



## Brian R. Socolow

Co-Chair, Sports

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Brian Socolow, Co-Chair of Loeb's Sports practice, represents professional and college athletes, teams, event owners, media companies, equipment manufacturers and others in the sports industry in complex commercial transactions and business disputes.

Brian has handled many sports transactions, including media broadcast and distribution agreements, sponsorship and naming rights agreements, trademark licenses, venue agreements and the purchase and sale of sports properties. Most recently, Brian represented Simmons Bank in connection with the naming rights of Liberty Bowl Memorial Stadium, now known as Simmons Bank Liberty Stadium, in Memphis, Tennessee. He also represented the bank in its agreements to sponsor women's college athletics programs at 11 universities. He represented San Diego Wave FC, an NWSL expansion team, in its stadium agreement and smart home services provider Vivint in its naming rights deal for the arena home to the Utah Jazz. He also represented the Los Angeles Angels in their historic stadium and development transaction with the City of Anaheim.

Over the past several years, Brian has represented several professional athletes in connection with endorsement deals, commercial transactions and investments, and general corporate advice, including NBA basketball players John Wall, Tristan Thompson and JR Smith, and professional golfers Rickie Fowler and Brandon Wu.

Since the July 2021 lifting of the NCAA's ban preventing college athletes from monetizing their names, images and likeness (NIL), Brian has also represented high-profile college athletes, brands and agencies in NIL transactions and endorsement deals.

In addition, Brian has provided leagues, event owners and media agencies with strategic counsel in podcast, television and radio broadcast agreements, internet distribution and marketing rights arrangements, live event webcasting, exclusive ad partnerships and sponsorships.

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*I combined my passion for sports with my legal practice, and I look forward to each day and each new challenge helping clients compete in this dynamic industry.*

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Brian has a particular depth of experience in the rapidly growing sports technology and data sector.

### My Services

Sports & Esports  
Entertainment & IP Litigation  
Intellectual Property  
Interactive Media

### Education

University of Virginia School of Law, J.D.  
Yale University, B.A., *magna cum laude*

### Court Admissions

New York State Courts  
U.S. District Court for the District of Connecticut  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Northern District of New York  
U.S. District Court for the Southern District of Florida  
U.S. District Court for the Southern District of New York

### Bar Jurisdictions

New York  
Florida  
Connecticut

He advises manufacturers of wearable devices and other sports technology companies on data collection and use practices, security issues and licensing matters. In addition, Brian has developed a niche in the emerging sports market, helping new and developing sports properties in their media, licensing and commercial development.

Brian serves on the board of directors of the Sports Lawyers Association and regularly comments on sports-related topics as a legal contributor for top-tier media outlets, such as *CNN*, *ESPN Radio* and *The Wall Street Journal*.

Outside the office, Brian is a drummer and an avid runner. He also serves on the advisory board for the New York chapter of Back on My Feet, an organization that combats homelessness through running, and he served as a commissioner of the New Castle Recreation and Parks Commission.

## EXPERIENCE

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- Represented Simmons Bank in connection with the naming rights of Liberty Bowl Memorial Stadium, now known as Simmons Bank Liberty Stadium. The agreement for the historic stadium in Memphis is for 10 years, with two additional five-year options, and contains provisions regarding the potential renovation or replacement of the stadium.
- Represented Simmons Bank in its agreements to sponsor women's college athletics programs at 11 universities.
- Representing John Wall, an American professional basketball player, in connection with day-to-day commercial agreements, as well as his charitable foundation, business investments and estate matters.
- Representing JR Smith, an American former professional basketball player, in connection with strategic influencer agreements.
- Represented American professional golfer Rickie Fowler in connection with real estate acquisitions.
- Representing a high-profile college athlete, brands and agencies in NIL transactions.
- Representing Angels Baseball and SRB Management Company in the \$325 million acquisition of Angel Stadium and its surrounding 152 acres, as well as the master planning of the purchased property for development, from the City of Anaheim, California.
- Represented Vivint, a leading smart home technology provider, in a naming rights agreement and strategic marketing partnership with Larry H. Miller Sports & Entertainment, for the Salt Lake City arena that is home of the NBA's Utah Jazz. The agreement covers interactive fan experience at games, and upgraded security and automation technology at the arena. The region's premier sports, concert and entertainment venue, formerly known as Energy Solutions Arena, is now named the Vivint Smart Home Arena.
- Representation of United World Sports in negotiating broadcast agreements with NBC for USA Sevens and Collegiate Rugby Championship sevens rugby tournaments.
- Representing StatStak in its data collection and distribution agreements for high school athletes.

