

# Marc Edelman

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SSRN: [http://papers.ssrn.com/sol3/cf\\_dev/AbsByAuth.cfm?per\\_id=1145394](http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=1145394)

## Teaching Areas

Contracts, Property, Intellectual Property, Antitrust Law, Labor Law, Sports Law; Gaming Law

## Law Professorships

### **Dwayne O. Andreas School of Law, Barry University: Orlando, FL**

Assistant Professor (August 2009 – Present)

- Teaching Evaluations

<u>COURSE</u>	<u>SEMESTER</u>	<u># OF STUDENTS</u>	<u>EVALUATION</u> <sup>1</sup>
Contracts I	Fall 2010	101	4.9 / 5.0
Contracts I	Fall 2009	63	4.9 / 5.0
Contracts II	Spring 2011	89	4.8 / 5.0
Contracts II	Spring 2010	54	4.9 / 5.0
Property I	Fall 2010	63	4.9 / 5.0
Property II	Spring 2011	58	4.9 / 5.0
Antitrust	Fall 2009	13	4.9 / 5.0
Fantasy Sports & the Law	Spring 2011	19	5.0 / 5.0
Sports Law	Spring 2010	20	5.0 / 5.0
Sports-Antitrust	Spring 2010	5	5.0 / 5.0

- Served on Academic Programming and Mission Effectiveness Committees; Faculty Liaison to the Nathan Burkan Memorial Competition in Copyright Law (2009-10).

### **Rutgers University School of Law: Camden, NJ**

Visiting Assistant Professor (August 2008 – July 2009); Adjunct Professor (Summer 2010)

- Teaching Evaluations

<u>COURSE</u>	<u>SEMESTER</u>	<u># OF STUDENTS</u>	<u>EVALUATION</u> <sup>2</sup>
Property	Spring 2009	80	4.7 / 5.0
Sports Law	Summer 2010	24	4.8 / 5.0
Sports Law	Summer 2009	11	4.9 / 5.0
Sports Law	Fall 2008	49	4.6 / 5.0

## Practice Experience

### **Dewey Ballantine LLP (Dewey & LeBoeuf LLP): New York, NY**

Associate, Litigation & Sports/Entertainment Practice Groups (2006 – 2008)

### **Skadden, Arps, Slate, Meagher & Flom LLP: New York, NY**

Associate, Antitrust Practice Group (Summer 2002; 2003 – 2006)

## Law Review Articles (18)

1. Marc Edelman, A Short Treatise on Fantasy Sports and the Law: How America Regulates its New National Pastime, 3 HARVARD JOURNAL OF SPORTS & ENTERTAINMENT LAW \_\_ (forthcoming 2012).
2. Marc Edelman, Upon Further Review: Will the NFL's Trademark Licensing Practices Survive Full Antitrust Scrutiny? The Remand of American Needle v. Nat'l Football League, 16 STANFORD JOURNAL OF LAW, BUSINESS & FINANCE \_\_ (forthcoming 2011).

<sup>1</sup> Barry University teaching rating is calculated based on the mean of responses to all student evaluation questions.

<sup>2</sup> Rutgers School of Law-Camden teaching rating is calculated based on the mean of responses to all student evaluation questions related to the professor (questions nos. 1-13 & 16-17 of student evaluation sheet).

3. Marc Edelman & Joseph A. Wacker, Collectively Bargained Age/Education Requirements: A Source of Antitrust Risk for Sports Club-Owners or Labor Risk for Players Unions? 114 PENN STATE LAW REVIEW 341 (2011).
4. Marc Edelman, Does the NBA Still Have Market Power? Exploring the Antitrust Implications of an Increasingly Global Market for Men's Basketball Player Labor, 41 RUTGERS LAW JOURNAL 549 (2010).
5. Marc Edelman & David Rosenthal, A Sobering Conflict: A Call for Consistency in the Messages Colleges Send About Alcohol, 20 FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL 1389 (2010).
6. Marc Edelman, Are Commissioner Suspensions Really any Different from Illegal Group Boycotts? Analyzing Whether the NFL Personal Conduct Policy Illegally Restrains Trade, 58 CATHOLIC UNIVERSITY LAW REVIEW 631 (2009).
7. Marc Edelman & Brian Doyle, Antitrust and 'Free Movement' Risks of Expanding American Professional Sports Leagues into Europe, 29 NORTHWESTERN JOURNAL OF INTERNATIONAL LAW & BUSINESS 403 (2009).
8. Marc Edelman & Elizabeth Masterson, Could a New Women's Professional Soccer League Survive in America? How Returning to the Traditional League Structure Might Save More than Just a Game, 19 SETON HALL JOURNAL OF SPORTS & ENTERTAINMENT LAW 283 (2009).<sup>3</sup>
9. Marc Edelman, Moving Past Collusion in Major League Baseball: Healing Old Wounds and Preventing New Ones, 54 WAYNE LAW REVIEW 601 (2008).
10. Marc Edelman, Sports and the City: How to Curb Sports Teams' Demands for Free Public Stadiums, 6 RUTGERS JOURNAL OF LAW & PUBLIC POLICY 35 (2008) (solicited manuscript).<sup>4</sup>
11. Marc Edelman & Dr. C. Keith Harrison, Analyzing the WNBA's Mandatory Age/Education Policy from a Legal and Ethical Perspective, 3 NORTHWESTERN JOURNAL OF LAW & SOCIAL POLICY 1 (2008).<sup>5</sup>
12. Marc Edelman, Why the Single Entity Defense Can Never Apply to NFL Clubs: A Primer on Property Rights Theory in Professional Sports, 18 FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL 891 (2008).<sup>6</sup>
13. Marc Edelman, How to Prevent High School Hazing: A Legal, Ethical and Social Primer, 81 NORTH DAKOTA LAW REVIEW 309 (2005).
14. Marc Edelman, Addressing the High School Hazing Problem: Why Lawmakers Need to Impose a Duty to Act on School Personnel, 25 PACE LAW REVIEW 15 (2004).
15. Marc Edelman, Do Major League Baseball Clubs Risk Losing Another Collusion Grievance? 24 LOYOLA OF LOS ANGELES ENTERTAINMENT LAW JOURNAL 159 (2004).
16. Marc Edelman, How to Curb Professional Sports' Bargaining Power vis-à-vis the American City, 2 VIRGINIA SPORTS & ENTERTAINMENT LAW JOURNAL 280 (2003).
17. Marc Edelman, Can Antitrust Law Save the Minnesota Twins? Why Commissioner Selig's Contraction Plan Was Never a Sure Deal, 10 SPORTS LAW JOURNAL 45 (2003).
18. Marc Edelman, note, Reevaluating Amateurism Standards in Men's College Basketball, 35 UNIVERSITY OF MICHIGAN JOURNAL OF LAW REFORM 861 (2002).

