

In The News

Akerman Lawyers Outline Brand Protection Considerations in NIL Deals

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LaKeisha Marsh, chair of the Higher Education and Collegiate Athletics Practice in Chicago, Atlanta Partner Montoya Ho-Sang and Chicago Associate Sommer Sharpe co-authored an article in LEAD1's 12th Edition on what student athletes, athletic directors, and institutions need to know about brand protection in name, image, likeness (NIL) deals.

The authors wrote: “The NIL era has created exciting opportunities for student-athletes to capitalize on their right of publicity. At the same time, NIL opportunities present several complexities that student-athletes and institutions must navigate to safeguard their interests, including protecting their intellectual property and avoiding trademark infringement liability. Although NIL commercialization may be unfamiliar territory for many student-athletes and institutions, athletes should consider protecting their brands by implementing effective trademark strategies, and institutions need to be aware of copyright and intellectual property right laws to ensure that their NIL-related polices are within the confines of the law.”

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