- Providing sports industry advice to Play'n Sports, an online platform for baseball and softball camps, clinics, prospect events, tryouts and weekly programs.
- Representing Smith & Company, a sports public relations firm, in connection with NIL transactions for high-profile college athletes.
- Represented Hillerich & Bradsby Co. in right of publicity matter involving Louisville Slugger trademark.
- Represented well-known sports equipment manufacturer in right of publicity matter.
- Represented Pinwrest Development Group in prosecution of patents for protective baseball headgear.
- Represented the seller of an interest in a minor league soccer franchise.
- Represented Edge10 (UK) in technology license agreement with NHL team for monitoring players' training activities.
- Representation of Tough Mudder in the negotiation of a television agreement.
- Represented USL team in MLS expansion franchise efforts.
- Represented the Acura Classic women's tennis tournament in its sale to the Women's Tennis Association.
- Represented AdLarge Media in media rights negotiations involving NASCAR, NFL and NCAA football broadcasts.
- Represented a secondary ticketing agency in negotiations with an NFL franchise.
- Represented Burton Snowboards in the negotiation of a strategic licensing and distribution agreement with LG Fashion, Korea's leading fashion company, for the design and distribution of Burton-branded apparel and accessories in Korea.
- Represented NHL team in an appeal before USA Hockey regarding its youth hockey program.
- Represented a major talent agency as a codefendant in a breach of contract action brought against an Olympic figure skater.
- Represented Fútbol Club de Barcelona in a contract dispute with a television distributor.
- Represented manufacturer of wearable technology apparel in data privacy and security matters.
- Represented UK sports agency in disputes with professional boxer.
- Represented Pinwrest Development Group in connection with an endorsement services deal with professional baseball player, Alex Cobb, for its isoBLOX impact protection product.
- Provided counsel to AdLarge Media in connection with its exclusive ad sales partnership with Shaq Fu Radio, an online 24/7 streaming hip-hop radio station from legendary NBA all-star, Shaquille O'Neal. The station features exclusive content directly from Shaquille O'Neal. The station will also be debuting #AskShaq, a new interactive, live call-in show, where fans can talk directly with Shaq.

- Successfully defended Hillerich & Bradsby Co. (Louisville Slugger®) as lead trial counsel in patent infringement action, securing summary judgment of noninfringement which was affirmed on appeal after the case was argued before the Federal Circuit.
- Represented Burton Snowboards in an internet distribution and marketing agreement for its global snowboarding series.
- Represented Pinwrest Development Group in intellectual property protection, distribution and marketing matters for a new Protective Cap insert approved for on-field use by Major League Baseball (MLB). The Protective Cap is the first product approved by MLB for on-field use to protect pitchers from traumatic brain injury.
- Represented Muay Thai promoter in licensing and media negotiations.
- Represented New York Private Bank and Trust in connection with a loan facility to a hockey agency.
- Represented XXIII Capital Limited in a loan facility extended to a new sports management company, Decade SAC, used to acquire three sports talent agencies.
- Served as advisors to DAZN, a subscription video streaming service, in a three-year media streaming deal with Major League Baseball that allows for live cut-ins during games, similar to MLB Network's studio show "MLB Tonight."

