media ownership. The NHL, like other traditional leagues, the NFL and the NBA, are overwhelmingly owned by groups of individuals. One NFL team, the Green Bay Packers, have been a publicly held corporation since its inception. This approach to NFL ownership is considered non-traditional.

Though the NFL has restrictions on who owns its franchises, it is less restrictive on owners' and players' involvement in other leagues. On February 8, 1999 the NFL agreed to an exclusive option to purchase an equity interest in the Arena Football League. This option would give the NFL a minority interest in the Arena Football League and a voice in the operations. Currently nine NFL owners operate teams in the AFL or own rights to future clubs. [EN 23] There are also AFL owners affiliated with the NBA, the NHL and Major League Baseball. [EN 24] The Arena Football League is a non-traditional league that plays a traditional sport. The WNBA is another.

The WNBA's ownership policy is evolving. Since its inception the WNBA followed a collective ownership model. The equity and risk was spread over all 29 NBA teams. [EN 25] In 2002, however, this changed. The league decided to restructure the WNBA to a single entity ownership model. The single entity ownership model shifts the equity, operating costs and financial risks of each team to the individual owners. [EN 26] The league cites opportunities in non-NBA markets with non-NBA owners as the rationale behind the shift to the traditional ownership style from the non-traditional single entity ownership model. [EN 27]

Major League Soccer has been fanatical in declaring team independence under single entity ownership. [EN 28] MLS allows the same entity to operate multiple teams. In 1999 questions were raised when players (Baicher and Jair) were traded between the New England Revolution and the San Jose Earthquakes (nèe Clash). [EN 29] Both teams have the Kraft Group as their owner operator. The trade, technically, was made between men's professional soccer teams owned by the same entity. [EN 30] This form of ownership is slightly different with women's professional soccer.

The WUSA is the American women's professional soccer league. Upon inception it was funded for five years. There was a commitment of \$40 million to fund the operations and administration of an eight-team league. [EN 31] In some markets there was to be a single WUSA team-operating investor. [EN 32] Partnerships [among investors] were to occur in other markets. [EN 33]

One of the partnerships is between two individuals; another is between an individual and a corporation. One of the parties involved in the partnership between individuals is the same person involved with the corporation. The other individual also singly invested in another club. Corporations own the five other clubs. It is difficult to discern if this is single entity ownership or some hybrid of other forms. There are clear differences between the ownership forms of the women's professional league and the men's league in the sport of soccer. Since its introduction the women's league, the WUSA, did not collaborate with the men's league, MLS.

MLS has always had the problem that it has operated out of a position of weakness with its so-called "broadcast partners." [EN 34] The WUSA does not have that problem. There is talk of more collaboration between the leagues. The most value the MLS gets [from collaboration with the WUSA] is entry to the vast cable systems. [EN 35] Those corporate investors in the WUSA are Continental Cablevision, Inc., Comcast Corporation, Cox Enterprises, Cox Communications and Time Warner Cable. These cable companies' relationships with women's soccer create an interesting fusion- corporate sponsorship.

Corporate sponsorship at the beginning of the 20th Century had a different connotation than it does today. [EN 36] In the 21st Century corporate sponsorship could mean ownership and it definitely means stadium-naming rights. Places like Ebbets, Forbes, and Municipal are memories. [EN 37] The not so distant past has seen the disappearance of venerable places like Three Rivers and Riverfront. [EN 38] Soon Philadelphia's Veterans Stadium will be no more.

The Philadelphia Eagles are trading in "The Vet" for Lincoln Financial Field. The new stadium is sponsored by the Lincoln Financial Group. They will pay up to \$6.7 million annually through 2022. Stadium naming rights belong to mainstream Fortune 500 corporations, regional mainstays, and to companies in bankruptcy. Minute Maid Park was Enron Field. Savvis Communications defaulted on their commitment to the St. Louis Blues. What will become of the sponsorship of the Bulls' and Blackhawks' arena during and after the reorganization of United Airlines?

