

Statement from the Société Nautique de Genève

“BMW Oracle Racing (BOR) and its club Golden Gate (GGYC) have again chosen the New York law courts, instead of accepting an invitation to another meeting to discuss the terms of the 33rd America’s Cup. They have ignored both our proposal to open the competition to other challengers and our invitation to agree to mutual consent terms.

As Defender of the America’s Cup, Alinghi and the Société Nautique de Genève (SNG) are duty bound to fulfill the Deed of Gift that governs the event. The document clearly states that May is the earliest possible date for a race in the Northern Hemisphere, where both clubs are located. The New York Supreme Court Order does not instruct us to breach our duties as trustee.

The Deed of Gift also states that the Challenger of Record should provide the Defender with a Custom-House Registry of the vessel ‘as soon as possible’. This they also ignore. The Deed of Gift is not a document to be cast aside at convenience: the wording is clear on the matter of the dates and cannot be dismissed because it does not suit GGYC and BMW Oracle Racing’s current wishes.

The Société Nautique de Genève is prepared to defend its position, which fully respects the Deed of Gift as the governing document of the America’s Cup, before the New York Supreme Court and will require BOR and the GGYC to do the same.”