

# Index

## ACADEMIC ABSTENTION DEFENSE

Amateur athletics, **12:21**

## ACADEMIC STANDARDS

Amateur athletics, eligibility issues, **12:8**

## ACCESSIBILITY

Amateur athletics, public sports facilities, **12:32**

## ACCIDENT AND HEALTH BENEFITS

Taxation of athletes, **24:14 to 24:16**

## ACCOUNTANT

Financial planning for professional athletes, **3:19**

**Representing the Professional Football Player** (this index)

## ACCOUNTING

**Economics of Sports Leagues** (this index)

**Financial Planning** (this index)

Professional football player, revenue accounting rules, **App 6H to 3**

**Taxation of Athletes** (this index)

## ACCUMULATED EARNINGS TAX

Personal service corporations, **24:53**

## ACPA (ANTICYBERSQUATTING CONSUMER PROTECTION ACT)

Intellectual property rights, **28:53**

## ACTUARIAL TABLES AND METHODS

Professional football player, **App 6J, App 6J to 1**

## ADJUSTMENT MECHANISMS

Team salaries, professional football players, **App 6P**

## ADMINISTRATORS

Sex discrimination in amateur and professional sports, equal opportunity for, Title IX, **14:43**

## ADOPTED CODE OF CONDUCT

NFLPA Member Contract Advisors (Exhibit 2A:C), **App 2A**

## ADVERTISING

Endorsement contracts, **27:31**

## ADVICE AND ADVISORS

**Financial Planning** (this index)

Women's National Basketball Association, player advisory panel, **App 8A**

## AFFIRMATIVE DEFENSES

Violence in professional sports, **18:16**

## AGE

Discrimination, amateur athletics, **12:38**

Restrictions amateur athletics, eligibility issues, **12:11**

## AGENCY

**Agents** (this index)

## AGENT-ATTORNEYS

Ethics regulations, **1:6**

## AGENT-PLAYER REPRESENTATION AGREEMENTS

Generally, **2:1 et seq.**

Acceptance, **2:3**

**AGENT-PLAYER**

**REPRESENTATION**

**AGREEMENTS—Cont'd**

- Adopted Code of Conduct for NFLPA Member Contract Advisors (Exhibit 2A:C), **App 2A**
- Application for Certification
  - NBPA Player Agent (Exhibit 2A:G), **App 2A**
  - NHLPA Player Agent (Exhibit 2A:I), **App 2A**
- Application for Registration as a Contract Advisor (Exhibit 2A:K), **App 2A**
- Arbitration clause, **2:21**
- ARPA (Association of Representatives of Professional Athletes) Code of Ethics (Exhibit 2A:B), **App 2A**
- Association of Representatives of Professional Athletes (ARPA) Code of Ethics (Exhibit 2A:B), **App 2A**
- Certification
  - Application for Certification as an NBPA Player Agent (Exhibit 2A:G), **App 2A**
  - Application for Certification as an NHLPA Player Agent (Exhibit 2A:I), **App 2A**
  - NHLPA Agent Certification Program (Exhibit 2A:J), **App 2A**
- CFLPA, Regulations Governing Contract Advisors Registered With CFLPA (Exhibit 2A:L), **App 2A**
- Code of Conduct for NFLPA Member Contract Advisors (Exhibit 2A:C), **App 2A**
- Code of Ethics (Association of Professional Athletes-ARPA) (Exhibit 2A:B), **App 2A**
- Conflicts of interest, **2:18**
- Consideration, **2:5**

**AGENT-PLAYER**

**REPRESENTATION**

**AGREEMENTS—Cont'd**

- Counteroffer, **2:4**
- Entire agreement, **2:20**
- Expenses, **2:19**
- Fees
  - generally, **2:10 et seq.**
  - fee limits and timing of fee payments, **2:15**
  - flat fee, **2:11**
  - hourly rate, **2:13, 2:14**
  - percentage compensation cap, hourly rate with, **2:14**
  - percentage of compensation, **2:12**
- Flat fees, **2:11**
- Formation of contract, generally, **2:3 et seq.**
- Governing law, **2:22**
- Hourly rate fees, **2:13, 2:14**
- Limits, fees, **2:14, 2:15**
- Liquidated damages, **2:17**
- MLBPA Regulations Governing Player Agents (Exhibit 2A:E), **App 2A**
- National Basketball Players' Association. NBPA, below
- National Basketball Players Contract (Standard Player Agent Contract) (Exhibit 2A:H), **App 2A**
- National Football League Players' Association. NFLPA, below
- National Hockey League Players' Association. NHLPA, below
- NBPA
  - Application for Certification as an NBPA Player Agent (Exhibit 2A:G), **App 2A**
  - Regulations Governing Player Agents (Exhibit 2A:F), **App 2A**
- NFLPA
  - Adopted Code of Conduct for NFLPA Member Contract

## INDEX

### AGENT-PLAYER

#### REPRESENTATION

##### AGREEMENTS—Cont'd

##### NFLPA—Cont'd

Advisors (Exhibit 2A:C),  
**App 2A**

Representation Agreement  
Between NFLPA Member  
Contract Advisor and Player  
(Exhibit 2A:D), **App 2A**  
Standard Representation Agree-  
ment Between NFLPA  
Contract Advisor and Player  
(Exhibit 2A:A), **App 2A**

##### NHLPA

Agent Certification Program  
(Exhibit 2A:J), **App 2A**  
Application for Certification as  
an NHLPA Player Agent  
(Exhibit 2A:I), **App 2A**

Offer and acceptance, **2:3**

Parties, **2:7**

Payment of fees, timing of, **2:15**

Percentage of compensation, fees,  
**2:12, 2:14**

Powers of attorney, **2:23**

Registration, Application for  
Registration as a Contract  
Advisor (Exhibit 2A:K), **App**  
**2A**

Regulations Governing Contract  
Advisors Registered With  
CFLPA (Exhibit 2A:L), **App**  
**2A**

Representation Agreement Between  
NFLPA Member Contract  
Advisor and Player (Exhibit  
2A:D), **App 2A**

Representations and warranties,  
**2:16**

Services, **2:8**

Standard Representation Agreement  
Between NFLPA Contract  
Advisor and Player (Exhibit  
2A:A), **App 2A**

Term of agreement, **2:9**

Terms, generally, **2:7 et seq.**

### AGENT-PLAYER

#### REPRESENTATION

##### AGREEMENTS—Cont'd

Timing of fee payments, **2:15**

Warranties, **2:16**

### AGENTS

Generally, **1:1 et seq.**

**Agent-Player Representation**  
**Agreements** (this index)

Amateur athletics, maintaining  
amateurism, **12:4**

Collective bargaining, **4:20**

Contracts. **Agent-Player Represen-**  
**tation Agreements** (this  
index)

Ethics regulations, **1:6**

Family law/domestic relations  
issues of high income athlete  
or coach, **3A:15**

Federal regulation, **1:4**

Financial planning for professional  
athletes, **3:16**

**Free Agency** (this index)

Future of regulation, **1:7**

Intercollegiate athletics, **1:2**

Legislation

Sports Agent Responsibility and  
Trust Act, **App 1D**

Uniform Athlete Agent Act, **App**  
**1B**

National Hockey League (NHL),  
**9:2**

NCAA enforcement process, **13:16**

Negotiating for the professional  
baseball player, **5:18**

Players association regulation, gen-  
erally, **1:5**

Representation agreements. **Agent-**  
**Player Representation Agree-**  
**ments** (this index)

Sports Agent Responsibility and  
Trust Act, **App 1D**

State regulation, **1:3, App 1C**

Uniform Athlete Agent Act, **App**  
**1B**

**AGENTS—Cont'd**

Unions, players association regulation, **1:5**  
Waiver of free agent rights, **App 6F**  
Women's National Basketball Association (Art. XXXII WNBA/WNBPA collective bargaining agreement), **App 8A**

**AGENTS**

Negotiating National Basketball Association contracts, certification, **7:12**

**AGREEMENTS**

**Contracts** (this index)

**ALCOHOL ABUSE**

Amateur athletics, eligibility issues, **12:10**

**ALCOHOLIC BEVERAGES**

Endorsement contracts, restrictions on endorsements, **27:7**

**ALIENAGE**

Amateur athletics, discrimination, **12:37**

**ALLOCATION**

**Taxation of Sports Franchises**  
(this index)

**ALSTON CASE**

The final nail, **29:19**  
NCAA rules, **29:19**

**ALTERNATE PAYMENT  
SCHEDULES**

Representing the professional football player, **6:16**

**ALTERNATIVE MINIMUM TAX**

Rates, **24:39**

**AMATEUR ATHLETICS**

Also see other entries throughout this index  
Generally, **12:1 et seq.**

**AMATEUR ATHLETICS—Cont'd**

Academic abstention, defense of, **12:21**

Academic standards, eligibility issues, **12:8**

Access to public sports facilities, **12:32**

Age and longevity discrimination, **12:38**

Agents, maintaining amateurism, **12:4**

Age restrictions, eligibility issues, **12:11**

Alcohol abuse, eligibility issues, **12:10**

Alienage, discrimination, **12:37**

Amateurism, shield and sword, **29:12**

Antitrust limitations, **12:22**

Balancing test, **12:46**

Coach, interference by, **12:20**

Constitutional limitations  
generally, **12:23 to 12:32**  
access to public sports facilities, **12:32**

establishment clause limitations, **12:28**

first amendment rights, **12:25 to 12:32**

freedom of athletic participation, **12:31**

freedom of expression, **12:29 to 12:31**

freedom of religion, **12:26 to 12:28**

freedom of speech, **12:30**

free exercise of religion, **12:27**

government action, **12:24**

public sports facilities, access to, **12:32**

state or government action, **12:24**

Contractual rights and obligations, **12:19, 12:20**

Defense of academic abstention, **12:21**

## INDEX

### AMATEUR ATHLETICS—Cont'd

- Disciplinary and related rules governing, **12:17**
- Discrimination
  - generally, **12:33 to 12:39**
  - age and longevity, **12:38**
  - alienage, **12:37**
  - gender, **12:34**
  - marital status, **12:36**
  - race, **12:35**
  - sex, **12:34**
  - transfer students, **12:39**
- Drug abuse, eligibility issues, **12:10**
- Due process
  - generally, **12:40 to 12:49**
  - balancing test, **12:46**
  - establishing due process right, **12:41 to 12:44**
  - extent of process due, **12:45 to 12:49**
  - government action, **12:42 to 12:44**
  - hearing, **12:48, 12:49**
  - liberty interest, **12:43**
  - limitations on notice and hearing, **12:49**
  - notice, **12:47, 12:49**
  - property interest, **12:44**
  - substantive due process, **12:50**
- Educational employee, interference by, **12:20**
- Eligibility issues
  - generally, **12:7 et seq.**
  - academic standards, **12:8**
  - age restrictions, **12:11**
  - alcohol abuse, **12:10**
  - drug and alcohol abuse, **12:10**
  - four-and five-year rules, **12:9**
  - gambling restrictions, **12:14**
  - hardship problems, **12:15**
  - marital status. restrictions based on, **12:13**
  - physical impairment restrictions, **12:12**
  - restrictions based on marital and related status, **12:13**

### AMATEUR ATHLETICS—Cont'd

- Eligibility issues—Cont'd
  - transfer, hardship, and related eligibility problems, **12:15**
- Endorsement contracts, restrictions, **27:4**
- Establishment clause limitations, **12:28**
- Financial aid and related issues, **12:6**
- First amendment rights, **12:25 to 12:32**
- Four-and five-year rules, eligibility issues, **12:9**
- Freedom of athletic participation, **12:31**
- Freedom of expression, **12:29 to 12:31**
- Freedom of religion, **12:26 to 12:28**
- Freedom of speech, **12:30**
- Free exercise of religion, **12:27**
- Gambling restrictions, eligibility issues, **12:14**
- Gender discrimination. **Sex Discrimination in Amateur and Professional Sports** (this index)
- General legislative involvement, **12:52**
- Government action
  - constitutional limitations, **12:24**
  - due process, **12:42 to 12:44**
- Hardship problems, eligibility issues, **12:15**
- Hearing, due process, **12:48, 12:49**
- Historic ambivalence toward athlete compensation despite amateur rules, **29:10**
- Historic divide between amateur & professional sports and NIL, **29:9**
- Interference by coach or other educational employee, contractual rights and obligations, **12:20**
- Legislative involvement, **12:52**
- Liberty interest, due process, **12:43**

**AMATEUR ATHLETICS—Cont'd**

- Limitations
  - due process, notice and hearing, **12:49**
  - regulatory authority, generally, **12:18 to 12:61**
  - statutory, **12:61**
- Maintaining amateurism, **12:2 to 12:4**
- Marital status
  - discrimination, **12:36**
  - eligibility issues, **12:13**
- NCAA enforcement issues, **13:16**
- Notice, due process, **12:47, 12:49**
- Obligations, contractual, **12:19, 12:20**
- Physical impairment restrictions, eligibility issues, **12:12**
- Player-agents, maintaining amateurism, **12:4**
- Privacy and related rights, **12:50**
- Procedural due process. Due process, above
- Professional contracts, maintaining amateurism, **12:4**
- Property interest, due process, **12:44**
- Public sports facilities, access to, **12:32**
- Race discrimination, **12:35**
- Recruitment, **12:5**
- Regulations governing participation, generally, **12:1 et seq.**
- Restrictions based on marital and related status, eligibility issues, **12:13**
- Rights, contractual, **12:19, 12:20**
- Sex Discrimination in Amateur and Professional Sports** (this index)
- State or government action, constitutional limitations, **12:24**
- Statutory limitations, **12:61**
- Student-athletes, maintaining amateurism, **12:3**

**AMATEUR ATHLETICS—Cont'd**

- Substantive due process, **12:50**
- Transfer students
  - discrimination, **12:39**
  - problems, eligibility issues, **12:15**
- Unlawful discrimination.
  - Discrimination, above

**AMERICANS WITH DISABILITIES ACT**

- Liability of sports medicine providers and related entities, handicapped athlete's legal right to participate in sports, **16:38**

**AMNESTY PROVISIONS**

- Basketball, negotiating National Basketball Association contracts, **7:10**

**ANCILLARY RESTRAINTS DOCTRINE**

- Antitrust issues in professional sports, **21:13**

**ANNUAL BASE COMPENSATION**

- Endorsement contracts, **27:19**

**ANNUITIES**

- Financial planning for professional athletes, **3:45**

**ANTI-COLLUSION**

- Women's National Basketball Association (Art. XVI WNBA/WNBPA collective bargaining agreement), **App 8A**

**ANTICYBERSQUATTING CONSUMER PROTECTION ACT (ACPA)**

- Intellectual property rights, **28:53**

**ANTI-DRUG PROVISIONS**

- Basketball, negotiating National Basketball Association contracts, **7:35**
- Women's National Basketball Association (Art XXI, Exhibit 2 and Side Letter, WNBA/WNBPA collective bargaining

## INDEX

### ANTI-DRUG PROVISIONS

—Cont’d  
agreement), **App 8A**

### ANTITRUST ISSUES IN PROFESSIONAL SPORTS

Generally, **21:1 et seq.**  
Amateur athletics, **12:22**  
Ancillary restraints, doctrine of,  
**21:13**  
Application of labor exemption in  
sports cases, **21:29**  
Application to sports leagues, **21:4**  
Baseball’s antitrust immunity, **21:22**  
Bases and policy goals of antitrust  
law, **21:2**  
Broadcast restrictions, **21:8**  
Clayton Act, **21:26 to 21:28**  
Defenses, league, **21:11 to 21:5**  
Diminishing competition among  
league member clubs, **21:6**  
Diminishing competition in non-  
intraleague market, **21:10**  
Doctrine of ancillary restraints,  
**21:13**  
Drafts, **21:19**  
Equipment, **21:9**  
Exclusionary rules and practices,  
**21:17**  
Exemptions, **21:22 to 21:29**  
Franchise restrictions, **21:7**  
Franchises, antitrust dilemma,  
major professional sports  
league constitutions and, **23:11  
to 23:19**  
Game equipment, **21:9**  
Intraleague player restraints under  
Section 1  
generally, **21:16 to 21:21**  
drafts, **21:19**  
exclusionary rules and practices,  
**21:17**  
league-wide wage scales, **21:21**  
player allocation rules, **21:18 to  
21:21**  
player drafts, **21:19**  
reserve rules, **21:20**

### ANTITRUST ISSUES IN PROFESSIONAL SPORTS

—Cont’d

Intraleague player restraints under  
Section 1—Cont’d  
wage scales, league-wide, **21:21**  
Labor exemptions, **21:25 to 21:28**  
League defenses  
generally, **21:11 to 21:5**  
ancillary restraints, doctrine of,  
**21:13**  
doctrine of ancillary restraints,  
**21:13**  
“no competition” argument,  
**21:14**  
rule-of-reasonableness defense,  
**21:15**  
single-entity defense, **21:12**  
Leagues  
application to sports leagues,  
**21:4**  
defenses. League defenses, above  
governance rules and practices,  
generally, **21:5 to 21:15**  
monopolization and attempts to  
monopolize by, **21:3, 21:4**  
television contracts, exemption  
for, **21:23**  
League-wide wage scales, **21:21**  
Licensing restrictions, **21:8**  
Merger exemption, **21:24**  
Monopolization and attempts to  
monopolize by leagues or  
teams, **21:3, 21:4**  
National Labor Relations Acts,  
**21:28**  
“No competition” argument, **21:14**  
Non-intraleague market, diminish-  
ing competition in, **21:10**  
Norris LaGuardia Act, **21:27**  
Ownership restrictions, **21:7**  
Plaintiff theories of liability, **21:6 to  
21:10**  
Player allocation rules, **21:18 to  
21:21**  
Player drafts, **21:19**

**ANTITRUST ISSUES IN  
PROFESSIONAL SPORTS  
—Cont'd**

Playing rules, **21:9**  
 Policy goals of antitrust law, **21:2**  
 Reserve rules, **21:20**  
 Restrictions  
     battle over broadcast dollars  
         starts path to NIL, **29:15**  
     board of regents case & antitrust  
         liability for the NCAA,  
         **29:16**  
     broadcast and trademark licens-  
         ing, **21:8**  
     ownership and franchise, **21:7**  
 Rule-of-reasonableness defense,  
     **21:15**  
 Section 1, intraleague player  
     restraints under, **21:16 to**  
     **21:21**  
 Single-entity defense, **21:12**  
 Sources of labor exemptions, **21:26**  
     **to 21:28**  
 Statutory exemption, **21:26**  
 Teams, monopolization and  
     attempts to monopolize by,  
     **21:3, 21:4**  
 Television contracts, league exemp-  
     tion for, **21:23**  
 Trademark licensing restrictions,  
     **21:8**  
 Wage scales, league-wide, **21:21**

**APPAREL**

Women's National Basketball  
 Association (Art. XXVI  
 WNBA/WNBPA collective  
 bargaining agreement), **App**  
**8A**

**APPEAL**

NCAA enforcement, **13:13**  
 Player discipline in professional  
     team sports, discipline by com-  
     missioner, football, **11:29**

**APPEARANCES**

**Women's National Basketball  
 Association** (this index)

**APPLICATION**

**Agent-Player Representation  
 Agreements** (this index)  
 Intellectual property rights, **28:16,**  
**28:18, 28:36, 28:45**  
 Registration as a contract advisor  
 (Exhibit 2A:K), **App 2A**

**APPORTIONMENT OF INCOME**

State and local taxation of profes-  
 sional athletes, "fairly and  
 equitably," **26:6**

**APPROVAL**

**Clearance to Play** (this index)  
 Endorsement contracts, approval of  
     advertising, **27:31**  
 Enforceability of employment  
     agreements, lack of approval  
     of commissioner, **10:28**  
 Sex discrimination in amateur and  
     professional sports, approval  
     of separate but equal teams,  
     rules classifying sports teams  
     on basis of sex, **14:10**

**ARBITRARY MARKS**

Intellectual property rights, **28:5**

**ARBITRATION**

Agent-player representation agree-  
 ments, arbitration clause, **2:21**  
 Baseball, negotiating for the profes-  
     sional baseball player, **5:25 to**  
     **5:27**  
 Collective bargaining, **4:6, 4:25**  
 Enforceability of employment  
     agreements, team concurrently  
     requests injunction and arbitra-  
     tion, **10:29**  
 National Hockey League (NHL)  
     dispute arbitration, **9:22 to**  
     **9:26**  
 Violence in professional sports,  
     arbitration board, proposals to  
     control violence, **1App 8A5 to**  
     **1App 8A7**  
 Women's National Basketball  
     Association (Art. XXII)

## INDEX

### ARBITRATION—Cont'd

WNBA/WNBPA collective bargaining agreement), **App 8A**

### ARENA FOOTBALL LEAGUES

Representing the professional football player, **6:40**

### ARPA

(Association of Representatives of Professional Athletes) code of ethics (Exhibit 2A:B), **App 2A**

### ASSETS

Financial planning for professional athletes, **3:8, 3:23, 3:66**

Taxation of sports franchises, sale of assets, **25:22**

### ASSIGNMENT

Collective bargaining, assignability of contracts, **4:17**

**Endorsement Contracts** (this index)

National Hockey League (NHL), **9:15**

**Taxation of Athletes** (this index)

### ASSOCIATION OF REPRESENTATIVES OF PROFESSIONAL ATHLETES (ARPA)

Code of ethics (Exhibit 2A:B), **App 2A**

### ATHLETE AGENTS

**Agents** (this index)

### ATHLETIC COMMISSIONS

Sex discrimination in amateur and professional sports, public regulation and sex-based classifications, **14:53**

### ATHLETIC EQUIPMENT

**Products Liability for Defective Athletic Equipment** (this index)

### ATTACKS FROM PARTICIPANTS

Liability for sports injuries, spectator as plaintiff, **15:32**

### ATTORNEYS

Ethics regulations, agent-attorneys, **1:6**

Family law/domestic relations issues of high income athlete or coach, **3A:15**

Financial planning for professional athletes, **3:23**

### AUTHORSHIP

Intellectual property rights, **28:32 to 28:34**

### AUTO RACING

Liability for sports injuries, spectator as plaintiff, **15:27**

### AWARDS

Taxation of athletes, **24:5**

### “AWAY FROM HOME”

Taxation of athletes, **24:26**

### BALANCING TEST

Amateur athletics, **12:46**

### BALTIMORE COLTS

Franchises, eminent domain, **23:31**

### BALTIMORE RAVENS

Franchises, **23:36**

### BASEBALL

Antitrust immunity, **21:22**

Basic Agreement Between Thirty Major League Clubs and Major League Baseball Players Association (effective December 12, 2011), **App 5A**

Franchises, Major League Baseball constitution and antitrust dilemma, **23:15 to 23:18**

Liability for sports injuries, spectator as plaintiff, **15:25**

Major League Baseball collective bargaining. **Collective Bargaining** (this index)

**BASEBALL—Cont'd**

Major League Baseball Players Association (MLBPA) (this index)

Negotiating for the Professional Baseball Player (this index)

Player Discipline in Professional Team Sports (this index)

Professional Sports (this index)

**BASE SALARY**

Endorsement contracts, **27:19**

**BASKETBALL**

Franchises, National Basketball Association constitution and antitrust dilemma, **23:14**

National Basketball Association collective bargaining. **Collective Bargaining** (this index)

Negotiating National Basketball Association Contracts (this index)

Player Discipline in Professional Team Sports (this index)

Women's National Basketball Association (this index)

**BATTERY**

Violence in professional sports, player violence, **18:9**

**BENEFICIARIES OF PROPERTY RIGHT**

Sports broadcasting, **20:3 to 20:6**

**BENEFITS**

Collective bargaining, **4:16**

Liability of sports medicine providers and related entities, universities and their employees, **16:27**

Taxation of athletes, accident and health, **24:14 to 24:16**

Women's National Basketball Association (Art. X WNBA/WNBPA collective bargaining agreement), **App 8A**

**BIG 12 FOOTBALL COACHES SALARY SURVEY (2010)**

Generally, **App 6A to B**

**BLACKOUTS**

Sports Broadcast Act of 1961, **20:20**

**BOARD OF GOVERNORS**

Discipline by, basketball, **11:33**

**BOARD OF REGENTS CASE**

Antitrust liability for the NCAA, **29:16**

Bloom makes an unsuccessful direct challenge to the NCAA regarding NIL, **29:17**

**BONA FIDE ENDORSEMENT AGREEMENT**

Women's National Basketball Association, notice (Exhibit 3 WNBA/WNBPA collective bargaining agreement), **App 8A**

**BONDS**

Financial planning for professional athletes, **3:40 to 3:42**

**BONUSES**

Endorsement contracts, **27:20**

**Incentive Bonuses** (this index)

National Hockey League (NHL), **9:14**

Representing the professional football player, **6:8 et seq.**

**Signing Bonuses** (this index)

**State and Local Taxation of Professional Athletes** (this index)

Taxation of athletes, **24:4**

Women's National Basketball Association, merit (Art. IX WNBA/WNBPA collective bargaining agreement), **App 8A**

**BOOKS**

Taxation of athletes, **24:7**

## INDEX

### **BOSTON BRUINS CASE**

Taxation of sports franchises, **25:32**

### **BOTTOM LINE**

Economics of sports leagues, **19:6**

### **BOXING**

Sex discrimination in amateur and professional sports, public regulation and sex-based classifications, **14:56**

### **BRANDING**

Intellectual property rights, **28:9**

### **BREACH OF CONTRACT**

Enforceability of employment agreements, athletes' remedies against breaching teams, **10:31**

### **BREACH OF WARRANTY**

Products liability for defective athletic equipment, **15:19**

### **BROADCASTING**

**Sports Broadcasting** (this index)

### **BROKER**

Financial planning for professional athletes, **3:21**

### **BUDGET**

Financial planning for professional athletes, **3:33, 3:34, App 3A**  
Sample athlete budget, **App 3A**

### **BURDEN OF PROOF**

Sex discrimination in amateur and professional sports, enforcement of Title IX, **14:35**

### **BUSINESS EXPENSES**

**Taxation of Athletes** (this index)

### **BYLAWS OF LEAGUE**

Player discipline in professional team sports, **11:6, 11:7**

### **CABLE RETRANSMISSION**

Sports telecasts, **20:8 to 20:11**

### **CABLE SIPHONING**

Sports broadcasting, **20:17**

### **CALIFORNIA**

Gold rush opens the door to NIL, **29:2**

More states follow California to NIL, **29:3**

State and local taxation of professional athletes, California Law Concerning Taxation of Professional Athletic Teams, **App 26D**

Taxation of sports franchises, California legislation, **25:33, App 26D**

### **CAMPS**

**Spring Training** (this index)

Women's National Basketball Association (Art. XVII WNBA/WNBPA collective bargaining agreement), **App 8A**

### **CANADIAN FOOTBALL LEAGUE (CFL)**

Agent-player representation agreements, Regulations Governing Contract Advisors Registered With CFLPA (Exhibit 2A:L), **App 2A**

Representing the professional football player, **6:39**

### **CANADIAN SPORTS**

CFL. **Canadian Football League** (this index)

Liability of sports medicine providers and related entities, professional teams and employees, **16:21**

Women's National Basketball Association, provisions with respect to Canadian employment (Art. XXXV WNBA/WNBPA collective bargaining agreement), **App 8A**

**CAPS**

Basketball, negotiating National Basketball Association contracts, **7:5 et seq.**  
**Collective Bargaining** (this index)

**CASH**

Financial planning for professional athletes, **3:38**  
Workers' compensation, cash benefits, **17:6 to 17:11**

