



Table of Contents

DePaul College of Law

Follow this and additional works at: <http://via.library.depaul.edu/jslcp>

Recommended Citation

DePaul College of Law, *Table of Contents*, 10 DePaul J. Sports L. & Contemp. Probs. (2014)
Available at: <http://via.library.depaul.edu/jslcp/vol10/iss1/1>

This Front Matter is brought to you for free and open access by the College of Law at Via Sapientiae. It has been accepted for inclusion in DePaul Journal of Sports Law & Contemporary Problems by an authorized administrator of Via Sapientiae. For more information, please contact mbernal2@depaul.edu, wsulliv6@depaul.edu.

DEPAUL JOURNAL OF SPORTS LAW & CONTEMPORARY PROBLEMS

Volume 10

Spring 2014

Number 1

CONTENTS

ARTICLES

A BRIEF HISTORY OF SPORTS LABOR
STOPPAGES: THE ISSUES, THE LABOR
STOPPAGES AND THEIR EFFECTIVENESS
(OR LACK THEREOF) *Genevieve F.E. Birren* 1

THIS IS FOOTBALL, YOU'RE SUPPOSED TO
GET HIT: TACKLING CONCUSSIONS AND
CHRONIC TRAUMATIC ENCEPHALOPATHY;
HAS THE NFL BEEN WRONGFUL? *Kayleigh R. Mayer* 31

COMMENTS

THE SOLUTION TO NHL COLLECTIVE
BARGAINING DISPUTES:
MANDATORY BINDING ARBITRATION..... *Braden Shaw* 53

ALWAYS PROTECT YOUR BRAND:
TRADEMARK INFRINGEMENT
PROTECTION FOR ATHLETES
USING SOCIAL MEDIA SITES *Barret R. Arthur* 83

THE COPYRIGHT CONUNDRUM IN MODERN
TECHNOLOGY COPYRIGHT ISSUES REGARDING
INTERNET SERVICE PROVIDERS AND
LIVE SPECTATOR SPORT EVENTS *John J. Leppler* 105

Cite as 10 DEPAUL J. SPORTS L. & CONTEMP. PROBS.
Copyright 2014 by DePaul University
All Rights Reserved
DePaul Journal of Sports Law & Contemporary Problems

DePaul Journal of Sports Law & Contemporary Problems (ISSN 0011-7188) is published bi-annually by DePaul University College of Law, 25 East Jackson Boulevard, Chicago, Illinois 60604-2287. Postage paid at Chicago, Illinois and additional mailing offices. Changes of address should be mailed at least thirty days before the next issue to ensure delivery; include new and old addresses, with zip codes. POSTMASTER: send change of address notice to DePaul Journal of Sports Law & Contemporary Problems, 25 East Jackson Boulevard, Chicago, Illinois 60604-2287.

SUBSCRIPTIONS: Subscriptions are accepted on a per volume basis only. They are payable in advance and will be renewed automatically unless notification to the contrary is received. The annual price for a subscription to *DePaul Journal of Sports Law & Contemporary Problems* is \$50.00.

MANUSCRIPT SUBMISSION: Send manuscripts to the editorial offices at 25 East Jackson Boulevard, Chicago, Illinois 60604-2287. Citations must conform to *The Bluebook: A Uniform System of Citation* (18th ed. 2005). Manuscripts will not be returned unless specifically requested.

JOURNAL OF SPORTS LAW & CONTEMPORARY PROBLEMS WEBSITE: For more information, visit our websites at www.law.depaul.edu/sportslaw.

DePaul University is an equal-opportunity educator and employer.