## RECOGNITION & AFFILIATION

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### Recognition

- Named in *Who's Who Legal: Sports & Gaming* (2021) and in *Who's Who Legal: Sports & Entertainment* (2013-2020), published by Law Business Research Limited
- Named in *The Legal 500 US* in Sports, published by Legalease Limited and John Pritchard (2017-2021)
- Named "Best Lawyer" in Sports Law by *The Best Lawyers in America* (2020-2022)
- Named "New York Metro Super Lawyer" in Entertainment & Sports by *Thomson Reuters* (2009-2021)

### Affiliation

- Secretary, Sports Lawyers Association (Board member since 2016)
- Commissioner, New Castle, New York Recreation and Parks Department
- Former President, Chappaqua Public Library
- Member, New York Advisory Board, Back on My Feet

## PUBLICATIONS

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- Author, In the Know: New Developments in College Athlete NIL (April 2022)
- Co-Author, The State of P(l)ay for College Athlete NIL (August 2021)

- Brian Socolow, Emerging Sports Need More Than Technology to Succeed, *SportTechie* (May 21, 2019)
- Author, AI-Enhanced Wimbledon Tournament Offers Richer Content, but Prompts Legal Questions, *SportTechie* (May 7, 2019)
- Author, Data Deals Give NCAA Opportunity to Win Fans and Increase Revenue, *SportTechie* (December 17, 2018)
- Author, When Foreign Law Applies to the Agreement...Now What?, *New York Law Journal* (August 30, 2018)
- Author, How Is Data Changing the Nature of Fan Engagement in Sports? (August 2017)
- Author, Game-Changing Wearable Devices that Collect Athlete Data Raise Data Ownership Issues, *World Sports Advocate* (July 2017)
- Author, Player Data From Wearable Technology in Demand But Presents Host of Concerns, *SFIAinsider* (May 12, 2017)
- Author, Big Data in Sports: Changing the Game (February 2017)
- Author, Emerging Sports – A Decathlon of Legal and Business Issues, *Law360* (November 30, 2016)
- Author, Wearables Technology Data Use in Professional Sports, *World Sports Law Report* (April 2016)
- Author, Wearable Technology in Professional Sports: Big Money, Big Data, Big Problems, *Sports Litigation Alert* (October 2015)
- Author, Wearable Tech Will Change Pro Sports – And Sports Law, *Law360* (September 17, 2015)
- Author, Wearable Technology: The Next Big Thing in Fitness and Sports, *Group Y* (June 2014)
- Author, College Coaching Comebacks Petrino and Pearl Get Second Chances: The Moral(s) of the Story, *Sports Litigation Alert, Volume 11, Issue 9* (May 16, 2014)
- Author, Ambush Marketing – Growing Trend, *Group Y* (May 2014)
- Co-author, Social Media Marketing: Caging the Un-Caged Tweeter, *Association of Corporate Counsel Docket Magazine* (November 2013)
- Author, Armstrong's Endorsement Contracts and the "Morals Clause", *Sports Litigation Alert, Volume 9, Issue 12* (November 2, 2012)
- Co-author, Learning the Rights and Wrongs of Commercial Speech, *Advertising Age* (April 23, 2012)
- Co-author, Contact Sport: Mobile Marketing To Sports Fans, *Law360* (February 29, 2012)
- Co-author, Legal Issues Associated with Mobile Marketing to Sports Fans, *Association of Corporate Counsel* (January 1, 2012)
- Co-author, I Know Where You Are: Top Ten Considerations When Using Geo-Location Data or Promotions to Reach Customers and Fans, *Association of Corporate Counsel* (December 1, 2011)

