

BOOK REVIEW

Law and the Business of the Sports Industries (Vol. 2, 2nd ed.)

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One of the conditions that provides authors the impetus to create textbooks is the lack of available texts that approach a particular subject in a manner that satisfies the needs of an instructor or course. While there are other obvious reasons for authoring, the dissatisfaction with available collected, synthesized, and organized materials is one that provides the necessary motivation for many who publish. As an instructor lacking in motivation and sufficient writing skills to produce my own text, the second edition of *Law and Business of the Sports Industries* by Berry and Wong is most welcome. My intent is to adopt it as the required text for my undergraduate course. The following review should explain most of the reasons why.

Berry and Wong write with an ease that is immediately comfortable for readers of all levels of their professional careers. Undergraduate students through attorneys exposed to this work for the first time will be pleased at its clarity as well as its depth of coverage. There is no wasted verbiage and yet each topic is well covered and explained in a manner that enhances comprehension with just one reading. Most cases cited, especially those important to the immediate discourse, are sufficiently annotated to lead to the immediate decision whether or not the case needs further review. Numerous other cases are simply cited for further reference, if desired. Examples of the precise clarity with which the authors communicate may best be illustrated in Chapter 8: Drug Testing. Specific sections are 8.11 through 8.16 which review the relationship of constitutional law to drug testing.

In their second edition the authors have updated numerous important cases that one might have missed elsewhere in the intervening years. This reviewer, for example, was not aware of the outcome of *Ross v. Creighton University* even though acquainted with some of the principals involved in the proceedings. Berry and Wong have updated that information quite well.

Likewise, I was very pleased with the thorough treatment accorded Proposition 48 and Proposition 26. As one of the most important attempts to remedy some of the ills plaguing intercollegiate athletics, it is important that students in a variety of majors understand the evolution of these NCAA regulations that the authors have so clearly provided. Their treatment of *NCAA v. Tarkanian* is equally useful in illustrating the concept of a state actor.

For those who are teaching in law schools, sport management programs, leisure study programs, and graduate classes in physical education, the new chapters on Contract Law, Trademark Law, and Antitrust Law will be especially helpful. Additionally, athletic training majors will make good use of the expansion of the Drug Testing information.

For my purposes, the extended treatment of Tort Liability into two chapters will be extremely helpful. Everyone, regardless of expertise, should read these chapters from the viewpoint of their students. It will hold their interest.

Being something of a bibliophile, I find this book comfortable. It is as alive as a law book can be. It is "user friendly." It is meant to be used and, if possible, it wants to be used. For those who might share similar feelings about books, it is bound with a level of care and quality becoming increasingly rare in today's book market.