DEPAUL JOURNAL OF SPORTS LAW & CONTEMPORARY PROBLEMS

Volume 10

Spring 2014

Number 1

BOARD OF EDITORS

AMY SCHILLER-NEUSTEDTER
Editor-in-Chief

ANDREW BUSH
Executive Editor

NICK GUTIERREZ
Articles & Technology Editor

THOMAS CONLON
Symposium Editor

WRITING STAFF

GENEVIEVE BINNIE
KATLYN GREGG
C.J. GINN

VINCENT LEWIS
JOHN O'DONNELL
YENI ADETOLA
KERRI FECZKO

FACULTY ADVISOR

MICHAEL S. JACOBS

DEPAUL COLLEGE OF LAW

GENERAL ADMINISTRATION

Rev. Dennis H. Holtschneider, C.M., D.Min., *President*
John T. Richardson, C.M., *Chancellor*
Helmut P. Epp, Ph.D., *Provost*
Bonnie Hirsch, C.P.A., *Vice President, Finance*
Rev. Edward R. Udovic, C.M., Ph.D., *Secretary/Vice President, Administration*
Jeff Bethke, *Treasurer*
J.D. Bindeagel, *Vice President for Community, Government & International Affairs*
Jay Braatz, Ed.D., *Senior Executive for Presidential Operations*
James R. Doyle, *Vice President, Student Affairs*
Mary C. Finger, *Senior Vice President for Advancement*
Mary Hawkins, *Controller*
Robert Janis, *Vice President, Facility Operations*
David H. Kalsbeck, Ph.D., *Vice President, Enrollment Management*
David Lively, *Vice President of Development*
Elizabeth F. Ortiz, Ed.D. *Vice President for Institutional Diversity and Equity*
Jose D. Padilla, J.D., *Vice President/General Counsel*
William Seithel, *Vice President for Human Resources*
Rev. Edward R. Udovic, C.M., Ph.D., *Vice President for Teaching & Learning Resources & Senior Executive for University Mission*

COLLEGE OF LAW ADMINISTRATION

Gregory Mark, *Dean*
David L. Franklin, *Vice Dean & Associate Professor of Law*
Andrea D. Lyon, *Associate Dean for Clinical Programs, Director for Justice in Capital Case & Professor*
Stephen Greenberger, *Associate Dean of Faculty & Professor*
Howard M. Rubin, *Associate Dean for Lawyering Skills, Director of Field Placement Program*
Michael Burns, *Assistant Dean for Enrollment Management & Director of Admissions*

COLLEGE OF LAW FACULTY 2013-2014

Benjamin E. Alba Director, Bar Passage Program
B.S., DePaul University; J.D., Loyola University of Chicago,
Sioban Albiol Clinical Professor
B.A. University of Texas at Austin; J.D. Loyola University of Chicago,
Phillip S. Ashley Associate Professor
B.A., Rockford College; J.D., Tulsa University; LL.M., New York University.
M. Cherif Bassiouni Emeritus Distinguished Research Professor of Law
J.D., Indiana University; LL.M., John Marshall Law School;
S.J.D., George Washington University; LL.D. (H.C.), University of Torino.
Mary Becker Professor
B.S., Loyola University of Chicago; J.D., University of Chicago.
Mary Ann Becker Legal Writing Instructor
B.A. from Northwestern University, J.D., DePaul University College of Law.
Barbara B. Bressler Clinical Associate Professor of Law; Director, Clinical Programs;
Supervisor, Technology/Intellectual Property Legal Clinic,
Deputy Director, Field Placement Program
B.S., University of Minnesota; J.D., DePaul University
Jacob Carpenter Legal Writing Instructor
B.A. DePaul University; J.D. Mercy University Law School
Leonard L. Cavise Professor, Director, Center for Public Interest Law,
Director, Chiapas Human Rights Practicum
B.A., Hamilton College; J.D., Georgetown University Law Center.
Sumi K. Cho Professor
B.A., J.D., Ph.D., University of California.
Alberto Coll Professor
B.A., Princeton University; J.D. & Ph.D., University of Virginia

Michelle Cue Legal Writing Instructor
 B.A., J.D. University of Illinois

John F. Decker Emeritus Professor
 B.A., Loras College; B.A., University of Iowa;
 J.D., Creighton University; LL.M., J.S.D., New York University.

Katheryn M. Dutenhaver Associate Professor
 B.A., North Central College; J.D., DePaul University.