- Author, I Know Where You Are: Top Ten Considerations When Using Geo-Location Data or Promotions to Reach Customers and Fans, *Association of Corporate Counsel* (December 1, 2011)
- Author, Privacy Policy Considerations for Sports Marketers, *Sports Litigation Alert* Vol. 8, Iss. 8 (May 2011)
- Author, Blogs and Social Media Marketing: Complying with the FTC's New Endorsement Guides, *Association of Corporate Counsel* (April 2011)
- Author, Blogger Beware: Using Endorsements and Testimonials the Right Way, *Group Y* (July 2010)
- Author, Using Behavioral Targeting to Reach Fans: New Laws on the Horizon, *Group Y* (May 24, 2010)
- Author, Mobile Marketing - Legal Do's & Don'ts, *Group Y* (April 8, 2010)
- Author, Marketing to Kids: A Time for Playing by the Rules, *Group Y* (February 2010)
- Author, Ambush Marketing, *Group Y* (January 2010)
- Author, Social Networking Sites: How to Avoid the Legal "Gotchas", *Group Y* (December 2009)
- Author, Your Name and Image Are As Important As Your Talent, *Group Y* (November 2009)
- Co-author, Properly Drafted Right of First Refusal Helps Sponsors Keep Stars, *Sports Business Journal, Volume 12 Issue 2* (May 2009)
- Author, Risk Management and Action Sports Events: Old Rules Apply to New Sports, *Sports Litigation Alert, Vol. 5, No. 22* (December 2008)
- Author, What Every Player Should Know About Morals Clauses, *Moves Magazine, Vol. 4, No. 2* (August 2008)
- Author, Sports Law and Entertainment Law - Two Overlapping Practices, *The Metropolitan Corporate Counsel* (February 2008)
- Author, Protecting Fans at Sporting Events - Just how far must you go to keep attendees safe?, *Facility Manager* (January 2008)
- Author, Protecting Your Brand - You!, *OverTime Magazine* (May/June 2007)
- Author, Sports Video Content in the Mobile Age, *Privacy & Data Security Law Journal* (September 2006)
- Author, Ringing Endorsements, *OverTime Magazine* (Summer 2005)
- Author, When Sports & Antitrust Laws Collide, *OverTime Magazine* (Fall 2004)
- Author, Reading Between the Lines, *Sport Business International Magazine* (February 2004)
- Author, When Gamblers Sue Casinos, *International Gaming & Wagering Business* (May 2003)
- Author, Courtrooms Make a Bumpy Playing Field, *Sports Business Journal* (June 2002)

- Author, Play Ball! Sports, New Media Go to Court, *New York Law Journal* (July 2001)
- Author, The Litigation Trustee: A Major New Tool for Creditors' Committees, *American Bankruptcy Institute Journal* (March 2001)
- Author, Recent Decisions Shed Light on Digital Millennium Copyright Act, *Corporate Counsel* (July 2000)
- Author, Digital Millennium Copyright Interpreted, *New York Law Journal* (July 2000)

## MEDIA MENTIONS

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- Enforcing COVID-19 Waivers of Liability in College Sports, *Law360* (June 19, 2020)
- Sports & Betting Legislation To Watch In 2020, *Law360* (January 1, 2020)
- New Member Spotlight — Loeb & Loeb LLP, *Sports and Fitness Industry Association (SFIA)* (November 12, 2019)
- Fragmented Streaming Market Could Face Future Re-Bundling, *SportTechie* (October 18, 2018)
- When Sports Teams Track Their Players' Brain Waves, Who Really Wins?, *Fast Company* (June 9, 2018)
- College Hoops Coach Firing Trend Raises Contract Concerns, *Law360* (March 30, 2018)
- Arizona Coach Buyout Shows Snags Of Firing Amid Scandal, *Law360* (January 10, 2018)
- Key Sports Law Cases and Developments to Watch in 2018 - USA, *LawInSport* (January 9, 2018)
- Key Sports Law Cases of 2017 - USA, *LawInSport* (January 9, 2018)
- Sports Law at an International Law Firm with Brian Socolow, *The Sports Law Biz Blog* (May 15, 2017)
- The Key Sports Law Issues in the USA in 2016, *LawInSport* (December 15, 2016)
- Potential London NFL team Could Impact Next CBA, *Law360* (October 20, 2016)
- Baylor Alumni Urge School to Rethink Firing of Art Briles, *The Wall Street Journal* (June 14, 2016)
- Deflategate Could Alter NFL's Collective Bargaining, *Law360* (July 13, 2016)
- Sponsors Back Away from Sharapova After Failed Drug Test, *Reuters* (March 9, 2016)
- Porsche, TAG Heuer Become Latest Sponsors to Cut Ties With Maria Sharapova, *The Wall Street Journal* (March 8, 2016)
- Brady Destroyed Phone Following NFL Interview, *CNN* (July 28, 2015)