**CASH FLOW MANAGEMENT**

Financial planning for professional athletes, **3:33, 3:34**

**CAUSES OF ACTION**

Violence in professional sports, player violence, **18:13**

**CELEBRITY GOOD  
WILL/ASSETS**

Family law/domestic relations issues, **3A:13**

**CELEBRITY RIGHT**

Intellectual property rights, **2App 8A5**

**CERTIFICATION**

**Agent-Player Representation Agreements** (this index)

**CERTIFIED PUBLIC**

**ACCOUNTANT (CPA)**

Financial planning for professional athletes, **3:19**

**CHARITABLE ORGANIZATIONS**

Intellectual property rights, **28:11**

**CHILDREN**

**Family Law/Domestic Relations Issues** (this index)

**CHOICE OF LAW**

Women's National Basketball Association (Art. XXXVII WNBA/WNBPA collective bargaining agreement), **App 8A**

**CIRCUMVENTION**

Women's National Basketball Association, merit (Art. XV WNBA/WNBPA collective bargaining agreement), **App 8A**

**CLAYTON ACT**

Antitrust issues in professional sports, **21:26 to 21:28**

**CLEARANCE TO PLAY**

Liability of sports medicine providers and related entities, **16:8, 16:9, 16:36, 16:37**

**CLEARING PROPOSED  
TRADEMARK**

Intellectual property rights, **28:12**

**CLEVELAND BROWNS**

Franchise relocation, **23:36**

**CLUB DISCIPLINE**

**Player Discipline in Professional Team Sports** (this index)

**COACHES**

Amateur athletics, interference by coach, **12:20**

College coaches. **Representing Coaches** (this index)

**Family Law/Domestic Relations Issues** (this index)

Liability for sports injuries, tort liability of one participant to another, **15:5**

Professional coaches. **Representing Coaches** (this index)

Representing, generally, **6A:1**

**Representing Coaches** (this index)

Sex discrimination in amateur and professional sports, equal opportunity for, Title IX, **14:43**

**CODE OF CONDUCT**

National Football League Players' Association member contract advisors (Exhibit 2A:C), **App 2A**

## INDEX

### CODE OF CONDUCT—Cont'd

National Football League Players' Association regulations and code of conduct governing registered player financial advisors, **App 3B**

### CODE OF ETHICS

Association of Representatives of Professional Athletes-ARPA (Exhibit 2A:B), **App 2A**

### COHABITATION AGREEMENTS

Family law/domestic relations issues of high net worth athlete or coach, **3A:3, 3A:4**

### COLLECTIVE BARGAINING

Generally, **4:1 et seq.**  
Agents, control of, **4:20**  
Agreements, generally, **4:3, 4:11**  
Amendments, allowable, NBA, **4:40**  
Arbitration, **4:6, 4:25, App 8A**  
Assignability of contracts, **4:17**  
Background, **4:1 et seq.**  
Baseball. Major League Baseball collective bargaining, below  
Basketball. National Basketball Association collective bargaining, below  
Benefits, **4:16**  
Caps. Limits, below  
Collusion, free agent, MLB, **4:24, 4:25**  
Common themes, generally, **4:12 et seq.**  
Contracts  
    assignability of contracts, **4:17**  
    collective bargaining agreements, generally, **4:3, 4:11**  
    NFL Management Council and NFL Players Association, collective bargaining agreement between, March 5, 2020, **App 6A**  
    standard player contracts, **4:14**  
    WNBA/WNBPA, **App 8A**

### COLLECTIVE BARGAINING

#### —Cont'd

Deferred compensation  
    MLB, **4:26**  
    NBA, **4:39**  
Division of television revenues, NBA, **4:38**  
Drafts  
    MLB, **4:23**  
    NBA, **7:13**  
    NFL, **4:29**  
    NHL, **4:44**  
    non-league players, **4:13**  
    WNBA/WNBPA, **App 8A**  
Drugs, **4:19**  
Early player associations, **4:2**  
Economic benefits, **4:16**  
Endorsement revenues, NHL, **4:46**  
Entry and supplemental drafts, NHL, **4:44**  
First collective bargaining agreements, **4:3**  
First refusal rights, NBA, **4:36**  
Football. National Football League collective bargaining, below  
Foreign leagues, NBA, **4:41**  
Four-year rule, NFL, **4:29**  
Free agency and free agent compensation  
    generally, **4:15**  
    MLB, **4:24, 4:25**  
    NFL, **4:30**  
    NHL, **4:45**  
    WNBA/WNBPA, **App 8A**  
Future developments, **4:48**  
Graduated minimum salary, NFL, **4:31**  
History, **4:1 et seq.**  
Hockey. National Hockey League collective bargaining, below  
Injury protections and safety issues  
    generally, **4:18**  
    NFL, **4:32**  
Labor relations skirmishes, **4:7 to 4:9**  
Legal skirmishes, **4:4 to 4:6**

## COLLECTIVE BARGAINING

### —Cont'd

Liability of sports medicine providers and related entities, collective bargaining agreement issues, professional teams and employees, **16:18**

Limitations

- deferred compensation limitations, NBA, **4:39**
- salary cap, NBA, **4:35**

Litigation, **4:5**

Major League Baseball collective bargaining

- generally, **4:21 et seq.**
- arbitrations, **4:25**
- collusion, free agent, **4:24, 4:25**
- deferred compensation provisions, **4:26**
- drafts, **4:23**
- free agent signings and collusion, **4:24, 4:25**
- minor leagues, **4:22**
- television revenues, **4:27**
- various drafts, **4:23**

Minimum salaries

- generally, **4:16**
- NFL graduated minimum salary, **4:31**
- WNBA/WNBPA, **App 8A**

Minor leagues, MLB, **4:22**

National Basketball Association collective bargaining

- generally, **4:33 et seq., 7:1 et seq.**
- alternate UPC section 7(b), **7:26**
- amendments, allowable, **4:40**
- amnesty provisions, **7:10**
- antidrug agreement, **7:35**
- cap, **4:35, 7:5 et seq.**
- compensation protection, **7:21**
- deferred compensation limitations, **4:39**
- Developmental League, **7:36**
- discipline of player, **7:34**

## COLLECTIVE BARGAINING

### —Cont'd

National Basketball Association collective bargaining—Cont'd

- division of television revenues, **4:38**
- exceptions to salary cap, **7:8**
- first refusal rights, **4:36**
- foreign leagues, **4:41**
- free agency, **7:29 et seq.**
- limitations, deferred compensation limitations, **4:39**
- limitations, salary cap, **4:35, 7:6**
- love of the game, **7:24**
- luxury tax, **7:9**
- maximum allowable contract length, **7:20**
- minimum team salary, **7:6**
- NBA Developmental League, **7:36**
- no-trade clauses, **4:37**
- physical exam, **7:25**
- player benefits, **7:37**
- player corporations, **4:42**
- player discipline, **7:34**
- prior injury exclusion, **7:22**
- right of first refusal, **4:36**
- Robertson decree and settlement, **4:34**
- salary cap, **4:35, 7:5 et seq.**
- salary cap exceptions, **7:8**
- sign-and-trades limitations, **7:27**
- soft salary cap system, **7:7**
- split of revenues, **7:4**
- television revenues, division of, **4:38**
- term of contract, **7:3**
- trade payment or kickers, **7:23**
- training camp, **7:28**
- 2011 CBA between National Basketball Association and National Basketball Players Association
- summary, **7:2**

## INDEX

### COLLECTIVE BARGAINING

#### —Cont'd

National Basketball Association  
collective bargaining, this  
index

National Football League collective  
bargaining  
generally, **4:28 et seq.**  
draft, **4:29**  
four-year rule, **4:29**  
free agency, **4:30**  
graduated minimum salary, **4:31**  
injuries and waivers, **4:32**  
lack of meaningful free agency,  
**4:30**  
minimum salary, graduated, **4:31**  
NFL Management Council and  
NFL Players Association,  
agreement between, March  
5, 2020, **App 6A**  
supplemental draft, **4:29**  
waivers, **4:32**

National Hockey League collective  
bargaining  
generally, **4:43 et seq.**  
drafts, **4:44**  
economic issues, **4:47**  
endorsement revenues, **4:46**  
entry and supplemental drafts,  
**4:44**  
free agent compensation, **4:45**  
National Hockey League Players'  
Association and the National  
Hockey League Member  
Clubs, agreement between,  
January 13, 1995, **App 9A**  
supplemental drafts, **4:44**

Negotiable and non-negotiable  
items, standard player  
contracts, **4:14**

Negotiations, protracted, **4:8**  
Non-league players, draft of, **4:13**  
No-trade clauses, NBA, **4:37**  
Pensions, **4:16**  
Player corporations, NBA, **4:42**

### COLLECTIVE BARGAINING

#### —Cont'd

Player discipline in professional  
team sports, **11:4**  
Post-season salaries, **4:16**  
Pre-season salaries, **4:16**  
Protracted negotiations, **4:8**  
Relative strengths of labor and  
management, **4:10**  
Right of first refusal, NBA, **4:36**  
Robertson decree and settlement,  
NBA, **4:34**  
Safety issues, **4:18**  
Severance pay, **4:16**  
Standard player contracts, **4:14**  
Strengths of labor and management,  
relative, **4:10**  
Strikes, **4:9**  
Supplemental drafts  
NFL, **4:29**  
NHL, **4:44**  
Television revenues  
MLB, **4:27**  
NBA, **4:38**  
Waivers, NFL, **4:32**  
WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

### COLLECTIVES

NCAA guidance, **29:23**  
NIL collectives, **29:23**

### COLLEGE ATHLETICS

Coaches. **Representing Coaches**  
(this index)

College sports, a professional  
enterprise, volunteer  
workforce, **29:13**

**National Collegiate Athletic  
Association (NCAA)** (this  
index)

Sex discrimination in amateur and  
professional sports, recent  
studies of intercollegiate  
athletics and Title IX compli-  
ance, **14:44 to 14:46**

**COLLEGE ATHLETICS—Cont'd**

Title IX regulations, recent measures by colleges to comply with, **14:41**

**COLLEGE PLANNING**

Financial planning for professional athletes, **3:61 to 3:63**

**COLLUSION**

Collective bargaining, free agent, MLB, **4:24, 4:25**

Enforceability of employment agreements, **10:30**

**COMMERCIAL APPEARANCES**

Women's National Basketball Association (Art. XXVI WNBA/WNBPA collective bargaining agreement), **App 8A**

**COMMERCIAL**

**ENDORSEMENTS**

Taxation of athletes, **24:6**

**COMMISSIONER**

Discipline by. **Player Discipline in Professional Team Sports** (this index)

Enforceability of employment agreements, lack of commissioner's approval, **10:28**

**COMMUNITY PROPERTY**

Family law/domestic relations issues, **3A:12**

**COMPENSATION**

Adjustment mechanisms, professional football team salaries, **App 6P**

**Base Salary** (this index)

Basketball, negotiating National Basketball Association contracts, **7:20**

College coaches. **Representing Coaches** (this index)

**Deferred Compensation** (this index)

**COMPENSATION—Cont'd**

Historic ambivalence toward athlete compensation despite amateur rules, **29:10**

National Hockey League (NHL), **9:5, 9:27**

Negotiating for the professional baseball player, **5:7, 5:21**

**Pre-season Salaries** (this index)

**Representing the Professional Football Player** (this index)

State and local taxation of professional athletes, performance of personal services pursuant to contract, **26:15**

**Taxation of Athletes** (this index)

Women's National Basketball Association (Art. VII WNBA/WNBPA collective bargaining agreement), **App 8A**

**Workers' Compensation** (this index)

**COMPLETION BONUS**

Representing the professional football player, **6:12**

**COMPLIANCE**

National Hockey League (NHL), contract negotiations, **9:28**

State and local taxation of professional athletes, nonresident professional athletes, **26:28, 26:29**

**"COMPOSITE RETURN" RULE**

State and local taxation of professional athletes, **App 26F**

**CONCESSIONS**

Economics of sports leagues, **19:8**

**CONDEMNATION**

Franchises, condemnation of professional sports franchises through eminent domain, **23:29 to 23:34**

**CONDITIONS FOR**

**PATENTABILITY**

Intellectual property rights, **28:43**

## INDEX

### CONDUCT

- Discipline** (this index)
- Player Discipline in Professional Team Sports** (this index)
- Women's National Basketball Association (Art. XIV WNBA/WNBPA collective bargaining agreement), **App 8A**

### CONFERENCES

- Investigations, NCAA infractions, **13:8**

### CONFIDENTIALITY ISSUES

- Liability of sports medicine providers and related entities, team physician, **16:11**

### CONFLICTS

- Intellectual Property Rights** (this index)

### CONFLICTS OF INTEREST

- Agent-player representation agreements, **2:18**

### CONFUSION

- Intellectual property rights, **2App 8A1**

### CONSENT ISSUES

- Liability of sports medicine providers and related entities, team physician, **16:10**

### CONSTITUTIONAL LAW

- Limitations. **Amateur Athletics** (this index)
- Sex Discrimination in Amateur and Professional Sports** (this index)
- State and local taxation of professional athletes, constitutionality of taxing nonresident professional athletes, **26:2**
- Workers' compensation, **17:15**

### CONSTITUTION OF LEAGUE

- Franchises, constitutions of major professional sports leagues and

### CONSTITUTION OF LEAGUE

- Cont'd**
- antitrust dilemma, **23:11 to 23:19**

- Player discipline in professional team sports, **11:6, 11:7**

### CONTACT SPORTS

- Sex Discrimination in Amateur and Professional Sports** (this index)

### CONTRACT ADVISORS

- Agent-Player Representation Agreements** (this index)
- Football players. **Representing the Professional Football Player** (this index)
- Hockey players**National Hockey League Contract Negotiations** (this index)
- National Hockey League Contract Negotiations** (this index)
- Negotiating National Basketball Association Contracts** (this index)

### CONTRACT JUMPING

- Enforceability of employment agreements, teams' restraint of "jumping," **10:13 to 10:15, 10:32**
- Liability for sports injuries, **15:43**

### CONTRACTS

- Advisors. **Contract Advisors** (this index)
- Agent-Player Representation Agreements** (this index)
- Amateur athletics, contractual rights and obligations, **12:19, 12:20**
- Baseball, Basic Agreement Between Thirty Major League Clubs and Major League Baseball Players Association (effective December 12, 2011), **App 5A**
- Collective Bargaining** (this index)
- Endorsement Contracts** (this index)

## CONTRACTS—Cont'd

### Enforceability of Sports Industry Employment Agreements (this index)

Family law/domestic relations  
agreements affecting high net  
worth athletes or coaches,  
**3A:2 et seq.**

Jumping. **Contract Jumping** (this  
index)

Jumping (physical movement),  
liability for sports injuries,  
**15:43**

Liability for sports injuries,  
intentional interference with  
contractual relations, **15:41 to  
15:47**

Liability of sports medicine provid-  
ers and related entities,  
contractual scholarship, medi-  
cal, or disability benefits,  
universities and their employ-  
ees, **16:27**

National Hockey League (NHL),  
contractual disputes, **9:26**

Negotiating for the professional  
baseball player, Basic Agree-  
ment Between Thirty Major  
League Clubs and Major  
League Baseball Players  
Association (effective  
December 12, 2011), **App 5A**

Player discipline in professional  
team sports, contract-related  
discipline, on-the-field  
misconduct, **11:14**

Representing the professional  
football player, NFL players  
contract, **6:5, App 6C**

State and local taxation of profes-  
sional athletes, drafting  
contract language, **26:33**

Taxation of athletes, compensation  
deferred by contract, **24:46**

Taxation of sports franchises, player  
contracts, **25:4, 25:27, 25:28**

**Women's National Basketball  
Association** (this index)

## CONTRACT YEAR

Endorsement contracts, **27:27**

## CONTRIBUTORY NEGLIGENCE

**Liability of Sports Medicine  
Providers and Related Enti-  
ties** (this index)

## COPYRIGHTS

**Intellectual Property Rights** (this  
index)

## CORE PLAYERS

Women's National Basketball  
Association (Exhibits 4 and 8  
WNBA/WNBPA collective  
bargaining agreement), **App  
8A**

## COSTS

See also **Expenses** (this index)

**Economics of Sports Leagues** (this  
index)

State and local taxation of profes-  
sional athletes, costs of  
compliance, nonresident  
professional athletes, **26:29**

## COUNTEROFFER

Agent-player representation agree-  
ments, **2:4**

## COVENANTS

Negotiating for the professional  
baseball player, **5:8**

Women's National Basketball  
Association, covenants not to  
sue, (WNBA/WNBPA collec-  
tive bargaining agreement),  
**App 8A**

## CREDIT

Workers' compensation  
generally, **17:18**  
injury grievance credit, **17:18**  
injury protection credit, **17:18**  
resolution of credit issue, **17:19**

## CRIMINAL LAW

**Violence in Professional Sports**  
(this index)

## INDEX

### **CURT FLOOD ACT**

Generally, **23:26**

### **CUSTODY OF CHILDREN**

Family law/domestic relations issues, **3A:9**

### **DAMAGES**

Enforceability of employment agreements, **10:21**

Sex discrimination in amateur and professional sports, enforcement of Title IX, **14:36**

Taxation of athletes, injury payments, **24:13**

### **DEBT MANAGEMENT**

Financial planning for professional athletes, **3:34**

### **DEDUCTIONS**

State and local taxation of professional athletes, deductions credit for taxes paid to other states, **26:25, 26:26**

Taxation of sports franchises, deduction of losses, partnerships, **25:21**

### **DEFAMATION AND INVASION OF PRIVACY**

**Liability for Sports Injuries** (this index)

### **DEFECTIVE ATHLETIC EQUIPMENT**

**Products Liability for Defective Athletic Equipment** (this index)

### **DEFENSES**

Amateur athletics, defense of academic abstention, **12:21**

Antitrust issues in professional sports, league defenses, **21:11 to 21:5**

Enforceability of employment agreements, athletes' defenses, **10:22 to 10:30**

### **DEFENSES—Cont'd**

Intellectual property rights, **2App 8A8, 2App 8A9**

Products liability for defective athletic equipment, **15:22**

Violence in professional sports, player violence, criminal law, **18:10**

### **DEFERRED COMPENSATION**

**Collective Bargaining** (this index)

State and local taxation of professional athletes, **26:19**

**Taxation of Athletes** (this index)

### **DEFINITIONS**

Ncaa violation levels, **13:5**

Women's National Basketball Association (Art. I WNBA/WNBPA collective bargaining agreement), **App 8A**

### **DEMAND LOANS**

Taxation of athletes, **24:18**

### **DENVER**

Financing and design of sports venues, regional sales taxes, **22:12**

### **DEPRECIATION**

Financial planning for professional athletes, **3:8**

Taxation of sports franchises, depreciation recapture upon sale or transfer of franchise, **25:25**

### **DESCRIPTIVE MARKS**

Intellectual property rights, **28:7**

### **DESIGNATED FIRST OPTION**

Franchises, **23:5**

### **DESIGN OF SPORTS VENUES**

**Financing and Design of Sports Venues** (this index)

### **DEVELOPMENTAL LEAGUE**

Basketball, negotiating National Basketball Association contracts, **7:36**

**DIAGNOSIS OF INJURIES**

Liability of team physician, **16:6**

**DILUTION**

Intellectual property rights, **28:56**

**DIMINISHING COMPETITION**

Antitrust issues in professional sports, **21:6, 21:10**

**DISABILITY BENEFITS**

Liability of sports medicine providers and related entities, universities and their employees, **16:27**

**DISABILITY INSURANCE**

Financial planning for professional athletes, **3:49**

**DISABLED ATHLETES**

**Handicapped Athlete's Legal Right to Participate in Sports** (this index)

**Liability of Sports Medicine Providers and Related Entities** (this index)

**DISCIPLINE**

Amateur athletics, disciplinary and related rules governing, **12:17**

**Player Discipline in Professional Team Sports** (this index)

**DISCRIMINATION**

Age discrimination, amateur athletics, **12:38**

**Amateur Athletics** (this index)

**Sex Discrimination in Amateur and Professional Sports** (this index)

**DISPUTE RESOLUTION**

**Arbitration** (this index)

Women's National Basketball Association, non-arbitration articles, (Art. XXIII WNBA/WNBPA collective bargaining agreement), **App 8A**

**DISTINCTIVE MARKS**

Intellectual property rights, **28:55**

**DIVERSIFICATION IN PORTFOLIO, ROLE OF**

Financial planning for professional athletes, **3:47**

**DIVORCE**

**Family Law/Domestic Relations Issues** (this index)

Financial planning for professional athletes, **3:56, 3:57**

**DOMAIN NAMES**

**Intellectual Property Rights** (this index)

**DOMESTIC PARTNERSHIPS**

**Family Law/Domestic Relations Issues** (this index)

**DOMESTIC RELATIONS**

**FAMILY ATTORNEY**

High net worth athlete or coach, **3A:15**

**DOUBLE JEOPARDY**

Player discipline in professional team sports, Latrell Sprewell case study, **11:43**

**DOUBLE TAXATION**

**Taxation of Sports Franchises** (this index)

**DRAFT CHOICE**

**COMPENSATION**

National Hockey League (NHL), free agency, **9:10**

**DRAFTS**

Antitrust issues in professional sports, **21:19**

**Collective Bargaining** (this index)

National Hockey League (NHL), **9:3 to 9:5**

**Negotiating for the Professional Baseball Player** (this index)

Representing the professional football player, rookies, **6:26**

## INDEX

### DRUGS

- Abuse, amateur athletics, eligibility issues, **12:10**
- Basketball, negotiating National Basketball Association contracts, **7:35**
- Collective bargaining, **4:19**
- Discipline, player discipline in professional team sports, **11:16**
- National Hockey League (NHL), performance enhancing substances, **9:20**
- Prescriptions, liability of sports medicine providers and related entities, team physician, **16:7**
- WNBA/WNBPA collective bargaining agreement, **App 8A**

### DUAL DISCIPLINE

- Player discipline in professional team sports, Latrell Sprewell case study, **11:43**

### DUE PROCESS

- Amateur Athletics** (this index)

### DURATION OF CONTRACT

- Basketball, negotiating National Basketball Association contracts, **7:20**

### DUTY DAY FORMULA

- State and local taxation of professional athletes, allocation, **26:4**

### “DUTY DAY” REGULATIONS

- Wis. Admin. Code § Tax 2.31 (as in effect prior to repeal and subsequent reenactment consistent with FTA’s model uniform regulation)
- state and local taxation of professional athletes, **App 26A**

### DUTY OF CARE

- Liability of Sports Medicine Providers and Related Entities** (this index)

### EARLY WAIVER

- Professional football player, injury protection/early waiver, **App 6B**

### “ECONOMIC COMPETITION” REQUIREMENT

- Enforceability of employment agreements, **10:20**

### ECONOMIC PARITY

- Sex discrimination in amateur and professional sports, challenger interests denied by sex-based classifications in sports, **14:26**

### ECONOMICS OF SPORTS LEAGUES

- Generally, **19:1 et seq.**
- Bottom line, **19:6**
- Broadcasting, **19:9, 19:10**
- Concessions, **19:8**
- Costs, generally, **19:2 to 19:6**
- Local broadcasting, **19:9**
- Markets of sports enterprises, **19:7 to 19:13**
- Meaning of accounting data, **19:4**
- National broadcasting, **19:10**
- Overview of revenues and costs, **19:2 to 19:6**
- Players, **19:11**
- Revenues, generally, **19:2 to 19:6**
- Stadiums, **19:12**
- Taxation, **19:5**
- Teams, **19:13**
- Tickets, **19:8**
- Variability within league, revenues and costs, **19:3**

### EDUCATION

- Financial planning for professional athletes, **3:15**

### EDUCATIONAL EMPLOYEE

- Amateur athletics, interference by, **12:20**

### ELIGIBILITY

- Amateur Athletics** (this index)

**ELIGIBILITY—Cont'd**

- Employer-employee relationship, **17:3**
- Women's National Basketball Association, player eligibility and WNBA draft (Art. XIII WNBA/WNBPA collective bargaining agreement), **App 8A**
- Workers' compensation, eligibility for benefits, employer-employee relationship, **17:3**

**EMINENT DOMAIN**

- Franchises, condemnation of professional sports franchises, **23:29 to 23:34**

**EMPLOYMENT**

- College coaches. **Representing Coaches** (this index)
- Contracts** (this index)
- Enforceability of Sports Industry Employment Agreements** (this index)
- Sex Discrimination in Amateur and Professional Sports** (this index)

**ENDORSEMENT CONTRACTS**

- Generally, **27:1 et seq., App 27A**
- Administration of contract, **27:40**
- Advertising, approval of, **27:31**
- Alcoholic beverages, restrictions on endorsements, **27:7**
- Amateur sports regulations, restrictions on endorsements, **27:4**
- Annual base compensation, **27:19**
- Approval of advertising, **27:31**
- Assessment of client, **27:10**
- Assessment of market, **27:11**
- Assignment
  - generally, **27:38**
  - NPLPA Group Licensing Assignment (Exhibit 27A:F), **App 27A**
- Athlete endorsement, **27:25**
- Base compensation, annual, **27:19**

**ENDORSEMENT CONTRACTS**

**—Cont'd**

- Bonus compensation, **27:20**
- Client assessment, **27:10**
- Contacting potential sponsors, **27:13**
- Contract year, **27:27**
- Definitions, **27:24**
- Determining athlete's market value, **27:12**
- Drafting proposal, **27:14**
- Endorsement Agreement (Exhibit 27A:C), **App 27A**
- Entire agreement, **27:39**
- Exhibit 27A:C, **App 27A**
- Federal Trade Commission regulations, restrictions on endorsements, **27:8**
- Grant of endorsement rights, **27:29**
- Group licensing programs, restrictions on endorsements, **27:6**
- Indemnity, **27:37**
- In-kind compensation, **27:21**
- Insurance, **27:37**
- Legal background, **27:2**
- Market assessment, **27:11**
- Marketing the athlete, generally, **27:9 to 27:14**
- Market value of athlete, determining, **27:12**
- Memorandum of Understanding Dated January 21, 1993 (excerpt) Endorsements (Exhibit 27A:A-1), **App 27A**
- Miscellaneous Contract Clauses (Exhibit 27A:D), **App 27A**
- Names and Addresses of Relevant Organizations (Exhibit 27A:G), **App 27A**
- Negotiating and drafting the contract, generally, **27:15 et seq.**
- NFL Player Contract (Exhibit 27A:E), **App 27A**
- NHL Collective Bargaining Agreement of June 1, 1988 Article XXII Endorsements (Exhibit

## INDEX

### ENDORSEMENT CONTRACTS

#### —Cont'd

27A:A), **App 27A**

NPLPA Group Licensing Assignment (Exhibit 27A:F), **App 27A**

Period of contract, **27:26**

Personal appearances, **27:30**

Potential sponsors, contacting, **27:13**

Products endorsed, **27:16**

Professional sports regulations, restrictions on endorsements, **27:5**

Promotional efforts, **27:23**

Proposal drafting, **27:14**

Protection of athlete endorsement, **27:34**

Restrictions on endorsements, **27:3 to 27:8**

Right of termination, special, **27:35, 27:36**

Signature products, **27:22**

Special right of termination, **27:35, 27:36**

Term, **27:18**

Termination

special right of termination by athlete, **27:35**

special right of termination by company, **27:36**

Territory, **27:17**

Time of the essence, **27:32**

Tobacco products, restrictions on endorsements, **27:7**

Use of products by athlete, **27:28, 27:33**

Visible Logos Allowed By ATP Tour (Exhibit 27A:B), **App 27A**

Wearing of endorsed products by athlete, **27:28**

WNBA/WNBPA collective bargaining agreement), **App 8A**

### ENDORSEMENT INCOME

Collective bargaining, endorsement revenues, NHL, **4:46**

### ENDORSEMENT INCOME

#### —Cont'd

State and local taxation of professional athletes, **26:24**

### ENDORSEMENTS

Contracts. **Endorsement Contracts** (this index)

