[SE] Court of Appeals Judges in a Case Regarding the Rights to Broadcast Football Games

IRIS 2008-6:1/26

Michael Plogell and Henrik Svensson
Wistrand Advokatbyrå, Gothenburg

On 24 April 2008, *Svea hovrätt* (the Svea Court of Appeals) issued a judgement in a case regarding a prohibitory injunction related to broadcasting rights to football games from *Allsvenskan* (the Premier Division of the Swedish Football League).

The broadcasting rights to the Swedish Football League are held by the Swiss company Kentaro AG (Kentaro). Kentaro sublicenses these rights to television companies, who handle the production and the broadcasts. The Swedish television companies C More Entertainment AB (C More) and TV 4 both have agreements with Kentaro, allowing them to broadcast games from the Premier Division of the Swedish Football League.

According to the initial agreement between Kentaro and TV 4, TV 4 had the right to broadcast fourteen games. In a new agreement, the number of games TV 4 was allowed to broadcast was increased to fifty. C More opposed this increase and claimed that it breached Kentaro's agreement with C More. C More claimed that a prohibitory injunction combined with a conditional fine should be imposed on Kentaro. Kentaro and C More are also involved in arbitration proceedings regarding the contractual matters. Kentaro has opposed C More's claim.

The Svea Court of Appeals judged that C More had shown probable cause that the agreement in dispute is to be construed as claimed by C More. The Court thereafter assessed the proportionality issue and found that C More's interest in an injunction outweighed Kentaro's opposing interests. Therefore, the Svea Court of Appeals imposed the prohibitory injunction on Kentaro. The injunction was combined with a conditional fine of SEK 4 million (approximately EUR 428,000) prohibiting Kentaro from allowing or enabling TV 4 to broadcast any game from the Premier Division of the Swedish Football League in excess of the fourteen games initially agreed between Kentaro and TV 4.

Svea hovrätt 2008-04-24, mål nr Ö 2848-08, överklagat avgörande: Stockholms tingsrätts beslut 2008-03-31 i mål T 2953-08, C More Entertainment AB ./. Kentaro AG

Svea Court of Appeals, April 24th 2008, case nr Ö 2848-08, appealed judgement: Stockholm District Court's decision March 31st 2008 in case T 2953-08, C More Entertainment AB v. Kentaro AG

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026