

Podcasts | June 30, 2023

## New NCAA NIL Guidance Memorandum

### Highway to NIL Podcast

#### SPEAKERS

Christopher M. Brolley | Callan G. Stein | Brett E. Broczkowski

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The *Highway to NIL Podcast* analyzes the legal landscape concerning college athletics and the regulation of name, image, and likeness (NIL) rights of student athletes. The podcast provides key insights into the current state of affairs, focusing on the NIL guidance and policies coming directly from the NCAA; the various passed and amended state NIL laws; and NIL enforcement, including how the NCAA, state attorneys general, and other regulators may investigate and punish schools for NIL violations.

In this installment, Troutman Pepper litigators Cal Stein, Chris Brolley, and Brett Broczkowski discuss a recent NCAA [FAQ guidance memorandum](#) regarding certain NIL activities.

Specific topics include:

- Overview of New NCAA NIL Guidance Memo (2:09);
- Question 1 – NIL Activities of “Closely Associated” Entities (3:28);
- Question 2 – Booster/Collective Contact With Prospective Student Athletes (6:34);
- Question 3 – University Provision of Benefits to Boosters (8:49);
- Question 4 – Conditioning of NIL on Institutional Attendance (11:03);
- Question 5 – Indirect Payments for Participation in Athletic Competitions (12:30); and
- Question 6 – Primacy of NCAA NIL Guidance Over State NIL Laws (14:29).

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