National Hockey League (NHL), **9:19**

Taxation of athletes, **24:6**

### ENFORCEABILITY OF EMPLOYMENT AGREEMENTS

Generally, **10:1 et seq.**

Approval of commissioner, lack of, **10:28**

Arbitration, team concurrently requests injunction and arbitration, **10:29**

Athletes

defenses, **10:22 to 10:30**

jurisdiction for judicial relief, suits against athletes, **10:3 to 10:6**

remedies against breaching teams, **10:31**

Breaching teams, athletes' remedies against, **10:31**

Broadcasts, **10:10**

Collusion, **10:30**

Commissioner's approval, lack of, **10:28**

Damages, **10:21**

Defenses, athletes', **10:22 to 10:30**

"Economic competition" requirement, **10:20**

Equitable defenses, **10:23 to 10:27**

Equitable remedies, **10:17**

Establishing jurisdiction for judicial relief, **10:2 to 10:6**

Exclusive rights to athlete's services, provisions establishing, **10:13**

Express covenants, teams' restraint of inter-league "jumping," **10:14**

**ENFORCEABILITY OF**

**EMPLOYMENT**

**AGREEMENTS—Cont'd**

Games played in forum state, **10:8**

Illegality as defenses, **10:26**

Implied covenants, teams' restraint  
of inter-league "jumping,"  
**10:15**

Injunctions, team concurrently  
requests injunction and arbitra-  
tion, **10:29**

Inter-league "jumping," teams'  
restraint of, **10:13 to 10:15**

Intra-league "jumping," teams'  
restraint of, **10:32**

"Irreparable harm" requirement,  
**10:19**

Judicial enforcement of standard  
player contracts, **10:12 to**  
**10:31**

Judicial relief, establishing jurisdic-  
tion for, **10:2 to 10:6**

"Jumping," teams' restraint of,  
**10:13 to 10:15, 10:32**

Jurisdiction for judicial relief, **10:2**  
**to 10:11**

Lack of commissioner's approval,  
**10:28**

Lack of mutuality, **10:25**

Leagues, suits against, **10:11**

Legal remedies, **10:21**

Money damages, **10:21**

Mutuality, lack of, **10:25**

Perpetuity, **10:26**

Place of contracting as appropriate  
forum, **10:5**

Player's residence as appropriate  
forum, **10:4**

Recruiting, **10:10**

Remedies  
athletes' remedies against breach-  
ing teams, **10:31**

teams' remedies, **10:16 to 10:21**

Selecting the forum, **10:6**

Standard player contracts, judicial  
enforcement of, **10:12 to 10:31**

**ENFORCEABILITY OF**

**EMPLOYMENT**

**AGREEMENTS—Cont'd**

Teams

broadcasts and recruiting, **10:10**

inter-league "jumping," restraint  
of, **10:13 to 10:15**

intra-league "jumping," restraint  
of, **10:32**

jurisdiction for judicial relief,  
suits against teams, **10:7 to**  
**10:11**

remedies, **10:16 to 10:21**

requesting injunction and arbitra-  
tion concurrently, **10:29**

revenues from forum state, **10:9**

Unclean hands defense, **10:24**

Unconscionability as defense, **10:27**

"Unique services" requirement,  
**10:18**

**ENTERTAINMENT EXPENSES**

Taxation of athletes, **24:35**

**ENTIRE AGREEMENT**

Agent-player representation agree-  
ments, **2:20**

Endorsement contracts, **27:39**

**ENTITY TAX**

Taxation of sports franchises, entity  
tax on sale of assets or liquida-  
tion, partnerships, **25:22**

**ENTREPRENEURIAL SHARING**

Franchises, sale of, **23:9**

**ENTRY DRAFTS**

National Hockey League (NHL),  
**4:44, 9:3 to 9:5**

**ENTRY-LEVEL COMPENSATION**

National Hockey League (NHL),  
**9:5**

**EQUAL EDUCATIONAL  
OPPORTUNITIES**

**Sex Discrimination in Amateur  
and Professional Sports** (this  
index)

## INDEX

### **EQUAL EMPLOYMENT OPPORTUNITIES**

**Sex Discrimination in Amateur and Professional Sports** (this index)

### **EQUAL OPPORTUNITY**

Sex discrimination in amateur and professional sports, recent Title IX litigation, **14:42, 14:43**

### **EQUAL PAY ACT**

Generally, **14:48**

### **EQUAL PROTECTION AND SEPARATE BUT EQUAL DOCTRINES**

**Sex Discrimination in Amateur and Professional Sports** (this index)

### **EQUIPMENT**

Antitrust issues in professional sports, **21:9**

### **EQUITABLE DEFENSES**

Enforceability of employment agreements, **10:23 to 10:27**

### **EQUITABLE PROPERTY**

Family law/domestic relations issues, **3A:12**

### **EQUITABLE REMEDIES**

Enforceability of employment agreements, **10:17**

### **EQUITIES**

Financial planning for professional athletes, **3:39**

### **ESCALATOR CLAUSE**

Representing the professional football player, **6:15**

### **ESCAPE CLAUSES**

**Franchises** (this index)

### **ESCROW**

National Hockey League (NHL), **9:27**

### **ESTABLISHMENT CLAUSE LIMITATIONS**

Amateur athletics, **12:28**

### **ESTATE PLANNING**

Financial planning for professional athletes, **3:64 to 3:66**

### **ESTATE PLANNING ATTORNEY**

Financial planning for professional athletes, **3:23**

### **ETHICAL CONDUCT**

Agents, ethics regulations, **1:6**

### **EVIDENCE**

Intellectual property rights, **28:56**

Player discipline in professional team sports, Latrell Sprewell case study, **11:40**

Sex discrimination in amateur and professional sports, proving discrimination, Title VII, **14:50**

### **EVOLUTION OF NIL IN COLLEGIATE SPORTS**

Alston case, the final nail, **29:19**

Amateurism, shield and sword, **29:12**

Avoiding liabilities associated with employee status, **29:11**

Battle over broadcast dollars starts path to NIL, **29:15**

Bloom makes an unsuccessful direct challenge to the NCAA regarding NIL, **29:17**

Board of regents case & antitrust liability for the NCAA, **29:16**

California gold rush opens the door to NIL, **29:2**

Collectives, **29:23**

College sports, a professional enterprise, volunteer workforce, **29:13**

Concepts of name, image, & likeness and college NIL, aren't exactly the same, **29:6**

Early winners in NIL far more widespread than football and

**EVOLUTION OF NIL IN COLLEGIATE SPORTS—Cont'd**

- basketball, **29:5**
- Exploring the parameters of the right of publicity, the Zacchini case, **29:8**
- Future of NIL, **29:25**
- Historic ambivalence toward athlete compensation despite amateur rules, **29:10**
- Historic divide between amateur & professional sports and NIL, **29:9**
- Historic origins of name, image, and likeness principles, **29:7**
- More states follow California to NIL, **29:3**
- NCAA enforcement-miami case, **29:24**
- NCAA guidance since July 2021, **29:22**
- NCAA interim NIL guidance, **29:20**
- NIL commonly misunderstood and misinterpreted, **29:4**
- O8217Bannon frames the NIL picture, **29:18**
- Significant common ground in state NIL laws, **29:21**
- Starting point, origins of the NCAA, **29:14**

**EXCEPTIONS**

- Basketball, negotiating National Basketball Association contracts, salary cap, **7:8**

**EXCERPTING OF GAME HIGHLIGHTS**

- Sports broadcasting, unauthorized, **20:15**

**EXCLUSIONARY RULES AND PRACTICES**

- Antitrust issues in professional sports, **21:17**

**EXCLUSIVE RIGHTS**

- Enforceability of employment agreements, provisions

**EXCLUSIVE RIGHTS—Cont'd**

- establishing, **10:13**
- Intellectual property rights, **28:31**

**EXCLUSIVE-RIGHTS PLAYERS**

- Representing the professional football player, **6:31**

**EXEMPTIONS**

- Antitrust issues in professional sports, **21:22 to 21:29**

**EXHIBITION GAMES**

- State and local taxation of professional athletes, application of allocation formulas, **26:10**

**EXPANSION, CONTRACTION, AND NUMBER OF GAMES**

- WNBA/WNBPA collective bargaining agreement), **App 8A**

**EXPANSION PROCEEDS**

- Taxation of sports franchises, sale or transfer of franchise, **25:30**

**EXPECTATIONS**

- Financial planning for professional athletes, **3:7**

**EXPENSES**

- See also **Costs** (this index)
- Agent-player representation agreements, **2:19**
- State and local taxation of professional athletes, moving expense reimbursements, **26:21**

**Taxation of Athletes** (this index)

- WNBA/WNBPA collective bargaining agreement, **App 8A**

**EXPERIENCE**

- Financial planning for professional athletes, **3:5**

**EXPRESS COVENANTS**

- Enforceability of employment agreements, teams' restraint of inter-league "jumping," **10:14**

## INDEX

### EXTENSION CHART

Salary cap, professional football players, **App 6K**

### FAILURE TO WARN

**Products Liability for Defective Athletic Equipment** (this index)

### “FAIRLY AND EQUITABLY”

State and local taxation of professional athletes, apportioning of income, **26:6**

### FALSE LIGHT INVASION OF PRIVACY

Liability for sports injuries, **15:40**

### FAMILY LAW ATTORNEYS

High net worth athletes and coaches, **3A:15**

### FAMILY LAW/DOMESTIC RELATIONS ISSUES

Generally, **3A:1 et seq.**

Athlete with high net worth, proceedings involving, **3A:1 et seq.**

Attorneys, interactions, **3A:15**

Celebrity good will/assets, **3A:13**

Children

custody, **3A:9**

paternity, **3A:6**

support, **3A:10**

Coach with high net worth, proceedings involving, **3A:1 et seq.**

Cohabitation agreements, marital and non-marital, **3A:3, 3A:4**

Community property, **3A:12**

Custody of children, **3A:9**

Divorce

generally, **3A:7**

child custody, **3A:9**

child support, **3A:10**

jurisdiction, **3A:8**

spousal support, **3A:11 to 3A:13**

venue, **3A:8**

### FAMILY LAW/DOMESTIC

#### RELATIONS ISSUES—Cont’d

Domestic partnerships. Non-marital agreements, below

Domestic relations family attorney, **3A:15**

Equitable property, **3A:12**

Explicit cohabitation agreements, **3A:3**

Family law attorneys, **3A:15**

Good will/celebrity assets, **3A:13**

High net worth athlete or coach, proceedings involving, **3A:1 et seq.**

Implicit cohabitation agreements, **3A:4**

Jurisdiction, **3A:8**

Marital agreements

generally, **3A:2**

cohabitation agreements, **3A:3, 3A:4**

explicit cohabitation agreements, **3A:3**

implicit cohabitation agreements, **3A:4**

New net worth, proceedings involving high net worth athlete or coach, **3A:1 et seq.**

Non-marital agreements

generally, **3A:2**

cohabitation agreements, **3A:3, 3A:4**

explicit cohabitation agreements, **3A:3**

implicit cohabitation agreements, **3A:4**

Paternity, **3A:6**

Prenuptial agreements, **3A:5**

Privacy of proceedings, **3A:14**

Property issues

community property, **3A:12**

equitable property, **3A:12**

Representative/agent/lawyer for high income athlete, **3A:15**

Spousal support

generally, **3A:11**

**FAMILY LAW/DOMESTIC  
RELATIONS ISSUES—Cont'd**

Spousal support—Cont'd  
celebrity good will/assets, **3A:13**  
community property, **3A:12**  
equitable property, **3A:12**  
Support  
children, **3A:10**  
spousal support, above  
Venue, **3A:8**

**FAMOUS MARKS**

Intellectual property rights, **28:55**

**FANCIFUL MARKS**

Intellectual property rights, **28:4**

**FAN FREEDOM AND  
COMMUNITY PROTECTION  
ACT OF 1995**

Franchises, **23:25**

**FANS**

Spectators. **Liability for Sports  
Injuries** (this index)  
**Violence in Professional Sports**  
(this index)

**FANS RIGHTS ACTS OF 1996**

Franchises, **23:24**

**FCC**

**Federal Trade Commission (FCC)  
Regulations** (this index)

**FEDERAL APPLICATION**

Intellectual property rights, **28:16,**  
**28:36**

**FEDERAL LEGISLATION**

Violence in professional sports,  
player violence, **18:12**

**FEDERAL REGISTRATION**

Intellectual property rights, **28:15,**  
**28:35**

**FEDERAL REGULATION OF  
AGENTS**

Generally, **1:4**

**FEDERAL REGULATION OF  
EQUAL EMPLOYMENT  
OPPORTUNITY**

**Sex Discrimination in Amateur  
and Professional Sports** (this  
index)

**FEDERAL TRADE COMMISSION  
(FCC) REGULATIONS**

Endorsement contracts, restrictions  
on endorsements, **27:8**  
Sports broadcasting, retransmission  
of sports telecasts, cable rules,  
**20:10**

**FEDERATION OF TAX  
ADMINISTRATORS (FTA)**

**State and Local Taxation of  
Professional Athletes** (this  
index)

**FEES**

**Agent-Player Representation  
Agreements** (this index)  
Agent's fees, taxation of athletes,  
**24:23**  
Taxation of athletes, agent's fees,  
**24:23**

**FINANCIAL ADVISOR**

Financial planning for professional  
athletes, **3:12 to 3:15**

**FINANCIAL AID**

Amateur athletics, **12:6**

**FINANCIAL EDUCATION**

Financial planning for professional  
athletes, **3:15**

**FINANCIAL LANDSCAPE**

National Hockey League (NHL),  
salary cap and escrow system,  
**9:27**

**FINANCIAL LIFE SPAN**

**Financial Planning** (this index)

**FINANCIAL PLANNING**

Generally, **3:1 et seq.**  
Accountant, **3:19**

## INDEX

### FINANCIAL PLANNING—Cont'd

Advice from unqualified advisors or peers, acting on, **3:9**

#### Advisor

advisory team, below  
financial advisor, role of, **3:12 to 3:15**

financial life span, longevity of career and advisor, **3:27**

National Football League Players' Association regulations and code of conduct governing registered player financial advisors, **App 3B**

registration requirements for financial advisor, **3:13**

relationship with player-agent, **3:16**

#### Advisory team

generally, **3:17 to 3:24**

advisor's relationship with player-agent, **3:16**

asset protection advisor, **3:23**

certified public accountant (CPA), **3:19**

checks and balances, importance of, **3:24**

estate planning attorney, **3:23**

financial planner, **3:20**

insurance advisor, **3:22**

investment advisor/broker, **3:21**

responsibilities of athlete advisor, generally, **3:18 to 3:23**

roles of athlete advisor, generally, **3:18 to 3:23**

tax advisor, **3:19**

#### Agents, **3:16**

#### Alternatives, **3:35**

#### Annuities, **3:45**

#### Asset protection, **3:66**

#### Asset protection advisor, **3:23**

Assets, purchase of depreciating assets, **3:8**

Athlete advisors, roles and responsibilities of, generally, **3:18 to 3:23**

### FINANCIAL PLANNING—Cont'd

Attorneys, **3:23**

Barriers to financial success, generally, **3:3 to 3:24**

Behaviors and tendencies, generally, **3:4 to 3:11**

Bonds, **3:40 to 3:42**

Broker, **3:21**

Budget, **3:33, 3:34, App 3A**

Cash, **3:38**

Cash flow management, **3:33, 3:34**

Certified public accountant (CPA), **3:19**

Code of conduct, National Football League Players' Association regulations and code of conduct governing registered player financial advisors, **App 3B**

College planning, **3:61 to 3:63**

Debt management, **3:34**

Depreciation, **3:8**

Disability insurance, **3:49**

Diversification in portfolio, role of, **3:47**

Divorce, **3:56, 3:57**

Education, **3:15**

Equities, **3:39**

Estate planning, **3:64 to 3:66**

Estate planning attorney, **3:23**

Expectations, **3:7**

Experience, **3:5**

Financial advisor, role of, **3:12 to 3:15**

Financial education, **3:15**

#### Financial life span

generally, **3:25 to 3:32**

goal setting process, **3:29**

implementation of plan, **3:31**

longevity of career and advisor, **3:27**

maximizing financial success from career, **3:26, 3:27**

monitoring plan, **3:32**

non-athlete's financial span, contract between, **3:25**

**FINANCIAL PLANNING—Cont'd**

Financial life span—Cont'd  
 process of financial planning,  
     generally, **3:28 to 3:32**  
     strategic plan, developing, **3:30**  
 Financial planner, generally, **3:20**  
 529 accounts, **3:63**  
 Fixed income, **3:40**  
 401K plans, **3:60**  
 Fraud, **3:3**  
 Goal setting process, **3:29**  
 Government bonds, **3:41**  
 Improper planning, **3:10**  
 Income, **3:40**  
 Income protection, **3:48**  
 Individual retirement accounts  
     (IRA), **3:60**  
 Inexperience, **3:5**  
 Inflation, effect on long-term invest-  
     ments, **3:46**  
 Insurance  
     disability insurance, **3:49**  
     investment management, below  
 Insurance advisor, **3:22**  
 Investment advisor/broker, **3:21**  
 Investment management  
     generally, **3:35 to 3:67**  
     alternative investments, **3:44**  
     annuities, **3:45**  
     asset protection, **3:66**  
     bonds (fixed income), **3:40**  
     cash, **3:38**  
     disability insurance, **3:49**  
     diversification in portfolio, role  
     of, **3:47**  
     divorce, **3:56, 3:57**  
     estate planning, **3:64 to 3:66**  
     failure to plan, estate planning,  
     **3:65**  
     government bonds, **3:41**  
     income protection, **3:48**  
     inflation, effect on long-term  
     investments, **3:46**  
     insurance  
         generally, **3:48, 3:49**

**FINANCIAL PLANNING—Cont'd**

Investment management—Cont'd  
 insurance—Cont'd  
     life insurance, below this  
     group  
     investments, generally, **3:37 to**  
     **3:45**  
     life insurance  
         generally, **3:50 to 3:55**  
         permanent insurance, **3:53**  
         term insurance, **3:52**  
         variable life insurance, **3:55**  
         whole life insurance, **3:54**  
     long term financial planning  
         generally, **3:58 to 3:63**  
         college planning, **3:61 to 3:63**  
         529 accounts, **3:63**  
         401K plans, **3:60**  
         individual retirement accounts  
         (IRA), **3:60**  
         inflation, effect of, **3:46**  
         pension benefits, **3:59**  
         retirement plans, generally,  
         **3:60**  
         SEP, **3:60**  
         taxation, effect of, **3:46**  
         UTMA, **3:62**  
     multi-generational wealth, cre-  
     ation of, **3:67**  
     municipal bonds, **3:42**  
     mutual funds, **3:43**  
     paternity, **3:56, 3:57**  
     retirement plans. Long term  
         financial planning, above  
         this group  
     start up investments, potential  
     perils of, **3:36**  
     stocks (equities), **3:39**  
     taxation, effect on long-term  
     investments, **3:46**  
 Life insurance. Investment manage-  
     ment, above  
 Life span. Financial life span, above  
 Longevity of career and advisor,  
     **3:27**

## INDEX

### FINANCIAL PLANNING—Cont'd

- Long term financial planning.
  - Investment management, above
- Meeting needs and expectations of others, **3:7**
- Misjudging length and/or level of success of career, **3:11**
- Multi-generational wealth, creation of, **3:67**
- Municipal bonds, **3:42**
- Mutual funds, **3:43**
- National Football League Players' Association regulations and code of conduct governing registered player financial advisors, **App 3B**
- Necessities, **3:7, 3:14**
- Opportunity, **3:2**
- Paternity, **3:56, 3:57**
- Peers, **3:9**
- Pension benefits, **3:59**
- Permanent insurance, **3:53**
- Player-agent, relationship to financial advisor, **3:16**
- Portfolio, **3:47**
- Professional athletes, generally, **3:1 et seq.**
- Purchase of depreciating assets, **3:8**
- Qualifications, **3:9**
- Registration requirements for financial advisor, **3:13**
- Retirement plans. Investment management, above
- Sales, **3:8**
- Sample athlete budget, **App 3A SEP, 3:60**
- Special needs, **3:14**
- Start up investments, potential perils of, **3:36**
- Stocks (equities), **3:39**
- Strategic plan, developing, **3:30**
- Tax advisor, **3:19**
- Taxation, effect on long-term investments, **3:46**
- Tendencies, generally, **3:4 to 3:11**

### FINANCIAL PLANNING—Cont'd

- Term insurance, **3:52**
- Third persons, **3:7, 3:9**
- Uncontrolled spending, **3:6**
- UTMA, **3:62**
- Variable life insurance, **3:55**
- Whole life insurance, **3:54**

### FINANCING AND DESIGN OF SPORTS VENUES

- Generally, **22:1 et seq.**
- Building of venues, **22:14**
- Conclusions, **22:16**
- Denver, regional sales taxes, **22:12**
- Distribution of benefits within metropolitan areas, **22:2**
- Financial tools, public investment in sports venues, **22:3**
- Framework to guide a ranch of choices, public sector, **22:4**
- Gaming taxes, political feasibility and revenue generation, **22:8**
- Income taxes, political feasibility and revenue generation, **22:6**
- Indianapolis, sports tax district, regional excise tax, **22:11**
- Lotteries, political feasibility and revenue generation, **22:8**
- Political feasibility and revenue generation, **22:5 et seq.**
- Private and public sector goals, design and the realization, **22:15**
- Property taxes, political feasibility and revenue generation, **22:10**
- Public authorities, **22:14**
- Public investment in sports venues, financial tools, **22:3**
- Public sector, framework to guide a ranch of choices, **22:4**
- Sales taxes
  - Denver, **22:12**
  - political feasibility and revenue generation, **22:7**
- San Diego, unprecedented guarantee, **22:13**
- Spatial distribution of teams, **22:2**

**FINANCING AND DESIGN OF  
SPORTS VENUES—Cont'd**

- Special districts, **22:14**
- Sports tax district, regional excise tax, Indianapolis, **22:11**
- Tax increment financing, political feasibility and revenue generation, **22:9**

**FINES**

- Taxation of athletes, **24:33**

**FIRST AMENDMENT RIGHTS**

- Amateur athletics, **12:25 to 12:32**

**FIRST REFUSAL EXERCISE  
NOTICE**

- WNBA/WNBPA collective bargaining agreement, **App 8A**

**FIRST REFUSAL RIGHTS**

- Collective bargaining, NBA, **4:36**
- National Hockey League (NHL), **9:10**

**Representing the Professional  
Football Player** (this index)

**FIRST-YEAR PLAYER DRAFT**

- Negotiating for the Professional Baseball Player (this index)

**FIRST-YEAR PLAYERS**

- Representing the Professional  
Football Player** (this index)

**529 ACCOUNTS**

- Financial planning for professional athletes, **3:63**

**FIXED INCOME**

- Financial planning for professional athletes, **3:40**

**FLAT FEES**

- Agent-player representation agreements, **2:11**

**FOOTBALL**

- Franchises** (this index)
- Player Discipline in Professional  
Team Sports** (this index)

**FOOTBALL—Cont'd**

- Representing the Professional  
Football Player** (this index)

**FOREIGN ATHLETES**

- Taxation of athletes, **24:40 to 24:44**

**FOREIGN BUSINESSES**

- State taxation of sports franchises, **26:37**

**FOREIGN COUNTRIES**

- Intellectual property rights, **28:19, 28:38**

**FOREIGN LEAGUES**

- Collective bargaining, NBA, **4:41**

**FOUR-AND FIVE-YEAR RULES**

- Amateur athletics, eligibility issues, **12:9**
- Collective bargaining, NFL, **4:29**

**401K PLANS**

- Financial planning for professional athletes, **3:60**

**FRANCHISES**

- Generally, **23:1 et seq.**
- Antitrust dilemma, major professional sports league constitutions and, **23:11 to 23:19**
- Antitrust issues in professional sports, franchise restrictions, **21:7**
- Baltimore Colts, eminent domain, **23:31**
- Baltimore Ravens, **23:36**
- Baseball, Major League Baseball constitution and antitrust dilemma, **23:15 to 23:18**
- Basketball, National Basketball Association constitution and antitrust dilemma, **23:14**
- Cleveland Browns—Baltimore Ravens relocation, **23:36**
- Condemnation of professional sports franchises through eminent domain, **23:29 to 23:34**

## INDEX

### FRANCHISES—Cont'd

- Constitutions of major professional sports leagues and antitrust dilemma, **23:11 to 23:19**
- Curt Flood Act, **23:26**
- Designated first option, **23:5**
- Eminent domain, condemnation of professional sports franchises, **23:29 to 23:34**
- Entrepreneurial sharing on sale of franchise, **23:9**
- Escape clauses, **23:10**
- Fan Freedom and Community Protection Act of 1995, **23:25**
- Fans Rights Acts of 1996, **23:24**
- Football
  - Baltimore Colts, eminent domain, **23:31**
  - Cleveland Browns—Baltimore Ravens relocation, **23:36**
  - National Football League constitution and antitrust dilemma, **23:13**
  - Oakland Raiders, eminent domain, **23:30**
  - Professional Football Stabilization Act of 1985, **23:21**
  - St. Louis Rams relocation, **23:39**
- Future of antitrust and sport franchise relocation, **23:19**
- Hockey, National Hockey League constitution and antitrust dilemma, **23:12**
- Houston—Nashville relocation, **23:37**
- Leasehold escape clauses, **23:10**
- Leasehold provisions designed to deter franchise relocation, **23:1 to 23:9**
- Legislative action, **23:20 to 23:28**
- “Liquidated damages” clauses, **23:3**
- Local buyer option, **23:6**
- Major League Baseball constitution and antitrust dilemma, **23:15 to 23:18**

### FRANCHISES—Cont'd

- Major professional sports league constitutions and antitrust dilemma, **23:11 to 23:19**
- Minnesota Twins, Major League Baseball constitution and antitrust dilemma, **23:18**
- Morsani, Major League Baseball constitution and antitrust dilemma, **23:17**
- National Basketball Association constitution and antitrust dilemma, **23:14**
- National Football League constitution and antitrust dilemma, **23:13**
- National Hockey League constitution and antitrust dilemma, **23:12**
- “No relocation—no move” clauses, **23:2**
- Oakland Raiders, eminent domain, **23:30**
- Options, “third-party buyer”/“right of first refusal” clauses, **23:4 to 23:9**
- Option to buy stadium, **23:7, 23:8**
- Piazza, Major League Baseball constitution and antitrust dilemma, **23:16**
- Professional Football Stabilization Act of 1985, **23:21**
- Professional Sports Franchise Relocation Act, **23:22**
- Professional sports league constitutions and antitrust dilemma, **23:11 to 23:19**
- Proprietary ownership, right to, **23:7, 23:8**
- Recent relocations, **23:35 to 23:39**
- Relocation
  - future of antitrust and sport franchise relocation, **23:19**
  - leasehold provisions designed to deter, **23:1 to 23:9**
  - Professional Sports Franchise Relocation Act, **23:22**

