

# Hospitality and Leisure



We are a distinct legal practice,  
with a leading reputation in our  
chosen services and sectors.

Our approach is relationship-driven  
and internationally minded, with  
great people dedicated to giving  
clients just what they need.

A vibrant, agile firm which is,  
above all ... just different.

## Introduction

The firm services its clients from international offices in London, Dubai, Monaco and Russia, and also through its close relationships with other advisers in its key jurisdictions. Together, LG advise seamlessly on the most complex cases, cross-border deals and disputes.

We understand the value and importance to our clients of effective project management of the delivery of our services across all legal disciplines and the efficient co-ordination of our services with those of the other members of our clients' professional teams.

We pride ourselves on our ability to build long-term relationships by providing a full service to our clients. Our lawyers have a full range of skills across a wide variety of legal disciplines in order to advise on all of the commercial contracts, transactions and structures relevant to our clients.

“LG provides the ... “confidence and comfort that clients need on complicated transactions” with “regular and helpful updates in understandable terms.””  
*Chambers UK, 2009*

“This powerful corporate firm’s position in the computer games sector is tied to its close, long-standing relationship with industry giant Sony Computer Entertainment, which it advises on a range of corporate, competition and IP matters.” *Chambers UK, 2010*

“This firm offers a broad advertising and marketing practice but is particularly noted for its work for direct sales companies ... “They really know the “legislation and the market inside-out.”” *Chambers UK, 2010*

## Sponsorship/official supplier contracts

Our Commerce & Technology Group has undertaken an extensive range of work specialising in the protection and exploitation of intellectual property rights particularly in the technology, sports and media, leisure and IT sectors.

We have significant experience relating to the drafting and negotiation of sponsorship contracts and the co-ordination and management of brands. In particular the team is focussed on advising on all aspects of the commercial exploitation of sports and sports rights, acting for both owners of rights and companies seeking to commercialise them.

### Key clients we have represented include:

- British Olympic Association
- Kraken Sports & Media
- National Lottery Commission
- Matchroom
- C&C Group plc

### Examples of our team's experience in this area include:

- Sponsorship agreements for **Chelsea**, **Newcastle United** and **Aston Villa** (acting in each case for the sponsor) and **West Ham** (acting for the club);
  - Official beer and cider supplier agreements to a presently confidential Football League club (acting for the sponsor);
  - Marketing agency agreements for **Aston Villa** and **Middlesbrough** football clubs;
  - Negotiating and completing licensing agreements with **Formula One**, **Arsenal**, **Manchester United**, **Diego Maradona**, **the NFL**, **Celtic Football Club**, **Tottenham Hotspur Football Club**, **Sachin Tendulkar** and a number of other sporting organisations;
  - Various commercial contracts and sponsorship matters for **Formula 1 team**, **Force India**;
  - Stadium naming rights contract for the **Millennium Stadium in Cardiff** (this was originally the BT Millennium Stadium);
  - We act for **C&C Plc** (the manufacturers of amongst other brands, Magners, Bulmers and Tennent's) and have advised them in respect of various sponsorship arrangements including the sponsorship of the T in the Park music festival and Rangers and Preston North End Football Clubs by the Tennent's brand.
  - Advising Magners UK Limited, the manufacturer of **Magner Cider**, on various commercial contract and sponsorship matters.
- We have continued to advise **Kraken Sports & Media** on its series of high-profile rights licensing agreements in order to produce a unique series of high-quality premium-priced sports books under the 'Kraken Opus' imprint. These measure half a metre square and starting price for the books is £3,000, while a limited edition can cost more than £20,000. We have previously concluded agreements with *Formula One*, *Arsenal*, *Manchester United*, *Diego Maradona* and *the NFL*. Recently Kraken launched its Opus publications for Arsenal Football Club, Formula One, a Michael Jackson Opus and a Saatchi Gallery Opus. We have also advised on the negotiation and completion of further licensing agreements with *Celtic Football Club*, *Tottenham Hotspur Football Club*, *Wimbledon LTA*, *Sachin Tendulkar* and a number of other sporting organisations where the publications have not yet been formally announced by Kraken and so the transactions are presently confidential.
  - We acted for the **National Lottery Commission** (NLC) in its negotiation of licences with the Olympic Lottery Distributor and the London Organising Committee of the Olympic Games (LOCOG) relating to the use by those organisations of the National Lottery trade marks in recognition of the funding provided by the National Lottery in relation to the London Olympic Games in 2012. Such licences also provide for the development of a joint logo between the NLC and the licensees to publicise their relationship.
  - We also advised on the licence from the LOCOG to the operator of the National Lottery, allowing such operator the right to use the Olympic intellectual property on lottery tickets which are being used to raise funds for the London Olympic Games in 2012; the licence of National Lottery trade marks to the Big Lottery Fund, the body responsible, among other things, for promotional activities in relating to National Lottery funded projects; the licence to the Science Museum authorising the use of National Lottery trade marks in connection with the display of the Guinevere lottery machine and licences to British embassies in Manila and Fiji to use the National Lottery trade marks in warnings about lottery scams.