Christopher Evers Legal Writing Instructor
 J.D. University of Michigan

Freeman L. Farrow Assistant Professor
 B.A. Amherst College; M.D. University of Massachusetts;
 J.D. University of Michigan

David M. Franklin Vice Dean & Associate Professor of Law
 B.A., Yale College; J.D., University of Chicago.

Jerold A. Friedland Professor
 B.A., M.A., New York University; J.D., Brooklyn Law School;
 LL.M., Georgetown University Law Center.

Patty Gerstenblith Distinguished Research Professor
 A.B., Bryn Mawr College; Ph.D., Harvard University;
 J.D., Northwestern University.

Andrew Gold Professor
 B.A., Dartmouth College; J.D., Duke University.
 LL.M., University of Wisconsin.

Steven R. Greenberger Associate Professor & Associate Dean of Faculty
 B.A., University of Illinois; J.D., Yale University.

Ray J. Grzebielski Associate Professor
 B.A., Northwestern University; M.B.A., University of Chicago;
 J.D., Northwestern University; LL.M., Georgetown University Law Center.

Brian F. Havel Distinguished Research Professor, Director, International Aviation Law Institute
 B.A., M.A., B.C.L., University of Dublin;
 LL.M., J.S.D., Columbia University.

Max N. Helveston Assistant Professor
 B.A., University of Michigan; JD., Yale Law School

Donald H. J. Hermann Professor
 A.B., Stanford University; M.A., Northwestern University;
 J.D., Columbia University; LL.M., Harvard University;
 Ph.D., Northwestern University; M.A.A.H., Art Institute of Chicago.

Michael Jacobs Professor, Co-Director, International Aviation Law Institute Professor of Law
 B.A., Dartmouth College; J.D., Yale University; M.P.H., Johns Hopkins University

Barry Kellman Professor
 B.A., University of Chicago; J.D., Yale University.

Terrence F. Kiely Professor
 B.S., Loyola University (Chicago); J.D., DePaul University;
 LL.M., New York University.

Sarah Klaper Legal Writing Instructor
 B.S. Ohio University; J.D. University of Cincinnati College of Law

Sandra Kupelian Legal Writing Instructor
 B.A., Northern Illinois University; J.D., University of Illinois

Roberta Rosenthal Kwall Professor
 A.B., Brown University; J.D., University of Pennsylvania.

Stephan A. Landsman Professor
 A.B., Kenyon College; J.D., Harvard University.

Julie D. Lawton Assistant Professor
 B.S., Florida A&M University; JD., Howard University; LL.M., Georgetown University

Wayne K. Lewis Professor
 B.A., Rutgers University; J.D., Cornell University.

Margit Livingston Professor
 B.A., Augsburg College; M.A., J.D., University of Minnesota;
 LL.M., University of Illinois.

Andrea Lyon Director of the Law Center for Justice in Capital Cases & Associate Professor
 B.A., Rutgers University; J.D., Antioch School of Law.

Jody Marcucci Legal Writing Instructor
 B.A., University of Wisconsin-Madison; J.D., DePaul University

Gregory Mark Dean
 J.D., University of Chicago; MA, Harvard University; BA, Butler University

Paul S. Miller Legal Writing Instructor
M.F.A Temple University Tyler School of Art; J.D. Fordham University

Mark Moller Associate Professor
B.A. Duke University; J.D. University of Chicago
L.L.M. University of Cambridge

Daniel I. Morales Assistant Professor
B.A., Williams College; JD., Yale Law School

Allen Moye Associate Professor & Director
B.A. Howard University; J.D. University of Richmond
M.L.S. Catholic University

Marlene Nicholson Emeritus Professor
B.A., and J.D., University of California at Los Angeles

Allison Ortlieb Legal Writing Instructor
B.A., University of Chicago; J.D., University of Chicago.

Bruce L. Ottley Professor
B.A., University of Missouri; M.A., J.D., University of Iowa;
LL.M., Columbia University.