**FRANCHISES—Cont'd**

- Relocation—Cont'd
  - recent relocations, **23:35 to 23:39**
  - Stadium and Franchise Relocation Act of 1999, **23:28**
- Representing the professional football player, franchise players, **6:35**
- Right of first refusal, **23:4 to 23:9, 23:8**
- Right to proprietary ownership, **23:7, 23:8**
- Sale or transfer of franchise entrepreneurial sharing on, **23:9**
- Taxation of Sports Franchises** (this index)
  - “third-party buyer”/“right of first refusal” clauses, **23:4 to 23:9**
- Seattle Seahawks relocation, **23:38**
- Sports Community Protection Act, **23:23**
- St. Louis Rams relocation, **23:39**
- Stadium, option to buy, **23:7, 23:8**
- Stadium and Franchise Relocation Act of 1999, **23:28**
- Taxation of Sports Franchises** (this index)
  - “Third-party buyer”/“right of first refusal” clauses, **23:4 to 23:9**

**FRAUD**

- Financial planning for professional athletes, **3:3**

**FREE AGENCY**

- Basketball, negotiating National Basketball Association contracts, **7:29 et seq.**
- Collective Bargaining** (this index)
- National Hockey League (NHL), **9:8 to 9:10**
- Negotiating for the Professional Baseball Player** (this index)
- Representing the professional football player, veteran players, **6:32, 6:33**
- Waiver of free agent rights, **App 6F**

**FREEDOM OF ATHLETIC PARTICIPATION**

- Amateur athletics, **12:31**

**FREEDOM OF EXPRESSION**

- Amateur athletics, **12:29 to 12:31**

**FREEDOM OF RELIGION**

- Amateur athletics, **12:26 to 12:28**

**FREEDOM OF SPEECH**

- Amateur athletics, **12:30**
- Intellectual property rights, **2App 8A8**

**FREE EXERCISE OF RELIGION**

- Amateur athletics, **12:27**

**FUNDING**

- Sex Discrimination in Amateur and Professional Sports** (this index)

**GAMBLING**

- Amateur athletics, eligibility issues, **12:14**
- NCAA enforcement issues, **13:16**

**GAME EQUIPMENT**

- Antitrust issues in professional sports, **21:9**

**GAME RULES**

- Antitrust issues in professional sports, **21:9**
- Sex discrimination in amateur and professional sports, rules classifying sports on the basis of sex, **14:14**

**GAMES PLAYED**

- Enforceability of employment agreements, games played in forum state, **10:8**
- State and Local Taxation of Professional Athletes** (this index)

**GAMING TAXES**

- Financing and design of sports venues, political feasibility and

## INDEX

### **GAMING TAXES—Cont'd**

revenue generation, **22:8**

### **GENDER DISCRIMINATION**

**Sex Discrimination in Amateur and Professional Sports** (this index)

### **GENERAL PARTNERSHIPS**

Taxation of sports franchises, **25:10**

### **GENERIC TERMS**

Intellectual property rights, **28:8**

### **GIFT LOANS**

Taxation of athletes, **24:18**

### **GIFTS**

Taxation of athletes, **24:20**

### **GOAL SETTING PROCESS**

Financial planning for professional athletes, **3:29**

### **GOLF**

Liability for sports injuries, spectator as plaintiff, **15:28**

### **GOOD FAITH**

Intellectual property rights, **28:54**

### **GOOD WILL/CELEBRITY**

#### **ASSETS**

Family law/domestic relations issues, **3A:13**

### **GOVERNMENT ACTION**

**Amateur Athletics** (this index)

### **GOVERNMENT BONDS**

Financial planning for professional athletes, **3:41**

### **GRADUATED MINIMUM SALARY**

Collective bargaining, NFL, **4:31**

### **“GREEN CARD” TEST**

Taxation of athletes, foreign athlete resident status, **24:42**

### **GRIEVANCE**

National Hockey League (NHL), injury grievances, **9:25**  
WNBA/WNBPA collective bargaining agreement, **App 8A**  
Workers' compensation, injury grievance credit, **17:18, 17:19**

### **GRIEVANCE PROCEDURE**

**Player Discipline in Professional Team Sports** (this index)

### **GROSS INCOME**

**Taxation of Athletes** (this index)

### **GROUP LICENSING PROGRAMS**

Endorsement contracts, restrictions on endorsements, **27:6**  
WNBA/WNBPA collective bargaining agreement, **App 8A**

### **GUARANTEES**

National Hockey League (NHL), guaranteed payment, **9:13**  
Representing the professional football player, **6:20**  
WNBA/WNBPA collective bargaining agreement, **App 8A**

### **HANDICAPPED ATHLETES**

**Liability of Sports Medicine Providers and Related Entities** (this index)

### **HARDSHIP PROBLEMS**

Amateur athletics, eligibility issues, **12:15**

### **HEARINGS**

Amateur athletics, due process, **12:48, 12:49**  
Ncaa enforcement process, **13:10**

### **HIGHLIGHTS**

Sports broadcasting, unauthorized excerpting, **20:15**

### **HIGH SCHOOLS**

**Liability of Sports Medicine Providers and Related Entities** (this index)

**HOCKEY**

Liability for sports injuries, spectator as plaintiff, **15:26**

**National Hockey League Contract Negotiations** (this index)

**Player Discipline in Professional Team Sports** (this index)

**HOME TAPING**

Sports broadcasting, **20:16**

**HORSE RACING**

Sex discrimination in amateur and professional sports, public regulation and sex-based classifications, **14:55**

**HOSPITALS**

**Liability of Sports Medicine Providers and Related Entities** (this index)

**HOURLY RATE FEES**

Agent-player representation agreements, **2:13, 2:14**

**HOUSTON—NASHVILLE  
RELOCATION**

Franchises, **23:37**

**HUSBAND AND WIFE**

**Family Law/Domestic Relations Issues** (this index)

**ICE HOCKEY**

**Hockey** (this index)

**ILLEGALITY AS DEFENSE**

Enforceability of employment agreements, **10:26**

**IMMUNITY**

**Liability of Sports Medicine Providers and Related Entities** (this index)

**IMPLIED COVENANTS**

Enforceability of employment agreements, teams' restraint of inter-league "jumping," **10:15**

**INCENTIVE BONUSES**

State and local taxation of professional athletes, **26:18**

**INCENTIVES**

Bonuses. **Incentive Bonuses** (this index)

Negotiating for the professional baseball player, **5:22**

Representing the professional football player, **6:13 et seq.**

**INCOME**

Financial planning for professional athletes, **3:40**

**INCOME PROTECTION**

Financial planning for professional athletes, **3:48**

**INCOME TAXES**

Financing and design of sports venues, political feasibility and revenue generation, **22:6**

**Taxation of Athletes** (this index)

**INDEMNITY**

Endorsement contracts, **27:37**

**INDIANAPOLIS**

Financing and design of sports venues, sports tax district, regional excise tax, **22:11**

**INDIVIDUAL RETIREMENT  
ACCOUNTS**

Taxation of athletes, **24:48**

**INDIVIDUAL RETIREMENT  
ACCOUNTS (IRA)**

Financial planning for professional athletes, **3:60**

**INFLATION**

Financial planning for professional athletes, **3:46**

**INFORMED CONSENT ISSUES**

Liability of sports medicine providers and related entities, team physician, **16:10**

## INDEX

### INFRINGEMENT

Intellectual property rights, **2App 8A1, 2App 8A2, 28:40**

### INJUNCTIONS

Enforceability of employment agreements, team concurrently requests injunction and arbitration, **10:29**

Liability for sports injuries, intentional interference with contractual relations, **15:46**

### INJURIES

Basketball, negotiating National Basketball Association contracts, **7:22**

**Collective Bargaining** (this index)

**Liability for Sports Injuries** (this index)

Liability of sports medicine providers and related entities, diagnosis and treatment by team physician, **16:6**

National Hockey League (NHL), **9:16, 9:25**

Sex discrimination in amateur and professional sports, prevention of injury to participants, **14:19, 14:20**

WNBA/WNBPA collective bargaining agreement, **App 8A**

Workers' compensation  
injury grievance credit, **17:18**  
injury protection credit, **17:18**  
resolution of credit issue, **17:19**  
worker's compensation credit, **17:18**

### INJURY PAYMENTS

**Taxation of Athletes** (this index)

Workers' compensation, **17:18, 17:19**

### INJURY PROTECTION/EARLY WAIVER

Representing the professional football player, **App 6B**

### IN-KIND COMPENSATION

Endorsement contracts, **27:21**

### INNATE PHYSICAL SEX DIFFERENCES

Sex discrimination in amateur and professional sports, counterbalancing, **14:18**

### INSURANCE

Endorsement contracts, **27:37**

**Financial Planning** (this index)

National Hockey League (NHL), **9:17**

Professional football player, actuarial tables and methods, **App 6J, App 6J to 1**

Taxation of athletes, **24:15**

### INSURANCE ADVISOR

Financial planning for professional athletes, **3:22**

### INTANGIBLES

Sex discrimination in amateur and professional sports, challenger interests denied by sex-based classifications in sports, **14:26**

### INTEGRATION

Women's National Basketball Association, **App 8A**

### INTEGRITY-RELATED MISCONDUCT

**Player Discipline in Professional Team Sports** (this index)

### INTELLECTUAL PROPERTY RIGHTS

Generally, **28:1 et seq.**

ACPA (Anticybersquatting Consumer Protection Act), **28:53**

Application, **28:16, 28:18, 28:36, 28:45**

Arbitrary marks, **28:5**

Authorship, **28:32 to 28:34**

Branding, **28:9**

Celebrity right, **2App 8A5**

## INTELLECTUAL PROPERTY

### RIGHTS—Cont'd

- Charitable organizations, **28:11**
- Clearing proposed trademark, **28:12**
- Conditions for patentability, **28:43**
- Conflicts. Domain names, below
- Confusion, **2App 8A1**
- Copyrights
  - generally, **28:30 to 28:40**
  - authorship, **28:32 to 28:34**
  - duration of protection, **28:37**
  - exclusive rights with limitations, **28:31**
  - federal registration, **28:35**
  - filing federal application, **28:36**
  - foreign countries, protection in, **28:38**
  - infringement, **28:40**
  - made-for-hire works, **28:34**
  - multiple authorship, **28:33**
  - notice, **28:39**
  - ownership, **28:32 to 28:34**
  - protection, generally, **28:30**
  - protection, obtaining, generally, **28:35 to 28:39**
- Defenses, **2App 8A8, 2App 8A9**
- Definitions
  - patents, **28:41**
  - service mark, **2App 8A**
  - trademark, **2App 8A**
- Descriptive marks, **28:7**
- Dilution, **28:56**
- Distinctive marks, **28:55**
- Domain names
  - generally, **28:46 to 28:58**
  - conflicts
    - generally, **28:51 to 28:58**
    - ACPA (Anticybersquatting Consumer Protection Act), **28:53**
    - bad faith, **28:54**
    - confusing similarity or dilution, showing, **28:56**
    - distinctive marks, **28:55**
    - famous marks, **28:55**

## INTELLECTUAL PROPERTY

### RIGHTS—Cont'd

- Domain names—Cont'd
  - conflicts—Cont'd
    - UDRP (Uniform Domain Dispute Resolution Policy), **28:52, 28:57**
  - registrars and services, **28:50**
  - top-level domains, **28:48**
  - words, **28:49**
- Evidence, **28:56**
- Exclusive rights with limitations, **28:31**
- Famous marks, **28:55**
- Fanciful marks, **28:4**
- Federal application, **28:16, 28:36**
- Federal registration, **28:15, 28:35**
- Filing application, **28:17, 28:36, 28:45**
- Foreign countries, protection in, **28:19, 28:38**
- Freedom of speech and press
  - defenses, **2App 8A8**
- Generic terms, **28:8**
- Good faith, **28:54**
- Infringement, **2App 8A1, 2App 8A2, 28:40**
- Likelihood of confusion, **2App 8A1**
- Limitations and restrictions, **28:31**
- Made-for-hire works, **28:34**
- Multiple authorship, **28:33**
- Name
  - domain names, above
  - trademarks, **28:10**
- Nickname, **28:10**
- Notice, **28:39**
- Ownership, **28:14, 28:32 to 28:34, 28:44**
- Patentability, **28:43**
- Patentable items, **28:42**
- Patents
  - generally, **28:41 to 28:45**
  - conditions for patentability, **28:43**
  - definition, **28:41**
  - file application, speed and secrecy, **28:45**

## INDEX

### INTELLECTUAL PROPERTY

#### RIGHTS—Cont'd

Patents—Cont'd  
ownership, **28:44**  
patentable items, **28:42**  
Press, freedom of, **2App 8A8**  
Privacy, right of, **2App 8A4**  
Publicity, rights of  
generally, **2App 8A3 to 2App 8A9**  
celebrity right, **2App 8A5**  
defenses, **2App 8A8, 2App 8A9**  
freedom of speech and press  
defenses, **2App 8A8**  
issue, right at, **2App 8A6**  
nature of right, generally, **2App 8A4, 2App 8A5**  
privacy, right of, **2App 8A4**  
protection of right, generally,  
**2App 8A6, 2App 8A7**  
Records and recording, **28:17, 28:36**  
Registration, **28:15, 28:35, 28:50**  
Secrecy, **28:45**  
Service mark, **2App 8A**  
Similarity, **28:56**  
Speech, freedom of, **2App 8A8**  
Speed, **28:45**  
State trademark applications, **28:18**  
Suggestive marks, **28:6**  
Time and date, **28:37**  
Top-level domains, **28:48**  
Trademarks  
generally, **2App 8A to 2App 8A2**  
arbitrary marks, **28:5**  
branding, **28:9**  
charitable organizations, **28:11**  
clearing proposed trademark,  
**28:12**  
definition of service mark, **2App 8A**  
definition of trademark, **2App 8A**  
descriptive marks, **28:7**  
fanciful marks, **28:4**  
federal application, requirements  
for, **28:16**

### INTELLECTUAL PROPERTY

#### RIGHTS—Cont'd

Trademarks—Cont'd  
federal registration, **28:15**  
filing process, **28:17**  
foreign countries, protection in,  
**28:19**  
generic terms, **28:8**  
infringement, **2App 8A1, 2App 8A2**  
likelihood of confusion, **2App 8A1**  
name, **28:10**  
nickname, **28:10**  
ownership, **28:14**  
proper use, **2App 8A0**  
protection, obtaining, generally,  
**28:13 to 28:19**  
selecting trademark, generally,  
**28:3 to 28:8**  
state trademark applications,  
**28:18**  
strong versus weak trademarks,  
**28:3**  
suggestive marks, **28:6**  
types specific to athletes, gener-  
ally, **28:10, 28:11**  
watching services, **2App 8A2**  
UDRP (Uniform Domain Dispute  
Resolution Policy), **28:52, 28:57**  
Watching services, **2App 8A2**  
Words, **28:49**

### INTENTIONAL INTERFERENCE WITH CONTRACTUAL RELATIONS

**Liability for Sports Injuries** (this  
index)

### INTENTIONAL TORTS

Liability for sports injuries, **15:2**  
Violence in professional sports,  
player violence, **18:14**

### INTER-CLUB CLAIMS

Sports broadcasting, **20:6**

**INTERCOLLEGIATE  
ATHLETICS**

Agents, **1:2**  
College Athletics (this index)

**INTERFERENCE**

Amateur athletics, interference by  
coach or other educational  
employee, contractual rights  
and obligations, **12:20**  
Liability for sports injuries, interfer-  
ence with contractual relations,  
intentional, **15:41 to 15:47**

**INTER-LEAGUE “JUMPING”**

Enforceability of employment  
agreements, **10:13 to 10:15**

**INTERNATIONAL SATELLITE  
PIRACY**

Sports broadcasting, **20:14**

**INTRA-LEAGUE “JUMPING”**

Enforceability of employment  
agreements, **10:32**

**INTRALEAGUE PLAYER  
RESTRAINTS**

Antitrust Issues in Professional  
Sports (this index)

**INTRUSION**

Liability for sports injuries, **15:37**

**INVESTIGATIONS**

Conferences, NCAA infractions,  
**13:8**  
Institutional, NCAA infractions,  
**13:8**  
Level I/II, major NCAA infractions,  
**13:7**  
Player discipline in professional  
team sports, Latrell Sprewell  
case study, **11:41**

**INVESTMENT  
ADVISOR/BROKER**

Financial planning for professional  
athletes, **3:21**

**INVESTMENT MANAGEMENT  
AND PLANNING**

Financial Planning (this index)

**IRC § 269A**

Taxation of athletes, personal ser-  
vice corporations, **24:51**

**“IRREPARABLE HARM”  
REQUIREMENT**

Enforceability of employment  
agreements, **10:19**

**JUMPING**

Contract Jumping (this index)

**JUNIOR PLAYERS**

National Hockey League (NHL),  
entry draft, **9:4**

**JURISDICTION**

Enforceability of employment  
agreements, **10:2 to 10:11**  
Family law/domestic relations  
issues, **3A:8**  
Workers’ compensation, **17:16**

**KNIGHT COMMISSION**

Sex discrimination in amateur and  
professional sports, **14:44**

**LABOR EXEMPTIONS**

Antitrust issues in professional  
sports, **21:25 to 21:28**

**LABOR LAW**

Player discipline in professional  
team sports, **11:10**

**LABOR RELATIONS**

Collective bargaining, **4:7 to 4:9**  
NFL, representing the professional  
football player, **6:2**

**LACK OF MUTUALITY**

Enforceability of employment  
agreements, **10:25**

**LATRELL SPREWELL CASE  
STUDY**

Player Discipline in Professional  
Team Sports (this index)

## INDEX

### LEAGUE DISCIPLINE

- Constitution and bylaws, player discipline in professional team sports, **11:6, 11:7**
- National Hockey League (NHL), **9:24**
- Player discipline in professional team sports, analysis of league disciplinary systems, **11:17 et seq.**

### LEAGUES

- Antitrust Issues in Professional Sports** (this index)
- Defenses. **Antitrust Issues in Professional Sports** (this index)
- Economics of Sports Leagues** (this index)
- Enforceability of employment agreements, suits against leagues, **10:11**

### LEASEHOLD ESCAPE CLAUSES

- Franchises, **23:10**

### LEASEHOLDS

- Franchises** (this index)

### LEGISLATION

- Agents** (this index)
- Sex Discrimination in Amateur and Professional Sports** (this index)

### LIABILITY FOR SPORTS

#### INJURIES

- Generally, **15:1 et seq.**
- Attacks from participants, spectator as plaintiff, **15:32**
- Auto racing, spectator as plaintiff, **15:27**
- Baseball, spectator as plaintiff, **15:25**
- Coaches, tort liability of one participant to another, **15:5**
- Contract jumping, **15:43**

### LIABILITY FOR SPORTS

#### INJURIES—Cont'd

- Contractual relations, intentional interference with, **15:41 to 15:47**
- Defamation and invasion of privacy generally, **15:34 to 15:40**
  - false light invasion of privacy, **15:40**
  - intrusion, **15:37**
  - invasion of privacy, generally, **15:36 to 15:40**
  - misappropriation, **15:38**
  - private facts, publication of, **15:39**
  - publication of private facts, **15:39**
  - public figure/private figure dichotomy, **15:35**
- False light invasion of privacy, **15:40**
- Golf, spectator as plaintiff, **15:28**
- Hockey, spectator as plaintiff, **15:26**
- Ice hockey, spectator as plaintiff, **15:26**
- Injunctive relief, intentional interference with contractual relations, **15:46**
- Intentional interference with contractual relations
  - generally, **15:41 to 15:47**
  - contract jumping, **15:43**
  - injunctive relief, **15:46**
  - intent, **15:44**
  - raiding, **15:42**
  - requirements for claim of interference, **15:44, 15:45**
  - substantial interference, **15:45**
- Intentional torts, **15:2**
- Interference with contractual relations, intentional, **15:41 to 15:47**
- Intrusion, **15:37**
- Invasion of privacy. Defamation and invasion of privacy, above
- Medical malpractice
  - generally, **15:10 to 15:13**

## **LIABILITY FOR SPORTS**

### **INJURIES—Cont'd**

- Medical malpractice—Cont'd
  - eligibility of participant, determination of, **15:12**
  - treatment of injuries, **16:11**
  - vicarious liability, **15:13**
- Misappropriation, **15:38**
- Negligence, tort liability of one participant to another, **15:3, 15:7**
- Normal game hazards, spectator as plaintiff, **15:25 to 15:29**
- Private facts, publication of, **15:39**
- Products Liability for Defective Athletic Equipment** (this index)
- Publication of private facts, **15:39**
- Public figure/private figure dichotomy, **15:35**
- Punitive damages, tort liability of one participant to another, **15:8**
- Raiding, intentional interference with contractual relations, **15:42**
- Recklessness, tort liability of one participant to another, **15:4**
- Spectator as plaintiff
  - generally, **15:24 to 15:33**
  - attacks from participants, injuries caused by, **15:32**
  - auto racing, **15:27**
  - baseball, **15:25**
  - golf, **15:28**
  - hockey, **15:26**
  - ice hockey, **15:26**
  - normal game hazards, injuries caused by, **15:25 to 15:29**
  - unsafe premises, injuries caused by, **15:30**
  - vicarious liability, **15:31**
  - wrestling, **15:29**
- Substantial interference with contractual relations, **15:45**
- Supervision, negligent, tort liability of one participant to another, **15:7**

## **LIABILITY FOR SPORTS**

### **INJURIES—Cont'd**

- Tort liability of one participant to another
  - generally, **15:1 to 15:9**
  - availability of punitive damages, **15:8**
  - coaches, **15:5**
  - intentional torts, **15:2**
  - negligence, **15:3**
  - negligent supervision, vicarious liability, **15:7**
  - punitive damages, availability of, **15:8**
  - recklessness, **15:4**
  - supervision, negligent, **15:7**
  - vicarious liability, **15:6, 15:7**
- Unsafe premises, spectator as plaintiff, **15:30**
- Vicarious liability
  - medical malpractice, **15:13**
  - spectator as plaintiff, **15:31**
  - tort liability of one participant to another, **15:6, 15:7**
- Wrestling, spectator as plaintiff, **15:29**

## **LIABILITY OF SPORTS**

### **MEDICINE PROVIDERS AND RELATED ENTITIES**

- Generally, **16:1 et seq.**
- Americans with Disabilities Act, handicapped athlete's legal right to participate in sports, **16:38**
- Approval for participation by physician, handicapped athlete's legal right to participate in sports, **16:36, 16:37**
- Athlete's contributory negligence
  - high schools and their employees, **16:23**
  - team physician, **16:12**
- Athletic trainers, **16:16**
- Avoiding liabilities associated with employee status, **29:11**

## INDEX

### LIABILITY OF SPORTS

#### MEDICINE PROVIDERS AND RELATED ENTITIES

##### —Cont'd

- Benefits, universities and their employees, **16:27**
- Canadian cases, professional teams and employees, **16:21**
- Clearance to play, team physician, **16:8, 16:9**
- Collective bargaining agreement issues, professional teams and employees, **16:18**
- Confidentiality issues, team physician, **16:11**
- Conflicting physician participation recommendations, handicapped athlete's legal right to participate in sports, **16:37**
- Consent issues, team physician, **16:10**
- Contractual scholarship, medical, or disability benefits, universities and their employees, **16:27**
- Contributory negligence
  - high schools and their employees, **16:23**
  - team physician, **16:12**
  - universities and their employees, **16:29**
- Diagnosis of injuries, team physician, **16:6**
- Disability benefits, universities and their employees, **16:27**
- Disabled persons. Handicapped athlete's legal right to participate in sports, below
- Drug prescriptions, team physician, **16:7**
- Duty of care
  - high schools and their employees, **16:22**
  - universities and their employees, **16:28**
- Exclusivity of workers' compensation remedy, professional teams and employees, **16:20**

### LIABILITY OF SPORTS

#### MEDICINE PROVIDERS AND RELATED ENTITIES

##### —Cont'd

- Gratuitous or contractual scholarship, medical, or disability benefits, universities and their employees, **16:27**
- Handicapped athlete's legal right to participate in sports
  - generally, **16:32 to 16:37**
  - Americans with Disabilities Act, **16:38**
  - approval for participation by physician, **16:36, 16:37**
  - conflicting physician participation recommendations, **16:37**
  - harm to handicapped athlete, **16:35 to 16:37**
  - harm to other participants, **16:34**
  - no physician participation approval, **16:36**
  - other participants, harm to, **16:34**
  - physician participation approval, **16:36, 16:37**
  - Rehabilitation Act of 1973, generally, **16:33 to 16:37**
- Harm to handicapped athlete, handicapped athlete's legal right to participate in sports, **16:35 to 16:37**
- Harm to other participants, handicapped athlete's legal right to participate in sports, **16:34**
- High schools and their employees
  - generally, **16:22 to 16:25**
  - athlete's contributory negligence, **16:23**
  - contributory negligence of athlete, **16:23**
  - duty of care, **16:22**
  - immunity issues, **16:25**
  - liability waivers, validity of, **16:24**
  - validity of liability waivers, **16:24**

**LIABILITY OF SPORTS**

**MEDICINE PROVIDERS  
AND RELATED ENTITIES**

**—Cont'd**

- High schools and their employees  
—Cont'd  
waivers, validity of, **16:24**
- Immunity issues  
high schools and their employees,  
**16:25**  
team physician, **16:14**  
universities and their employees,  
**16:31**
- Informed consent issues, team  
physician, **16:10**
- Injuries, diagnosis and treatment by  
team physician, **16:6**
- Interaction of workers' compensa-  
tion and tort law, professional  
teams and employees, **16:19,**  
**16:20**
- Legal duty to athlete, team physi-  
cian, **16:4**
- Liability waivers, validity of  
high schools and their employees,  
**16:24**  
team physician, **16:13**  
universities and their employees,  
**16:30**
- Medical benefits, universities and  
their employees, **16:27**
- Medical clearance recommenda-  
tions, team physician, **16:8,**  
**16:9**
- Medical confidentiality issues, team  
physician, **16:11**
- Negligent clearance to play, team  
physician, **16:8**
- Other participants, handicapped  
athlete's legal right to partici-  
pate in sports, **16:34**
- Physical examinations, team physi-  
cian, **16:4, 16:5**
- Physical therapists, **16:16**
- Physician participation approval,  
handicapped athlete's legal

**LIABILITY OF SPORTS**

**MEDICINE PROVIDERS  
AND RELATED ENTITIES**

**—Cont'd**

- right to participate in sports,  
**16:36, 16:37**
- Physician-patient relationship and  
legal duty to athlete, team  
physician, **16:4**
- Preparticipation physicals and  
screening examinations, team  
physician, **16:4, 16:5**
- Prescription of drugs, team physi-  
cian, **16:7**
- Professional teams and employees  
generally, **16:17 to 16:21**  
Canadian cases, **16:21**  
collective bargaining agreement  
issues, **16:18**  
exclusivity of workers'  
compensation remedy, **16:20**  
interaction of workers' compensa-  
tion and tort law, **16:19,**  
**16:20**  
scope of workers' compensation  
coverage, **16:19**  
workers' compensation, **16:19,**  
**16:20**
- Refusal to clear to play, team physi-  
cian, **16:9**
- Rehabilitation Act of 1973, **16:33 to**  
**16:37**
- Scholarship, gratuitous or  
contractual, universities and  
their employees, **16:27**
- Screening examinations, team  
physician, **16:4, 16:5**
- Standard of care, team physician,  
**16:3**
- Team physician  
generally, **16:2 to 16:16**  
athlete's contributory negligence,  
**16:12**  
athletic trainers, **16:16**  
clearance to play, **16:8, 16:9**  
confidentiality issues, **16:11**  
consent issues, **16:10**

