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# ARBITRATION IN THE AMERICA'S CUP

THE XXXI AMERICA'S CUP ARBITRATION PANEL  
AND ITS DECISIONS

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# Arbitration In The America S Cup Arbitration In The America S Cup

**Rachel S Tattersall**



## **Arbitration In The America S Cup Arbitration In The America S Cup:**

**Arbitration in the America's Cup** John Faire, Henry Peter, 2003-01-01 Following experiences made during the previous edition of the America's Cup an Arbitration Panel was set up in order to resolve the disputes arising with respect to the 31st 2000 2003 America's Cup It was composed of five arbitrators all high standing lawyers with vast experience in arbitration and sport The Arbitration Panel issued 22 decisions on many subjects ranging from deciding whether or not Societe Nautique de Geneve Alinghi could take part to the America's Cup to whether or not the Seattle Yacht Club One World Challenge had breached rules prohibiting the transfer of technology from a syndicate to another This book contains all the decisions rendered as well as the background and supporting material It begins with an introductory text which enables a better understanding of the reasons why the Arbitration Panel was set up of the way it has worked and of the main issues it has dealt with The work will be of interest to any person involved in arbitration in general and in sport in particular It will also provide an insight into the history of the America's Cup which from the outcome in 1851 has been characterised by controversies and disputes *Arbitration in the America's Cup* John Faire, 2003 [Arbitration in the 36th America's Cup](#) Henry Peter, 2022-08-09 More than the most prestigious regatta and match race in the sport of sailing the America's Cup is a test of boat design sail design and management skills It is not surprising that its passionate skippers builders and managers often become embroiled in disputes Recognizing this and the need to deal quickly and professionally with any divergency an arbitration panel has become an established part of the Cup's organization This book the fifth of a series that over time constitutes a unique corpus of decisions rendered over more than twenty years compiles all the directions and decisions issued by the 36th America's Cup Arbitration Panel in the context of the nineteen cases submitted to it as well as all supporting documents elucidating the context in which the decisions were issued In addition to all the decisions the following are also included the Protocol of the 36th America's Cup and amendments made thereto the 36th America's Cup Arbitration Panel Rules of Procedure applicable versions of the World Sailing Racing Rules the AC75 Class Rule and the so called Prada Cup Conditions and Match Conditions previously unpublished documents related to proceedings which have led to the amendment and or interpretation of the Deed of Gift by the Supreme Court of the State of New York and previously unpublished court related material pertaining to the key Mercury Bay case 1987 1990 An extensive and valuable introduction provides detailed historical and factual context Expert commentary addresses issues of special interest decided by the 36th America's Cup Arbitration Panel including privileged insight into the previously undocumented dispute resolution during the 35th America's Cup 2013 2017 and the World Intellectual Property Organization's Electronic Case Management Facility ECAF A table containing a summary of the subject matter of each decision and a keyword index help find which argument is dealt with in which decision Because arbitration plays a key role in this context and because what happens in the America's Cup is of general interest to the sport and arbitration communities this book's many insights into the kinds of issues that fuel

disputes in sports events offer a significant extension of the knowledge base available to lawyers arbitrators and scholars in several branches of law and legal practice

**Dispute Resolution in the 34th America's Cup** Henry Peter, 2015-11-24  
The America's Cup continues to evolve as the preeminent sporting contest in the world of sailing and is one of the greatest contests in the world of sport. In its long and colorful history, disputes around the match have not only added major extra publicity to the event's great popular appeal but also spawned a wealth of judicial and arbitral decisions that have become influential on the sport of sailing. This book, continuing the tradition of Kluwer Law International's earlier publications on the 31st, 32nd, and 33rd America's Cup, offers richly detailed expert commentary along with the decision texts themselves on the judgments of various courts and other dispute resolution bodies delivered during the tumultuous 34th America's Cup. Since there is no official record of many of these documents, this book is the only source that presents them together in a single volume with the added benefit of commentary. Among the aspects covered are the following: all decisions issued by the 34th America's Cup International Jury as well as related decisions or awards rendered by other bodies: ISAF Disciplinary Commission, ISAF Review Board, and the Court of Arbitration for Sport; judgments of the New York Supreme Court and its Appellate Division regarding the rejection of the African Diaspora Maritime Corporation application to compete to be a defender; the pivotal Jury decision affirming that the AC72 yacht could be made to foil on its centreboards and rudders, dramatically increasing its speed the first time ever; Youth America's Cup and the extensive mediation concerning safety recommendations following the death of a sailor; A general introduction surveys the most important and peculiar issues pertaining to the event. Written not only as a comprehensive legal record of the 34th America's Cup but also with a view to favor future matches and to limit the possibilities of new controversies, the book takes a significant step toward ensuring that disputes are dealt with by arbitration and not by lengthy, costly, and uncertain state court proceedings. In this way, the book provides invaluable guidance for trustees, competitors, and event officials not only for the America's Cup but by extension to other major international sporting events.

