



## Rupert Beloff

Year of call: 2001

*'Strong in the interface between sport and the media.'*

Legal 500

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## Practice Summary

Rupert worked in sports media before being called to the bar and completing a commercial and planning pupillage.

Rupert has a broad commercial and public law practice with a particular expertise in all aspects of sports and media law. He has extensive experience of appearing in courts and tribunals in London and nationwide, including high value complex claims.

Rupert's clients include regulatory bodies, sports clubs and agencies, sportsmen and women, national insurance companies, local authorities, FTSE listed companies, company directors, auctioneers and professionals.

He accepts instructions across a wide range of Chambers' work in both an advisory and advocacy capacity.

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### Commercial

Rupert has worked on complex and high value commercial disputes in the Commercial Court, Chancery Division and Court of Appeal including:

- A £4m claim for breach of contract and fiduciary duty following the liquidation of a sports management agency.
- A five-day trial relating to £1m loan guarantee for a chain of halal butchers shops.
- An application for £1m freezing injunction in an agency dispute.
- Representing an ex-international footballer in a breach of contract claim relating to a cancelled live tour based upon a well-known television programme.

Rupert also regularly appears in the Companies and Commercial Courts in personal and corporate insolvency

matters. He has represented auctioneers in disputes about the attribution and description of sold artworks.

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## **Sport**

Rupert has substantial and wide ranging experience of sports litigation and advisory work including in particular regulatory and disciplinary proceedings, anti-doping, free movement and right to play cases and contractual and sponsorship disputes. He has represented and advised clubs, governing bodies, coaches and individual sports men and women in front of a wide range of tribunals and courts.

Rupert has also appeared for both Claimants and Defendants in 'field of play' injury cases. He regularly lectures and gives seminars on sports law subjects and is a co-author of several leading books in the field.

Examples of his previous cases include:

Christine Ohuruogu v British Olympic Association (November 2007) - appeal against lifetime ban on competing at the Olympic Games

Bell v Governing Body of St Olave's and St Saviour's Grammar School (2013) ISLR SLR 28 – duty of care for a school in respect of the use of gum shields during hockey matches

Bruce Baker v British Boxing Board of Control [2014] EWHC 2074 (QB) injunction to restore boxing manager's licence based on competition and EU law arguments.

- Representing boxing promoters, boxers and licence holders in disciplinary proceedings in front of the British Boxing Board of Control.
- Advising a professional football referee in respect of an unfair dismissal claim against the FA.
- Advising a professional cricket coach in relation to constructive and unfair dismissal.
- Advising a leading speedway circuit in respect of safety rules imposed by the governing body.

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## **Media and Entertainment**

Rupert has wide ranging expertise in copyright and IP matters including matters relating to musical compositions, sports, artwork and photography. He has also advised clients on IT related matters including click wrap and browse wrap agreements. He regularly appears at hearings in the IPO, IPEC and the High Court on matters related to trade marks, copyright and passing off at first instance and on appeal.

Selected examples of recent and current cases include:

- Advising a company in respect of a claim for damages arising out of an alleged breach of copyright relating to the use of a photograph on a dummy website that was accidentally published. The Claimant was a company that enforced intellectual property rights on behalf of various photographers.
- Advising and representing an importer in respect of a claim for substantial damages for alleged breaches of intellectual property rights arising out the its purchase of grey imports of computer products.
- Advising a leading toy manufacturer in respect of a claim arising out of their alleged infringement of trade marks relating to craft products produced by a third party.
- Representing respondent at hearing in the IPO to deregister a trademark for non-use. The respondent had purchased rights to a number of trademarks relating to anti-slug products and was developing a new range of products under those trademarks. The applicant, a rival company, applied to deregister the trademarks alleging that they had never been used and, alternatively, had not been used for the past five years.

- Advising a cinema chain in respect of an intimated claim for licence payments due for soundtracks of films shown in the chain's cinema. Advice was sought on whether there was a separate copyright protection for the soundtrack that could incur a licence fee beyond the general copyright protections that attached to the films.
- Advising a local authority in respect of action it could take for in respect of misuse of its corporate coat of arms by a commercial company.
- Representing an international courier in a passing off action brought against a competitor.
- Representing a software company that provided security software in respect of its claim for trademark infringement by a competitor.
- Advising a manufacturer of sports cycling equipment in respect of an intimated claim by a major international sportswear company for trademark infringement and representing at proceedings before the EUIPO.

Drawing upon personal experience as a West End theatre producer Rupert is also well versed in legal issues arising out of theatrical productions.

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## **Defamation and Privacy**

Rupert has substantial experience of advising and representing individuals and organisations in defamation actions. His past clients have included sports men and women, trade organisations, professionals and football clubs

He also undertakes libel reading for national print publications and television productions and has advised high profile celebrity clients in respect of press statements and responses to tabloid media stories.

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## **Public and Regulatory Law**

Rupert advises and represents both claimants and defendants in all aspects of public and regulatory law. He has expertise in judicial review proceedings and Equality Act Claims and has represented local authorities, commercial organisations and individual service providers.

His practice covers:

- Judicial and statutory review.
- Vires and local government powers.
- Constitutional issues, powers and duties.
- Regulatory and disciplinary matters.
- Discrimination and equality duties.
- State aid and public procurement.
- Trademarks and intellectual property.
- Inquests and inquiries

Rupert is a contributing author to 'Goudie, Supperstone and Walker: Judicial Review' and a member of ALBA.

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## **Publications**

Co-author of the Halsbury Centenary Essay 'The Field of Play' (Butterworths, 2007).

Contributor to the New Oxford Companion to Law (Oxford, 2008) on the subjects of combat and blood sports.

Co-author of Halsbury's Laws of England volume on Sports (Butterworths, 2012).

Co-author of Sports Law by Beloff, Kerr and Demetriou (2nd Edition) (Hart Publishing, 2012) and forthcoming 3rd Edition.

Contributor to Supperstone, Goudie and Walker: Judicial Review (LexisNexis, 2014).

Co-author of Atkins Court Forms volume on Sports (Lexis Nexis, 2013).

"How WADA laboratories receive accreditation" (LawinSport, 2016).

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## **Academic Qualifications**

MA (History), Christ Church, Oxford

LLB, Buckingham

PgDL (EU Law), Kings College, London

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