## INDEX

### LIABILITY OF SPORTS

#### MEDICINE PROVIDERS AND RELATED ENTITIES —Cont'd

Team physician—Cont'd  
contributory negligence of athlete, **16:12**  
diagnosis and treatment of injuries, **16:6**  
drugs, prescription of, **16:7**  
immunity issues, **16:14**  
informed consent issues, **16:10**  
injuries, diagnosis and treatment of, **16:6**  
legal duty to athlete, **16:4**  
liability waivers, validity of, **16:13**  
medical clearance recommendations, **16:8, 16:9**  
medical confidentiality issues, **16:11**  
nature and scope of examination, **16:5**  
negligent clearance to play, **16:8**  
physicals and screening examinations, **16:4, 16:5**  
physical therapists, **16:16**  
physician-patient relationship and legal duty to athlete, **16:4**  
preparticipation physicals and screening examinations, **16:4, 16:5**  
prescription of drugs, **16:7**  
refusal to clear to play, **16:9**  
scope of examinations, **16:5**  
screening examinations, **16:4, 16:5**  
standard of care, **16:3**  
therapists, **16:16**  
trainers, **16:16**  
treatment of injuries, **16:6**  
validity of liability waivers, **16:13**  
waivers, validity of, **16:13**  
Therapists, **16:16**  
Trainers, **16:16**

### LIABILITY OF SPORTS

#### MEDICINE PROVIDERS AND RELATED ENTITIES —Cont'd

Treatment of injuries, team physician, **16:6**  
Universities and their employees generally, **16:26 to 16:31**  
benefits, gratuitous or contractual, **16:27**  
contractual scholarship, medical, or disability benefits, **16:27**  
contributory negligence, **16:29**  
disability benefits, **16:27**  
duty of care, **16:28**  
gratuitous or contractual scholarship, medical, or disability benefits, **16:27**  
immunity issues, **16:31**  
liability waivers, validity of, **16:30**  
medical benefits, **16:27**  
scholarship, gratuitous or contractual, **16:27**  
validity of liability waivers, **16:30**  
waivers, validity of, **16:30**  
workers' compensation, **16:26**  
Waivers, validity of  
high schools and their employees, **16:24**  
team physician, **16:13**  
universities and their employees, **16:30**  
Workers' compensation  
professional teams and employees, **16:19, 16:20**  
universities and their employees, **16:26**

### LIABILITY WAIVERS

#### Liability of Sports Medicine Providers and Related Entities (this index)

### LIBERTY INTEREST

Amateur athletics, due process, **12:43**

**LICENSING**

- Professional football players, PSL examples, **App 6M**
- Restrictions, antitrust issues in professional sports, **21:8**
- WNBA/WNBPA collective bargaining agreement, **App 8A**

**LIFE INSURANCE**

- Financial Planning** (this index)

**LIFE SPAN**

- Financial Planning** (this index)

**LIKELIHOOD OF CONFUSION**

- Intellectual property rights, **2App 8A1**

**LIMITATION OF ACTIONS**

- State and local taxation of professional athletes, nonresident professional athletes, **26:27**

**LIMITATIONS**

- Amateur Athletics** (this index)
- Collective Bargaining** (this index)
- Intellectual property rights, **28:31**
- Representing the Professional Football Player** (this index)

**LIMITED LIABILITY**

**COMPANIES (LLCS)**

- Taxation of sports franchises, **25:12, 25:17**

**LIMITED LIABILITY**

**PARTNERSHIPS**

- Taxation of sports franchises, **25:18**

**LIMITED PARTNERSHIPS**

- Taxation of sports franchises, **25:10**

**LIMITS**

- Agent-player representation agreements, fee limits, **2:14, 2:15**

**LIQUIDATED DAMAGES**

- Agent-player representation agreements, **2:17**
- Franchises, liquidated damages clauses, **23:3**

**LIQUIDATION**

- Taxation of Sports Franchises** (this index)

**LITIGATION**

- Collective bargaining, **4:5**
- Sex discrimination in amateur and professional sports, recent, Title IX, **14:42, 14:43**

**LOANS**

- Taxation of athletes, **24:17 to 24:19**

**LOCAL BROADCASTING**

- Economics of sports leagues, **19:9**

**LOCAL BUYER OPTION**

- Franchises, **23:6**

**LOCKOUT PROVISIONS**

- WNBA/WNBPA collective bargaining agreement, **App 8A**

**LODGING**

- Taxation of athletes, **24:8**

**LONGEVITY**

- Financial planning for professional athletes, **3:27**

**LONG TERM FINANCIAL PLANNING**

- Financial Planning** (this index)

**LOSSES**

- Taxation of Sports Franchises** (this index)

**LOTTERIES**

- Financing and design of sports venues, political feasibility and revenue generation, **22:8**

**LOUISIANA**

- State and local taxation of professional athletes, 2002 Louisiana Income Tax Booklet, **App 26G**

**LUXURY TAX**

- Basketball, negotiating National Basketball Association contracts, **7:9**

## INDEX

### MADE-FOR-HIRE WORKS

Intellectual property rights, **28:34**

### MAJOR INFRACTIONS

#### INVESTIGATIONS

NCAA Enforcement Process (this index)

### MAJOR LEAGUE BASEBALL (MLB)

Agreement between the 30 major league clubs and the Major League Baseball Players Association (effective December 12, 2011), **App 5A**  
**Collective Bargaining** (this index)  
Constitution and antitrust dilemma, franchises, **23:15 to 23:18**  
Franchises, major professional sports league constitutions and antitrust dilemma, **23:11 to 23:19**

Players. **Negotiating for the Professional Baseball Player** (this index)

Rules, **App 5B**

### MAJOR LEAGUE BASEBALL PLAYERS ASSOCIATION (MLBPA)

Agreement between the 30 major league clubs and the Major League Baseball Players Association (effective December 12, 2011), **App 5A**  
Regulations Governing Player Agents (Exhibit 2A:E)  
agent-player representation agreements, **App 2A**  
Representation, **5:17**

### MANAGEMENT RIGHTS CLAUSE

Women's National Basketball Association (Art. IV WNBA/ WNBPA collective bargaining agreement), **App 8A**

### MANDATORY PROGRAMS

WNBA/WNBPA collective bargaining agreement, **App 8A**

### MARITAL AGREEMENTS

**Family Law/Domestic Relations Issues** (this index)

### MARITAL STATUS

**Amateur Athletics** (this index)  
**Family Law/Domestic Relations Issues** (this index)

### MARKETING

Agreements, WNBA/WNBPA collective bargaining agreement, **App 8A**  
Products liability for defective athletic equipment, negligence quality control, **15:17**

### MARKETING THE ATHLETE

**Endorsement Contracts** (this index)

### MARKETS OF SPORTS ENTERPRISES

Economics of sports leagues, **19:7 to 19:13**

### MARKET VALUE OF ATHLETE

Endorsement contracts, **27:12**

### MEAL EXPENSES

State and local taxation of professional athletes, **26:20**  
Taxation of athletes, **24:8, 24:35**

### MEDIA

Liability for sports injuries, publication of private facts, **15:39**  
WNBA/WNBPA collective bargaining agreement, **App 8A**

### MEDICAL BENEFITS

Liability of sports medicine providers and related entities, universities and their employees, **16:27**

### MEDICAL CLEARANCE RECOMMENDATIONS

Liability of sports medicine providers and related entities, team physician, **16:8, 16:9**

**MEDICAL CONFIDENTIALITY  
ISSUES**

Liability of sports medicine providers and related entities, team physician, **16:11**

**MEDICAL EXAMINATIONS**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**MEDICAL PRACTITIONERS**

**Liability of Sports Medicine Providers and Related Entities** (this index)

Malpractice. **Liability for Sports Injuries** (this index)

**MEMORANDUM OF  
UNDERSTANDING**

Endorsements, Memorandum of Understanding dated January 21, 1993 (excerpt) (Exhibit 27A:A-1), **App 27A**

**MERGER EXEMPTION**

Antitrust issues in professional sports, **21:24**

**MERIT BONUSES**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**MIAMI CASE**

NCAA enforcement, **29:24**

**MINIMUM SALARIES**

**Collective Bargaining** (this index)

**MINIMUM SALARY**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**MINIMUM TEAM SALARY**

Basketball, negotiating National Basketball Association contracts, **7:6**

**MINNESOTA TWINS**

Franchises, Major League Baseball constitution and antitrust dilemma, **23:18**

**MINOR LEAGUE PLAYERS**

**Negotiating for the Professional Baseball Player** (this index)

**MINOR LEAGUES**

Collective bargaining , **MLB, 4:22**

**MISAPPROPRIATION**

Liability for sports injuries, **15:38**

**MISCELLANEOUS CONTRACT  
CLAUSES (EXHIBIT 27A:D)**

Generally, **App 27A**

**MISCONDUCT**

**Conduct** (this index)

**MLB**

**Major League Baseball (MLB)** (this index)

**MLBPA**

**Major League Baseball Players Association (MLBPA)** (this index)

**MONOPOLIZATION**

**Antitrust Issues in Professional Sports** (this index)

**MORSANI**

Franchises, Major League Baseball constitution and antitrust dilemma, **23:17**

**MOVIES**

Taxation of athletes, **24:7**

**MOVING EXPENSES**

Reimbursements, state and local taxation of professional athletes, **26:21**

State and local taxation of professional athletes, **26:21**

**Taxation of Athletes** (this index)

**MULTI-GENERATIONAL  
WEALTH**

Financial planning for professional athletes, **3:67**

## INDEX

### **MULTIPLE AUTHORSHIP**

Intellectual property rights, **28:33**

### **MULTIPLE JURISDICTIONS**

Violence in professional sports,  
player violence, torts, **18:18**

### **MUNICIPAL BONDS**

Financial planning for professional  
athletes, **3:42**

### **MUTUAL FUNDS**

Financial planning for professional  
athletes, **3:43**

### **MUTUALITY, LACK OF**

Enforceability of employment  
agreements, **10:25**

### **MUTUAL RELEASES**

WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

### **MUTUAL RESERVATION OF RIGHTS**

WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

### **NAME, IMAGE, AND LIKENESS (NIL)**

Alston case, the final nail, **29:19**

Amateurism, shield and sword,  
**29:12**

Avoiding liabilities associated with  
employee status, **29:11**

Battle over broadcast dollars starts  
path to NIL, **29:15**

Bloom makes an unsuccessful  
direct challenge to the NCAA  
regarding NIL, **29:17**

Board of regents case & antitrust  
liability for the NCAA, **29:16**

California gold rush opens the door  
to NIL, **29:2**

Collectives, **29:23**

College sports, a professional  
enterprise, volunteer  
workforce, **29:13**

Concepts of name, image, & like-  
ness and college NIL, aren't

### **NAME, IMAGE, AND LIKENESS (NIL)—Cont'd**

exactly the same, **29:6**

Early winners in NIL far more  
widespread than football and  
basketball, **29:5**

Evolution of NCAA guidance since  
July 2021, **29:22**

Evolution of NIL in collegiate  
sports, **29:1**

Exploring the parameters of the  
right of publicity, the Zacchini  
case, **29:8**

Future of NIL, **29:25**

Historic ambivalence toward athlete  
compensation despite amateur  
rules, **29:10**

Historic divide between amateur &  
professional sports and NIL,  
**29:9**

Historic origins of name, image,  
and likeness principles, **29:7**

More states follow California to  
NIL, **29:3**

NCAA enforcement-miami case,  
**29:24**

NCAA interim NIL guidance, **29:20**

NIL commonly misunderstood and  
misinterpreted, **29:4**

O8217Bannon frames the NIL  
picture, **29:18**

Significant common ground in state  
NIL laws, **29:21**

Starting point, origins of the  
NCAA, **29:14**

### **NAMES**

Endorsement contracts, names and  
addresses of relevant organiza-  
tions (Exhibit 27A:G), **App  
27A**

**Intellectual Property Rights** (this  
index)

### **NATIONAL BASKETBALL ASSOCIATION (NBA)**

**Collective Bargaining** (this index)

**NATIONAL BASKETBALL  
ASSOCIATION (NBA)**

**—Cont'd**

Constitution and antitrust dilemma,  
franchises, **23:14**

**Negotiating National Basketball  
Association Contracts** (this  
index)

Players Contract (Standard Player  
Agent Contract) (Exhibit  
2A:H)

agent-player representation  
agreements, **App 2A**

**NATIONAL BASKETBALL  
ASSOCIATION PLAYERS'  
ASSOCIATION (NBPA)**

**Agent-Player Representation  
Agreements** (this index)

**NATIONAL BROADCASTING**

Economics of sports leagues, **19:10**

**NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION  
(NCAA)**

Enforcement. **NCAA Enforcement  
Process** (this index)

**Sex Discrimination in Amateur  
and Professional Sports** (this  
index)

**NATIONAL FOOTBALL LEAGUE  
(NFL)**

Alternatives to NFL for the profes-  
sional football player, **6:38 to  
6:41**

**Collective Bargaining** (this index)

Constitution and antitrust dilemma,  
franchises, **23:13**

Endorsement contracts, Player  
Contract (Exhibit 27A:E), **App  
27A**

Professional coaches. **Representing  
Coaches** (this index)

**Representing the Professional  
Football Player** (this index)

**NATIONAL FOOTBALL LEAGUE  
COACHES ASSOCIATION  
(NFLCA)**

Salary survey (2008), **App 6A to E**

**NATIONAL FOOTBALL LEAGUE  
PLAYERS' ASSOCIATION  
(NFLPA)**

**Agent-Player Representation  
Agreements** (this index)

Collective bargaining agreement  
between NFL Management  
Council and NFL Players  
Association, March 5, 2020,  
**App 6A**

Financial planning, NFLPA regula-  
tions and code of conduct  
governing registered player  
financial advisors, **App 3B**

**NATIONAL HOCKEY LEAGUE  
(NHL)**

Generally, **9:1 et seq.**

Agents, **9:2**

Arbitration

generally, **9:22**

club discipline, **9:23**

discipline dispute, **9:23**

injury grievances, **9:25**

league discipline, **9:24**

standard player contract, **9:11**

Assignment, **9:15**

Bonuses, **9:14**

Classes of free agency, **9:9**

Club discipline, **9:23**

**Collective Bargaining** (this index)

Compensation

arbitration, **9:11**

entry-level, **9:5**

salary cap, **9:27**

Compliance with contract negotia-  
tions, **9:28**

Constitution and antitrust dilemma,  
franchises, **23:12**

Contract negotiations, generally, **9:1  
et seq.**

Contractual disputes, **9:26**

## INDEX

### NATIONAL HOCKEY LEAGUE

#### (NHL)—Cont'd

##### Discipline

club discipline, **9:23**

dispute arbitration, **9:23, 9:24**

Discipline dispute arbitration, **9:23**

Dispute arbitration, **9:22 to 9:26**

Draft choice compensation, free agency, **9:10**

Drafts, **9:3 to 9:5**

Employment contract, **9:11**

Endorsement contracts, Collective Bargaining Agreement of June 1, 1988 Article XXII Endorsements (Exhibit 27A:A), **App 27A**

Endorsements, **9:19**

Entry draft, **9:3 to 9:5**

Entry drafts, **4:44**

Entry-level compensation, **9:5**

Escrow system, **9:27**

First refusal rights, **9:10**

Free agency, **9:8 to 9:10**

Guaranteed payment, **9:13**

Injury grievances, **9:25**

Injury protection, **9:16**

Insurance, **9:17**

Junior players, entry draft, **9:4**

League discipline, **9:24**

Payment, guaranteed, **9:13**

Pension, **9:18**

Performance enhancing substances, **9:20**

Right of first refusal and draft choice compensation, free agency, **9:10**

Salary arbitration, standard player contract, **9:11**

Salary cap, **9:27**

Standard player contract, **9:6 et seq.**

Termination, **9:13**

Tryout agreements, **9:7**

Two-way contracts and waivers, **9:12**

Waivers, **9:12**

### NATIONAL HOCKEY LEAGUE

#### PLAYERS' ASSOCIATION

#### (NHLPA)

##### Agent-Player Representation

Agreements (this index)

### NATIONAL LABOR RELATIONS ACTS

Antitrust issues in professional sports, **21:28**

### NBA

#### National Basketball Association

(NBA) (this index)

### NBA DEVELOPMENTAL LEAGUE

Basketball, negotiating National Basketball Association contracts, **7:36**

### NCAA

Generally. **National Collegiate Athletic Association (NCAA)** (this index)

Enforcement process. **NCAA Enforcement Process** (this index)

### NCAA ENFORCEMENT PROCESS

Generally, **13:1 et seq.**

Agents, **13:16**

Alston case, the final nail, **29:19**

Amateurism, **13:16**

Appeals, **13:13**

Battle over broadcast dollars starts path to NIL, **29:15**

Bloom makes an unsuccessful direct challenge to the NCAA regarding NIL, **29:17**

Board of regents case & antitrust liability for the NCAA, **29:16**

Collectives, **29:23**

Division I changes, **13:4**

Enforcement program, **13:3**

Evolution of NCAA guidance since July 2021, **29:22**

Future of NIL, **29:25**

## **NCAA ENFORCEMENT**

### **PROCESS—Cont'd**

- Gambling, **13:16**
- Hearings, **13:10**
- Independent accountability resolution, **13:15**
- Infractions report, **13:12**
- Investigations
  - conference, **13:8**
  - institutional, **13:8**
  - Level I/II, major infractions, **13:7**
- Level I/II, major infractions, **13:7**
- investigations, **13:7**
- process, **13:9**
- Level III infractions, process, **13:6**
- NCAA enforcement-miami case, **29:24**
- NCAA interim NIL guidance, **29:20**
- NCAA overview, **13:2**
- Negotiated resolution, **13:14**
- O8217Bannon frames the NIL picture, **29:18**
- 10ls and resources, **13:17**
- Principles of Institutional Control as Prepared by the NCAA Division I Committee on Infractions (Exhibit 13A:A), **App 13A**
- Report, infractions, **13:12**
- Rice Commission, **13:4**
- Secondary infractions, process, **13:6**
- Significant common ground in state NIL laws, **29:21**
- Starting point, origins of the NCAA, **29:14**
- Summary disposition, **13:11**
- Violation levels, definitions, **13:5**

## **NECESSITIES**

- Financial planning for professional athletes, **3:7, 3:14**

## **NEGLIGENCE**

- Clearance to play, team physician, liability of sports medicine providers and related entities, **16:8**

## **NEGLIGENCE—Cont'd**

- Liability for sports injuries, tort liability of one participant to another, **15:3, 15:7**
- Quality control. **Products Liability for Defective Athletic Equipment** (this index)
- Violence in professional sports, player violence, **18:15**

## **NEGOTIABLE ITEMS**

- Collective bargaining, standard player contracts, **4:14**

## **NEGOTIATING FOR THE PROFESSIONAL BASEBALL PLAYER**

- Generally, **5:1 to 5:33**
- Agents, **5:18**
- Arbitration eligible players, **5:25 to 5:27**
- Base compensation, **5:21**
- Compensation, **5:7, 5:21**
- Contract term, **5:20**
- Covenants, permissible special, **5:8**
- Drafts. First-year player draft, below
- Excluded from first-year player draft, persons, **5:11**
- First-year player draft
  - generally, **5:2**
  - contract terms, **5:6 to 5:9**
  - covenants, permissible special, **5:8**
  - drafted players, representation, **5:5**
  - draft-eligible players, representation, **5:5**
  - eligibility for, **5:3**
  - excluded from first-year player draft, persons, **5:11**
  - market for drafted players, **5:10**
  - negotiation rules, **5:4**
  - representation of draft-eligible and drafted players, **5:5**
  - salary and signing bonus, **5:7**
  - side letters, **5:9**

## INDEX

### NEGOTIATING FOR THE PROFESSIONAL BASEBALL PLAYER—Cont'd

Free agents  
    major league players, **5:28 to 5:31**  
    minor league players, **5:14**  
Future developments, **5:32**  
Incentives, **5:22**  
Major league players  
    generally, **5:16**  
    agents, **5:18**  
    arbitration eligible players, **5:25 to 5:27**  
    base compensation, **5:21**  
    contract term, **5:20**  
    free agents, **5:28 to 5:31**  
    incentives, **5:22**  
    miscellaneous provisions, **5:23**  
    MLBPA representation, **5:17, 5:18**  
    negotiable items, **5:19 to 5:23**  
    reserve players, **5:24**  
Market for drafted players, **5:10**  
Minor league players  
    generally, **5:12**  
    free agents, **5:14**  
    renewal, players subject to, **5:13**  
MLBPA representation, **5:17, 5:18**  
Negotiable items, **5:19 to 5:23**  
Negotiation rules, **5:4**  
Renewal, players subject to, **5:13**  
Reserve players, **5:24**  
Salary and signing bonus, **5:7**  
Side letters, **5:9**  
Signing bonus, **5:7**

### NEGOTIATING NATIONAL BASKETBALL ASSOCIATION CONTRACTS

Generally, **7:1 et seq.**  
Agents, certification, **7:12**  
Alternate UPC section 7(b), **7:26**  
Amnesty provisions, **7:10**  
Antidrug agreement, **7:35**  
Cap, salary, **7:5 et seq.**

### NEGOTIATING NATIONAL BASKETBALL ASSOCIATION CONTRACTS —Cont'd

Certification, agents, **7:12**  
Compensation protection, **7:21**  
Contracts for draftees, **7:14**  
Developmental League, **7:36**  
Discipline of player, **7:34**  
Draft, **7:13 et seq.**  
Exceptions to salary cap, **7:8**  
First round draft picks, **7:30**  
Free agents  
    first round draft picks, **7:30**  
    restricted, **7:29**  
    undrafted, **7:16**  
    unrestricted, **7:31, 7:32**  
Length of contract, maximum allowable, **7:20**  
Life, **7:33**  
Lifecycle, overview, **7:11**  
Love of the game, **7:24**  
Luxury tax, **7:9**  
Maximum allowable contract length, **7:20**  
Minimum team salary, **7:6**  
NBA Developmental League, **7:36**  
Physical exam, **7:25**  
Player benefits, **7:37**  
Player discipline, **7:34**  
Prior injury exclusion, **7:22**  
Rockie scale contracts, **7:15**  
Salary cap exceptions, **7:8**  
Salary cap system, **7:5 et seq.**  
Second round draft picks, **7:31**  
Sign-and-trades, uniform player contracts, **7:27**  
Soft salary cap system, **7:7**  
Split of revenues, **7:4**  
Term of contract, **7:3**  
Trade payment or kickers, **7:23**  
Training camp, **7:28**  
2011 lockout, overview, **7:2**  
Undrafted free agents, **7:31**

**NEGOTIATING NATIONAL  
BASKETBALL  
ASSOCIATION CONTRACTS  
—Cont'd**

Uniform player contracts, **7:17**  
changes, **7:18**  
Exhibits, **7:19 et seq.**  
Unrestricted free agency, **7:32**

**NEGOTIATING NATIONAL  
HOCKEY LEAGUE  
CONTRACTS**

Collective Bargaining Agreement  
Between National Hockey  
League Players' Association  
and the National Hockey  
League Member Clubs, Janu-  
ary 13, 1995, **App 9A**

**NEGOTIATIONS**

Collective bargaining, protracted  
negotiations, **4:8**  
Resolution, NCAA enforcement,  
**13:14**

**NFL**

**National Football League (NFL)**  
(this index)

**NHL**

**National Hockey League (NHL)**  
(this index)

**NICKNAME**

Intellectual property rights, **28:10**

**“NO COMPETITION”  
ARGUMENT**

Antitrust issues in professional  
sports, **21:14**

**NON-LEAGUE PLAYERS**

Collective bargaining, draft, **4:13**

**NON-MARITAL AGREEMENTS**

**Family Law/Domestic Relations  
Issues** (this index)

**NONRESIDENT PROFESSIONAL  
ATHLETES**

**State and Local Taxation of  
Professional Athletes** (this  
index)

**NONRESIDENT STATUS**

Taxation of athletes, foreign  
athletes, **24:41 to 24:43**

**“NO RELOCATION—NO MOVE”  
CLAUSES**

Franchises, **23:2**

**NORRIS LAGUARDIA ACT**

Antitrust issues in professional  
sports, **21:27**

**NO-STRIKE PROVISIONS**

WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

**NOTICE**

Amateur athletics, due process,  
**12:47, 12:49**  
Intellectual property rights, **28:39**

**NO-TRADE CLAUSES**

Collective bargaining, NBA, **4:37**

**NPLPA GROUP LICENSING  
ASSIGNMENT (EXHIBIT  
27A:F)**

Endorsement contracts, **App 27A**

**OAKLAND RAIDERS**

Franchises, eminent domain, **23:30**

**O8217BANNON**

Frames the NIL picture, **29:18**

**OCR COMPLIANCE  
MONITORING**

Sex discrimination in amateur and  
professional sports, enforce-  
ment of Title IX, **14:33**

**OFFER AND ACCEPTANCE**

Agent-player representation agree-  
ments, **2:3**

**OFFER SHEET**

WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

**OFF-SEASON**

Professional football player,  
workout rules, **App 6L**

## INDEX

### OFF-SEASON—Cont'd

State and local taxation of professional athletes, application of allocation formulas, **26:12**

**Women's National Basketball Association** (this index)

### OLYMPIC HIATUS

WNBA/WNBPA collective bargaining agreement, **App 8A**

### ON-THE-FIELD MISCONDUCT

**Player Discipline in Professional Team Sports** (this index)

### OPTIONS

Franchises

stadium, option to buy, **23:7, 23:8**

"third-party buyer"/"right of first refusal" clauses, **23:4 to 23:9**

Representing the professional football player, option clause, **6:18**

### ORDINARY AND NECESSARY BUSINESS EXPENSES

Taxation of athletes, **24:22**

### OWNERSHIP

Antitrust issues in professional sports, restrictions, **21:7**

Intellectual property rights, **28:14, 28:32 to 28:34, 28:44**

Taxation of sports franchises, forms of ownership, **25:8 to 25:23**

### PAID SEAT LICENSES

Professional football players, examples of PSL deductions, **App 6M**

### PARITY

Sex discrimination in amateur and professional sports, social and economic parity, **14:26**

### PARTIAL DISABILITY

Workers' compensation, **17:8, 17:9**

### PARTNERSHIPS

**Taxation of Sports Franchises** (this index)

### PASSIVE LOSS RULES

Taxation of sports franchises, **25:7**

### PATENTS

**Intellectual Property Rights** (this index)

### PATERNITY

Family law/domestic relations issues, **3A:6**

Financial planning for professional athletes, **3:56, 3:57**

### PAYMENT

Agent-player representation agreements, timing of payment of fees, **2:15**

National Hockey League (NHL), guaranteed payment, **9:13**

### PEERS

Financial planning for professional athletes, **3:9**

### PENSIONS

Collective bargaining, **4:16**

Financial planning for professional athletes, **3:59**

National Hockey League (NHL), **9:18**

Taxation of athletes, **24:47**

### PERFORMANCE ENHANCING SUBSTANCES

National Hockey League (NHL), **9:20**

### PERMANENT INSURANCE

Financial planning for professional athletes, **3:53**

### PERMANENT PARTIAL DISABILITY

Workers' compensation, **17:9**

**PERMANENT TOTAL  
DISABILITY**

Workers' compensation, **17:10**

**PERPETUALITY**

Enforceability of employment agreements, **10:26**

**PERSONAL APPEARANCES**

Endorsement contracts, **27:30**  
Taxation of athletes, **24:6**

**PERSONAL HOLDING  
COMPANIES**

Taxation of athletes, **24:52**

**PERSONAL PROPERTY**

Taxation of sports franchises,  
tangible property, **25:5**

**PERSONAL SERVICE  
CORPORATIONS**

**Taxation of Athletes** (this index)

**PERSONAL SERVICES**

State and local taxation of profes-  
sional athletes, compensation  
for performing pursuant to  
contract, **26:15**