- Soccer World Chief Resigns Amid Scandal, *CNN* (June 2, 2015)
- 'Reluctant' Patriots Owner Will Not Appeal Deflategate Punishment, *CNN* (May 20, 2015)
- Sports Attorney on Brady: Don't Expect NFL to Budge, *Wall Street Journal Video* (May 12, 2015)
- Deflategate – Tom Brady Fires Back at NFL Accusations, *CNN* (May 7, 2015)
- Hit to Brady's Reputation Could be Worse Than League Discipline, *NBC News* (May 7, 2015)
- "North Jersey Towns' Super Bowl Parties May Lack the Super Brand," by Christopher Maag, *NorthJersey.com* (November 10, 2013)
- Fund Honchos See Dollar Signs in Sports Team Market, *Law360* (August 16, 2013)
- New England Patriots Release Aaron Hernandez After Arrest, *NBC Sports Radio* (June 26, 2013)
- DOJ's False Claims Suit Against Armstrong Faces Uphill Climb, *Law360* (May 2, 2013)
- Rory McIlroy Accepts Nike's Money, Rejects Its Putter, *Bloomberg Businessweek* (January 18, 2013)
- Lance's Losses: Armstrong Admission Could Bring Financial Fallout, *CBS This Morning* (January 17, 2013)
- How Much Litigation Could Armstrong Be Facing?, *Bloomberg Rewind, Bloomberg Television* (January 17, 2013)
- Sports Owners Hold All The Cards In Labor Negotiations, *Law360* (January 11, 2013)
- Lance Armstrong to Break His Silence on Oprah, *Bloomberg Rewind, Bloomberg Television* (January 9, 2013)
- For Armstrong, a Confession no Guarantee of Return, *USA Today* (January 8, 2013)
- Shambles of a Career, *WDR Fernsehen Sport Inside* (October 29, 2012)
- Lance Armstrong Doping Scandal Highlights Endorsement Deal Risk, *Business Insurance* (October 28, 2012)
- Lance Armstrong Likely to Keep Past Endorsement Earnings, *The Huffington Post* (October 23, 2012)
- Lance Armstrong Unlikely to Face Clawbacks, *Bloomberg Businessweek* (October 22, 2012)
- Roger Clemens Argues McNamee's Suit Should Be Tossed, *Bloomberg Radio* (September 18, 2010)
- Protecting Athlete Endorsements, *Fox Business* (May 7, 2010)
- Insuring Endorsements Against Athletes' Scandals, *The New York Times* (February 1, 2010)



- The Scott Ferrall Show, *Sirius Radio* (June 18, 2009)
- The Strategy Room, *FOX News Channel's "Sports Hour"* (April 2, 2009)
- Will Citigroup Bail on the Mets?, *Forbes.com* (February 5, 2009)
- 'Rocket' Rep-Air, *New York Post* (May 6, 2008)
- Friendly Fire, *New York Post* (February 11, 2008)
- Sports Law and Entertainment Law - Two Overlapping Practices, *The Metropolitan Corporate Counsel* (February 2008)
- DC Not Buying Roger's Rigmarole, *New York Post* (January 9, 2008)
- Expert: Lawsuit by Rog Unlikely, *New York Post* (December 20, 2007)
- Opinion Divided on Mitchell Report's Impact in Bonds' Trial, *San Francisco Chronicle* (December 15, 2007)
- Mitchell Report Raises Fresh Questions, *Reuters* (December 15, 2007)
- Mitchell Report Built on a Shaky Legal Foundation, *USA Today* (December 14, 2007)
- Instant View: Baseball Mitchell Report Names Game's Greats, *Reuters* (December 13, 2007)
- Naming Names, *NBC News 4 New York* (December 12, 2007)
- O.J. Simpson Faces Criminal Charges, *SportsNet NY* (September 14, 18-19, 2007)
- Team Giambi Keeping Low-Profile, *New York Post* (June 8, 2007)
- Automakers Challenging States' Emission Laws, *Los Angeles Times* (March 23, 2007)
- Bonds Breakdown, *New York Post* (July 18, 2006)
- Call Waiting, *New York Post* (April 15, 2006)
- Beyond the Game, (January 3, 2006)

## EVENTS

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- Panelist, "The Name Is The Game," In the Know Series; New Developments in College Athlete Nil, Sports & Esports Alert (April 5, 2022)
- Presenter, "Structuring Student-Athlete NIL Agreements: Recent Decisions, Regulations, and Key Provisions," Strafford Webinar (January 27, 2022)
- Panelist, "Name, Image and Likeness for Brands and Agents," Loeb & Loeb Webinar (October 25, 2021)
- Speaker, "Working with Athletes," Sports Lawyers Association webinar with Morgan Stanley Global Sports & Entertainment (October 13, 2021)
- Panelist, "NIL In Real Time," Cardozo Law School (October 12, 2021)
- Speaker, The State of Sports Media in the Post-Pandemic World (August 5, 2021)