## Commercial contracts

Our Commerce and Technology Group handles commercial contracts across a wide range of business models and industry sectors to ensure that our clients always get what they want.

We pride ourselves on our flexibility that enables us to work on new structures and to add value by bringing our experience of what we have found works well in analogous situations. We also adopt a collaborative approach to our work to allow all of the parties to the contract to start off with a positive framework and not at loggerheads.

### Our work includes:

- image rights, the drafting and negotiation of endorsement and sponsorship contacts and the co-ordination and management of brands
- management contracts
- outsourcing and managed services
- technology contracts
- supply of goods and services
- agency and distribution contracts
- competitive tendering
- intellectual property licenses
- issuer and merchant agreements
- joint ventures, partnering and collaborations

### Examples of our team's experience in this area include:

- LG has provided legal advice to **The National Stud** on its corporate structure issues.
- LG conducted a feasibility study for The National Stud and advised on the tax implications of converting to Trust status and the viability of that option. We were also involved in all stages of the implementation of the establishment of a not for profit distributing organisation and the corporate restructure of The National Stud. LG provided advice on the state aid issues affecting the proposed transfer of the business of The National Stud to a new charitable group which involved communicating with the Department for Culture Media and Sport and review of the proposed group structure and the division of activities being divided between the charitable and non-charitable companies. We were involved in the drafting of all property documentation including agreeing heads of terms for the transfer agreement and agreeing heads of terms for the leases.

## Broadcasting/media rights

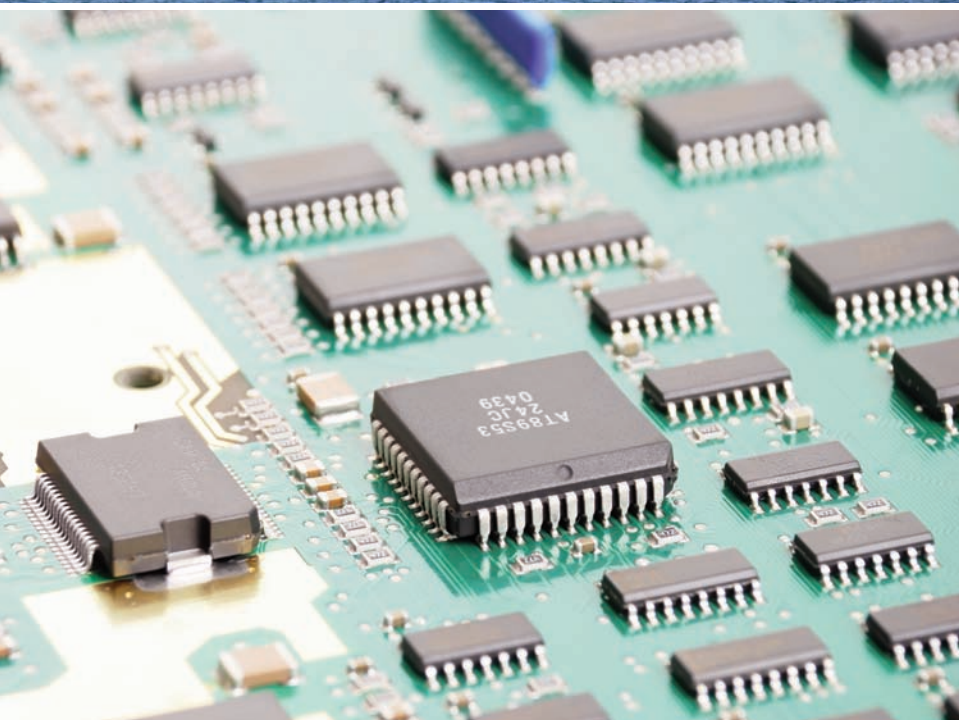
Our clients in the media industry are largely multi-media, multi-format businesses which are constantly challenged by rapidly emerging technologies. Our advice for them focuses on exploiting these new technologies and all related commercial opportunities. Whether focused on advertising, design, TV production and distribution, broadcasting, music or business to business information, our lawyers provide them with a full range of legal and business solutions.