**PHYSICAL CONDITION**

Professional football player, off-  
season workout rules, **App 6L**  
WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

**PHYSICAL EXAMINATIONS**

Liability of sports medicine provid-  
ers and related entities, team  
physician, **16:4, 16:5**  
Professional football player, **App 6I**

**PHYSICAL IMPAIRMENT  
RESTRICTIONS**

Amateur athletics, eligibility issues,  
**12:12**

**PHYSICAL INJURIES**

**Injuries** (this index)  
**Liability for Sports Injuries** (this  
index)

**PHYSICAL THERAPISTS**

Liability of sports medicine provid-  
ers and related entities, **16:16**

**PHYSICIANS**

**Liability of Sports Medicine  
Providers and Related Enti-  
ties** (this index)

Malpractice. **Liability for Sports  
Injuries** (this index)

Participation approval, handicapped  
athlete's legal right to partici-  
pate in sports, liability of  
sports medicine providers and  
related entities, **16:36, 16:37**

**PIAZZA**

Franchises, Major League Baseball  
constitution and antitrust  
dilemma, **23:16**

**PICTURES**

WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

**PIRACY OF SATELLITE  
TRANSMISSIONS**

Sports broadcasting, **20:12 to 20:14**

**PLAYER ADVISORY PANEL**

WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

**PLAYER AGENTS**

**Agents** (this index)

**PLAYER ALLOCATION RULES**

Antitrust issues in professional  
sports, **21:18 to 21:21**

**PLAYER CONTRACTS**

Representing the professional  
football player, **6:5, App 6C**  
Taxation of sports franchises, **25:4,**  
**25:27, 25:28**

**PLAYER CORPORATIONS**

Collective bargaining, NBA, **4:42**

## INDEX

### PLAYER DISCIPLINE IN PROFESSIONAL TEAM SPORTS

Generally, **11:1 et seq.**  
Analysis of league disciplinary systems, **11:17 et seq.**  
Appeal, discipline by commissioner, football, **11:29**  
Baseball  
    generally, **11:18 to 11:23**  
    club, discipline by, **11:19**  
    commissioner and league presidents, discipline by, **11:20 to 11:22**  
    on the field misconduct, discipline by commissioner and league presidents, **11:21**  
    grievance procedure, **11:23**  
    integrity issues, discipline by commissioner and league presidents, **11:22**  
    league presidents, discipline by, **11:20 to 11:22**  
Basketball  
    generally, **11:31 to 11:34**  
    board of governors, discipline by, **11:33**  
    club, discipline by, **11:32**  
    commissioner and board of governors, discipline by, **11:33**  
    grievance procedure, **11:34**  
    negotiating National Basketball Association contracts, **7:34**  
Board of governors, discipline by, basketball, **11:33**  
Bylaws of league, **11:6, 11:7**  
Categories of discipline, **11:12 to 11:16**  
Club, discipline by  
    baseball, **11:19**  
    basketball, **11:32**  
    football, **11:25**  
    hockey, **9:23, 11:36**  
Collective bargaining agreement, **11:4**

### PLAYER DISCIPLINE IN PROFESSIONAL TEAM SPORTS—Cont'd

Commissioner, discipline by  
    baseball, **11:20 to 11:22**  
    basketball, **11:33**  
    football, **11:26 to 11:29**  
    hockey, **11:37**  
Constitution of league, **11:6, 11:7**  
Contract-related discipline, on-the-field misconduct, **11:14**  
Double jeopardy, Latrell Sprewell case study, **11:43**  
Drug-related discipline, **11:16**  
Dual discipline and double jeopardy, Latrell Sprewell case study, **11:43**  
Evidence, Latrell Sprewell case study, **11:40**  
Feerik's ruling on severity of discipline, Latrell Sprewell case study, **11:44**  
Football  
    generally, **11:24 to 11:30**  
    appeal, discipline by commissioner, **11:29**  
    club, discipline by, **11:25**  
    commissioner, discipline by, **11:26 to 11:29**  
    conduct detrimental to integrity of game, discipline by commissioner, **11:28**  
    grievance procedure, **11:30**  
    on-the-field conduct, discipline by commissioner, **11:27**  
    rights on appeal, discipline by commissioner, **11:29**  
Grievance procedure  
    baseball, **11:23**  
    basketball, **11:34**  
    football, **11:30**  
    hockey, **11:38**  
Hockey  
    generally, **11:35 to 11:38**  
    arbitration of discipline dispute, **9:23, 9:24**

**PLAYER DISCIPLINE IN  
PROFESSIONAL TEAM  
SPORTS—Cont'd**

Hockey—Cont'd  
     club, discipline by, **9:23, 11:36**  
     commissioner, discipline by,  
         **11:37**  
     grievance procedure, **11:38**  
     Industry structure, **11:2 et seq.**  
     Integrity-related misconduct  
         generally, **11:15**  
         baseball, **11:22**  
         football, **11:28**  
     Interplay of rules, **11:8**  
     Investigation and discipline, Latrell  
         Sprewell case study, **11:41**  
     Labor law, **11:10**  
     Latrell Sprewell case study  
         generally, **11:39 to 11:44**  
         discipline, **11:41**  
         double jeopardy, **11:43**  
         dual discipline and double jeop-  
             ardy, **11:43**  
         evidence, **11:40**  
         Feerik's ruling on the severity of  
             discipline, **11:44**  
         investigation and discipline,  
             **11:41**  
         standard of review, **11:42**  
     League constitution and bylaws,  
         **11:6, 11:7**  
     League disciplinary systems, analy-  
         sis of, **11:17 et seq.**  
     League presidents, discipline by,  
         baseball, **11:20 to 11:22**  
     Legislation, in general, **11:9 to**  
         **11:11**  
     Negotiating National Basketball  
         Association contracts, **7:34**  
     On-the-field misconduct  
         generally, **11:13, 11:14**  
         baseball, discipline by commis-  
             sioner and league presidents,  
                 **11:21**  
         football, discipline by commis-  
             sioner, **11:27**

**PLAYER DISCIPLINE IN  
PROFESSIONAL TEAM  
SPORTS—Cont'd**

Players, generally, **11:2**  
     Private association law, **11:11**  
     Rights on appeal, discipline by  
         commissioner, football, **11:29**  
     Rules, generally, **11:3 et seq.**  
     Sprewell, Latrell. Latrell Sprewell  
         case study, above  
     Standard of review, Latrell Sprewell  
         case study, **11:42**  
     Uniform player contract, **11:5**  
     WNBA/WNBPA collective bargain-  
         ing agreement, **App 8A**

**PLAYER POOL**

Representing the professional  
     football player, rookies enter-  
         ing, **6:27**

**PLAYER-RELATED EXPENSES**

WNBA/WNBPA collective bargain-  
     ing agreement, **App 8A**

**PLAYERS ASSOCIATIONS**

**Canadian Football League (CFL)**  
     (this index)  
**Major League Baseball Players**  
**Association (MLBPA)** (this  
     index)  
**National Basketball Players'**  
**Association (NBPA)** (this  
     index)  
**National Football League Players'**  
**Association (NFLPA)** (this  
     index)  
**National Hockey League Players'**  
**Association (NHLPA)** (this  
     index)  
     Regulation. **Agents** (this index)

**PLAYER VIOLENCE**

**Violence in Professional Sports**  
     (this index)

**PLAYING RULES**

**Game Rules** (this index)

## INDEX

### PLAYOFFS

State and local taxation of professional athletes, application of allocation formulas, **26:11**

### POOLING

Sports broadcasting, Sports Broadcast Act of 1961, **20:19**

### PORTFOLIO

Financial planning for professional athletes, **3:47**

### POST-SEASON SALARIES

Collective bargaining, **4:16**

### POWERS OF ATTORNEY

Agent-player representation agreements, **2:23**

### PRACTICE SQUAD

Representing the professional football player, rookies, **6:29**

### PRENUPTIAL AGREEMENTS

Family law/domestic relations issues, **3A:5**

### PREPARTICIPATION PHYSICALS AND SCREENING EXAMINATIONS

Liability of sports medicine providers and related entities, team physician, **16:4, 16:5**

### PRESCRIPTION OF DRUGS

Liability of sports medicine providers and related entities, team physician, **16:7**

### PRE-SEASON PHYSICAL EXAMINATION

Professional football player, **App 6I**

### PRE-SEASON SALARIES

Collective bargaining, **4:16**  
State and local taxation of professional athletes, application of allocation formulas, **26:10**

### PRESS

Intellectual property rights, **2App 8A8**

### PREVENTION OF INJURY TO PARTICIPANTS

Sex discrimination in amateur and professional sports, **14:19, 14:20**

### PRINCIPAL AND AGENT

Agents (this index)

### PRIVACY AND PRIVACY RIGHTS

Amateur athletics, **12:50**  
Family law/domestic relations issues affecting high new worth athlete or coach, **3A:14**  
Intellectual property rights, **2App 8A4**  
Liability for sports injuries, publication of private facts, **15:39**

### PRIVATE ASSOCIATION LAW

Player discipline in professional team sports, **11:11**

### PRIVATE CAUSES OF ACTION

Sex discrimination in amateur and professional sports, enforcement of Title IX, **14:34**

### PRIZES

Taxation of athletes, **24:5**

### PRODUCTS LIABILITY FOR DEFECTIVE ATHLETIC EQUIPMENT

Generally, **15:14 to 15:23**  
Breach of warranty, **15:19**  
“Defective condition unreasonably dangerous,” strict liability, **15:21**  
Defective marketing, negligence quality control, **15:17**  
Defenses, **15:22**  
Design, defective, **15:16**  
Failure to warn  
negligence quality control, **15:17**

**PRODUCTS LIABILITY FOR  
DEFECTIVE ATHLETIC  
EQUIPMENT—Cont'd**

- Failure to warn—Cont'd  
strict liability, **15:20**
- Intervening causes, negligence  
quality control, **15:18**
- Marketing, negligence quality  
control, **15:17**
- Negligence quality control  
generally, **15:15 to 15:18**  
defective marketing, **15:17**  
design, defective, **15:16**  
failure to warn, **15:17**  
intervening causes, **15:18**  
marketing, defective, **15:17**  
warning, **15:17**
- Quality control, negligence, **15:15  
to 15:18**
- Strict liability, **15:20, 15:21**
- Warnings. Failure to warn, above
- Warranty, breach of, **15:19**

**PROFESSIONAL ATHLETES**

- See also other entries throughout  
this index
- Economics of sports leagues, **19:11**

**PROFESSIONAL ATHLETICS**

- See also other entries throughout  
this index
- Sex discrimination in amateur and  
professional sports, equal  
employment opportunities,  
**14:28**

**PROFESSIONAL COACHES**

- Representing Coaches** (this index)

**PROFESSIONAL CONDUCT**

- Conduct** (this index)

**PROFESSIONAL CONTRACTS**

- Amateur athletics, maintaining  
amateurism, **12:4**

**PROFESSIONAL ENTERPRISE**

- College sports, **29:13**
- Volunteer workforce, **29:13**

**PROFESSIONAL FOOTBALL  
STABILIZATION ACT OF  
1985**

- Franchises, **23:21**

**PROFESSIONAL SPORTS**

- Antitrust Issues in Professional  
Sports** (this index)
- Baseball players. See negotiating  
for the professional baseball  
player
- Coaches. **Representing Coaches**  
(this index)
- Collective Bargaining** (this index)
- Endorsement contracts, professional  
sports regulations, restrictions  
on endorsements, **27:5**
- Financial Planning** (this index)
- Football. **Representing the Profes-  
sional Football Player** (this  
index)
- Franchises, professional sports  
league constitutions and  
antitrust dilemma, **23:11 to  
23:19**
- Franchises** (this index)
- Historic divide between amateur &  
professional sports and NIL,  
**29:9**
- Hockey. **National Hockey League  
(NHL)** (this index)
- Liability of Sports Medicine  
Providers and Related Enti-  
ties** (this index)
- Player Discipline in Professional  
Team Sports** (this index)
- Sex Discrimination in Amateur  
and Professional Sports** (this  
index)
- Taxation of Athletes** (this index)
- Teams and employees. **Liability of  
Sports Medicine Providers  
and Related Entities** (this  
index)
- Violence in Professional Sports**  
(this index)

## INDEX

### PROFESSIONAL SPORTS

#### —Cont'd

**Workers' Compensation** (this index)

### PROFESSIONAL SPORTS

#### FRANCHISE RELOCATION ACT

Generally, **23:22**

### PROGRAM BOOKS

Sample cover page and table of contents, **App 6A to C**

### PROMOTIONS

Endorsement contracts, **27:23**

Taxation of athletes, **24:6**

WNBA/WNBPA collective bargaining agreement, **App 8A**

### PROPERTY INTEREST

Amateur athletics, due process, **12:44**

### PROPERTY RIGHTS

**Family Law/Domestic Relations Issues** (this index)

**Sports Broadcasting** (this index)

### PROPERTY TAXES

Financing and design of sports venues, political feasibility and revenue generation, **22:10**

### PROPRIETARY OWNERSHIP

Franchises, right to, **23:7, 23:8**

### PROTECTION

Workers' compensation, injury protection credit, **17:18, 17:19**

### PSL (PAID SEAT LICENSES)

Professional football, **App 6M**

### PSYCHOLOGICAL INJURY

Sex discrimination in amateur and professional sports, prevention of, **14:20**

### PUBLIC ACCOMMODATIONS

#### LAWS

Sex discrimination in amateur and professional sports, **14:57**

### PUBLICATION

Liability for sports injuries, publication of private facts, **15:39**

### PUBLIC AUTHORITIES

Financing and design of sports venues, **22:14**

### PUBLIC FIGURE/PRIVATE FIGURE DICHOTOMY

Liability for sports injuries, **15:35**

### PUBLICITY, RIGHTS OF

**Intellectual Property Rights** (this index)

### PUBLIC REGULATION AND SEX-BASED CLASSIFICATIONS IN SPORTS

**Sex Discrimination in Amateur and Professional Sports** (this index)

### PUBLIC SPORTS FACILITIES

Amateur athletics, access, **12:32**

### PUNITIVE DAMAGES

Liability for sports injuries, tort liability of one participant to another, **15:8**

### QUALIFICATIONS

Financial planning for professional athletes, **3:9**

### QUALITY CONTROL

Products liability for defective athletic equipment, negligence, **15:15 to 15:18**

### RACE DISCRIMINATION

Amateur athletics, **12:35**

### RAIDING

Liability for sports injuries, intentional interference with

**RAIDING—Cont'd**

contractual relations, **15:42**

**RATES**

Taxation of athletes, **24:37 to 24:39**

Taxation of sports franchises, **25:14**

**RATIFICATION SIDE LETTER**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**REAL PROPERTY**

Taxation of sports franchises, **25:6**

**RECKLESSNESS**

Liability for sports injuries, tort liability of one participant to another, **15:4**

Violence in professional sports, player violence, **18:15**

**RECOGNITION CLAUSE**

Women's National Basketball Association (Art. II WNBA/WNBPA collective bargaining agreement), **App 8A**

**RECRUITING**

Amateur athletics, **12:5**

Enforceability of employment agreements, **10:10**

**REGISTRATION**

**Agent-Player Representation Agreements** (this index)

Financial planning for professional athletes, **3:13**

Intellectual property rights, **28:15, 28:35, 28:50**

National Football League Players' Association regulations and code of conduct governing registered player financial advisors, **App 3B**

Professional sports, registration information, **App 1A**

**REGULAR SEASON**

State and local taxation of professional athletes, application of allocation formulas, **26:9**

**REGULATIONS GOVERNING CONTRACT ADVISORS**

Agent-player representation agreements, regulations governing contract advisors registered with CFLPA (Exhibit 2A:1), **App 2A**

**REHABILITATION ACT OF 1973**

Liability of sports medicine providers and related entities, **16:33 to 16:37**

**REIMBURSEMENT OF MOVING EXPENSES**

State and local taxation of professional athletes, **26:21**

**REJECTION OF SEPARATE BUT EQUAL TEAMS**

Sex discrimination in amateur and professional sports, **14:11**

**RELEASE**

WNBA/WNBPA collective bargaining agreement, mutual release, **App 8A**

**RELOCATION**

**Franchises** (this index)

**REMEDIES**

**Enforceability of Sports Industry Employment Agreements** (this index)

**REPORTING BONUSES**

Representing the professional football player, **6:9**

State and local taxation of professional athletes, **26:17**

**REPORTS**

Infractions, NCAA enforcement, **13:12**

**REPRESENTATION AGREEMENT**

Agent-player representation agreements, representation agreement between NFLPA member

## INDEX

### REPRESENTATION

#### AGREEMENT—Cont'd

contract advisor and player  
(Exhibit 2A:D), **App 2A**

### REPRESENTATION OF NFL PLAYERS

Representing the professional  
football player, **6:3**

### REPRESENTATIONS AND WARRANTIES

Agent-player representation agree-  
ments, **2:16**

### REPRESENTING COACHES

College coaches

compensation

FBS head football coach  
compensation, 2020-  
2021, **App 6A-G**

representing college coaches,  
2010 Big 12 football  
coaches salary survey,  
**App 6A to B**

top 50 highest paid college  
football coaches [reported  
guaranteed compensation  
from university], **App 6A  
to A**

compensation, FBS head football  
coaches, **App 6A-A**

employment

agreement by and between  
Ohio State University and  
Thad Matta, **App 6A to F**

agreement by and between  
University of Alabama  
and Nick Saban, **App 6A  
to D**

top 50 highest paid college  
football coaches [reported  
guaranteed compensation  
from university], **App 6A to  
A**

2010 Big 12 football coaches  
salary survey, **App 6A to B**

Compensation

college coaches, above

### REPRESENTING COACHES

#### —Cont'd

Compensation, FBS head football  
coaches, **App 6A-A**

Employment agreements

Ohio State University and Thad  
Matta, **App 6A to F**

University of Alabama and Nick  
Saban, **App 6A to D**

FBS head football coach compensa-  
tion, 2020-2021, **App 6A-G**

Generally, **6A:1**

Professional coaches

2008 NFLCA salary survey as of  
August 31, 2007, **App 6A to  
E**

Program book

sample cover page and table of  
contents, **App 6A to C**

Top 50 highest paid college football  
coaches [reported guaranteed  
compensation from university],  
**App 6A to A**

2010 Big 12 football coaches salary  
survey, **App 6A to B**

2008 NFLCA salary survey as of  
August 31, 2007, **App 6A to E**

### REPRESENTING THE PROFESSIONAL FOOTBALL PLAYER

Generally, **6:1 et seq.**

Accountants

accountant's review procedures,  
**App 6H**

agreed-upon procedures report,  
**App 6H to 1**

local accountant's agreed-upon  
procedures report, **App 6H  
to 2**

Actuarial assumptions and actuarial  
cost method, **App 6J**

Adjustment mechanism examples,  
**App 6P**

Alternate payment schedules, **6:16**

Alternatives to the NFL, **6:38 to  
6:41**

**REPRESENTING THE  
PROFESSIONAL FOOTBALL  
PLAYER—Cont'd**

Arena football leagues, **6:40**  
 Bonuses, **6:8 et seq.**  
 Canadian Football League, **6:39**  
 Compensation, elements of, **6:6 et seq.**  
 Completion bonus, **6:12**  
 Contract, NFL players, **6:5, App 6C**  
 Draft, rookies, **6:26**  
 Escalator clause, **6:15**  
 Exclusive-rights players, **6:31**  
 Extension chart, **App 6K**  
 First refusal rights  
     exercise notice, **App 6E**  
     offer sheet, **App 6D**  
 First-year players  
     generally, **6:25 et seq.**  
     draft, **6:26**  
     entering player pool, **6:27**  
     NFL draft, **6:26**  
     player pool, entering, **6:27**  
     practice squad, **6:29**  
     preparing for the draft, **6:25**  
     structuring rookie contracts, **6:28**  
 Franchise players, **6:35**  
 Free agents, veteran players, **6:32, 6:33**  
 Guarantees, **6:20**  
 Health reimbursement plan actuarial assumptions and funding, **App 6J to 1**  
 Incentives, **6:13 et seq.**  
 Injury protection/early waiver, **App 6B**  
 Labor relations in the NFL, **6:2**  
 Limits, salary cap, **6:22 to 6:24**  
 Local accountant's agreed-upon procedures report, **App 6H to 2**  
 Negotiable issues, generally, **6:4 et seq.**  
 NFL  
     alternatives to, **6:38 to 6:41**  
     draft, rookies, **6:26**

**REPRESENTING THE  
PROFESSIONAL FOOTBALL  
PLAYER—Cont'd**

NFL—Cont'd  
     player contract, **6:5, App 6C**  
     Notice of termination, **App 6G**  
     Off-season workout rules, **App 6L**  
     Option clause, **6:18**  
     Other leagues, **6:41**  
     Overall salary cap, **6:23**  
     Paid seat license (PSL) examples, **App 6M**  
     Paragraph 5 salary, **6:7**  
     Player contract, **6:5**  
     Player pool, rookies entering, **6:27**  
     Practice squad, rookies, **6:29**  
     PSL examples, **App 6M**  
     Reporting bonus, **6:9**  
     Representation of NFL players, **6:3**  
     Restricted free agents, **6:32**  
     Revenue accounting rules, **App 6H to 3**  
     Rollover incentives, **6:14**  
     Rookies. First-year player, above  
     Roster bonus, **6:10**  
     Salary cap, **6:22 to 6:24, 6:37**  
     Salary CAP calculation example, **App 6O**  
     Signing bonus, **6:8**  
     Standard minimum preseason physical examination, **App 6I**  
     Termination notice, **App 6G**  
     Term of contract, **6:17 to 6:21**  
     Transition players, **6:34**  
     Unrestricted free agents, **6:33**  
     Valuation of player contracts and salary cap, **6:24**  
     Variety incentives, **6:13**  
     Veteran players  
         generally, **6:30 et seq.**  
         exclusive-rights players, **6:31**  
         franchise players, **6:35**  
         free agents, **6:32, 6:33**  
         restricted free agents, **6:32**  
         salary cap, **6:37**

## INDEX

### REPRESENTING THE PROFESSIONAL FOOTBALL PLAYER—Cont'd

Veteran players—Cont'd  
transition players, **6:34**  
unrestricted free agents, **6:33**  
Voidable years, **6:19**  
Waiver of free agent rights, **App 6F**  
Workout bonus, **6:11**  
Written warning good faith effort,  
**App 6N**

### RESERVE PLAYERS

Baseball, negotiating for the profes-  
sional baseball player, **5:24**

### RESERVE RULES

Antitrust issues in professional  
sports, **21:20**

### RESIDENCE

Enforceability of employment  
agreements, player's residence  
as appropriate forum, **10:4**

### RESIDENCY ISSUES

State and local taxation of profes-  
sional athletes, **26:34**

### RESIDENT OR NONRESIDENT STATUS

Taxation of athletes, **24:41 to 24:43**

### RESTRICTED FREE AGENTS

Representing the professional  
football player, **6:32**

### RESTRICTIONS

Amateur athletics, restrictions based  
on marital and related status,  
**12:13**

**Antitrust Issues in Professional  
Sports** (this index)

Endorsement contracts, **27:3 to  
27:8**

### RETENTION METHODS

**Franchises** (this index)

### RETIREMENT PLANS

**Financial Planning** (this index)

### RETRANSMISSION OF SPORTS TELECASTS

Sports broadcasting, **20:8 to 20:11**

### RETURNS

State and local taxation of profes-  
sional athletes, **26:35**

### REVENUE SHARING

WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

### RICE COMMISSION

NCAA enforcement, **13:4**

### RIGHT OF FIRST REFUSAL

Collective bargaining, **4:36**  
Franchises, **23:4 to 23:9, 23:8**  
National Hockey League (NHL),  
right of first refusal and draft  
choice compensation, **9:10**

### RIGHT OF PUBLICITY

Exploring the parameters of the,  
**29:8**

Zacchini case, **29:8**

### RIGHT OF SET-OFF

WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

### RIGHT OF TERMINATION

Endorsement contracts, **27:35,  
27:36**

### RIGHTS

Amateur athletics, **12:19, 12:20**

### RIGHTS ON APPEAL

Player discipline in professional  
team sports, **11:29**

### RIGHTS TO BENEFITS

Workers' compensation, **17:12**

### RIGHT TO PROPRIETARY OWNERSHIP

Franchises, **23:7, 23:8**

### ROBERTSON DECREE AND SETTLEMENT

Collective bargaining, **4:34**

**ROLLOVER INCENTIVES**

Representing the professional football player, **6:14**

**ROOKIE SCALE**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**ROOM AND BOARD**

Taxation of athletes, **24:8**

**ROSTER BONUS**

Representing the professional football player, **6:10**

**ROSTERS AND NUMBER OF GAMES**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**ROYALTIES**

Taxation of athletes, **24:7**

**ROYALTY PAYMENTS**

Sports broadcasting, **20:9**

**RULE-OF-REASONABLENESS DEFENSE**

Antitrust issues in professional sports, **21:15**

**RULE REFORM AND ARBITRATION BOARD**

Violence in professional sports, **1App 8A6**

**RULES**

**Game Rules** (this index)

**RULES CLASSIFYING SPORTS ON THE BASIS OF SEX**

Sex discrimination in amateur and professional sports, **14:13 to 14:17**

**SAFETY ISSUES**

Collective bargaining, **4:18**

**SALARIES**

**Compensation** (this index)

**SALARY ARBITRATION**

National Hockey League (NHL), **9:11**

**SALARY CAP**

Basketball, negotiating National Basketball Association contracts, **7:5 et seq.**

Football, representing the professional football player, **6:22 to 6:24, 6:37, App 6O**

Hockey, negotiating National Hockey League (NHL) contracts, **9:27**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**SALES**

Financial planning for professional athletes, **3:8**

**Franchises** (this index)

Taxation of sports franchises, **25:22**

**SALES TAXES**

Financing and design of sports venues

Denver, **22:12**

political feasibility and revenue generation, **22:7**

**SAN DIEGO**

Financing and design of sports venues, unprecedented guarantee, **22:13**

**SATELLITE TRANSMISSIONS**

Sports broadcasting, **20:12 to 20:14**

**SAVINGS CLAUSE**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**SCHOLARSHIPS**

Liability of sports medicine providers and related entities, **16:27**

Taxation of athletes, **24:5**

**S CORPORATIONS**

Taxation of sports franchises, **25:11, 25:17**

## INDEX

### SCREENING EXAMINATIONS

Liability of sports medicine providers and related entities, **16:4, 16:5**

### SEATTLE SEAHAWKS RELOCATION

Franchises, **23:38**

### SECRECY

Intellectual property rights, **28:45**

### SEP

Financial planning for professional athletes, **3:60**

### SEPARATE BUT EQUAL DEFENSE

Sex discrimination in amateur and professional sports, **14:5, 14:6**

### SEPARATE TEAMS AND CLASSES

Sex discrimination in amateur and professional sports, **14:38**

### SERVICE MARK

Intellectual property rights, **2App 8A**

### SERVICES

Agent-player representation agreements, **2:8**

Taxation of athletes, **24:4**

### SET-OFF

Women's National Basketball Association, **App 8A**

### SEVERANCE PAY

Collective bargaining, **4:16**

### SEX-BASED CLASSIFICATIONS

**Sex Discrimination in Amateur and Professional Sports** (this index)

### SEX DISCRIMINATION IN AMATEUR AND PROFESSIONAL SPORTS

Generally, **14:1 et seq.**

### SEX DISCRIMINATION IN AMATEUR AND PROFESSIONAL SPORTS —Cont'd

Administrators, equal opportunity for, Title IX, **14:43**

Amateur athletics  
generally, **12:34**  
equal employment opportunities, **14:29**

