

A TWO-PAGE FIELD GUIDE

NIL LEGAL PROTECTION GUIDE.

DISCIPLINE.
PREPARATION.
WEALTH PROTECTION.

Your name, image, and likeness are business assets — and like any asset worth keeping, they have to be claimed, structured, and defended *before* the money shows up. This is the short version of the playbook we run with our athletes.

01 WHY NIL IS A LEGAL MATTER

Since 2021, the NCAA has allowed college athletes to monetize sponsorships, social deals, signings, and appearances. The opportunity is real — and so is the responsibility.

Without protection, your name and likeness can be used without your permission and without paying you. Think of your brand the way a company thinks about a product line.

CORE PRINCIPLE

You do not have to be a pro to have something worth protecting. If people know your name, your brand exists — and if your brand exists, it can be defended.

02 TRADEMARK YOUR NAME & BRAND

A trademark gives you legal ownership over a name, logo, slogan, or symbol used in commerce. Once registered, no one else can legally use it in a confusingly similar way.

What you can trademark:

- Your name or stage name, if it is distinct enough
- A personal logo or brand mark
- A catchphrase or signature slogan
- A business name or product brand you are building

Common names are harder to trademark. The more distinctive your mark, the cleaner the path. Work with a trademark attorney before filing.

03 HOW TO REGISTER A TRADEMARK — THE 5 STEPS

Trademarks are registered through the U.S. Patent and Trademark Office (USPTO). Plan for 8 to 12 months end-to-end. Start early.

01

SEARCH TESS

Use tess.uspto.gov to confirm your name or mark is not already registered.

02

PICK YOUR CLASSES

Athletes typically file Class 41 (entertainment) and Class 35 (advertising).

03

FILE VIA TEAS

Submit through USPTO's TEAS system. Fees start around \$250–\$350 per class.

04

ANSWER OFFICE ACTIONS

The USPTO may issue questions or objections. Respond correctly and on time.

05

USE ™ THEN ®

You can use ™ as soon as you file. ® is reserved for registered marks only.

04 TRADEMARK · COPYRIGHT · PATENT — KNOW THE DIFFERENCE

™ TRADEMARK

MOST RELEVANT FOR NIL

Protects your brand identity — name, logo, slogan — in commerce. This is the headline tool for athletes building a personal brand.

© COPYRIGHT

CREATIVE WORK

Protects original creative work — videos, photos, written content, music. Applies automatically the moment you create it.

® PATENT

INVENTIONS

Protects inventions or unique processes. Less common for athletes, but relevant if you launch a physical product.

FROM KNOWLEDGE TO ACTION

READ BEFORE YOU SIGN.

Every NIL deal is a legal contract. Signing without reading — or without fully understanding — what you are agreeing to can cost you money, your eligibility, or both. The next page-and-a-half is the floor, not the ceiling.

05 NIL CONTRACTS — KEY CLAUSES

When a deal lands, the value is rarely in the headline number. It's in these five places:

EXCLUSIVITY	Can they stop you from working with competing brands, and for how long after the deal ends?
IMAGE USAGE RIGHTS	What can the brand do with your photos, video, and likeness once the term closes?
TERM & TERMINATION	How long does the deal run, and what are the exits — for you and for them?
PAYMENT TERMS	When are you paid, what triggers it, and what is the remedy if they don't pay?
MORALITY CLAUSE	Can the brand terminate — and claw back fees — if your image changes negatively?

RULE OF THUMB

Have an attorney or trusted advisor review every contract — regardless of size. A \$500 deal with bad terms can create problems worth far more than \$500.

06 LEGAL PROTECTION CHECKLIST

Build the foundation *before* opportunities arrive. Reactive protection is always more expensive than proactive.

- Secure your name as a handle on every major social platform
- Register your personal domain — **YourName.com**
- Begin the trademark process for your name or brand mark
- Form an LLC to separate personal liability from business income
- Open a dedicated bank account for all NIL earnings
- Track every dollar of NIL income and expense — you will owe taxes
- Never sign a contract without independent review
- Confirm your school's NIL disclosure requirements in writing

07 FIVE MISTAKES THAT COST ATHLETES THE MOST

<p>01 SIGNING WITHOUT READING</p> <p>A signature is permanent. Read every word before you sign — no exceptions, ever.</p>	<p>02 MIXING PERSONAL & NIL MONEY</p> <p>Keep NIL income in a separate account from day one to avoid tax and liability messes.</p>	<p>03 IGNORING TAX BILLS</p> <p>NIL income is taxable. You may owe estimated taxes quarterly — plan and reserve cash.</p>	<p>04 SKIPPING SCHOOL DISCLOSURE</p> <p>Most schools require NIL deal reporting. Failing to disclose can risk your eligibility.</p>	<p>05 WAITING ON BRAND PROTECTION</p> <p>Trademark applications take nearly a year. Start before anyone else does — not after.</p>
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QUICK REFERENCE — KEY TERMS

NIL	Name, Image & Likeness — your right to earn from your personal brand.	™ / ®	Trademark — legal protection for a brand name, logo, or slogan in commerce.	USPTO	U.S. Patent and Trademark Office — where you register trademarks.
©	Copyright — automatic protection for original creative work.	LLC	Limited Liability Company — separates personal assets from business activity.	1099	Tax form for self-employment income, including NIL earnings.
EXCLUSIVITY	Contract term limiting your ability to work with competing brands.	MORALITY	Clause letting a brand exit a deal if your public image changes negatively.	TESS	USPTO's free trademark search database — always search before filing.

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