



# AUBURN ATHLETICS SPIRIT

**NAME, IMAGE, and LIKENESS**

**TRADEMARK AND LICENSING**

**QUESTION AND ANSWER GUIDE**

Welcome to the Auburn Athletics SPIRIT Name, Image and Likeness (NIL) Information Site. You will find the latest information on Auburn policy and educational materials for student-athletes, staff, agents and other individuals affected by the passage of Alabama Act 2021-227- the Alabama NIL legislation. Information provided below is intended to help meet the requirements of Alabama law and educate all constituents. Through our partnership with INFLCR, Auburn Athletics is also committed to helping student-athletes enhance their brands as to capitalize on their NIL potential.

## **IMPORTANT LINKS:**

[AU Branding Use Request Form](#)

[AU Official Corporate Partners](#)

## ***Questions and Answers:***

### **What are some examples of use of Auburn marks that require permission beforehand?**

Absent a contract or legal conflict, the following uses of Auburn marks generally will be acceptable (with payment of a rights fee):

- Wearing officially licensed Auburn apparel in social media posts;
- Wearing officially licensed Auburn apparel during autograph sessions and in-person appearances (autographed items bearing Auburn marks must be officially licensed; product will not be provided by Auburn);
- Wearing officially licensed Auburn apparel in print, radio, or television advertising;
- Using Auburn-associated slogans in print, radio, or television advertising; and
- Using Auburn marks in social media hashtags.



# SPIRIT

### **Does Auburn allow a student athlete to use university branding related to NIL activities?**

With approval from Auburn University's Office of Trademark Management and Licensing, a student athlete may use AU branding in many cases.

### **Do I need permission before using my Auburn uniform or gear for NIL activities?**

Yes, student-athletes must request permission prior to engaging in any NIL activity that requires the use of Auburn athletics uniforms, equipment, or gear.

### **How does a student athlete request the use of AU branding with NIL activities?**

All requests to use AU branding must be submitted using the brand use [request form](#). Once the form is submitted, the request will be reviewed by the Office of Trademark Management and Licensing (TML). Promotional uses that involve a business will be sent to Auburn Sports Properties for review and response. Requests to use branding on product will be handled by the TML office. Student athletes will receive an email that provides information related to their request within three business days.

### **Can a student athlete identify themselves as an "Auburn student athlete" in NIL activities?**

A student-athlete need not obtain Auburn approval to identify her/himself in a factual manner as "Auburn University [sport/player]" in print, radio, and/or television advertising, so long as there is no other use of Auburn marks, jerseys, orange and blue colors, etc. Student athletes will still need to disclose the NIL details in through the INFLCR app.

### **Can a student athlete use Auburn produced images or game related video clips in NIL activities?**

Requests to use of photographs and video are evaluated and may require additional approval from copyright holders. This information should be provided on the brand use request form.

### **Are there business categories that are not permitted for any NIL agreements?**

Yes, student athletes are not permitted to enter into agreements with tobacco products or specialty retailers, alternative nicotine products, electronic nicotine delivery systems, alcoholic beverages or brands, sellers or dispensaries of marijuana or other controlled substances, adult entertainment businesses, and casinos or entities that sponsor or promote gambling activities.



**Can student athletes work with companies that conflict with sponsors and contractual partners of the university?**

A student-athlete may not enter into a contract that contains a provision that conflicts with Auburn's own contractual obligations. Athletics will review student-athlete disclosures for potential conflicts. If a term of a proposed student-athlete contract conflicts with Auburn's contractual obligations, Athletics will instruct the student-athlete regarding required modifications. A list of current partners can be found [here](#).

If you have any questions, please email: [auburnspirit@auburn.edu](mailto:auburnspirit@auburn.edu).

War Eagle.



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