

University of Kentucky Name, Image & Likeness  
Frequently Asked Questions  
June 30, 2021

Question #1: Do I have to tell anyone at UK about an arrangement I have entered for payment for my NIL?

YES. Per UK Athletics policy, a student-athlete is required to disclose any proposed contract or agreement 7 days prior to the activity to the Athletics Compliance Office.

Question #2: Am I allowed to wear UK branded gear in my NIL activity for compensation?

Yes, in certain circumstances. UK logos and marks (i.e., university intellectual property) are only permitted based on approval by the university multimedia rights holder, JMI Sports. Any use of university intellectual property on retail product will require a separate licensing agreement. For retail products, contact Fermata Partners. License applications will be considered consistent with existing practice.

Question #3: Is a “booster” allowed to pay me for use of my NIL?

YES. However, a “booster” or donor is only permitted to pay you for use of your NIL IF:

- 1) It is not used as a recruiting inducement or extra benefit;
- 2) It is not based on an athletic performance or achievement; and
- 3) It is not at the direction or arranged by a coach or institutional staff member.

Question #4: Are there companies that I am not allowed to enter into an agreement with to use my NIL?

YES. You are not permitted to enter into an arrangement for compensation for your NIL for any of the following:

- 1) Lotteries, casinos, sports wagering facilities or online equivalents.
- 2) Products and establishments that market products exclusively to those 18 years of age or older.
- 3) Adult entertainment.
- 4) Tobacco, marijuana, nicotine vapor products.
- 5) Providers of higher education (other colleges and universities), health care, and related services.

Question #5: I am an international student-athlete. Am I allowed to have a contract/agreement with a company to pay me for use of my NIL?

Yes, in certain circumstances. If you are an international student-athlete, you need to check with the International Student Office PRIOR to entering into a contract or agreement for compensation. The International Office can assist you with reviewing your VISA requirements to determine if this is something that you are permitted to do.

Question #6: If I am compensated by a company for use of my NIL, will it impact my athletics scholarship?

NO. Your athletics scholarship (tuition, room, board, books, fees, and cost of attendance) will not be impacted by any compensation that you receive as part of a NIL arrangement.

Question #7: Will any NIL compensation I receive impact my ability to receive a Pell grant or other need-based financial aid?

YES. Any NIL compensation that you receive could impact your ability to receive a Pell grant or any other need-based financial aid. You should contact the University of Kentucky Financial Aid office for any additional questions regarding this.

Question #8: Is my coach or other UK staff member allowed to make calls to companies to try to help arrange a NIL deal for me?

NO. No university employees (including coaches and staff) are permitted to make any arrangements to help you with a NIL deal. This includes providing your contact information to companies.

Question #9: What happens if I don't report my NIL contract/agreement to the Athletics Compliance Office?

You may lose eligibility and/or be suspended from team activities (including practice).

Question #10: Am I required to pay taxes on any NIL compensation I receive?

YES. You should consult a financial advisor, accountant, or tax attorney for specific reporting requirements.

Question #11: Am I allowed to use an agent or other outside third party to negotiate a NIL contract?

YES. The agent needs to be registered with the state of Kentucky and the UK Athletics Compliance Office prior to involvement in negotiations. The agent is also limited to only providing counsel to the NIL agreement, not for future professional playing opportunities.

Question #12: Can I miss practice/competition to participate in a NIL promotional activity?

NO. Per UK Athletics NIL policy, you may not miss any required team activities (CARA or RARA), class, or any other academic obligations (i.e. tutors) in order to participate in NIL opportunities.

Question 13: Can I take a picture that a UK photographer has taken of me and make copies of it to use at an autograph signing and/or sell copies of the photo?

Yes, provided you obtain a license to use the image, which is subject to copyright ownership. You may contact XOS Digital to inquire about obtaining a license.

Question 14: Can I develop a Nonfungible Token (NFT)?

Yes, provided you do not use University of Kentucky intellectual property, or you obtain a license for any University of Kentucky intellectual property.

Question 15: Can university staff help me develop graphics for my NIL activities?

No. UK NIL policy does not allow staff to arrange NIL activities for student-athletes.