[FR] Reassignment of Ligue 1 TV rights: competition authority rejects Canal Plus complaint against LFP

IRIS 2021-7:1/11

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On 29 January 2021, the Canal Plus Group complained to the French competition authority about practices allegedly used by the *Ligue de Football Professionnel* (Professional Football League – LFP) when retendering the rights to broadcast Ligue 1 football matches following the collapse of Mediapro in January 2021. It accused the LFP of abusing its dominant position by only retendering the rights held by Mediapro without including those in package 3 (covering matches shown at 9pm on Saturdays and 5pm on Sundays) that had been awarded on 29 May 2018 to beIN Sports and subsequently sold on to Canal Plus.

In parallel with proceedings lodged with the commercial court, which rejected its requests on 11 March 2021, Canal Plus filed a complaint with the competition authority, accusing the LFP firstly of imposing unfair trading conditions and, secondly, of discriminating against it in relation to other buyers of Ligue 1 broadcasting rights. Canal Plus also demanded interim measures requiring the LFP to organise a new bidding process, this time including all the Ligue 1 rights (including package 3), and to suspend the execution of any contracts resulting from the LFP's latest market consultation.

While these commercial court and competition authority proceedings were still pending, Canal Plus and the LFP concluded a general agreement, which was made public on 4 February 2021, concerning the rights to broadcast Ligue 1 and Ligue 2 matches until the end of the 2020/21 season.

In a decision of 11 June 2021, the competition authority rejected the complaint by Canal Plus and its associated request for interim measures on grounds of insufficient evidence. Firstly, it held that the LFP's decision not to include package 3 in the market consultation had been both necessary and proportionate. The LFP could not be forced to end its contract with beIN Sports for package 3, since that contract had been correctly drawn up, had never been challenged in court, and had been properly implemented. Furthermore, given the current health crisis, which had harmed football clubs' future income prospects, it had not been in the LFP's interests – quite the contrary – to terminate the package 3 contract. The competition authority also noted that the LFP's tendering procedures appeared, as things stood, both compliant with its recommendations and identical for all potential candidates. Moreover, the fact that Canal Plus bore the full financial

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burden associated with package 3 under the sublicensing agreement freely signed with beIN was irrelevant when analysing possible discrimination.

The 2021 market consultation therefore did not appear discriminatory because all bidders in the same situation had been given identical treatment. In view of all this, the competition authority rejected the complaint by Canal Plus and, as a result, its associated request for interim measures.

On the same day, the LFP redistributed the broadcasting rights for Ligue 1 matches: for EUR 250 Million per season, Amazon bought the broadcasting rights previously held by the collapsed broadcaster Mediapro, covering eight matches per matchday for the 2021–24 period. In protest at this decision, Canal Plus immediately announced it would stop broadcasting French league matches the following season: “After the failure of the Mediapro deal in 2018, Canal+ regrets the Professional Football League’s decision to accept Amazon’s offer today instead of that proposed by its traditional partners, Canal+ and BeIN Sports,” it announced. Its battle with the LFP therefore appears unresolved.

Décision 21-D-12 du 11 juin 2021 relative à des pratiques mises en œuvre par la Ligue de football professionnel dans le secteur de la vente de droits de diffusion télévisuelle de compétitions sportives

https://www.autoritedelaconcurrence.fr/sites/default/files/integral_texts/2021-06/21d12.pdf

Decision 21-D-12 of 11 June 2021 concerning practices implemented by the Professional Football League in the sale of rights to broadcast sports competitions on television

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