

BY U.S. MAIL AND FACSIMILE

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Hon. Erroll B. Davis Jr.
Chancellor, Board of Regents
270 Washington Street S.W., Suite 7025
Atlanta, Ga. 30334

Dear President Adams and Chancellor Davis:

The SEC has issued its media restrictions applicable to the upcoming football season. These media restrictions go beyond protecting recognizable intellectual property and merchandising rights and include the following:

- The section of the credentials that deals with blogging provides that “real-time” news coverage cannot intend to be or, be promoted as, a substitute for television or video coverage of an Event. We do not disagree with that. However, the paragraph goes on to give the SEC “sole discretion” to determine whether the “real-time” coverage infringes on those rights. We submit that press access to a newsworthy event at a public university and the facts of the event cannot be conditioned upon giving the SEC unbridled discretion to control the content of news reporting. Accordingly, when a representative of our newspaper signs the necessary papers for our news staff to be credentialed as reporters and photographers at the games, it will be subject to our objection to that provision.
- The SEC credentials also seek to limit the use that journalists may make of photographs that they take during the coverage of a game. I am advised that there are existing limitations in the law as to what may be done to commercialize a third person’s name or likeness. Our newspaper will certainly abide by the applicable law. However, when our journalists sign the documents to be credentialed as photographers and reporters at the games, it will be subject to the rights of our newspaper to use their photographs to the extent permitted by law.

With every good wish, I am

Sincerely,