Approval of separate but equal teams, rules classifying sports teams on basis of sex, **14:10**

Athletes, equal opportunity for, Title IX, **14:42**

Athletic commissions, public regulation and sex-based classifications, **14:53**

Athletic regulations. Title IX, below  
Availability of programs, **14:25**

Boxing, public regulation and sex-based classifications, **14:56**

Burden of proof, enforcement of Title IX, **14:35**

Challenger interests denied by sex-based classifications in sports, generally, **14:23 to 14:29**

Coaches and administrators, equal opportunity for, Title IX, **14:43**

Colleges, recent measures by colleges to comply with Title IX regulations, **14:41**

Compliance to Title IX, recent studies of intercollegiate athletics and, **14:44 to 14:46**

Constitutional law  
challenges to sex-based classifications, **14:2 to 14:6**  
Title IX, **14:32**

Contact sports  
rules classifying sports on the basis of sex, **14:13**

Title IX, athletic regulations, **14:39**

Counterbalancing innate physical sex differences, **14:18**

**SEX DISCRIMINATION IN  
AMATEUR AND  
PROFESSIONAL SPORTS  
—Cont'd**

Damages, enforcement of Title IX, **14:36**

Economic parity, challenger interests denied by sex-based classifications in sports, **14:26**

Educational opportunities. Federal regulation of equal educational opportunity, below

Employment  
federal regulation of equal employment opportunity in sports, **14:47 to 14:52**  
Title IX and, **14:37**

Enforcement. Title IX, below

Equal educational opportunities  
challenger interests denied by sex-based classifications in sports, **14:24 to 14:26**  
federal regulation of equal educational opportunity, below

Equal employment opportunities  
challenger interests denied by sex-based classifications in sports, **14:27 to 14:29**  
federal regulation of, **14:47 to 14:52**

Equal opportunity, recent Title IX litigation, **14:42, 14:43**

Equal Pay Act, **14:48**

Equal protection and separate but equal doctrines  
generally, **14:7 et seq.**  
amateur sports, equal employment opportunities, **14:29**  
approval of separate but equal teams, rules classifying sports teams on basis of sex, **14:10**  
availability of programs, **14:25**  
challenger interests denied by sex-based classifications in

**SEX DISCRIMINATION IN  
AMATEUR AND  
PROFESSIONAL SPORTS  
—Cont'd**

Equal protection and separate but equal doctrines—Cont'd  
sports, generally, **14:23 to 14:29**

contact vs. noncontact sports, rules classifying sports on the basis of sex, **14:13**

counterbalancing innate physical sex differences, **14:18**

economic parity, challenger interests denied by sex-based classifications in sports, **14:26**

equal educational opportunities, challenger interests denied by sex-based classifications in sports, **14:24 to 14:26**

equal employment opportunities, challenger interests denied by sex-based classifications in sports, **14:27 to 14:29**

female participants  
no separate opportunity for, **14:9**  
prevention of physical injury to, **14:19**  
remedying past discrimination against, **14:22**

funding, challenger interests denied by sex-based classifications in sports, **14:25**

game rules, rules classifying sports on the basis of sex, **14:14**

history and tradition, preservation of, **14:21**

injury to participants, prevention of, **14:19, 14:20**

innate physical sex differences, counterbalancing, **14:18**

intangibles, challenger interests denied by sex-based classifications in sports, **14:26**

## INDEX

### SEX DISCRIMINATION IN AMATEUR AND PROFESSIONAL SPORTS —Cont'd

Equal protection and separate but equal doctrines—Cont'd  
male participants, no separate opportunity for, **14:12**  
parity, social and economic, **14:26**  
past discrimination against female participants, remedying, **14:22**  
physical injury to female participants, prevention of, **14:19**  
physical sex differences, innate, **14:18**  
preservation of history and tradition, **14:21**  
prevention of injury to participants, **14:19, 14:20**  
professional sports, equal employment opportunities, **14:28**  
psychological injury to participants, prevention of, **14:20**  
rejection of separate but equal teams, rules classifying sports teams on basis of sex, **14:11**  
remedying past discrimination against female participants, **14:22**  
rules classifying sports on the basis of sex, **14:13 to 14:17**  
rules classifying sports teams on basis of sex, **14:9 to 14:12**  
sex-based classifications in sports, generally, **14:8 to 14:22**  
social parity, challenger interests denied by sex-based classifications in sports, **14:26**  
sports equipment, rules classifying sports on the basis of sex, **14:16**

### SEX DISCRIMINATION IN AMATEUR AND PROFESSIONAL SPORTS —Cont'd

Equal protection and separate but equal doctrines—Cont'd  
sports seasons, rules classifying sports on the basis of sex, **14:15**  
state interests served by sex-based classifications in sports, rules classifying sports on the basis of sex, **14:17**  
tangibles, challenger interests denied by sex-based classifications in sports, **14:25**  
tradition, preservation of, **14:21**  
Federal regulation of equal educational opportunity. Title IX, below  
Federal regulation of equal employment opportunity generally, **14:47 to 14:52**  
Equal Pay Act, **14:48**  
Title VII, below  
Female participants. Equal protection and separate but equal doctrines, above  
Funding  
athletic regulations, Title IX, **14:40**  
challenger interests denied by sex-based classifications in sports, **14:25**  
Game rules, rules classifying sports on the basis of sex, **14:14**  
History and tradition, preservation of, **14:21**  
Horse racing, public regulation and sex-based classifications, **14:55**  
Injury to participants, prevention of, **14:19, 14:20**  
Innate physical sex differences, counterbalancing, **14:18**

**SEX DISCRIMINATION IN  
AMATEUR AND  
PROFESSIONAL SPORTS  
—Cont'd**

Intangibles, challenger interests  
denied by sex-based classifica-  
tions in sports, **14:26**

Intercollegiate athletics and Title IX  
compliance, recent studies of,  
**14:44 to 14:46**

Knight Commission, **14:44**

Legislation  
federal regulation of equal  
employment opportunity,  
**14:47 to 14:52**

Title IX, below

Litigation, recent, Title IX, **14:42,**  
**14:43**

Male participants, no separate  
opportunity for, **14:12**

NCAA  
gender equity studies, **14:45**  
Guide to Title IX and Intercol-  
legiate Athletics, **14:46**

OCR compliance monitoring,  
enforcement of Title IX, **14:33**

Parity, social and economic, **14:26**

Past discrimination against female  
participants, remedying, **14:22**

Physical injury to female  
participants, prevention of,  
**14:19**

Physical sex differences, innate,  
**14:18**

Plaintiff's burden of proof, enforce-  
ment of Title IX, **14:35**

Preservation of history and tradi-  
tion, **14:21**

Prevention of injury to participants,  
**14:19, 14:20**

Private causes of action, enforce-  
ment of Title IX, **14:34**

Professional sports, equal employ-  
ment opportunities, **14:28**

Proving discrimination, Title VII,  
**14:50**

**SEX DISCRIMINATION IN  
AMATEUR AND  
PROFESSIONAL SPORTS  
—Cont'd**

Psychological injury to participants,  
prevention of, **14:20**

Public accommodations laws, **14:57**

Public regulation and sex-based  
classifications in sports  
generally, **14:53 to 14:56**  
athletic commissions, **14:53**  
boxing, **14:56**  
horse racing, **14:55**  
public accommodations laws,  
**14:57**  
state licensing boards, **14:53**  
wrestling, **14:54**

Rebutting discrimination, Title VII,  
**14:51**

Recent measures by colleges to  
comply with Title IX regula-  
tions, **14:41**

Recent studies of intercollegiate  
athletics and Title IX compli-  
ance, **14:44 to 14:46**

Recent Title IX litigation, **14:42,**  
**14:43**

Rejection of separate but equal  
teams, rules classifying sports  
teams on basis of sex, **14:11**

Remedies, Title VII, **14:52**

Remedying past discrimination  
against female participants,  
**14:22**

Rules classifying sports on the basis  
of sex, **14:13 to 14:17**

Rules classifying sports teams on  
basis of sex, **14:9 to 14:12**

Separate but equal defense, **14:5,**  
**14:6**

Separate but equal doctrines. Equal  
protection and separate but  
equal doctrines, above

Separate teams and classes, Title  
IX, **14:38**

Sex-based classifications  
generally, **14:8 to 14:22**

## INDEX

### SEX DISCRIMINATION IN AMATEUR AND PROFESSIONAL SPORTS —Cont'd

- Sex-based classifications—Cont'd
  - constitutional challenges to, **14:2 to 14:6**
  - public regulation and, **14:53 to 14:57**
- Social parity, challenger interests denied by sex-based classifications in sports, **14:26**
- Sports equipment, rules classifying sports on the basis of sex, **14:16**
- Sports seasons, rules classifying sports on the basis of sex, **14:15**
- State interests served by sex-based classifications in sports, rules classifying sports on the basis of sex, **14:17**
- State licensing boards, public regulation and sex-based classifications, **14:53**
- Tangibles, challenger interests denied by sex-based classifications in sports, **14:25**
- Title IX
  - generally, **14:30 to 14:46**
  - administrators, equal opportunity for, **14:43**
  - athletes, equal opportunity for, **14:42**
  - athletic regulations, generally, **14:38 to 14:41**
  - burden of proof, enforcement of Title IX, **14:35**
  - coaches and administrators, equal opportunity for, **14:43**
  - colleges, recent measures by colleges to comply with Title IX regulations, **14:41**
  - compliance, recent studies of intercollegiate athletics and, **14:44 to 14:46**
  - constitutionality, **14:32**

### SEX DISCRIMINATION IN AMATEUR AND PROFESSIONAL SPORTS —Cont'd

- Title IX—Cont'd
  - contact sports, athletic regulations, **14:39**
  - damages, enforcement of Title IX, **14:36**
  - employment, Title IX and, **14:37**
  - enforcement of Title IX, generally, **14:33 to 14:36**
  - equal opportunity, recent Title IX litigation, **14:42, 14:43**
  - funding, athletic regulations, **14:40**
  - intercollegiate athletics and Title IX compliance, recent studies of, **14:44 to 14:46**
  - Knight Commission, **14:44**
  - litigation, recent, **14:42, 14:43**
  - NCAA gender equity studies, **14:45**
  - NCAA Guide to Title IX and Intercollegiate Athletics, **14:46**
  - OCR compliance monitoring, enforcement of Title IX, **14:33**
  - plaintiff's burden of proof, enforcement of Title IX, **14:35**
  - private causes of action, enforcement of Title IX, **14:34**
  - recent measures by colleges to comply with Title IX regulations, **14:41**
  - recent studies of intercollegiate athletics and Title IX compliance, **14:44 to 14:46**
  - recent Title IX litigation, **14:42, 14:43**
  - scope, **14:31**
  - separate teams and classes, **14:38**
- Title VII
  - generally, **14:49 to 14:52**
  - proving discrimination, **14:50**

**SEX DISCRIMINATION IN  
AMATEUR AND  
PROFESSIONAL SPORTS  
—Cont'd**

Title VII—Cont'd  
rebutting discrimination, **14:51**  
remedies, **14:52**  
Tradition, preservation of, **14:21**  
Wrestling, public regulation and  
sex-based classifications,  
**14:54**

**SHIELD AND SWORD**  
Amateurism, **29:12**

**SIDE LETTERS**  
Negotiating for the professional  
baseball player, **5:9**

**SIGN-AND-TRADES  
LIMITATIONS**  
Basketball, negotiating National  
Basketball Association  
contracts, **7:27**

**SIGNATURE PRODUCTS**  
Endorsement contracts, **27:22**

**SIGNING BONUSES**  
Negotiating for the professional  
baseball player, **5:7**  
Representing the professional  
football player, **6:8**  
State and local taxation of profes-  
sional athletes, **26:16**

**SIMILARITY**  
Intellectual property rights, **28:56**

**“SIMPLIFIED WITHHOLDING”  
RULE**  
State and local taxation of profes-  
sional athletes, **App 26E**

**SINGLE-ENTITY DEFENSE**  
Antitrust issues in professional  
sports, **21:12**

**SIPHONING**  
Sports broadcasting, **20:17**

**SOCIAL PARITY**  
Sex discrimination in amateur and  
professional sports, **14:26**

**SOFT SALARY CAP SYSTEM**  
Basketball, negotiating National  
Basketball Association  
contracts, **7:7**

**SPECIAL ALLOCATIONS**  
Taxation of sports franchises, **25:20**

**SPECIAL NEEDS**  
Financial planning for professional  
athletes, **3:14**

**SPECIAL PROBLEMS  
INVOLVING PLAYER  
CONTRACTS**  
Taxation of sports franchises, **25:27**

**SPECIAL RIGHT OF  
TERMINATION**  
Endorsement contracts, **27:35,**  
**27:36**

**SPECTATORS**  
See also **Fans** (this index)  
**Liability for Sports Injuries** (this  
index)

**SPEECH, FREEDOM OF**  
Intellectual property rights, **2App**  
**8A8**

**SPEED**  
Intellectual property rights, **28:45**

**SPLIT OF REVENUES**  
Basketball, negotiating National  
Basketball Association  
contracts, **7:4**

**SPORTS AGENT  
RESPONSIBILITY AND  
TRUST ACT**  
Generally, **App 1D**

**SPORTS AGENTS**  
**Agents** (this index)

## INDEX

### SPORTS AUTHORITIES

**Financing and Design of Sports Venues** (this index)

### SPORTS BROADCAST ACT OF 1961

Sports broadcasting, **20:18 to 20:20**

### SPORTS BROADCASTING

Generally, **20:1 et seq.**

Antitrust issues in professional sports, broadcast restrictions, **21:8**

Beneficiaries of property right, identification of, **20:3 to 20:6**

Blackouts, Sports Broadcast Act of 1961, **20:20**

Broadcasters' claims, **20:4**

Cable retransmission of sports telecasts, **20:8 to 20:11**

Cable siphoning, **20:17**

Defining scope of property right, generally, **20:7 to 20:20**

Domestic satellite piracy, **20:13**

Economics of sports leagues, **19:9, 19:10**

Enforceability of employment agreements, **10:10**

Excerpting of game highlights, unauthorized, **20:15**

FCC cable rules, retransmission of sports telecasts, **20:10**

Highlights, unauthorized excerpting of, **20:15**

Home taping, **20:16**

Inter-club claims, **20:6**

International satellite piracy, **20:14**

Piracy of satellite transmissions, **20:12 to 20:14**

Players' claims, **20:5**

Pooling, Sports Broadcast Act of 1961, **20:19**

Property right  
beneficiaries, identification of, **20:3 to 20:6**

defining scope of, **20:7 to 20:20**

establishment of, **20:2**

### SPORTS BROADCASTING

—Cont'd

Retransmission of sports telecasts, **20:8 to 20:11**

Royalty payments, cable retransmission of sports telecasts, **20:9**

Satellite transmissions, piracy of, **20:12 to 20:14**

Scope of property right, **20:7 to 20:20**

Siphoning, **20:17**

Sports Broadcast Act of 1961, **20:18 to 20:20**

STV siphoning, **20:17**

Superstations, retransmission of sports telecasts, **20:11**

Unauthorized excerpting of game highlights, **20:15**

WNBA/WNBPA collective bargaining agreement, broadcast and telecast rights, **App 8A**

### SPORTS COMMUNITY PROTECTION ACT

Franchises, **23:23**

### SPORTS EQUIPMENT

Sex discrimination in amateur and professional sports, **14:16**

### SPORTS FANS

**Fans** (this index)

### SPORTS FRANCHISES

**Franchises** (this index)

### SPORTS MEDICINE

**Liability of Sports Medicine Providers and Related Entities** (this index)

Malpractice. **Liability for Sports Injuries** (this index)

### SPORTS SEASONS

Sex discrimination in amateur and professional sports, **14:15**

**SPORTS VENUES**

**Financing and Design of Sports Venues** (this index)

**SPOUSES**

**Family Law/Domestic Relations Issues** (this index)

**ST. LOUIS RAMS RELOCATION**

Franchises, **23:39**

**STADIUM AND FRANCHISE RELOCATION ACT OF 1999**

Franchises, **23:28**

**STADIUMS**

Economics of sports leagues, **19:12**  
Franchises, option to buy, **23:7, 23:8**

**STANDARD OF CARE**

Liability of sports medicine providers and related entities, **16:3**

**STANDARD OF REVIEW**

Player discipline in professional team sports, **11:42**

**STANDARD PLAYER CONTRACTS**

Collective bargaining, **4:14**  
Enforceability of employment agreements, **10:12 to 10:31**  
National Football League (NFL), **6:5, App 6C**  
National Hockey League (NHL), **9:6 et seq.**  
Women's National Basketball Association (Art. V WNBA/WNBPA collective bargaining agreement), **App 8A**

**STANDARD REPRESENTATION AGREEMENT**

NFLPA contract advisor and player, standard agreement between (Exhibit 2A:A), **App 2A**

**START UP INVESTMENTS**

Financial planning for professional athletes, **3:36**

**STATE AND LOCAL TAXATION**

Athletes. **State and Local Taxation of Professional Athletes** (this index)

Franchises. **Taxation of Sports Franchises** (this index)

**STATE AND LOCAL TAXATION OF PROFESSIONAL ATHLETES**

Generally, **26:1 et seq.**

Advice, need for knowledgeable advice, **26:40**

Allocation methods, generally, **26:3 to 26:7**

Apportionment of income, "fairly and equitably," **26:6**

Bonuses

incentive bonuses, **26:18**

reporting bonuses, **26:17**

signing bonuses, **26:16**

California Law Concerning Taxation of Professional Athletic Teams, **App 26D**

Compensation for performing personal services pursuant to contract, **26:15**

Complexity of compliance, nonresident professional athletes, **26:28**

Compliance, nonresident professional athletes, **26:28, 26:29**

"Composite Return" Rule, **App 26F**

Concerns, nonresident professional athletes, **26:30, 26:31**

Constitutionality of taxing nonresident professional athletes, **26:2**

Contract language, drafting, **26:33**

Costs of compliance, nonresident professional athletes, **26:29**

Deductions credit for taxes paid to other states, **26:25, 26:26**

Deferred compensation, **26:19**

Drafting contract language, **26:33**

Duty day formula, allocation, **26:4**

## INDEX

### STATE AND LOCAL TAXATION OF PROFESSIONAL ATHLETES—Cont'd

“Duty Day” Regulations: Wis.  
Admin. Code § Tax 2.31 (as in  
effect prior to repeal and  
subsequent reenactment con-  
sistent with FTA’s model  
uniform regulation), **App 26A**

Endorsement income, **26:24**

Exceptions to state income taxation,  
**26:7**

Exhibition games, application of  
allocation formulas, **26:10**

Expenses, moving expense  
reimbursements, **26:21**

“Fairly and equitably” apportioning  
of income, **26:6**

Federation of Tax Administrators  
(FTA)

“Duty Day” Regulations: Wis.  
Admin. Code § Tax 2.31 (as  
in effect prior to repeal and  
subsequent reenactment  
consistent with FTA’s model  
uniform regulation), **App**  
**26A**

Proposed Uniform Regulation,  
**26:39, App 26C**

Games played

allocation formula, **26:5**

“Games Played” Regulation:  
Mass. Income Tax. Reg. 830  
CMR 62.5A.1(6)(e), **App**  
**26B**

Incentive bonuses, **26:18**

Income subject to allocation, gener-  
ally, **26:14 to 26:24**

Limitation of actions, nonresident  
professional athletes, **26:27**

Louisiana Income Tax Booklet of  
2002, **App 26G**

Meal allowances, **26:20**

Moving expense reimbursements,  
**26:21**

Need for knowledgeable advice,  
**26:40**

### STATE AND LOCAL TAXATION OF PROFESSIONAL ATHLETES—Cont'd

Nonresident professional athletes

constitutionality of taxing, **26:2**

deductions and exemptions, state  
tax, **26:26**

problems associated with state  
taxation of, **26:27 to 26:31**

Off-season activities, application of  
allocation formulas, **26:12**

Other payments received by player  
from team or league, **26:22**

Other states, credits for taxes paid  
to, **26:25, 26:26**

Periods of time to which allocation  
formulas are applied, **26:8 to**  
**26:13**

Personal services, compensation for  
performing pursuant to  
contract, **26:15**

Planning opportunities, **26:32 to**  
**26:35**

Playoffs, application of allocation  
formulas, **26:11**

Preparation of state income tax  
returns, **26:35**

Preseason games, application of  
allocation formulas, **26:10**

Problems associated with state taxa-  
tion of nonresident profes-  
sional athletes, **26:27 to 26:31**

Regular season, application of  
allocation formulas, **26:9**

Reimbursements, moving expense,  
**26:21**

Reporting bonuses, **26:17**

Residency issues, consideration of,  
**26:34**

Returns, preparation of state income  
tax returns, **26:35**

Signing bonuses, **26:16**

“Simplified Withholding” Rule,  
**App 26E**

State tax credits and deductions  
credit for taxes paid to other  
states, **26:25, 26:26**

**STATE AND LOCAL TAXATION  
OF PROFESSIONAL  
ATHLETES—Cont'd**

Statute of limitations, nonresident  
professional athletes, **26:27**

“Strike” benefits  
generally, **26:23**  
application of allocation  
formulas, **26:13**

Team concerns, nonresident profes-  
sional athletes, **26:30**

Time periods to which allocation  
formulas are applied, **26:8 to  
26:13**

Withholding, “Simplified Withhold-  
ing” Rule, **App 26E**

**STATE INTERESTS**

Sex discrimination in amateur and  
professional sports, state  
interests served by sex-based  
classifications in sports, **14:17**

**STATE LICENSING BOARDS**

Sex discrimination in amateur and  
professional sports, **14:53**

**STATE OR GOVERNMENT  
ACTION**

Amateur athletics, **12:24**

**STATE REGULATION**

Agents, **1:3, App 1C**

**STATE TAX CREDITS**

State and local taxation of profes-  
sional athletes, deductions  
credit for taxes paid to other  
states, **26:25, 26:26**

**STATE TRADEMARK  
APPLICATIONS**

Intellectual property rights, **28:18**

**STATUTE OF LIMITATIONS**

State and local taxation of profes-  
sional athletes, **26:27**

**STATUTORY EXEMPTION**

Antitrust issues in professional  
sports, **21:26**

**STATUTORY LIMITATIONS**

Amateur athletics, **12:61**

**STOCKS (EQUITIES)**

Financial planning for professional  
athletes, **3:39**

**STRATEGIC PLAN**

Financial planning for professional  
athletes, **3:30**

**STRICT LIABILITY**

Products liability for defective  
athletic equipment, **15:20,  
15:21**

**“STRIKE” BENEFITS**

**State and Local Taxation of  
Professional Athletes** (this  
index)

**STRIKES**

Collective bargaining, **4:9**  
WNBA/WNBPA collective bargain-  
ing agreement, **App 8A**

**STUDENT-ATHLETES**

Amateur athletics, **12:3**

**STV SIPHONING**

Sports broadcasting, **20:17**

**SUBCHAPTER C CORPORATION**

Taxation of sports franchises, **25:9**

**SUBSTANTIAL INTERFERENCE  
WITH CONTRACTUAL  
RELATIONS**

Liability for sports injuries, **15:45**

**“SUBSTANTIAL PRESENCE”  
TEST**

Taxation of athletes, **24:43**

**SUBSTANTIATION OF TRAVEL  
EXPENSES**

Taxation of athletes, **24:27**

**SUBSTANTIVE DUE PROCESS**

Amateur athletics, **12:50**

## INDEX

### SUGGESTIVE MARKS

Intellectual property rights, **28:6**

### SUMMARY DISPOSITION

NCAA enforcement, **13:11**

### SUPERSTATIONS

Sports broadcasting, **20:11**

### SUPERVISION

Liability for sports injuries, **15:7**

### SUPPLEMENTAL DRAFTS

**Collective Bargaining** (this index)

### SUPPORT

**Family Law/Domestic Relations Issues** (this index)

### SURVEYS

Big 12 football coaches salary survey (2010), **App 6A to B**  
National Football League Coaches Association salary survey (August 31, 2007), **App 6A to E**

### TANGIBLE PERSONAL PROPERTY

Taxation of sports franchises, **25:5**

### TANGIBLES

Sex discrimination in amateur and professional sports, **14:25**

### TAXABLE INCOME

Taxation of athletes, **24:2 et seq.**

### TAX ADVISOR

Financial planning for professional athletes, **3:19**

### TAXATION

Athletes. **Taxation of Athletes** (this index)

Economics of sports leagues, **19:5**

Financing and design of sports venues, political feasibility and revenue generation, **22:9**

Franchises. **Taxation of Sports Franchises** (this index)

### TAXATION—Cont'd

**State and Local Taxation** (this index)

### TAXATION OF ATHLETES

§ 409A, deferred compensation, **24:49**

Generally, **24:1 et seq.**

Accident and health benefits, **24:14 to 24:16**

Accumulated earnings tax, personal service corporations, **24:53**

Agent's fees, **24:23**

Alternative minimum tax, rates, **24:39**

Assignment of income  
personal service corporations, **24:54**

rates, **24:38**

Awards, **24:5**

"Away from home" defined, **24:26**

Benefits, accident and health, **24:14 to 24:16**

Board, **24:8**

Bonuses, **24:4**

Books, **24:7**

Business expenses  
miscellaneous, **24:36**

ordinary and necessary, **24:22**

Commencement of work, moving expenses, **24:29**

Commercial endorsements, **24:6**

Compensation for services, **24:4**

Conclusions, **24:55**

Contract, compensation deferred by, **24:46**

Damages, injury payments, **24:13**

Deferred compensation

§ 409A, **24:49**

generally, **24:45 to 24:49**

contract, deferral by, **24:46**

individual retirement accounts, **24:48**

pension plans, **24:47**

Definitions, travel expenses, **24:25, 24:26**

## TAXATION OF ATHLETES

### —Cont'd

Demand loans, **24:18**  
 Duration of employment, moving expenses, **24:31**  
 Employer-financed accident and health plans, **24:16**  
 Endorsements, **24:6**  
 Entertainment expenses, **24:35**  
 Expenses  
     agent's fees, **24:23**  
     business expenses, **24:22, 24:36**  
     meals and entertainment, **24:35**  
     miscellaneous business expenses, **24:36**  
     moving expenses, **24:10, 24:28 to 24:31**  
     ordinary and necessary business expenses, **24:22**  
     tax planning, **24:34**  
     travel expenses, **24:24 to 24:27**  
 Fees, agent's, **24:23**  
 Financial planning for professional athletes, **3:46**  
 Fines, **24:33**  
 Foreign athletes, **24:40 to 24:44**  
 Gift loans, **24:18**  
 Gifts, **24:20**  
 "Green card" test, foreign athlete resident status, **24:42**  
 Gross income  
     deductions, **24:21 et seq.**  
     inclusions, **24:3 et seq.**  
 Individual retirement accounts, **24:48**  
 Injury payments  
     generally, **24:11 to 24:16, 24:32**  
     accident and health benefits, **24:14 to 24:16**  
     benefits, accident and health, **24:14 to 24:16**  
     damages received by suit or agreement, **24:13**  
     employer-financed accident and health plans, **24:16**