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<sup>3</sup> An abridged version of this article appears in Scott Rosner & Kenneth Shropshire, *THE BUSINESS OF SPORTS* (Jones & Bartlett Learning, 2010).

<sup>4</sup> An abridged version of this article appears in Scott Rosner & Kenneth Shropshire, *THE BUSINESS OF SPORTS* (Jones & Bartlett Learning, 2010).

<sup>5</sup> An abridged version of this article appears in Scott Rosner & Kenneth Shropshire, *THE BUSINESS OF SPORTS* (Jones & Bartlett Learning, 2010).

<sup>6</sup> This article has been cited in three briefs to the U.S. Supreme Court, one brief to the U.S. Court of Appeals for the Second Circuit, and in a feature essay in *Yale Law Journal*.

## **Published Speeches & Bar Journal Articles (3)**

1. Marc Edelman, A Different Look at Compliance in Professional Sports: Why the NFL Personal Conduct Policy Might Be More Illegal than the Very Conduct it Seeks to Regulate, 7 DEPAUL JOURNAL OF SPORTS LAW & CONTEMPORARY PROBLEMS \_\_ (2011).
2. Marc Edelman, The House that Taxpayers Built: Exploring the Rise in Publicly Funded Baseball Stadiums from 1953 through the Present, 16 VILLANOVA SPORTS & ENTERTAINMENT LAW JOURNAL 257 (2009).
3. Marc Edelman, Single-Entity Sports Ruling: ‘Needle’ in a Haystack, NEW YORK LAW JOURNAL 4, 12 (January 2, 2008).

## **Lectures & Symposia (21)**

1. Symposium Moderator: The Long-Term Effect of Concussions and Potential Legal Liability, *New York State Bar Association’s Fifteenth Annual Symposium on Current Legal Issues in Sports Law at Fordham Law School* (April 1, 2011).
2. Symposium Panelist: The Changing Face of Intercollegiate Athletics, *Harvard Law School Sports Law Symposium* (March 25, 2011).
3. Symposium Panelist: Compliance in the World of Sports, *DePaul Law School Sports Law Symposium* (March 4, 2011).
4. Symposium Panelist: Labor Concerns in Sports and Entertainment, *Seton Hall Law School Sports & Entertainment Law Symposium* (February 15, 2011).
5. Symposium Panelist: Implications of the Supreme Court’s Ruling in American Needle, *Villanova Law School Sports & Entertainment Law Symposium* (January 29, 2011).
6. Symposium Panelist: Current Issues in Sports Law, *New York Law School Sports Law Symposium* (November 12, 2010).
7. Symposium Panelist: Antitrust Issues Stemming from the Phoenix Coyotes Bankruptcy Petition, *Seton Hall University School of Law Sports & Entertainment Symposium* (April 13, 2010).
8. Symposium Panelist: The Likely Impact on Sports Leagues of American Needle v. Nat’l Football League, *New York State Bar Association’s Fourteenth Annual Symposium on Current Legal Issues in Sports Law at Fordham Law School* (March 26, 2010).
9. Symposium Panelist: The Perfect Storm: Collective Bargaining in Major Sports 2011, *Widener Law Sports and Entertainment Law Symposium* (February 24, 2010).
10. Keynote Speaker: Alternative Dispute Resolution in Real and Fantasy Sports, *Pace Law School Alternative Dispute Resolution Society Event* (February 2, 2010).
11. Symposium Panelist: Bargaining Collectively (Discussing the Baseball, Basketball and Football Collective Bargaining Agreements), *University of Florida Sports Law Symposium* (January 29, 2010).
12. Featured Speaker: Can the NFL Permanently Suspend Michael Vick? *Presentation to the NYU Law School Sports & Entertainment Law Society* (April 20, 2009).
13. Symposium Panelist: Gambling in Sports: The Final Line between Fantasy Sports and Illegal Activity, *New York State Bar Association’s Thirteenth Annual Symposium on Current Legal Issues in Sports Law at Fordham Law School* (April 17, 2009).
14. Symposium Panelist: The Problem with Age Limits in Professional Sports Leagues, *New York Law School Media, Entertainment & Sports Law Symposium* (March 25, 2009).
15. Symposium Panelist: The Ethics of Building New Sports Stadiums during the Recession, *Harvard Law School Sports Law Symposium* (March 13, 2009).

