[ES] Spanish War over Football Broadcasting Rights

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On 5 October 2011, the Commercial Court No. 7 in Barcelona ruled in favour of a Valencian regional television channel in a lawsuit filed against Mediapro, the company that owes Spanish football broadcasting rights, for breaching several contracts signed between the two parties.

The decision states that Mediapro is responsible for the damages caused by its breach of contract. As a result, Televisión Valenciana (TVV) is entitled to compensation.

Under the relevant contracts, TVV owned the right to broadcast, until the end of the 2010-2011 season, a football game for each date of the Liga, two Spanish Cup matches, the right to edit and broadcast the highlights from the games of the First Division, Second Division and the Spanish Cup and the right to broadcast a football game from each Second Division date until the 2011-2012 season.

The fight began when Mediapro refused to provide TVV with access to the 2010-2011 game between Atlético de Madrid and Sporting de Gijón. In the face of that refusal, which was repeated in the following days, TVV decided to sue Mediapro. Barcelona's Commercial Court Number 7 initially ordered on 17 September 2010 as a precautionary measure Mediapro's mandatory compliance with the contract terms as agreed with TVV.

Mediapro challenged the Court's decision and continued to refuse to provide the signal to TVV. The Commercial Court has now vindicated TVV and again declared that Mediapro has breached its contractual obligations.

Therefore, Mediapro is under an obligation to enforce the provisions of these contracts, providing access for free to TVV for the signal for broadcasting the games of the Liga as issued by the television network La Sexta, owned by Mediapro, as well as the signal for two games from the Spanish Cup, along the lines of the terms agreed in the contract signed by the parties on 25 August 2006.

The ruling also suggests that Mediapro should provide TVV with the edited highlights from the games of the Liga and the Spanish Cup and the signal to broadcast the Second Division games, on the terms agreed in the contract signed by the parties on 12 February 2010.

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Decision of the Commercial Court No. 7 in Barcelona , 5 October 2011

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