Airlines are well represented in the stadium naming game. There is the United Center, the Delta Center, Air Canada Center and America West Arena. American Airlines has naming rights to two NBA forums. The American Airlines Center is home to the Dallas Mavericks and the American Airlines Arena is home to the Miami Heat. FedEx is also doubly represented (one arena in separate sports): FedEx Field is home to the Washington NFL franchise and the FedEx Forum is home to the Memphis NBA team. FedEx pays more for its NFL affiliation. [EN 39]

NFL teams are less likely to have a stadium named for a corporation. Baseball and football have less than 50% of the stadium named by virtue of a corporate sponsorship. The NBA certainly has more than 75% of the arenas with naming rights. [EN 40]

The NBA is also the leader in gaming rights. The CD-Rom not only revolutionized the video-gaming industry, but it also forged a relationship between professional sports and upstart interaction media companies. [EN 41] Gamers sought reality upon seeing the possibilities of interactive simulation with video games that drove cars around conceptual speedways, that match generic pitchers against nonspecific hitters in virtual diamonds and that, with the proper combination of hand control, could make forwards slam dunk. Companies like Electronic Arts Sports, Inc. (EA Sports) wanted to replace conceptual speedways with a very closely simulated Indianapolis Motor Speedway. EA Sports took video-gamers off of fake gridirons and right into Texas Stadium.

EA Sports has developed relationships with, among others, Major League Soccer, the NFL, the NCAA, NASCAR, Major League Baseball and the NBA. EA Sports offers NBA Live. The 2003 version touts these relationships:

All other trademarks are the property of their respective owners. EA SPORTS™ and EA SPORTS BIG™ are Electronic Arts™ brands. [EN 42]

This brand and these associations reiterate the media-interactive relationship. [EN 43] Players *really* perform so that they may *virtually* portray true to form. They participate in motion capture sessions. These sessions digitally record motion and translate that motion into the video game. [EN 44] The most common method involves a series of video cameras set up around a stage. [EN 45] The group of cameras uses infrared rays to track the motion of reflective balls [on a lycra jumpsuit] in three dimensions. [EN 46] The balls are placed at key points along the body: head, feet, hands, elbows, knees, and so on. [EN 47] The realism produced epitomizes the modern relationship between sports and interactive media. The realism produced shows the best effort to have art imitate life. The modern question is- does life imitate through SlamBall?

"[S]ome games have me performing moves that I can't do in real life," says Jay Williams of the Chicago Bulls. [EN 48] "[T]here are some dunks I just can't do." [EN 49] Dunks are a *can do* in SlamBall.

SlamBall is an extreme team sport that combines the fast-court action of basketball with elements of football, hockey and soccer. [EN 50] The sport features two teams playing four-on-four. The game lasts sixteen minutes. SlamBall is played on a surface with four trampolines built into the court around both baskets. [EN 51] The game is played full-court over an area roughly the size of a regulation basketball court. The court is spring-loaded and shock absorbent. Twelve-foot high plexiglass walls surround it, keeping the ball in play at all times. [EN 52] There are cameras under the floor. It is intended, unlike basketball, to be a full-contact sport. SlamBall is purely a media creation.

Mason Gordon, a Hollywood executive, fashioned the sport. [EN 53] SlamBall was created as an underground alternative to basketball in the late [sic] 1990s. [EN 54] The game soon caught on and developed a rabid underground following. [EN 55] The program's color commentary is done by two-time NBA All-Star, Reggie Theus, and former Philadelphia 76ers owner (who is currently a part-owner of the SlamBall league) Pat Croce. He says, "[i]t's good entertainment." [EN 56] Is it entertainment as life imitating art?