16. Symposium Panelist: Labor Issues in Professional Sports, *University of Florida Sports Law Symposium* (January 23, 2009).
17. Symposium Panelist: Commissioner Suspensions and Antitrust Law, *Seton Hall University School of Law Sports & Entertainment Symposium* (November 7, 2008).
18. Featured Speaker: Current Issues and Career Opportunities in Sports Law, *Michigan Law School Sports Law Society Lunch* (October 2, 2008).
19. Symposium Panelist: The House that Taxpayers Built: Exploring the Rise in Publicly Funded Baseball Stadiums from 1953 through the Present, *Villanova Law School Sports & Entertainment Law Journal Symposium* (October 25, 2008).
20. Featured Speaker: Athletes' Names & Stats: Intellectual Property or Fantasy? *New York State Bar Association* (June 26, 2008).
21. Symposium Panelist: NCAA Law & Ethics, *New York State Bar Association's Twelfth Annual Symposium on Current Legal Issues in Sports Law at Fordham Law School* (April 11, 2008).

## **Awards & Achievements**

- Ranked No. 6 on *Antitrust Law & Policy Blog's* list of Most Downloaded Antitrust Law Professors of 2010 (3,005 downloads during period)<sup>7</sup>
- Ranked No. 14 on *Antitrust Law & Policy Blog's* Citation Count for Antitrust Professors who Began Teaching in 2000 or After.<sup>8</sup>
- Ranked No. 59 on *Antitrust Law & Policy Blog's* list of Most Cited U.S. Antitrust Law Professors in Westlaw and the JLR Database (87 citations, as of June 5, 2011)<sup>9</sup>
- Founder of SportsJudge.com: an alternative dispute resolution service for fantasy sports leagues

## **Current Adjunct Appointments**

### **Fordham Law School: New York, NY (2010 - Present)**

<b><u>COURSE</u></b>	<b><u>SEMESTER</u></b>	<b><u># OF STUDENTS</u></b>	<b><u>EVALUATION</u></b>
Law & Professional Sports	Summer 2011	15	5.0 / 5.0
Law & Professional Sports	Summer 2010	16	4.6 / 5.0

### **Seton Hall University School of Law: Newark, NJ (2009 - Present)**

<b><u>COURSE</u></b>	<b><u>SEMESTER</u></b>	<b><u># OF STUDENTS</u></b>	<b><u>EVALUATION</u></b>
Sports Law	Summer 2011	28	Course in Progress
Sports Law	Summer 2010	28	4.9 / 5.0
Sports Law	Summer 2009	44	4.7 / 5.0

## **Education**

### **University of Michigan: Ann Arbor, MI**

J.D. / M.A., *cum laude*, 2003

- John M. Olin Student Fellow in Law and Economics; Associate Editor, *Michigan Journal of Law Reform*; Honorary Membership, Scribes Society (awarded to best student note on each journal); National Semi-Finalist, Sports Law Moot Court.

### **The Wharton School, University of Pennsylvania: Philadelphia, PA**

B.S. (Economics), *magna cum laude*, 1999

- Earned Concentration in Multinational Management; Associate Sports Editor, *The Daily Pennsylvanian*; Member of University Committees on Free Speech and Intercollegiate Athletics.

<sup>7</sup> [http://lawprofessors.typepad.com/antitrustprof\\_blog/2010/12/most-downlaoded-antitrust-law-professors-of-2010.html](http://lawprofessors.typepad.com/antitrustprof_blog/2010/12/most-downlaoded-antitrust-law-professors-of-2010.html)

<sup>8</sup> [http://lawprofessors.typepad.com/antitrustprof\\_blog/2010/04/citation-count-for-antitrust-professors-who-began-teaching-in-2000-or-later.html](http://lawprofessors.typepad.com/antitrustprof_blog/2010/04/citation-count-for-antitrust-professors-who-began-teaching-in-2000-or-later.html)

<sup>9</sup> [http://lawprofessors.typepad.com/antitrustprof\\_blog/2011/06/most-cited-us-antitrust-law-professors.html](http://lawprofessors.typepad.com/antitrustprof_blog/2011/06/most-cited-us-antitrust-law-professors.html)