Martha Pagliari Associate Director
B.A., University of Notre Dame, J.D. DePaul University.

Steven Resnicoff Professor
A.B., Princeton University; J.D., Yale University.

John C. Roberts Dean Emeritus & Professor
B.S., Northwestern University; LL.B., Yale University.

Zoë Robinson Assistant Professor
B.Mus., Queensland Conservatorium of Music, Griffith University; B.A., Australian National
University; LL.B., Australian National University; J.D., University of Chicago

David Rodriguez Visiting Professor
B.S., University of Illinois; J.D., University of Michigan

Howard M. Rubin Associate Dean and Director of the Legal Clinic
B.S., University of Illinois; J.D., DePaul University.

Jane Rutherford Professor
B.A., University of Chicago; J.D., University of Michigan.

Joshua D. Sarnoff Associate Professor
B.S., Massachusetts Institute of Technology; J.D. Stanford

Jeffrey M. Shaman Professor
B.A., Pennsylvania State University; J.D., University of Southern California;
LL.M., Georgetown University Law Center.

Stephen A. Siegel Professor
B.A., Columbia University; J.D., LL.M. Harvard University.

Terry Smith Professor
B.A., Brown University; J.D., New York University

Robert Smith Visiting Professor
BA, University of California Berkeley; JD, Harvard Law School

William W. Stuart Professor
B.A., Stanford University; LL.B., Washington and Lee University.

Jeremy Telman Visiting Professor
BA, Columbia University; Ph.D. and MA, Cornell University; JD, New York University

Susan E. Thrower Director, Legal Analysis, Research and Communication Program
B.A., University of Virginia; J.D., Wake Forest University.

Allison Brownell Tirres Assistant Professor
B.A. Princeton University; M.A. Harvard University
J.D. Harvard University; Ph.D. Harvard University

Deborah Tuerkheimer Professor
B.A., Harvard University; J.D., Yale Law School.

Vincent F. Vitullo Emeritus Professor
A.B., J.D., Loyola University (Chicago); LL.M., Yale University.

Anthony Volini Legal Writing Instructor
B.S., Benedictine University; J.D., Loyola University (Chicago).

Mark C. Weber Professor
B.A., Columbia University; J.D., Yale University.

Judge Warren D. Wolfson Distinguished Visiting Professor
LL.B., University of Illinois Urbana-Champaign; BS, University of Illinois, Chicago

LIBRARY STAFF

Allen R. Moyer	Director
B.A., Howard University; J.D., University of Richmond; M.L.S., Catholic University	
Michael Schiffer	Associate Director (Computer Services)
B.A., University of Chicago; J.D., University of Michigan; M.L.S., Rosary College	
Milta Hall	Associate Director (Public Services)
B.A., Memphis State University; M.A., University of Wisconsin (Madison); M.A., University of Illinois; J.D., DePaul University	
Wallie Brackett	Circulation Assistant
Drussilla Dillard	Circulation Assistant
Samantha Charlino	Circulation Assistant
Mark Giangrande	Legal Research Specialist
Kim Gainey	Circulation Assistant
Heather Hummons	Circulation Manager
Maria Willmer	Interlibrary loan/Even Circ.
Walter Bauman	Legal Research Specialist
Denise Glynn	Librarian (Head of Cataloging)
Mary Lu Linnane	Associate Director (Technical Services)
Lenore Boehm	Acquisitions Manager
Candis Collins	Serials Manager
David Labno	Cataloging Assistant
Elizabeth Shivers	Serials Assistant
Jack Gorman	Government Documents Assistant
Daniel Ursini	Acquisitions Assistant