Jay Williams' *cooperation* through his motion capture session epitomizes the video-gaming industry's quest to have art imitate life. SlamBall is the opposite, video-gaming gone human. The network that airs SlamBall calls it "non-stop, hard-hitting, *human video game [sic]* action." [EN 57] Fans of the hybrid sport assert that it is "... all out. [They] love the contact and the highflying action. [They opine that] SlamBall is the sport of the future. [EN 58] This highflying action, as described on its official site, sounds like a video game. TNN describes [SlamBall as] played 4-on-4 [sic] on a full-court. Hockey-style full contact rules are offset by a *looser* interpretation of dribbling rules, resulting in innovations in ball control. An up-tempo, fast-breaking style is tempered by complex half-court set plays. Defensive rotation becomes a necessity, as players *launch from the outer reaches of the Slam Zone to attack the rim*. [EN 59] The producers created what sounds like a video game. SlamBall is life-imitating art- on live television.

The 20th Century marriage between television and sports was initiated by an old-fashioned, down on one knee, proposal from sport (the groom) to TV (the bride). The 21st Century brings a more complex union between the two. SlamBall is a mail-order spouse to the television industry. The fact that the games are telecast is one of the few similarities between this hybrid sport [EN 60] and other sports. The league (USU) itself is secondary.

The NBA lays claim to all of its productions, reserves all rights to its telecasts and rebroadcasts and slaps a silhouette of Jerry West [EN 61] on every conceivable marketing opportunity - contractual or charitable. The NBA Live 2003 EA Sports video game explicitly states that:

[t]he NBA and individual NBA member team identifications used ...are trademarks, copyrighted designs, and other forms of intellectual property of NBA Properties, Inc. and the respective NBA team members and may not be used, in whole or in part, without the prior written consent of NBA Properties, Inc. [EN 62]

With the USU broadcasts the "New" TNN is the star of the show. [EN 63] The game promotes the network. The network promotes the game. The object is to get viewers to become fans; and fans to become viewers. Another major difference here is that there are no blackout rules. [EN 64] The fan-base is the television audience. The USU is not an arena league. A more interesting distinction is that all of the USU teams play their home (and away) games at the same place.

The L.A. Clippers and the L.A. Lakers of the NBA and the N.Y. Giants and N.Y. Jets of the NFL have the dubious distinction of sharing a home court and field, respectively. They also compete for a fan base. The Bouncers, Diablos, Mob, Rumble, Slashers and Steal all share an arena. The teams are not the Denver Diablos or the Baltimore Bouncers. USU teams compete in a league where the power of eminent domain belongs to the cable network. TNN created the game, its teams, its format and its rules.

The rules [EN 65] are designed to make SlamBall a full-contact sport. Kicking and punching is not allowed. Blocking is allowed, if the player is going for a steal. The players are allowed to hit opponents. [EN 66] This is the hockey component of the hybrid sport. Like hockey, the rules regarding illegal contact are clearly defined and not open to interpretation. [EN 67]

Fouls are called on the occurrence of tripping or holding an opponent on the floor. The only other occurrence of a foul is when one plays "the man rather than the ball" while in the air. [EN 68] The remedy for a foul is a Face-Off. [EN69] The person who was fouled attempts a dunk, while the person who fouled him defends the basket. [EN 70] This allows the defense to affect the score in a penalty situation. The remedy for a foul is more personal; the result is rivalries between the players. [EN 71]

Four starting players hold three positions. There is one handler; there are two gunners; and there is one stopper. When viewing a player's profile there are seven categories. Six of these are standard for *professional* athletes. They list: *name, height, weight, college, team, and position*. The seventh category points to this sport as a hybrid. It is the player's *background*. A sampling of eight players' *backgrounds* registers *track and field, basketball, skateboarding, streetball* and *football*. [EN 72]

To attract players with a variety of backgrounds SlamBall's recruiting is unconventional. The league, which will expand to eight teams for 2003, [EN 73] conducts try-outs. The SlamBall

website directs those who are interested to complete and application. [EN 74] The broadcast and the website direct potential players to the SlamBall Hotline. [EN 75] The league reviews applications and invites hopefuls to five cities for assessment. Those invited to Atlanta, Chicago, Los Angeles, Orlando or Philadelphia are tested in basketball and football and for all-around athletic skill. Those who make the cut will go the Los Angeles for a final audition and may potentially become a member of one of the eight teams. [EN 76]