## TAXATION OF ATHLETES

### —Cont'd

Injury payments—Cont'd  
     insurance purchased by athlete, **24:15**  
     workers' compensation, **24:12**  
 Insurance purchased by athlete, **24:15**  
 IRC § 269A, personal service corporations, **24:51**  
 Loans, **24:17 to 24:19**  
 Local taxation. **State and Local Taxation of Professional Athletes** (this index)  
 Lodging, **24:8**  
 Meals, **24:8**  
 Meals and entertainment expenses, **24:35**  
 Minimum distance, moving expenses, **24:30**  
 Miscellaneous business expenses, **24:36**  
 Movies, **24:7**  
 Moving expenses  
     generally, **24:28 to 24:31**  
     commencement of work, **24:29**  
     duration of employment, **24:31**  
     minimum distance, **24:30**  
     reimbursements, **24:10**  
 Nonresident status, foreign athletes, **24:41 to 24:43**  
 Ordinary and necessary business expenses, **24:22**  
 Pension plans, **24:47**  
 Personal appearances, **24:6**  
 Personal holding companies, **24:52**  
 Personal service corporations  
     generally, **24:50 to 24:54**  
     accumulated earnings tax, **24:53**  
     assignment of income, **24:54**  
     IRC § 269A, **24:51**  
     personal holding companies, **24:52**  
 Prizes, **24:5**  
 Promotions, **24:6**  
 Rates, **24:37 to 24:39**

## INDEX

### TAXATION OF ATHLETES

#### —Cont'd

- Reimbursements, moving expenses, **24:10**
- Resident or nonresident status, foreign athletes, **24:41 to 24:43**
- Room and board, **24:8**
- Royalties, **24:7**
- Scholarships, **24:5**
- Services, compensation for, **24:4**
- State and Local Taxation of Professional Athletes** (this index)
  - “Substantial presence” test, foreign athlete resident status, **24:43**
- Substantiation of travel expenses, **24:27**
- Taxable income, **24:2 et seq.**
- Tax planning expenses, **24:34**
- Tax treatment, foreign athlete resident status, **24:44**
- Term loans, **24:19**
- Time, moving expenses, **24:29, 24:31**
- Travel and transportation, **24:9**
- Travel expenses
  - generally, **24:24 to 24:27**
  - “away from home” defined, **24:26**
  - definitions, **24:25, 24:26**
  - substantiation, **24:27**
- Workers’ compensation, **24:12**

### TAXATION OF SPORTS

#### FRANCHISES

- Generally, **25:1 et seq.**
- Allocation
  - partnerships, special allocations, **25:20**
  - sale or transfer of franchise, **25:26, 25:28, 25:29**
- Boston Bruins case, **25:32**
- California gold rush opens the door to NIL, **29:2**
- California legislation, **25:33, App 26D**

### TAXATION OF SPORTS

#### FRANCHISES—Cont'd

- Choice of entity, generally, **25:13 to 25:16**
- Classes of owners, partnerships, **25:19**
- Contracts, player, **25:4, 25:27, 25:28**
- Deduction of losses, partnerships, **25:21**
- Depreciation recapture upon sale or transfer of franchise, **25:25**
- Distributions, double taxation on, **25:15**
- Double taxation
  - distributions, **25:15**
  - liquidation, **25:16**
- Entity tax on sale of assets or liquidation, partnerships, **25:22**
- Expansion proceeds, sale or transfer of franchise, **25:30**
- Foreign businesses, state taxation, **26:37**
- Forms of ownership, **25:8 to 25:23**
- Franchise rights, **25:3**
- General partnerships, **25:10**
- General tax effects of operation, **25:2 et seq.**
- IRS internal allocation guidelines, sale or transfer of franchise, **25:29**
- Limited liability companies (LLCs), **25:12, 25:17**
- Limited liability partnerships, **25:18**
- Limited partnerships, **25:10**
- Liquidation
  - double taxation on, **25:16**
  - partnership entity tax on, **25:22**
- Losses
  - deduction, partnerships, **25:21**
  - effect of passive loss rules, **25:7**
- More states follow California to NIL, **29:3**
- Number of owners, partnerships, **25:19**
- Ownership, forms of, **25:8 to 25:23**

**TAXATION OF SPORTS**

**FRANCHISES—Cont'd**

Partnerships  
     generally, **25:17 to 25:23**  
     allocations, special, **25:20**  
     classes of owners, **25:19**  
     deduction of losses, **25:21**  
     entity tax on sale of assets or  
         liquidation, **25:22**  
     general partnerships, **25:10**  
     limited liability, **25:18**  
     limited partnerships, **25:10**  
     liquidation, entity tax on, **25:22**  
     LLCs, **25:17**  
     losses, deduction of, **25:21**  
     number and classes of owners,  
         **25:19**  
     sale of assets, entity tax on, **25:22**  
     S corporations, **25:17**  
     special allocations, **25:20**  
     Passive loss rules, effect of, **25:7**  
     Personal property, tangible, **25:5**  
     Player contracts, **25:4, 25:27, 25:28**  
     Rates, **25:14**  
     Real property, **25:6**  
     Sale of assets, partnership entity tax  
         on, **25:22**  
     Sale or transfer of franchise  
         generally, **25:24 to 25:30**  
         allocation, IRS internal allocation  
             guidelines, **25:29**  
         allocation cases, player contracts,  
             **25:28**  
         allocations of purchase price,  
             **25:26**  
         depreciation recapture, **25:25**  
         expansion proceeds, **25:30**  
         IRS internal allocation  
             guidelines, **25:29**  
         player contracts, special  
             problems involving, **25:27**  
         player contracts allocation cases,  
             **25:28**  
         Section 1056, **25:27**  
         special problems involving player  
             contracts, **25:27**

**TAXATION OF SPORTS**

**FRANCHISES—Cont'd**

S corporations, **25:11, 25:17**  
     Section 1056, sale or transfer of  
         franchise, **25:27**  
     Special allocations, partnerships,  
         **25:20**  
     Special problems involving player  
         contracts, sale or transfer of  
         franchise, **25:27**  
     State and local taxation  
         generally, **25:31 to 25:33, 26:36**  
             **to 26:38**  
         California Law Concerning Taxa-  
             tion of Professional Athletic  
             Teams, **App 26D**  
         foreign businesses, **26:37**  
     Subchapter C corporation, **25:9**  
     Tangible personal property, **25:5**  
     Tax rates, **25:14**  
     Transfer of franchise. Sale or  
         transfer of franchise, above

**TAX PLANNING EXPENSES**

Taxation of athletes, **24:34**

**TAX RATES**

Taxation of sports franchises, **25:14**

**TEAM CONCERNS**

State and local taxation of profes-  
     sional athletes, **26:30**

**TEAM PHYSICIAN**

**Liability of Sports Medicine  
     Providers and Related Enti-  
     ties (this index)**

**TEAM RULES**

WNBA/WNBPA collective bargain-  
     ing agreement, **App 8A**

**TEAMS**

See also other entries throughout  
     this index  
     Antitrust issues in professional  
         sports, **21:3, 21:4**  
     Economics of sports leagues, **19:13**

## INDEX

### **TEAMS—Cont'd**

**Enforceability of Sports Industry  
Employment Agreements**  
(this index)

### **TELEVISION CONTRACTS**

Antitrust issues in professional  
sports, **21:23**

### **TELEVISION REVENUES**

**Collective Bargaining** (this index)

### **TEMPORARY PARTIAL DISABILITY**

Workers' compensation, **17:8**

### **TEMPORARY TOTAL DISABILITY**

Workers' compensation, **17:7**

### **TERMINATION**

**Endorsement Contracts** (this  
index)

National Hockey League (NHL),  
**9:13**

Professional football player, **App  
6G**

### **TERM INSURANCE**

Financial planning for professional  
athletes, **3:52**

### **TERM LOANS**

Taxation of athletes, **24:19**

### **TERM OF CONTRACTS**

Agent-player representation agree-  
ments, **2:9**

Endorsement contracts, **27:18,  
27:26**

Negotiating National Basketball  
Association contracts, **7:3**

Representing the professional  
football player, **6:17 to 6:19**

### **TERRITORY**

Endorsement contracts, **27:17**

### **THERAPISTS**

Liability of sports medicine provid-  
ers and related entities, **16:16**

### **“THIRD-PARTY**

**BUYER”/“RIGHT OF FIRST  
REFUSAL” CLAUSES**

Franchises, **23:4 to 23:9**

### **THIRD PERSONS**

Financial planning for professional  
athletes, **3:7, 3:9**

Workers' compensation, **17:13**

### **TICKETS**

Economics of sports leagues, **19:8**

### **TIME**

Intellectual property rights, **28:37**

State and local taxation of profes-  
sional athletes, periods of time  
to which allocation formulas  
are applied, **26:8 to 26:13**

Taxation of athletes, **24:29, 24:31**

### **TIME OF THE ESSENCE**

Endorsement contracts, **27:32**

### **TIMING OF FEE PAYMENTS**

Agent-player representation agree-  
ments, **2:15**

### **TITLE IX**

**Sex Discrimination in Amateur  
and Professional Sports** (this  
index)

### **TITLE VII**

**Sex Discrimination in Amateur  
and Professional Sports** (this  
index)

### **TOBACCO PRODUCTS**

Endorsement contracts, **27:7**

### **TOP-LEVEL DOMAINS**

Intellectual property rights, **28:48**

### **TORT LIABILITY**

**Liability for Sports Injuries** (this  
index)

**Violence in Professional Sports**  
(this index)

### **TOTAL DISABILITY**

Workers' compensation, **17:7, 17:10**

**TOURS AND TOURNAMENTS  
DURING OFF-SEASON**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**TRADEMARKS**

Antitrust issues in professional sports, trademark licensing restrictions, **21:8**

**Intellectual Property Rights** (this index)

**TRAINERS**

Liability of sports medicine providers and related entities, **16:16**

**TRAINING CAMPS**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**TRANSFER STUDENTS**

**Amateur Athletics** (this index)

**TRANSITION PLAYERS**

Representing the professional football player, **6:34**

**TRANSITION RULES OF 2008**

WNBA/WNBPA collective bargaining agreement, **App 8A**

**TRAVEL AND**

**TRANSPORTATION**

Taxation of athletes, **24:9**

**TRAVEL EXPENSES**

**Taxation of Athletes** (this index)

**TRYOUT AGREEMENTS**

National Hockey League (NHL), **9:7**

**TWO-WAY CONTRACTS AND  
WAIVERS**

National Hockey League (NHL), **9:12**

**UDRP (UNIFORM DOMAIN  
DISPUTE RESOLUTION  
POLICY)**

Intellectual property rights, **28:52, 28:57**

**UNAUTHORIZED EXCERPTING  
OF GAME HIGHLIGHTS**

Sports broadcasting, **20:15**

**UNCLEAN HANDS DEFENSE**

Enforceability of employment agreements, **10:24**

**UNCONSCIONABILITY AS  
DEFENSE**

Enforceability of employment agreements, **10:27**

**UNIFORM ATHLETE AGENT  
ACT**

Agents, **App 1B**

**UNIFORM DOMAIN DISPUTE  
RESOLUTION POLICY  
(UDRP)**

Intellectual property rights, **28:52, 28:57**

**UNIFORM PLAYER CONTRACT  
(UPC)**

Player discipline in professional team sports, **11:5**

**UNIONS**

**Agents** (this index)

**Collective Bargaining** (this index)

**UNION SECURITY**

Women's National Basketball Association, **App 8A**

**“UNIQUE SERVICES”  
REQUIREMENT**

Enforceability of employment agreements, **10:18**

**UNIVERSITIES**

**Liability of Sports Medicine Providers and Related Entities** (this index)

**National Collegiate Athletic Association (NCAA)** (this index)

## INDEX

### UNRESTRICTED FREE AGENTS

Representing the professional football player, **6:33**

### UNSAFE PREMISES

Liability for sports injuries, **15:30**

### UPC

Player discipline in professional team sports, **11:5**

### UTMA

Financial planning for professional athletes, **3:62**

### VALUATION OF PLAYER CONTRACTS AND SALARY CAP

Representing the professional football player, **6:24**

### VARIABLE LIFE INSURANCE

Financial planning for professional athletes, **3:55**

### VARIETY INCENTIVES

Representing the professional football player, **6:13**

### VENUE

Family law/domestic relations issues, **3A:8**

### VETERAN CAMPS

WNBA/WNBPA collective bargaining agreement, **App 8A**

### VETERAN PLAYERS

**Representing the Professional Football Player** (this index)

### VICARIOUS LIABILITY

**Liability for Sports Injuries** (this index)

### VIOLENCE IN PROFESSIONAL SPORTS

Generally, **18:1 et seq.**  
Affirmative defenses, player violence, **18:16**

### VIOLENCE IN PROFESSIONAL SPORTS—Cont'd

Arbitration board, proposals to control violence, **1App 8A5 to 1App 8A7**

Battery, player violence, **18:9**

Cases, criminal law, player violence, **18:11**

Causes, **18:4, 18:5**

Causes of action, player violence, **18:13**

Criminal law

fan violence, **1App 8A0**

player violence, **18:7 to 18:12**

Defenses, player violence, criminal law, **18:10**

Fan violence

generally, **18:3**

acts of violence among spectators, **1App 8A2**

acts of violence between spectators and players, **1App 8A3**

arbitration board, proposals to control violence, **1App 8A7**

causes, **18:5**

criminal law, **1App 8A0**

present systems and remedies to control excessive violence, **18:19 to 1App 8A3**

tort liability, **1App 8A1 to 1App 8A3**

Federal criminal bill, player violence, **18:12**

Intentional torts, player violence, **18:14**

Internal league sanctions, player violence, **18:6**

Multiple jurisdictions, player violence, torts, **18:18**

Negligence, player violence, **18:15**

Player violence

generally, **1App 8A**

affirmative defenses, torts, **18:16**

arbitration board, proposals to control violence, **1App 8A5**

**VIOLENCE IN PROFESSIONAL SPORTS—Cont'd**

Player violence—Cont'd  
 battery, elements of criminal battery, **18:9**  
 cases, criminal law, **18:11**  
 causes, **18:4**  
 causes of action, torts, **18:13**  
 criminal law, **18:7 to 18:12**  
 defenses, criminal law, **18:10**  
 elements of criminal battery, **18:9**  
 federal criminal bill, **18:12**  
 intentional torts, **18:14**  
 internal league sanctions, **18:6**  
 multiple jurisdictions, torts, **18:18**  
 negligence, torts, **18:15**  
 present systems and remedies to control excessive violence, **18:6 to 18:18**  
 recklessness, torts, **18:15**  
 reluctance of prosecutors, criminal law, **18:8**  
 reluctant plaintiffs, torts, **18:17**  
 theories of criminal punishment, **18:8**  
 torts, generally, **18:13 to 18:18**  
 Present systems and remedies to control excessive violence  
 fan violence, **18:19 to 1App 8A3**  
 player violence, **18:6 to 18:18**  
 Proposals to control violence  
 generally, **1App 8A4 to 1App 8A8**  
 arbitration board, **1App 8A5 to 1App 8A7**  
 fan violence and arbitration board, **1App 8A7**  
 implementation, **1App 8A8**  
 player violence and arbitration board, **1App 8A5**  
 rule reform and arbitration board, **1App 8A6**  
 Recklessness, player violence, **18:15**

**VIOLENCE IN PROFESSIONAL SPORTS—Cont'd**

Reluctance of prosecutors, player violence, criminal law, **18:8**  
 Reluctant plaintiffs, player violence, torts, **18:17**  
 Rule reform and arbitration board, proposals to control violence, **1App 8A6**  
 Scope of problem, generally, **1App 8A, 18:3**  
 Spectators. Fan violence, above  
 Theories of criminal punishment, player violence, **18:8**  
 Tort liability  
 fan violence, **1App 8A1 to 1App 8A3**  
 player violence, **18:13 to 18:18**

**VISIBLE LOGOS**

Endorsement contracts, visible logos allowed by ATP tour (Exhibit 27A:B), **App 27A**

**VOIDABLE YEARS**

Representing the professional football player, **6:19**

**VOLUNTEER WORKFORCE**

College sports, **29:13**  
 Professional enterprise, **29:13**

**WAGE SCALES**

Antitrust issues in professional sports, **21:21**

**WAIVERS**

Collective bargaining, **4:32**  
**Liability of Sports Medicine Providers and Related Entities** (this index)  
 National Hockey League (NHL), **9:12**  
 Professional football player, injury protection/early waiver, **App 6B**

**WARRANTIES**

Agent-player representation agreements, **2:16**

## INDEX

### WARRANTY

Products liability for defective athletic equipment, **15:19**

### WATCHING SERVICES

Intellectual property rights, **2App 8A2**

### WEARING OF ENDORSED PRODUCTS BY ATHLETE

Endorsement contracts, **27:28**

### WHOLE LIFE INSURANCE

Financial planning for professional athletes, **3:54**

### WITHHOLDING

State and local taxation of professional athletes, **App 26E**

### WNBA/WNBPA COLLECTIVE BARGAINING AGREEMENT

Women's National Basketball Association, **App 8A**

### WOMEN'S NATIONAL BASKETBALL ASSOCIATION

Generally, **8:1**

Advisory panel (Art. XXXVI WNBA/WNBPA collective bargaining agreement), **App 8A**

Agents (Art. XXXII WNBA/WNBPA collective bargaining agreement), **App 8A**

Anti-collusion provisions (Art. XVI WNBA/WNBPA collective bargaining agreement), **App 8A**

Anti-drug provisions (Art. 21, Exhibit 2 and Side Letter WNBA/WNBPA collective bargaining agreement), **App 8A**

Apparel (Art. XXVI WNBA/WNBPA collective bargaining agreement), **App 8A**

### WOMEN'S NATIONAL BASKETBALL ASSOCIATION—Cont'd

#### Appearances

commercial (Art. XXVI WNBA/WNBPA collective bargaining agreement), **App 8A**

promotional (Art. XXIV WNBA/WNBPA collective bargaining agreement), **App 8A**

Arbitration (Art. XXII WNBA/WNBPA collective bargaining agreement), **App 8A**

Benefits (Art. X WNBA/WNBPA collective bargaining agreement), **App 8A**

Bona fide endorsement agreement, notice of (Exhibit 3 WNBA/WNBPA collective bargaining agreement), **App 8A**

Bonuses, merit (Art. IX WNBA/WNBPA collective bargaining agreement), **App 8A**

Broadcast and telecast rights (Art. XXVII WNBA/WNBPA collective bargaining agreement), **App 8A**

Camps (Art. XVII WNBA/WNBPA collective bargaining agreement), **App 8A**

Canadian employment, provisions with respect to (Art. XXXV WNBA/WNBPA collective bargaining agreement), **App 8A**

Choice of law (Art. XXXVII WNBA/WNBPA collective bargaining agreement), **App 8A**

Circumvention (Art. XV WNBA/WNBPA collective bargaining agreement), **App 8A**

Commercial appearances (Art. XXVI WNBA/WNBPA collective bargaining agreement), **App 8A**

Compensation (Art. VII WNBA/WNBPA collective bargaining

**WOMEN'S NATIONAL BASKETBALL ASSOCIATION—Cont'd**  
 agreement), **App 8A**  
 Conduct and discipline (Art. XIV WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Contracts  
     Women's National Basketball Association standard player contract (Exhibit 1 and Art.V WNBA/WNBPA collective bargaining agreement), **App 8A**  
     Women's National Basketball Association term of agreement (Art.XXXVIII WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Core player contracts prior to 2008 season (Exhibit 4 WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Core player designation notice (Exhibit 8 WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Covenants not to sue (WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Definitions (Art. I WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Discipline (Art. XIV WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Dispute resolution provisions (Art. XXIII WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Draft (Art. XIII WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Eligibility and WNBA draft (Art. XIII WNBA/WNBPA collec-

**WOMEN'S NATIONAL BASKETBALL ASSOCIATION—Cont'd**  
 tive bargaining agreement), **App 8A**  
 Endorsement agreement, notice of (Exhibit 3 WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Expansion, contraction, rosters, and number of games (Art. XXXIII WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Expenses (Art. XI WNBA/WNBPA collective bargaining agreement), **App 8A**  
 First refusal exercise notice (Exhibit WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Free agency (Art.VI WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Grievance and arbitration (Art. XXII WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Group license agreement (WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Injuries (Art. XX WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Integration, entire agreement, interpretation and choice of law (Art. XXXVII WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Interpretation (Art. XXXVII WNBA/WNBPA collective bargaining agreement), **App 8A**  
 Licensing, commercial appearances, pictures, and apparel (Art. XXVI WNBA/WNBPA collective bargaining agreement), **App 8A**

## INDEX

### WOMEN'S NATIONAL

#### BASKETBALL

##### ASSOCIATION—Cont'd

Licensing, group license agreement (WNBA/WNBPA collective bargaining agreement), **App 8A**

Lockout provisions (Art. XXXIX WNBA/WNBPA collective bargaining agreement), **App 8A**

Management rights clause (Art. IV WNBA/WNBPA collective bargaining agreement), **App 8A**

Mandatory programs (Art. XXIV WNBA/WNBPA collective bargaining agreement), **App 8A**

Marketing agreements (Art. XXXIV WNBA/WNBPA collective bargaining agreement), **App 8A**

Media (Art. XXIV WNBA/WNBPA collective bargaining agreement), **App 8A**

Medical examinations (Art. XX WNBA/WNBPA collective bargaining agreement), **App 8A**

Merit bonuses (Art. IX WNBA/WNBPA collective bargaining agreement), **App 8A**

Minimum team salary (Art. VII WNBA/WNBPA collective bargaining agreement), **App 8A**

Mutual releases (WNBA/WNBPA collective bargaining agreement), **App 8A**

Mutual reservation of rights (Art. XXVIII WNBA/WNBPA collective bargaining agreement), **App 8A**

No-strike and no-lockout provisions (Art. XXXIX WNBA/WNBPA collective bargaining agreement), **App 8A**

### WOMEN'S NATIONAL

#### BASKETBALL

##### ASSOCIATION—Cont'd

Number of games (Art. XXXIII WNBA/WNBPA collective bargaining agreement), **App 8A**

Offer sheet (Exhibit WNBA/WNBPA collective bargaining agreement), **App 8A**

Off-season

play (Art. XVIII WNBA/WNBPA collective bargaining agreement), **App 8A**

tours and tournaments (Art. XIX WNBA/WNBPA collective bargaining agreement), **App 8A**

Olympic hiatus (Art. XL WNBA/WNBPA collective bargaining agreement), **App 8A**

Physical condition, medical examinations and injuries (Art. XX WNBA/WNBPA collective bargaining agreement), **App 8A**

Pictures (Art. XXVI WNBA/WNBPA collective bargaining agreement), **App 8A**

Player advisory panel (Art. XXXVI WNBA/WNBPA collective bargaining agreement), **App 8A**

Player agents (Art. XXXII WNBA/WNBPA collective bargaining agreement), **App 8A**

Player conduct and discipline (Art. XIV WNBA/WNBPA collective bargaining agreement), **App 8A**

Player eligibility (Art. XIII WNBA/WNBPA collective bargaining agreement), **App 8A**

Player-related expenses (Art. XI WNBA/WNBPA collective bargaining agreement), **App 8A**

**WOMEN'S NATIONAL**

**BASKETBALL**

**ASSOCIATION—Cont'd**

- Promotional and marketing agreements (Art. XXXIV WNBA/WNBPA collective bargaining agreement), **App 8A**
- Promotional appearances and media (Art. XXIV WNBA/WNBPA collective bargaining agreement), **App 8A**
- Provisions with respect to Canadian employment (Art. XXXV WNBA/WNBPA collective bargaining agreement), **App 8A**
- Ratification side letter (WNBA/WNBPA collective bargaining agreement), **App 8A**
- Recognition clause (Art. II WNBA/WNBPA collective bargaining agreement), **App 8A**
- Releases, mutual (WNBA/WNBPA collective bargaining agreement), **App 8A**
- Revenue sharing (Art. XII WNBA/WNBPA collective bargaining agreement), **App 8A**
- Right of set-off (Art. XXX WNBA/WNBPA collective bargaining agreement), **App 8A**
- Rookie scale (Exhibit 5 and Art. VIII WNBA/WNBPA collective bargaining agreement), **App 8A**
- Rosters and number of games (Art. XXXIII WNBA/WNBPA collective bargaining agreement), **App 8A**
- Salary cap (Art. VII WNBA/WNBPA collective bargaining agreement), **App 8A**
- Savings clause (Art. XXXI WNBA/WNBPA collective bargaining agreement), **App 8A**
- Set-off, right of (Art. XXX WNBA/WNBPA collective bargaining agreement), **App 8A**

**WOMEN'S NATIONAL**

**BASKETBALL**

**ASSOCIATION—Cont'd**

- Standard player contract (Exhibit 1 and Art. V WNBA/WNBPA collective bargaining agreement), **App 8A**
  - Strike provisions (Art. XXXIX WNBA/WNBPA collective bargaining agreement), **App 8A**
  - Team rules (Art. XXIX WNBA/WNBPA collective bargaining agreement), **App 8A**
  - Telecast rights (Art. XXVII WNBA/WNBPA collective bargaining agreement), **App 8A**
  - Term of agreement (Art. XXXVIII WNBA/WNBPA collective bargaining agreement), **App 8A**
  - Tours and tournaments, off-season (Art. XIX WNBA/WNBPA collective bargaining agreement), **App 8A**
  - Training and veteran camps (Art. XVII WNBA/WNBPA collective bargaining agreement), **App 8A**
  - Transition rules of 2008 (WNBA/WNBPA collective bargaining agreement), **App 8A**
  - Union security, dues and check-off (Art. III WNBA/WNBPA collective bargaining agreement), **App 8A**
  - Veteran camps (Art. XVII WNBA/WNBPA collective bargaining agreement), **App 8A**
  - WNBA Anti-Drug Program (Exhibit 2 WNBA/WNBPA collective bargaining agreement), **App 8A**
  - WNBA/WNBPA collective bargaining agreement, **App 8A**
- WORKERS' COMPENSATION**
- Generally, **17:1 et seq.**

## INDEX

### WORKERS' COMPENSATION

#### —Cont'd

Actions necessary to preserve rights to benefits, **17:12**  
Atypical provisions, **17:14**  
Average weekly wage, determination, **17:5 to 17:11**  
Cash benefits, **17:6 to 17:11**  
Concept of workers' compensation, **17:1**  
Constitutional law, **17:15**  
Credit, **17:18-17:19**  
Eligibility for benefits, **17:3**  
Injury grievance credit, **17:18, 17:19**  
Injury protection credit, **17:18, 17:19**  
Jurisdiction, **17:16**  
**Liability of Sports Medicine Providers and Related Entities** (this index)  
Nature of benefits, generally, **17:5 to 17:11**  
Other benefits, **17:11**  
Other valuable rights, **17:17**  
Partial disability, **17:8, 17:9**  
Permanent partial disability, **17:9**  
Permanent total disability, **17:10**  
Planning concerns, **17:20**  
Preservation of rights to benefits, actions necessary for, **17:12**  
Resolution of credit issue, **17:19**  
Rights to benefits, actions necessary to preserve, **17:12**  
Taxation of athletes, **24:12**

### WORKERS' COMPENSATION

#### —Cont'd

Temporary partial disability, **17:8**  
Temporary total disability, **17:7**  
Third parties, actions against, **17:13**  
Total disability, **17:7, 17:10**  
Types of compensable injuries, **17:4**  
Typical workers' compensation concepts, generally, **17:2 to 17:13**

### WORKOUT BONUS

Representing the professional football player, **6:11**

### WORKOUT RULES

Professional football player, off-season, **App 6L**

### WRESTLING

Liability for sports injuries, spectator as plaintiff, **15:29**  
Sex discrimination in amateur and professional sports, public regulation and sex-based classifications, **14:54**

### WRITTEN WARNING GOOD

#### FAITH EFFORT

Professional football player, **App 6N**

### ZACCHINI CASE

Exploring the parameters of the right of publicity, the, **29:8**