

NIL FOR BUSINESSES



As a business, how may you engage with an athlete in the NIL era?

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|  | Hire an athlete for the use of their NIL to endorse and/or market your business |  | Deals that serve as "pay-for-play" or compensation for athletic performance |
|  | Traditional/social media endorsements, autographs, appearances, etc. that align with NIL policy and law |  | Deals that serve as a recruiting inducement for an athlete to enroll or re-enroll at Tulane |

CONSIDERATIONS

1. Determine your target audience.

- Make sure the endorsement is authentic to the athlete's brand
- Identify the impact of engaging with athletes that align with your brand
- Will this endorsement help or hurt the athlete?

2. What type of engagement will be most effective for your business and the athlete?

- Traditional endorsement, social media engagement, appearances, autographs, etc.
- Cash v. in-kind payment (product/discount)
- Create a marketing strategy that is mutually beneficial for both parties

3. Begin to think of the terms of the agreement – What works for your business and are there any regulations the athlete needs to abide by?



PROCESS

1. Determine the best fit for your business/brand and how you will contact the athlete.

- Athlete directory (QR code below)
- Social media
- Altius Sports Partners NIL Executive General Manager
- Professional service provider/agent

2. Review Tulane's NIL policy and state law for any pertinent guidelines.

- All NIL agreements must be disclosed prior to the athlete signing the deal
- Currently, international college athletes on an F-1 visa are limited in the paid NIL activities they can partake in. Contact the Office of International Students and Scholars with further questions
- To learn more, please visit Tulane's FAQ for NIL [here](#)

3. Determine and agree to terms and compensation structure with the athlete and their representation.

TULANE MARKETPLACE

Search and/or hire a Tulane athlete today by scanning the code to visit the Wave Exchange!



DISCLAIMER: The information above is an overview of the rules that apply but does not constitute legal advice.



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Businesses: Dos and Don'ts

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| ✓ Businesses can reach out to Jana Woodson or Altius Sports Partners on NIL or Tulane NIL policy questions | ✗ Tulane members/coaches may not facilitate communications between a booster and a prospect athlete |
| ✓ Reach out to a Tulane athlete through the Wave Exchange if you'd like to work with them | ✗ Communicating specific financial terms with coaches or Tulane staff members |
| ✓ Promotion of current/past public deals with athletes to a broader audience | ✗ Conversations with coaches on earmarking specific deals or dollar amounts for athletes or teams |
| ✓ Educating other local businesses and supporters about Tulane's NIL developments | ✗ Businesses cannot use Tulane marks without contacting the licensing department |
| ✓ Interested third parties should encourage athletes to disclose their NIL deals in a permissible manner | ✗ Recruiting conversations between a booster and a prospect are not permissible under NCAA rules |

Examples of Tulane Athlete NIL Opportunities

TRADITIONAL ENDORSEMENTS + SOCIAL MEDIA

Compensating an athlete to endorse a product in any medium

- Pet Supply Store pays a midfielder to post a photo with his dog promoting the store
- Activewear brand pays a volleyball player to post photos in the company's clothes

IN-KIND DEALS (FREE SHOES, MEALS, ETC.)

Providing "free" product for a photo, autograph, social post, etc.

- Salon offers a golfer a free manicure in exchange for taking a photo in the lobby
- Electronics store offers a basketball athlete an Xbox in exchange for a social media post

APPEARANCES, AUTOGRAPHS + CAMPS/CLINICS

Receiving a service and compensating an athlete for their time

- Local park hosts a camp in partnership with a cross country athlete
- Event venue pays a swimmer to sign autographs at its grand opening

UNIQUE DEALS

Complex deals, including giving equity in companies in exchange for product endorsement or utilizing NIL for NFTs

- Cell phone provider gives a tennis player equity in its company for promotion
- Sailing athlete is asked to sit on a Board of Directors for a local non-profit organization

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STEP 1: DETERMINE THE BEST FIT FOR YOUR BUSINESS

- ☐ Determine your target audience
- ☐ Identify the impact of engaging with athletes that align with your brand
- ☐ Make sure the endorsement aligns with the brand of the business and the athlete
- ☐ Identify how many and which athletes you want to work with

STEP 3: CREATE AN NIL CONTRACT

- ☐ Determine the compensation structure
 - ☐ How, when, & how often will the athlete get paid?
- ☐ Determine the term length and services/deliverables that will be performed
 - ☐ i.e., three social posts and an appearance over a three-month period

STEP 5: DEAL ACTIVATION

- ☐ All parties sign the NIL deal contract
- ☐ Business provides any content, copy, or merchandise to athlete necessary for deliverables
- ☐ Athlete performs NIL deliverable(s) by agreed upon date
- ☐ Athletes and businesses should follow guidelines on use of logos/marks

STEP 2: CATEGORIZE THE OPPORTUNITY

- ☐ What type of engagement will be most impactful for your business and the athlete?
 - ☐ Compensating an athlete to endorse a product in any medium
 - ☐ Providing “free” products for a photo, autograph, social post, etc.
 - ☐ Compensating an athlete for a service (i.e., appearance)
 - ☐ Creating a unique opportunity

STEP 4: INFORM ATHLETE OF OPPORTUNITY

- ☐ How will you contact the athlete?
 - ☐ Nik Shah | NIL Executive General Manager | nik.shah@altiusssp.com
 - ☐ INFLCR Wave Exchange (QR code below)
 - ☐ Social Media
 - ☐ Athlete Directly
- ☐ Communicate logistics with the athlete to ensure expectations are clear

STEP 6: PAYMENT + PROMOTION

- ☐ After confirmation that all deliverables have been accomplished, business pays athlete via agreed upon method
- ☐ **Congrats, the NIL deal is done!** Promote the deal via your business social channels and thank you for supporting Tulane athletes!

QUESTIONS?

Nik Shah – NIL Executive General Manager
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INFLCR WAVE EXCHANGE

NIL marketplace that connects businesses and Tulane athletes.

Scan QR code to register!



DISCLAIMER: As part of its client services, ASP may provide general compliance-related information regarding NIL. ASP does not provide specific legal advice and does not legally represent people or entities.



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