### Key clients we have represented include:

- Viacom 18 Media
- Euro Center Productions
- Guardian News & Media
- Kraken Sports & Media
- Matchroom Sports
- Mediaforce
- Sony Computer Entertainment
- Premium TV (now Perform)

### Examples of our team's experience in this area include:

- We have advised **Matchroom Sports**, the company that promotes and broadcasts snooker, boxing and other sports worldwide, on numerous matters. In particular, we advised on its audio-visual rights agreements with Sky Sports and also on its agreements with 'participants' (eg the boxers participating in the "prize fights" that it televises)
- We have also advised this client generally on the marketing of its 'Prizefighter' boxing format.



- Recently we have acted for the former chairman of the National Stud against the Racing Post in respect of an article about his time as chairman.
- Acting for Premium TV (now part of Perform), the company that provides digital media services for brands and rights holders, on the outsourcing of the Football League's internet and e-commerce requirements. The outsourcing involved the setting up of a corporate joint venture (Football League Interactive), complex contracts to document the contribution of assets of the member football clubs and contracts for the management of clubs' e-commerce and related offerings.
- Advising on various product endorsement agreements and image rights agreements including contract for **Alan Curbishley** (ex-West Ham manager);
- Negotiating management contracts for organisations that provide sport and leisure management services, including for Halo Leisure, to manage a state of the art sports complex for blind elite athletes in partnership with the **Royal National Institute of Blind People**;
- Advising on a new initiative with **Luton Football Club** to develop youth football; advising on all aspects of this project involving advising on contractual arrangements between the parties, to develop and manage Luton FC's Youth Football Scheme;
- Advising **Mytime Active Leisure Operator** in connection with the outsourcing by various London Boroughs (including Ealing, Hillingdon, Bexley) of various golf course facilities. The deal, which will see Mytime Active running the golf facilities in question, involved innovative tax structuring to maximise the yield on the capital investment required in redeveloping the sites and golf courses in question; and
- Advising on the following high profile flagship sports projects:
  - The multimillion pound redevelopment of the Brockwell Lido;
  - The multimillion pound redevelopment of the Uxbridge Lido and the development of a new £25 million state of the arts sports centre;
  - Ground sharing arrangements for the Hornchurch Stadium between athletics club and football club.

LG's hotels team handles deals across the hospitality and leisure industry. We advise and negotiate on acquisitions and disposals; luxury resorts and developments; hotel management agreements, leases and franchise agreements, related funding agreements and non-disturbance agreements. We advise on Asset Management Agreements and arrangements, Duty of Care Agreements, brand and IP licences and other operational and commercial issues. We also act for lenders on funding and development/refurbishment transactions.

Our hotels practice is 'owner' led and we have advised owners all over the world in relation to management/operating agreements with Marriott, Hilton, Hyatt, Starwood, Edwardian, Swissotel, Radisson, GHM, Aman Resorts, IHG, Whitbread/Premier Inn and others.

#### Examples of our team's experience in this area include:

- Advising on the acquisition of 47 **Marriott Hotels** from the **Royal Bank of Scotland** for a price in excess of £1 billion. The team's advice included all aspects of the acquisition including corporate and real estate due diligence, corporate acquisition, banking, hotel management and asset management due diligence, profit share and shareholder agreements. LG also project managed the deal across various jurisdictions including the BVI, Luxembourg and Cyprus. Acting for owners and asset manager on operational matters and property matters. Acted for owners on restructuring the asset management arrangements.
- Acting for **Hilton Hotels** on the acquisition of 16 Hilton Hotels from the **Royal Bank of Scotland** for a price in excess of £400 million. The team's advice included all aspects of the acquisition banking, hotel management and asset management due diligence. Acting for owners and asset manager on operational matters and property matters.
- Providing advice to **De Vere Hotels & Leisure** with regard to the £40 million sale and manage back of the Carden Park Hotel, connected non-disturbance agreement and the subsequent development of its standard hotel management agreement.
- Advising **Strategic Hotel Capital Inc.** on the sale and purchase of hotels in London and on other hotels in Hamburg, Amsterdam and Barcelona on issues relating to construction, employment and insolvency and restructuring.
- Advising **Whitbread** on a new management agreement for use in 16 sites.
- Advising **Bank of Scotland** on the financing of the Marriott Hotel on Park Lane.
- Providing advice to a private equity purchaser on the establishment of portfolio and hotel management arrangements with IHG in connection with two linked £400 million hotel group acquisitions.

## IT

Our team advises on IT procurement and systems infrastructure projects, e-commerce transactions, advisory work and all other aspects of IT and technology related transactions. IT continues to be a significant growth area for LG. This is driven both by our broad UK client base and by our established links with the burgeoning IT industry in India – LG acts for six of India's top ten technology companies.

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