ADJUNCT FACULTY

David Adler, J.D.	Leonard Goodman, J.D.	Paul McGrady, J.D.
Jeff Atkinson, B.S., J.D.	Hailey Guren, J.D.	Sibyl Medie, J.D.
Frederick Ball, J.D.	Ellen Gutionov, J.D.	Joey Mogul, J.D.
Michael Bergmann, J.D.	Susan Haddad, J.D.	Adolfo Mondragon, J.D.
Paul Berks, J.D.	Miriam Hallbauer, J.D.	Michael Morrissey, A.B., J.D.
S. Jan Brakel, J.D.	Maria Harrigan, J.D.	Craig Mousin, J.D.
Steve Branstedt, J.D.	John Hayes, J.D.	Laurence Mraz, J.D.
Hon. Mary Margaret Brosnahan, B.S., J.D.	Hon. Thomas Hennelly, J.D.	Brian Nach, J.D.
Vincent Browne, J.D.	Rachel Hodges-Spitsberg, J.D.	Peter Newman, J.D.
Shannon Burke, J.D.	Timothy Hoffmann, J.D.	Jennifer Niemec Dunn, J.D.
Patrick Bruks, J.D.	Colleen Hyland, J.D.	John Nisivaco, J.D.
Hon. Anthony Calabrese, J.D.	Hon. John Hynes, J.D.	Kevin Noonan, J.D.
Mary Ann Capron, J.D.	Lilianna Kalin, J.D.	John Paniaguas, J.D.
Natalie Carlomango, J.D.	Susan L. Kennedy, J.D.	Deborah Pergament, J.D.
Christopher Carmichael, J.D.	Cheryl Kettler, J.D.	Joan Pernecke, J.D.
Patrick Cassidy, J.D.	Brent Kidwell, J.D.	Lynda Peters, J.D.
James Clark, J.D.	Hon. John Kirby, J.D.	Angela Petrone, J.D.
Michael Clark, J.D.	Barry Kozak, J.D.	Shelby Prusak, J.D.
Zachary Clopton, J.D.	Kenneth Kraus, J.D.	William Ralph, J.D.
Brian Collins, J.D.	Michael Krzak, J.D.	Jay Readey, J.D.
Karen Conti, J.D.	Robert Labate, J.D.	Hon. Ericka Reddick, J.D.
Susan Cox, J.D.	Audrey Lee, J.D.	Timo Rehbock, J.D.
Jules Crystal, J.D.	Valerie Leopold	Elke Rehbock, J.D.
Daniel Cullen, J.D.	Lisa Levine, J.D.	Trish Rich, J.D.
J. Greg Deis, J.D.	Brian Lewis, J.D.	Martin Robins, J.D.
Catherine Diebel, J.D.	Katy Lewis, J.D.	Martin Robins, J.D.
Kelli Dudley, J.D.	Robert Loeb, A.B., J.D.	Michael Robinson, J.D.
Colin Dunn, J.D.	Mary Rita Luecke, B.A., J.D.	Laurie Rosenow, J.D.
Thomas Durkin, J.D.	Terrence MacCarthy, J.D.	Patrick Ryan, J.D.
Maureen Egan, J.D.	Matthew Madden, J.D.	Alan Salzenstein, J.D.
Bradley Erens, J.D.	Thomas Mahoney, J.D.	Gabriel Sanchez, J.D.
Lawrence Fox, J.D.	Scott Main, J.D.	Susan Schierl Sullivan, J.D.
Hon. Daniel Gillespie, J.D.	Crystal Marchigiani, J.D.	John Schmidt, J.D.
	Shannan McFadden, J.D.	Katherine Schostok, J.D.

Steve Seliger, J.D.
Helene Shapo, J.D.
Sam Shim, J.D.
Joel Simberg, J.D.
James Simon, J.D.
Elizabeth Simon, J.D.
Julie Simpson, J.D.
Stanley Sklar, J.D.

Jamers Sowerby, J.D.
Barry Spector, J.D.
Kathryn Starshak, J.D.
Geraldine Stroka, J.D.
Lawrence Swibel, J.D.
Michael M. Tannen, J.D.
Jill Tanz, J.D.
Trisha Tesmer, J.D.

William Theis, J.D.
Joseph Thompson, J.D.
Jennifer Villier, J.D.
Elizabeth Vistine, J.D.
Torrick Ward, J.D.
Laura Weiler, J.D.
Allison Wood, J.D.