

7 June 2012: Broadcasting rights for League 2 championship football matches

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The Paris Commercial Court seeks the opinion of the Autorité de la concurrence on the compatibility with competition rules of the call for tenders the Ligue de Football Professionnel (LFP - French professional football league) issued in 2010 to grant broadcasting rights for League 2 football matches.

> version française



The Autorité de la concurrence was referred to on 6 June 2012 by the Paris Commercial Court for an opinion regarding litigation proceedings between Ma Chaîne Sport (Numéricâble) and the Ligue de Football professionnel (LFP).

The facts of the case

On 2 April 2010, LFP announced that the call for tenders it had issued in February to grant broadcasting rights for League 2 championship football matches for the four seasons from 2010/2011 to 2013/2014 had been unsuccessful. After private negotiations, in May 2010 LFP awarded lot 1 (the top-billing match) to Eurosport and reserved lot 2 (the other 9 matches of each championship day) for CFoot, the channel it was about to launch.

In August 2010, Ma Chaîne Sport, whose bid had been rejected, decided to challenge the due process of the call for tenders before the Paris Commercial Court by requesting its cancellation and the payment of 24.6 million euros in damages.

It is in the framework of the examination of this complaint that the Paris Commercial Court is seeking the opinion of the Autorité de la concurrence.

Referral to the Autorité de la concurrence

Article L. 462-3 of the French Commercial Code offers any court hearing a case of anticompetitive agreement or abuse of a dominant position the option of referring the practices at issue to the Autorité de la concurrence for an opinion.

In view of the characteristics specific to the professional football broadcasting rights sector, the Paris Commercial Court wishes to obtain the opinion of the Autorité de la concurrence on the compliance of 3 points with competition law:

- the procedures of the call for tenders issued by LFP in February 2010;
- the criteria for granting and not granting rights to bidders responding to the call for tenders;
- the use of the rights to lot 2 by LFP itself.

The Autorité de la concurrence will very shortly issue its opinion to the Paris Commercial Court in order to clarify the questions submitted to it.

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