

NFL v. Dryer

Related Lawyers: **Michael D. Hausfeld, Swathi Bojedla**

Related Practice Areas: **Sports and Entertainment, Intellectual Property**

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Dryer v. NFL, 0:09-cv-02182 (D. Minn.) -

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The complaint alleged that while the league was allowed to use players' names, images, and likenesses during their playing days, no such usage was allowed after the players' contracts expired – particularly for those players who were with the league during the “glory days” prior to 1993. For example, the complaint focuses on the fact that the NFL uses extensive film productions to promote the league - complete with scripts, music and editing as opposed to re-broadcasts of NFL games - for which it has generally offered no compensation to retired players whose images are used throughout these films. The retired players brought claims for unjust enrichment, violations of the Lanham Act, and for violations of their rights of publicity due to these unauthorized uses of their likenesses.

In January 2010, the court denied the NFL's motion to dismiss the lawsuit and allowed the plaintiffs to move forward with their claims. On September 13, 2011, the Court appointed Hausfeld as co-lead counsel in this matter.

In 2013, Hausfeld lawyers helped to broker a \$50 million settlement agreement that will provide health and welfare benefits to the class moving forward. The settlement establishes a \$42 million Greater Good Fund that will fund programs and benefits for retired football players, as well as a licensing agency that will help former players monetize their names, images, and likenesses. The settlement also creates a partnership between the NFL and its former players, giving the retired player community a voice and a seat at the table going forward.

In March 2013, Judge Paul A. Magnuson granted preliminary approval of the settlement and appointed an initial Board of Directors to oversee the Greater Good Fund and licensing agency. The Board, which is chaired by NFL legend and Hall of Famer Jim Brown, has partnered with IMG to pursue licensing opportunities for retired players. The court granted final approval of the settlement on November 1, 2013, calling the settlement “a boon for those thousands upon thousands of former NFL players who can now reap the collective benefit of a large financial payout to a fund organized solely for their benefit, overseen by their comrades-in-arms.”

Hausfeld lawyers remain involved in the settlement's administration, serving as counsel to the Greater Good Fund Board of Directors. For more information on the Greater Good Fund and the licensing partnership with IMG, please contact Michael Hausfeld or Swathi Bojedla.