

## MONTHLY FEATURE



### What is XOS Digital?

Over the last decade, the collegiate content marketplace has evolved dramatically. Through education and initiative, universities, bowls and conferences have realized the value and importance of retaining copyright ownership in their national and regional broadcast agreements. There has been a tremendous shift toward schools and/or conferences retaining copyright ownership of network broadcasts, most recently with the Bowl Championship Series and the Southeastern Conference. With this trend toward collegiate rights holder ownership, it is essential to develop and maximize revenue opportunities to capitalize on these newly gained rights.

On a parallel path, in just a few short years, the transition from analog to digital content has occurred and has become the marketplace standard. It is no longer commonplace to ingest and transmit content in analog tape format via mail delivery. The demands of consumers to view and consume content more quickly and efficiently has led the industry to quickly adapt as all parties are now demanding access to content in an expedited manner. Consequently, Collegiate Images identified the need to align with a partner who could provide the technology backbone and infrastructure needed to scale with the industry and distribute content in an all-digital world.

In addition to the need for a technology infrastructure for digital delivery of newly acquired content, CI and its collegiate rights holders (schools, conferences, bowls, private collegiate libraries and media companies) have begun to realize the importance of preserving their athletic archives in a digital format. With deep and growing concerns about the deterioration of these valuable assets, there is a significant movement in the collegiate marketplace to identify a preservation solution for collegiate rights holders. While preservation of athletic archives has been the primary driver that has led to this thought process, it was not the only driver. Of equal importance has been the ability to license and quickly deliver their content to the media marketplace to generate additional brand exposure and incremental revenue.

With the goals of monetization, digitization and preservation in mind, Collegiate Images and XOS Technologies created XOS Digital. Both CI and XOS have very broad and deep relationships throughout the collegiate marketplace, as both companies maintain critical mass of representation in their respective core competency areas. The crossover among collegiate partners is rather significant. Additionally, XOS' expertise has been historically rooted in technology and the management and analysis of coaches' content, providing the collegiate marketplace with the tools to preserve, manage, analyze and manipulate their coaches' content. Similarly, CI has been focused on finding ways to gain access to collegiate content and properly license such content to the media marketplace, account for its use and provide content owners with the tools and resources to protect their valuable Intellectual Property.

The newly created division, XOS Digital, now has the ability to ingest and preserve content in a digital format in a scalable Media Asset Management System (The Vault) that can reside centrally (Lake Mary, Florida) or locally (at the location of the collegiate rights holder). Whether the Vault resides centrally or locally, it has the capability to provide real-time delivery of content to the media marketplace while serving on campus needs for content. The flexibility of the Vault model provides a premier experience

for users (collegiate rights holders and their media rights holders), fans and consumers while creating a tremendous revenue upside for content rights holders.

We invite you to join us to learn more about XOS Digital and the Vault. Please visit us at NACDA in Orlando on June 18 – 19 at Booth 519 on the Exhibit Floor. If you will not be attending and would like to learn more, please contact your Partner Relations Representative.

### **NOW SHOWING**

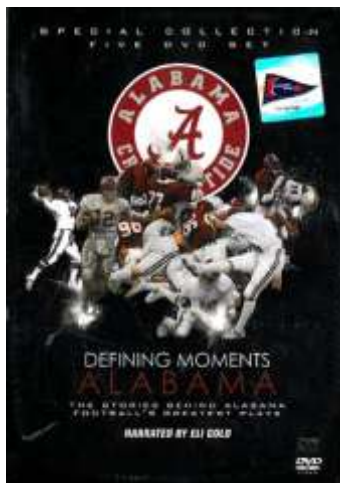
# **ALL'S FAIR WHEN LOVE IS WAR** **OBSSESSED**

### **Feature Film – Sony Pictures Entertainment**

Collegiate Images officially licensed Pac 10 Conference men’s basketball footage to be featured in the background television monitors in a restaurant scene shot at the Los Angeles Biltmore for the feature film “Obsessed.” The film, in which a successful professional with a beautiful wife finds his idyllic life threatened by a temp in his office, stars Idris Elba, Ali Larter and Beyonce Knowles. “Obsessed” opened on April 24, 2009.

TM – UCLA, Arizona

© - Arizona



### **Consumer Media Product – Flashlight Films**

“Defining Moments: The Stories Behind Alabama Football’s Greatest Plays” takes you deep inside the Alabama football tradition as former Crimson Tide players, coaches and broadcasters recall the plays

and tell stories of the events that preceded and followed them. Moments chronicled in the five DVD set include: Goal Line Stand, The Kick, Run in the Mud, Takeaway and 315. Each of these events played an integral role in shaping Alabama's rich football history. Collegiate Images licensed footage and cleared Alabama trademarks appearing within DVD footage.

TM – The University of Alabama

© - The University of Alabama



### **Content Package – 2009 NBA Draft Package**

Every year Collegiate Images creates and licenses a “draft package” to NBA teams in need of video highlights. The package consists of the top 50 players eligible for the NBA Draft. Numerous NBA teams license and use these highlights editorially on official team sites and local television broadcasts.

