

Zelle Hofmann Announces Landmark Decision in O'Bannon v. NCAA

August 12, 2014

On Friday, August 8, 2014, Zelle Hofmann Voelbel & Mason LLP, along with other plaintiffs' counsel, received a significant opinion in O'Bannon v. NCAA. Chief Judge Claudia Wilken of the U.S. District Court for the Northern District of California accepted the argument that the NCAA violated antitrust laws by conspiring with others to deny compensation to men's FBS football and basketball players for use of their names, images and likenesses. In a 99-page ruling, the Court concluded that the NCAA's restrictions on student-athlete compensation are neither reasonable nor procompetitive – do not serve to preserve amateurism; do not maintain competitive balance among Division I football and basketball teams; and do not promote the integration of academics and athletics.

Accordingly, the Court issued an injunction that will prevent the NCAA the "from enforcing any rules or bylaws that would prohibit its member schools and conferences from offering their football or basketball recruits a limited share of the revenues generated from the use of their names, images, and likenesses in addition to a full grant-in-aid."

This decision is historic and, if it survives the appeals, is expected to significantly change the manner in which the NCAA and its member conferences treat the student athletes. It will impact a series of other cases challenging the NCAA's compensation rules, including those filed by Zelle Hofmann.

Zelle Hofmann's team of attorneys working on the case include Eric Buetzow and Heather Rankie