The teams, their names, the gear, the logos and the players all belong to the league. The league wanted an action-packed, viewer friendly hybrid. They got it when SlamBall premiered as a human video concept. The producers set two goals: 1) to toggle the line between *real* and *virtual* and 2) to have non-stop minimally interrupted *action* from pre-telecast zealous promotion of the game and the network to post-telecast credits. The league owners' and producers' ultimate goal is profitability. [EN 77] If one asked "[h]ow does SlamBall make their money?" the easy response is "[a]dvertisers..." [EN 78]

The principle advertisers of the league are: 7-Up, Heineken, Reebok and Xbox. [EN 79] Through advertisement SlamBall meets both of the fore mentioned objectives. 7-Up is a *real* company, its sponsorship is *real*, and its appeal to the viewer-ship is *real*. However, unlike fans at an NBA game, spectators at SlamBall games do not see the sponsors' wears. At NBA games a 7-Up ad is *real* in the sense that in the arena there is a posting, or a neon sign, or a series of scrolling messages. At a USU game there are no postings, no neon, and no scrolling messages. There are on the screen "pop-ups" that the fans in the arena never see. The 7-Up ads are *virtual*. [EN 80]

Virtuality is further promoted through real commercials. During the two SlamBall contests these were some of the advertisers: [EN 81]

Primed (A Nintendo video-game)
NBA 2K3 (A Sega video-game)
Bloodring (Xbox footage) and
Godzilla (Gameboy).

The electronic gaming industry was further promoted through a Circuit City slot marketing Sony- Gear It Up! [EN 82] Allen Iverson geared it up for a Reebok A6 spot. NBA players were also represented in the NBA 2K3 ad. [EN 83]

The broadcast continued to toggle the *virtual/real* line through extensive advertisement of fantastic feature films. The telecast featured:

Lord of the Rings
Spiderman (as a DVD for sale at Target and as a rental at Blockbuster) and
Sum of All Fears. [EN 84]

This action thriller supports the producer's second objective- *action*.

SlamBall's commitment to *action* is also exemplified through its advertisers. The sports-themed NBA 2K3 was the only *virtual* ad that was not *action* oriented. *Action* was advertised through these adventure inclined organizations:

The U.S. Army (depicting *action* in the field)
The U.S. Air Force (depicting *action* in the sky) and
Valvoline (uses of a race-car spot).

Even the principle advertisers modify their messages through *action*. The beer company sponsors the Heineken *Play of the Game*. The athletics wear company sponsors the Reebok *MVP*. Nonetheless, the advertiser which appears *virtually* throughout the live-*action* telecast most prominently is the network! This is 21st Century Corporate Mediathletics.

As a banner for Atkins Saws or Western Electric Telephones [EN 85] may have hung from the outfield wall at Weeghman Park [EN 86] for display during game play in the early 20th Century, a virtual *banner* is displayed throughout the telecast of SlamBall. [EN 87] The right to show its product to the massive fan base may have come after Western Electric negotiated with and came to an agreement with Charlie Weeghman. This fan base was stadium specific in the early 20th Century. There was no radio broadcast; no television; no Superstation; no internet. The 14,000 gathered at the ballpark, almost daily, was that era's closest form to mass media. Athletic competition, in the 20th Century, was the advertisers' outlet to push its product. Athletics was the medium; the corporate advertisers were the distinctly independent beneficiaries of the mass audience.

The 21st Century brings a new landscape. The medium provides the mass audience. The corporate advertisers are not distinct from the athletic entity; nor are the athletic entity independent from the corporation. Corporate Mediathletics is SlamBall and SlamBall is Corporate Mediathletics. Corporate Mediathletics is the mix of leagues and networks and players' unions and ownership. SlamBall is the mix of interactive media and live competition. SlamBall is where fans can become players, where owners can become color-commentators, where networks can become owners and where owners can become advertisers. Corporate Mediathletics is the *reality* that *virtually* all parties, players, owners, advertisers, leagues, networks, Superstations, web-browsers and video-gamers are interdependent. With Corporate Mediathletics, as with SlamBall, there is no out of bounds.

