IL CASO ROJO E LA VALIDITÀ DEGLI ACCORDI DI TPO

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ABSTRACT: *This article examines the CAS award which put an end to a problematic case regarding the controversial issue of the third party ownership.*
In August 2012, Sporting Club de Portugal and Doyen Sports Investments LTD entered into an 'Economic Rights Participation Agreement (ERPA), concerning the Argentinean footballer Marcos Rojo. Further to the FIFA World Cup 2014, the relation between the parties significantly deteriorated to the extent that on 14 August 2014 the Portuguese club terminated the ERPA for breach of contract, transferring the player to Manchester United after few days.
For these reasons, both parties filed an action before CAS that reviewed the validity of the agreement in light of Swiss law, as well as other legal provisions put forward by the litigants. The CAS condemned Sporting Club de Portugal to pay Doyen Sports Investments LTD more than twelve millions euro for damages plus interests.

Keywords: *Third party ownership/TPO – competitive financial balance – clubs financing – FIFA ban – TPO compatibility with FIFA rules and ordinary laws.*

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