

Name

Abstract 9

Title: Landry, J., & Baker, T. (2019). Change or be changed: A proposal for the NCAA to combat corruption and unfairness by proactively reforming its regulation of athlete publicity rights. *Journal of Intellectual Property & Entertainment Law*, 9(1).

Purpose: The article aims to examine the NCAA's intellectual property rights and limitations that prevent college students from using their name, image, and likelihood for personal, commercial use. The article argues that these regulations are irrelevant as they are only applied as an attempt to maintain amateurism in sports. This report also provides suggestions on how the NCAA should lift the restrictions to enable the appropriate use of property rights.

Problem: The current restrictions on the use of property rights among college players have not been beneficial. The regulations have encouraged corruption, as many amateur plays tend to use black markets to sell their images. Also, this problem has resulted in lawsuits that have also disadvantage advertising companies. Nevertheless, NCAA has not been proactive in making reforms, and this has encouraged states such as New York and California to formulate their policies.

Procedure: The first part of the article analyses corruption in college athletics and the investigations and NCAA's approach to the situation. The second part involves the study of legal challenges associated with the policy. The third part entails the publicity rights of college players, and the fourth part includes reforms that could enhance the NCAA's rules.

Results: The NCAA plays a crucial role in protecting amateur players' rights to promote college athletics' safety and respectability. These regulations also extend to protecting the intellectual rights of student-athletes from misuse by commercial organizations. Nevertheless, these strict rules have been misused as some colleges pay the best players to play for their teams. Besides, the economic pressure has also encouraged some students to drop out of school to pursue their financial potential even though they are not fully prepared for professional sports.

Conclusion: The challenges under the NCAA policy's implementation call for the need for better reforms to improve college athletics. One of the approaches that can help achieve this goal is student association with sponsor brands, as this will provide the athlete with first-hand knowledge on complex contract negotiations before joining the commercial market. The policy should also allow athlete-students to consult the administration and NCAA before representing the college in advertisements.