**Hypothetical 1**

Alex is track & field student-athlete at Texas A&M from Canada. She had a strong freshman season and Gatorade approached him about a potential endorsement deal. Under the terms of the deal, the value could increase by $5,000 if Alex won an individual SEC championship and $10,000 if she also won an NCAA championship. Alex agreed to the deal.

In order to fulfill her obligations under the contract, she had to participate in a photoshoot at Gatorade’s headquarters in Chicago, Illinois, that summer after her freshman season. After the photoshoot, Alex went home to Canada for a few weeks. During that time, Gatorade published the photos on their social media channels, including a collaborative Instagram post. As Alex returned to the United States, Immigrations & Customs Enforcement examined her phone and saw the post from the Gatorade photoshoot.

**Issue 1: pay for athletic performance**

**Issue 2: international SA**

**Issue 3: failure to disclose deal**

**Hypothetical 2**

Ben is a football student-athlete at Texas A&M. Texas A&M Athletics has an exclusive sponsorship agreement with Ford. A local Chevrolet dealership would like Ben to appear in a commercial. Ben said he would love to, and the Chevy dealership sent him a contract with the following language, “Talent will appear in a commercial while wearing his Texas A&M jersey in front of Kyle Field.”

Ben signed the contract and a week later, the Chevy dealership sent a production company to campus to film the commercial. The Assistant AD for NIL was returning from a meeting at the business office and noticed the camera crew, a Chevy Silverado, and Ben in his Texas A&M jersey outside the 12th Man statue on Houston Street. This is the first that the Assistant AD heard about Ben having an NIL deal with Chevy.

**Issue 1: institutional contract conflicts**

**Issue 2: use of institutional intellectual property and real property**

**Issue 3: failure to disclose**

**Hypothetical 3**

Cal is about to start his junior year as a baseball student-athlete at Texas A&M. He’s projected to be drafted in the top ten picks in the next MLB draft.

The Texas A&M baseball program has equipment agreements with Wilson for the team’s gloves as well as an exclusive deal with DeMarini for their bats.

In the summer before his junior season, Louisville Slugger proposed a ten-year deal to Cal where he will only use their bats when he plays competitive baseball. Cal agreed to the deal and disclosed it to the Athletics Compliance Office before signing it.

**Issue 1: institutional contract conflict**

**Issue 2: compensation in exchange for an act that while SA is engaged in official team activities.**

**Issue 3: contract duration**

**Hypothetical 4**

Before the women’s swimming and diving season starts, 12th Man Creative will do a photoshoot with each student-athlete as well as one with the entire team, including one who is a French citizen. These photographs will be used to promote the team throughout Bryan-College Station on posters for local businesses and on billboards.

In exchange for participating in these photoshoots, 12th Man Creative will provide each student-athlete with $100.

**Issue 1: institutional compensation**

**Issue 2: compensation during official team activities**

**Issue 3:** **international SA engaged in NIL activity stateside**

**Hypothetical 5**

Eric is a football student-athlete at Ocean State in his fourth year there. He redshirted his first year and played in the next three seasons. Following a fourth straight loss to their rival, Great Lakes University, Eric decided he wanted to play his fifth and final season elsewhere and entered his name in the transfer portal. Eric took an official visit to Longhorn State because he grew up in the area and would like to play closer to home. The recruiting services note that Eric is one of the best players at his position who is available in the transfer portal.

During his visit, Eric meets with Longhorn State’s collective where they presented him with a contract that included the following language, “Athlete will receive $500,000 upon signing and another $500,000 upon enrollment at Longhorn State. Athlete will receive $100,000 if named as a first-team All-American.” He signed the contract and enrolled at Longhorn State at the start of the spring semester.

**Issue 1: inducements**

**Issue 2: signing contract before enrollment**

**Issue 3: pay for athletic performance**

**Hypothetical 6**

Haley is a current women’s basketball student-athlete at Texas A&M. She is a projected lottery pick in the upcoming WNBA draft and is originally from St. Louis.

Anheuser-Busch, headquartered in St. Louis, looked to enter NIL deals with ten student-athletes from St. Louis to promote their low calorie Michelob Ultra beer. Anheuser-Busch sent her marketing agent a contract, which Haley signed right before the fall semester started. As part of this deal, she filmed a promo for Michelob Ultra in the Reed Arena locker room while wearing her Texas A&M uniform. Texas A&M Athletics has a sponsorship deal with Molson Coors.

Additionally, during her senior year, Pro Sports Advance contacted Haley’s marketing agent a potential endorsement deal. In exchange for promoting Pro Sports Advance and making two appearances per year, she will receive a lump sum payment of $150,000. The contract also includes a clause stating that in exchange for the lump sum payment, Pro Sports Advance is entitled to fifteen percent of her pre-tax WNBA salary for the next twenty five years.

**Issue 1: contract duration**

**Issue 2: prohibited endorsement categories**

**Issue 3: use of institutional intellectual property and real property**

**Hypothetical 7**

Kevin is a men’s basketball student-athlete and team is making a run in the NCAA Tournament. It is well-known fact that his favorite restaurant in town is Fuego because he constantly posts about it on social media. As a result of the increased publicity for the team, Fuego’s owner contacted Kevin about a potential lifetime NIL deal where Kevin would wear a Fuego t-shirt during his postgame interviews and make at least one social media post endorsing Fuego each month. Additionally, Fuego made a special pre-game warm up jersey for Kevin that included Fuego’s logo as well as the script Aggies logo.

**Issue 1: official team activities**

**Issue 2: use of institutional intellectual property**

**Issue 3: contract duration**