**Dispute Resolution in the 34th America's Cup** Henry Peter, 2016  
Written not only as a comprehensive legal record of the 34th America's Cup but also with a view to favor future matches and to limit the possibilities of new controversies, the book takes a significant step toward ensuring that disputes are dealt with by arbitration and not by lengthy, costly, and uncertain state court proceedings. In this way, the book provides invaluable guidance for trustees, competitors, and event officials not only for the America's Cup but by extension to other major international sporting events.

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**Research Handbook on Major Sporting Events** Harry A. Solberg, Rasmus K. Storm, Kamilla Swart, 2024-01-18  
Presenting a comprehensive and pragmatic view on challenges around sporting events, this timely Research Handbook examines the hosting of major sporting events and the impacts they can have on stakeholders. Looking beyond the host destination, it provides a wealth of conceptual analysis on the organization and administration of such events, including the bidding process, planning, management, sponsorship issues, and marketing.

*The 33rd America's*

*Cup Judicial and Arbitral Decisions* Henry Peter, Hamish Ross (LLB.), Graham McKenzie, 2012 Introduction CNEV's Challenge GGYC's Challenge Deed Match Settlement Management and Future of the America's Cup **The 32nd America's Cup Jury and Its Decisions** Henry Peter, 2009-01-01 anti doping and anti gambling rules A valuable introduction written by the Jury members offers a first hand perspective in addition to historical and legal background Finally of interest for practitioners in general is the symbiosis established between the America's Cup organisation and the World Intellectual Property Organization WIPO At the request of the Jury WIPO developed a customised web based electronic case facility ECAF for the rapid and secure administration of disputes a facility now available in the context of other sporting events and for intellectual property disputes in general With detailed information on this system along with the book's many insights into the kinds of issues that fuel disputes in sports events and their resolutions *The 32nd America's Cup Jury and its Decisions* offers a significant extension of the knowledge base available to lawyers and scholars in several branches of law and legal practice Book Jacket **Place Event Marketing in the Asia Pacific Region** Waldemar Cudny, 2021-08-19 This book explores the fascinating phenomenon of place event marketing in the Asia Pacific region It examines procedures in the promotion and branding of places that use events to shape their identities It considers how events are used in forming a branded image of a place and disseminate information about it This innovative book offers theoretical insights of the opportunities and challenges related to place event marketing With contributions from leading thinkers in the field chapters also draw on empirical examples to showcase a variety of events across the Asia Pacific such as MICE sporting events festivals and religious and cultural celebrations The book explores the importance of such events for the socio economic development of urban regions Today the Asia Pacific is one of the world's fastest developing regions and its rising economic power is accompanied by the growing importance of the tourism and event sector The book is a unique study relating to a very exceptional region of the world The role of events in tourism development and the rise of the region's soft power is presented through carefully selected examples of cities from different countries The book concludes with commentary on the future directions for research in this area Written in an accessible style this book will be of great interest to students scholars and practitioners working in events studies urban studies tourism place branding and promotion business and management studies geography sociology and sport and leisure studies *Reference Guide to Sustaining Sport and its Development through Intellectual Property Rights*. World Intellectual Property Organization, 2023-09-20 The goal of this publication is to serve as a reference tool that shall help to guide the development of national strategies in order to sustain sport and its development through IP rights

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