* Legal Writing Instructor, DePaul University College of Law; DePaul Journal of Sports Law and Contemporary Problems Faculty Chair. B.S., University of Illinois; J.D., Southern University.

[EN 1] Originally known as Weeghman Park, Wrigley Field was built on the grounds once occupied by a seminary. The park became known as Cubs Park in 1920 after the Wrigley family purchased the team from Weeghman. It was named Wrigley Field in 1926 in honor of the club's owner, William Wrigley Jr. The Wrigley fortune is in the chewing gum industry.

[EN 2] The Staley Company is based in Decatur, Illinois and is a premier toolmaker. The Decatur Staleys played their first game at Staley Field in Decatur on October 3, 1920 against the Moline Tractors. The team would move north to Chicago and played at Cubs Park where the crowd size was considerably bigger, thereby increasing the chances of the team becoming profitable and successful. The name was changed to the Bears in 1922.

[EN 3] For the purposes of this note blackout considerations should include the media outlet's decision not to include a team on its national or regional broadcast schedule. The NFL had a policy requiring TV blackouts within a 75-mile radius until 1973. In September of that year Congress passed The Sports Antiblackout Bill. Pub. L. No. 93-107 (Sept. 14, 1973).

[EN 4] Alan Cane & Elaine Williams, *Sony in the Groove with Compact Disc*, FINANCIAL TIMES I 10 (Feb. 1, 1982) (Philips of the Netherlands and Sony of Japan introduced the Compact Disc in 1982. Its original purpose was to serve as a digital carrier of audio music but video consideration was immediate.).

[EN 5] Sports simulation involves live contest, which allows the player(s) to select, through manual controls, the teams, starting players, the opponents, et al. The major video-gaming organizations are best recognized by the units on which they are played: Sony's PlayStation® and PlayStation®2, Nintendo's GAMECUBE™, and Microsoft's XBox™.

[EN 6] Atari Pong graphics included two sticks and a ball. See Video Game Timeline, Toronto Star E2 (Aug. 31, 1995).

[EN 7] Examples of local affiliates are WABC and WNBC in New York and WLS and WBBM in Chicago.

[EN 8] The independent stations primarily broadcasted syndicated programs and vintage films.

[EN 9] The major independents that became Superstations were WTBS from Atlanta, WWOR from New York City and WGN from Chicago.

[EN 10] Michael Hiestand, *Baseball Looks for Change in Broadcasting Practices*, USA TODAY C10 (June 30, 1992).

[EN 11] *Id.*

[EN 12] *Id.*

[EN 13] Chicago Tribune Wires, *Turner Agrees to Pay Other Clubs for Superstation*, CHI. TRIB. C2 (Jan. 26, 1985).

[EN 14] The local independent station, WTBS, became the cable outlet, TBS (Turner Broadcast System).

[EN 15] Hiestand, *supra* note 10.

[EN 16] Chicago Tribune Wires, *supra* note 13.

[EN 17] Stan Isaacs, *Superstations Bill in the Works*, NEWSDAY 203 (June 12, 1992).

[EN 18] Chicago Prof. Sports Ltd. Partn. & WGN Continental Broad. Co. v. Natl. Basketball Assn. 961 F.2d 667 (7th Cir. 1992).

[EN 19] 15 U.S.C. § 1291(1990). The Court declared the Sports Broadcasting Act "special interest legislation, a single-industry exception to a law designed for the protection of the public." 961 F.2d at 671.

[EN 20] NBC is owned by General Electric Company, the World Wrestling Federation is privately owned by Vince McMahon.

[EN 21] Paula Bernstein, *TNN Tackles Cable Rights to XFL Games*, DAILY VARIETY 25 (Nov. 30, 2000).

