

THE EUROPEAN SUPER LEAGUE UNDER THE SWORD AND SHIELD OF ANTITRUST RULES: A BABY THROWN OUT WITH THE BATHWATER?

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ABSTRACT: After the impromptu announcement of the Super League and the pathetic drama that saw thousands of fans gather to cry for ‘the end of football’, the set moved from the squares to the courts. Here is where competition law kicks in as impartial and strict referee of the behaviour of both Founding Clubs and football associations (UEFA above all). The clash sees strictly competition issues intertwined with case-law on the so-called sporting exception and the specificity of sport. That said, no matter how much light competition law and the Court of Justice may shed on the matter, the shadow still remains of a system that needs to be rethought, whatever it takes.

Keywords: *European Super League – UEFA Regulations – Sporting Exception – Competition law – Single Market – EU law – Sport Policy – Sport Governance.*

SUMMARY: 1. Introduction – 2. The ESL competition: a review of the (un)closed football league – 3. The ESL project from a sporting and corporate perspective – 4. Sport and EU law: from the so-called “sporting exception” to organising sports and unsanctioned events – 5. Antitrust assessment of the ESL project and of the UEFA conduct vis-à-vis the ESL – 6. Concluding remarks

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The authors wish to thank their colleagues Vincenzo Calandrelli and Salvatore Almanza for their invaluable contribution for the preparation of this article.