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Burr & Forman Starts College Athlete NIL Resource Site

By **Adrian Cruz**

Law360 (September 16, 2021, 4:52 PM EDT) -- Burr & Forman LLP has launched an online resource center to help student-athletes navigate the new rules adopted by the National Collegiate Athletic Association, colleges and states that allow them to profit from their names, images and likenesses, the firm announced.

BurrSportsLaw.com launched earlier this week, giving student-athletes access to both information on the new laws and access to a team of 12 attorneys in areas including business transactions, intellectual property, tax and trials to help them manage their brands.

NIL team head Bill Lawrence told Law360 on Thursday that Burr & Forman chose to launch its newest offering because he and his team felt there was an emerging market for legal services and representation stemming from the newly legalized status of student-athletes marketing themselves.

"Over the last few years, the concept of name, image and likeness has really evolved, and we could really sense the progression on it moving towards being legalized from both a state and NCAA perspective," he said. "When the state laws came out, it was the first time that student-athletes were allowed to engage professional representation to assist them with their commercial transactions, and we saw a niche market there."

The NIL team's website includes a frequently asked questions section and checklist of different branding aspects the student-athletes might encounter, including social media, usage of university IP and long-term planning. It also gives prospective clients a link to schedule a free consultation with one of the team's attorneys.

Lawrence said attorneys give student-athletes an alternative option to sports agents when it comes to seeking representation and counsel.

"We believe that as attorneys we offer student-athletes a somewhat less predatory option than a sports agent," he said. Business transaction lawyers like me are trained in negotiating commercial contracts for clients, and we're sensitive to protecting their personal brands and economic situations."

With a number of these student-athletes especially in the more marketable sports of basketball and football coming from low-income families, Lawrence said one of the objectives of his team is to help clients avoid falling into the pitfalls of potentially problematic contracts, and any contract signed has to be in compliance with the various laws depending on where the athlete goes to school.

"The old saying that more money causes more problems can be true a lot of times with student-athletes," he said. "An athlete presenting a contract that seems extremely beneficial from a financial standpoint may be swayed more by the dollar signs than the actual terms and conditions of the contract. We've seen some contracts especially in the social media influencing arena that have been fairly aggressive from the endorser's side and oftentimes a bit onerous on the student-athlete and I think we can come in and balance the equities."

The NIL team — comprising eight partners, three associates and Lawrence, who's of counsel — features a number of attorneys from collegiate athletic backgrounds including Birmingham, Alabama-based litigation partner Kermit Kendrick, who was an All-American football player at the University of Alabama, and Charlotte-based associate Brooke Watson, who spent four years as a cheerleader at Duke University.

In the past, the team's attorneys have worked with a number of professional athletes, NCAA coaches, sports TV and radio personalities, and sports media companies.

Southeast-based Burr & Forman currently has around 350 attorneys in 19 offices across the states of Alabama, Delaware, Florida, Georgia, Mississippi, North Carolina, South Carolina and Tennessee, according to the firm.

--Editing by Janice Carter Brown.

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