[EN 22] Leagues have different requirements and restrictions on team ownership. The complexities are found in league policies on ownership.

[EN 23] Arena Football League, *Inside the AFL: Q & A with AFL Commissioner David Baker*, at http://www.arenafootball.com/around_the_afl/inside_the_afl/334635.html (last visited May 5, 2003).

[EN 24] Carolina Cobras (AFL), *Arena Football League Announces Colorado Edition*, (June 19, 2002), at <http://www.cobrasfootball.com/pressbox/press.asp?EntryID=491> (last visited May 5, 2003) ("Current AFL ownership includes Jerry Jones, Jerry Jones, Jr., and Stephen Jones, Dallas Desparados (NFL Dallas Cowboy ownership); William Ford, Jr. Detroit Fury (Detroit Lions); Jerry Colangelo, Arizona Rattlers, (NBA Phoenix Suns/MLB Arizona Diamondbacks); Dan Devos, Grand Rapids Rampage (NBA Orlando Magic); Charles Wang, New York Dragons (NHL NY Islanders); Rogers Communications, Toronto Phantoms (MLB Toronto Blue Jays)).

[EN 25] WNBA, *Portland Fire Franchise Returned to the WNBA*, (December 30, 2002) at http://www.wnba.com/news/blazers_will_not_take_ownership.html (last visited May 5, 2003)..

[EN 26] *Id.*

[EN 27] *Id.*

[EN 28] Robert Wagman, *Baicher-Jair Trade Raises Ethical Questions About MLS Ownership*, in *It Seems to Me...*(continuing series), SOCCER TIMES (August 17, 1999).

[EN 29] *Id.*

[EN 30] *Id.*

[EN 31] WUSA MEDIA GUIDE (2000).

[EN 32] *Id.*

[EN 33] *Id.*

[EN 34] Robert Wagman, *WUSA, MLS Agree to Cooperate*, in *It Seems to Me...*(continuing series), SOCCER TIMES (May 23, 2000).

[EN 35] *Id.*

[EN 36] *See supra* notes 1-2.

[EN 37] Ebbets Field was the home of the Brooklyn Dodgers; Forbes Field was the home of the Pittsburgh Pirates. There were Municipal Stadiums in Cleveland and Baltimore; they served dual purposes as the homes of the [Cleveland American League Baseball Franchise] and Browns; the Orioles and the Colts, respectively.

[EN 38] Three Rivers was the home of the Steelers dynasty and the Pirates. The two-time AFC Champion, Bengals and the "Big Red Machine" Reds played at Riverfront.

[EN 39] FedEx's agreement with the Washington NFL franchise is for up to \$7.6 million through 2025; the agreement with the Memphis NBA team is for up to \$4.5 million through 2023.

[EN 40] Twenty-two of twenty-nine teams play in an arena named for corporate sponsorship.

[EN 41] *See infra* notes 42, 62.

[EN 42] EA Sports Licensing Agreement, *NBA Live 2003* (Electronic Arts, Inc. 2002) (found in packaging material of *NBA Live 2003*).

[EN 43] *See, e.g., Internet and Interactive Media, in Entertainment Industry Contracts*, § 114 (Matthew Bender & Co., Inc 2002).

[EN 44] Darren Gladstone, *He's a Gamer*, 13 BASKETBULL MAG. 25, 28 (Nov. 2002) (news magazine of the Chicago Bulls).

[EN 45] *Id.*

[EN 46] *Id.*

[EN 47] *Id.*

[EN 48] *Id.* at 27.