- Guest Lecturer, "Perspectives in Emerging Sports," Sports Management Program, Columbia University (June 11, 2020)
- Speaker, The Next Opening Day: The Sports Industry After COVID-19 (May 14, 2020)
- Speaker, Morgan Stanley Global Sports & Entertainment Division (April 9, 2020)
- Guest Lecturer, "Perspectives in Emerging Sports," Sports Management Program, Columbia University (June 10, 2019)
- Speaker, Emerging Legal Issues in Wearable Technology and Biometrics in Sports (May 2, 2019)
- Speaker, 2018 NeuLion Sports Media & Technology Conference (October 16-17, 2018)
- Moderator, The Quantified Athlete: Wearable Technology and Data in Professional and Collegiate Sports (May 17, 2018)
- Guest Lecturer, Sports Law Class - Legal Issues Regarding Wearable Technology in Sports (April 3, 2018)
- Speaker, NYVC Sports (February 8, 2018)
- Speaker, "Virtual Reality and Augmented Reality," University of Miami School of Law Symposium on the World of Music, Film, Television and Sports (March 30, 2017)
- Speaker, "Legal and Practical Issues in Innovative Data Monetization in Sports and Entertainment," Association of Corporate Counsel Sports & Entertainment Committee Legal Quick Hit (March 21, 2017)
- Speaker, "Technology, Innovation and Sports," Loeb & Loeb Sports Panel (November 17, 2016)
- Moderator, Sports Lawyers Association (SLA) 2016 Annual Conference (May 12-14, 2016)
- Speaker, NYVC Sports Panel (January 13, 2016)
- Speaker, SLA Seminar: Representing the Athlete Beyond the Playing Contract (July 13, 2015)
- Speaker, Fordham Sports Law Symposium (April 1, 2015)
- Moderator, "The Growing Importance of Well-Negotiated Morals Clauses," University of Virginia Law School Symposium (February 20, 2015)
- Speaker, Association of Corporate Counsel Sports and Entertainment Committee, Teleconference, Legal Issues in Wearable Technology (September 15, 2014)
- Moderator, "Insurance Issues in Sports," Sports Lawyers Association (May 7, 2014)
- Panelist, New York Law School Annual Sports Symposium (February 21, 2014)
- Moderator, Sports Lawyers Association Panel, Game Changer: Social Media and its Impact on the Sports Industry (November 21, 2013)

- Panelist, Legal Protections for Athletes and Their Families, Sports Financial Advisors Association (October 24, 2013)
- Speaker, Authenticity is Everything - ASC Action Sports + Culture Conference (July 24, 2013)
- Speaker, Lance Armstrong and Lessons Learned: Protecting a Brand Before, During and After a Crisis (April 9, 2013)
- Speaker, Virginia Sports and Entertainment Law Journal Annual Sports Law Symposium (March 8, 2013)
- Panelist, Legal Perspectives in Emerging Sports, Entertainment, Arts & Sports Law Section of the New York State Bar Association (January 9, 2013)
- Speaker, "Everything You Need to Know About Intellectual Property Law to Be Investor Ready," Loeb & Loeb Webinar (August 21, 2012)
- Speaker, Sports Lawyers Association Annual Conference, Legal Issues in Emerging Sports (May 11, 2012)
- Speaker, Using New Media to Promote Corporate Image - Understanding the Risks and Rewards (November 2, 2011)
- Speaker, ACI 24th National Advanced Forum on Advertising Law Conference (January 24-25, 2011)
- Speaker, Blogs and Social Media Marketing: Complying with the FTC's New Endorsement Guidelines (January 18, 2011)
- Speaker, Advanced Advertising in the Sports Industry Free CLE Webinar (July 28, 2010)
- Speaker, ACI Focus: Intellectual Property in Advertising & Marketing (October 24, 2007)
- Speaker, Sports Law Leadership Summit (September 27-28, 2006)