### **BUSINESS AFFAIRS**



### **Veoh Investors Vindicated**

As a follow up to the Veoh litigation article that was featured in our February 2009 *Industry Insider*, former Disney chief Michael Eisner and other investors in the video sharing web site Veoh received a favorable ruling in a two year ongoing copyright infringement lawsuit brought by Universal Music Group. Universal Music Group originally brought suit alleging that San Diego-based Veoh engaged in blatant copyright infringement because it allowed its users to upload and store copyrighted music videos. Additionally, Universal filed suit against Eisner and other investors. After originally dismissing the case against the investors “without prejudice,” U.S. District Court Judge Howard Martz granted the investors’ motion and dismissed the case “with prejudice,” meaning that Universal can no longer attempt to hold Veoh investors liable. In reaching his decision, Judge Matz concluded that Universal had not proven that the financial backers had an obligation “to preempt the possibility of infringement by requiring the operating company they are funding to implement automatic or manual filtering systems that reject or remove copyrighted content.” Veoh contends that the Digital Millennium Copyright Act’s (DMCA) “safe harbor” provision immunizes it from liability so long as it takes down infringing material upon the

owner's complaint. Judge Matz ruled in January that Veoh is eligible for DMCA protection, but has not yet decided whether the site will prevail on the claim.



### **CBS Wins Court Ruling on Use of NFL Player Names, Statistics**

The ongoing legal battle between CBS Interactive Inc. (CBS) and the National Football League Players Association, Inc. (NFLPA) concerning the right to use players' names and statistics within fantasy sports games without a license fee between the two parties came to a halt last month. In a setback for professional sports leagues and player unions looking to control the fantasy sports marketplace, CBS' Internet Unit won the right to use National Football League players' names and statistics for free in fantasy sports leagues it sponsors. NFLPA had claimed that CBS was violating NFL players' Intellectual Property rights with "unauthorized use of the names, images, likeness, photographs, statistics and biographical information" in connection with its operation and promotion of its commercial fantasy football game without a license. According to U.S. District Judge Ann Montgomery of Minneapolis, this information is in the public domain. Based upon this new ruling and a 2007 Federal Appeals Court decision about fantasy baseball, companies operating professional sports fantasy leagues are now claiming they have a First Amendment right to use names and data of players without paying a license fee. Based upon court documents, the fantasy sports market generates over \$1 billion year in revenue.



### **Major League Baseball Awarded Geolocation Patent**

Major League Baseball (MLB) was awarded its first patent last month from the U.S. Patent and Trademark Office for technology that blocks certain fans from viewing local games online. The online geolocation technology is a system that uses two or more electronic methods (such as wireless and satellite) to pinpoint the exact geographic location of a subscriber. The patent allows MLB to efficiently block reception of games in a subscriber's local market so that the hundreds of millions of dollars its 30 clubs receive in rights fees from regional sports networks are protected. While the patent will inevitably be challenged in court to determine its full reach, analysts have concluded that MLB now has the ability to approach a company using multiple geolocation technology to determine a subscriber's location and ask for a licensing fee.

### **MEDIA NOTES**



### **In Classic Switch, ESPNU Graduates On Comcast, DirecTV**

ESPNU has inked deals with Comcast and DirecTV that will dramatically increase its distribution for ESPNU for 2009-10 football season and beyond. The comprehensive deal also calls for the distribution of the broadband service ESPN360.com, the potential migration of ESPN Classic and the syndication of Southeastern Conference athletic fare to a regional sports network. Read more [HERE](#).

<http://www.multichannel.com/article/263701->

[In Classic Switch ESPNU Graduates On Comcast DirecTV.php](http://www.multichannel.com/article/263701-In_Classic_Switch_ESPNU_Graduates_On_Comcast_DirectTV.php)



### **Hulu and YouTube Expand Options for Viewers**

Two of the most popular online viewing portals have provided new ways for their users to experience programming. Hulu has launched a new desktop application whereby users who have a remote control with their PC can use it to browse through videos and control almost all the functionalities that Hulu has online. At this time, Hulu specifically prohibits use of the desktop to extend the experience to the TV. Read more [HERE](#).

<http://www.paidcontent.org/entry/419-hulu-goes-desktop-though-boxee-still-remains-off-limits>

On the heels of the Hulu desktop application launch, YouTube has released YouTube XL. YouTube XL is a browser-based version of the site that has been optimized for TV viewing users can link their computer or browser-enabled game console to the TV to access YouTube XL. Rights restrictions will keep some premium shows off-limits, but the majority of content is available. Read more [HERE](#).

<http://www.paidcontent.org/entry/419-youtube-xl-brings-web-shows-to-the-tv/>



## **Collegiate Images Releases 2009 Recommended Credential Procedures and Language**

Ensuring that effective credential procedures and language are in place is paramount in preventing unauthorized uses of content captured in and around all athletic events. Effective credential procedures and language serve as the first line of defense in making certain that content rights holders have a chance to properly protect and maximize revenue opportunities from their intellectual property. Over the past three years, Collegiate Images and the Bowl Championship Series (BCS) have developed comprehensive credential procedures and credential language that have successfully provided a first line of defense for content captured in and around BCS bowl games. CI distributes these procedures and language to the entire marketplace and recommends that all of our university and conference partners adopt these standards.

The complete recommendation can be found [HERE](#).

<http://collegiateimages.com/newsletter/2009/05/11/newsletter.html>

### **STILL PHOTO SNAPSHOT**

BEING EDITED!

**ETC.**

### **Staff Updates**

Jared Kalmanson returns to Collegiate Images as a full-time Summer Law Clerk. A native of New Jersey, Jared is a graduate of the University of Maryland and has completed his second year of law school at the University of Miami. Jared's focus will be to assist the CI Legal department and Partner Relations staff with enforcement matters.

### **Upcoming Events**



**College Sports Video Summit – Atlanta, GA**

June 9-10, 2009



**2009 NACDA Convention - Orlando, FL**  
June 18-21, 2009



**2009 CoSIDA Convention- San Antonio, TX**  
June 21-25, 2009