[EN 49] *Id.*

- [EN 50] Slamball, *Slamball: A Team Extreme Sport*, at <http://www.slamball.info> (last visited May 5, 2003).
- [EN 51] *Id.*
- [EN 52] *Id.*
- [EN 53] See Adam Swiderski, *Interview with Mason Gordon, Creator of Slamball*, at <http://www.ugo.com/channels/sports/features/slamball/> (last visited May 5, 2003).
- [EN 54] Jenna Peyser, *Bouncin' Round the Room*, at <http://www.portergaud.edu/grits/10-24-02/slamball.html> (last visited May 5, 2003).
- [EN 55] James Anderson, *Superstar Stan "Shakes" Fletcher Shouting Out About Slamball and His Life*, (October 11, 2002), at <http://www.portergaud.edu/grits/10-24-02/slamball.html> (last visited May 5, 2003).
- [EN 56] EXTRA, *Slamball*, (April 23, 2002), at http://extratv.warnerbros.com/dailynews/extra/04_02/04_23d.html (last visited May 5, 2003).
- [EN 57] The National Network, *Shows: Slamball*, at <http://www.thenewtnn.com/shows/slamball/> (last visited May 5, 2003).
- [EN 58] Kidz World, *Slamball - TNN's Newest Court Sport*, at <http://www.kidzworld.com/site/p2360.htm> (last visited May 5, 2003) (submitted by visitor alycialuvver).
- [EN 59] Antseezee's Domain, *Slamball*, at <http://antseezee.sphosting.com/sports/slamball.html> (last visited May 5, 2003) (quoting from <http://www.slamball.warnerbros.com>) (emphasis added).
- [EN 60] SlamBall has been described as interdisciplinary, combining skills and tactics associated with basketball, hockey, football, soccer and gymnastics. See *id.* See also <http://slamball.info/>.
- [EN 61] Jerry West served as the model for the NBA logo.
- [EN 62] EA Sports Licensing Agreement, *NBA Live 2002* (Electronic Arts, Inc. 2001) (found in packaging material of *NBA Live 2003*).
- [EN 63] The National Network was The Nashville Network and primarily concentrated its programming toward country music.
- [EN 64] See *supra* note 3.
- [EN 65] The rules "pop up" on screen during game play as called for by the action on the court. E.g. A team cannot have two players on [the] "isle" or trampoline; three seconds on the island is not allowed. See n. 80 *infra*.
- [EN 66] Antseezee's Domain, *supra* note 59.
- [EN 67] *Id.*
- [EN 68] Peyser, *supra* note 54.
- [EN 69] *Id.*
- [EN 70] Antseezee's Domain, *supra* note 59.
- [EN 71] *Id.*
- [EN 72] *Id.*

[EN 73] The unnamed Team 7 and Team 8 will join the Bouncers, Diablos, Mob, Rumble, Slashers and Steal for the 2003 season. The teams are still league owned and locale non-specific.

[EN 74] *See* <http://slamball.warnerbros.com/slamball/playerssubmissionform.html> (last visited May 5, 2003).

[EN 75] *Id.* The SlamBall Hotline number is 818.972.0987.

[EN 76] The status of placement of SlamBall "veterans" during the new season is unclear. Moreover, information regarding player's compensation & benefits and representation (individually or players' union) is unattainable.

[EN 77] Sporting News, *XFL Folds After One Season*, (May 10, 2001), available at <http://www.sportingnews.com/xfl/articles/20010510/315930.html> (last visited May 5, 2003). The XFL, though created as a collaborative effort between sports and media, was unprofitable and ultimately folded.

[EN 78] The Benchwarmer, *Slamball 2003- Business of Slamball*, (January 25, 2003), at <http://www.allsports.com/network/content?site=1280&story=38453> (last visited May 5, 2003).

[EN 79] *Id.*

[EN 80] *SlamBall: Mob v. Rumble and Bouncers v. Steal* (TNN television broadcast Aug. 17, 2002).

[EN 81] Many of the ads ran more than once.

[EN 82] *SlamBall*, *supra* note 80.

[EN 83] *Id.*

[EN 84] *Id.*

[EN 85] Triple Cross Antiques & Collectibles, *Atkin's Saws Munsey's Magazine Pre-1900's Ad*, at <http://pages.tias.com/18/PictPage/1920584247.html> (last visited January 8, 2003).

[EN 86] *See supra* note 1.

[EN 87] *SlamBall*, *supra* note 80.