

# Student Athletes Should Not Forget Artificial Intelligence When Protecting Their Name, Images, and Likeness

---

Monday, May 20, 2024

In today's sports environment, college student athletes have been allowed to profit off their name, image, and likeness (NIL). As a student athlete, you have opportunities in the new era of college sports that could be life changing. According to a recent Business Insider [article](#), the NIL market value is estimated to be worth \$1 billion annually. With the continued growth and opportunities, you will have to pay attention to how artificial intelligence (AI) plays in your NIL.

## **The Rise of AI**

AI programs from companies like OpenAI, Microsoft, and Google have taken the world by surprised at its rapid growth and use. Individuals, content creators, developers, and entrepreneurs have found various ways to use AI in their daily lives and operations. From the creator aspect, many have used AI to generate written, visual, and oral content that come close to the real thing. Among the popular AI program is OpenAI, ChatGPT that can create images, written content, and some analyses using descriptive prompts. OpenAI expanded its portfolio with the introduction Sora that produces near perfect images and motion visuals. Other companies like Microsoft, X, and Meta have followed suit with similar programs.

Budding entrepreneurs and creators have used this new technology to develop applications for use in various industries including business, entertainment, education, and creative spaces. But like any new technology, there are concerns that you as a student athlete need to pay attention to as it relates to your NIL.

## **Concerns about AI**

While many see AI as the new frontier, there are concerns about it becoming the wild west in which concerns like misinformation, copyright/trademark infringements, unauthorized use, and unauthorized release of privilege information are real. These concerns have resulted in ongoing legal actions, discussions, legislation, and attempts at slowing down AI use. As a student athlete, you will have the same concerns mentioned, but with a more direct impact to your NIL being used without your expressed permission or compensation. This was an issue for actors and directors during last year's strike in which one of the concerns were the use of AI without permission or compensation.

For student athletes, you will need to pay close attention to have any NIL deals that involve the use of AI. You may be entering into deals in which your NIL involves the use of AI without your knowledge, permission, or compensation. Another issue is when AI is used to generate content involving your NIL outside of any authorized or agreed upon deals. Given the availability of various AI software, anyone could use AI to generate images or content that you may not have knowledge about, approval, or

## Student Athletes Should Not Forget Artificial Intelligence When Protecting Their Name, Images, and Likeness

---

Monday, May 20, 2024

compensated. These types of use could have negative impacts on your sports career and post-sports career in the form reputational, legal, or financial risks to you.

### **The unseen AI risk to your NIL**

When you think of protecting your NIL, you think instantly think 1) name, 2) image, and 3) likeness. However, the growth and use of AI exposes student athletes to another area that few forget as part of your identity, your voice. There are AI applications capable of capturing elements of you voice for content creation. This exposes your voice, its tone, pitch, and pronunciations as fair game for use by AI developers and users to capitalize on or exploit. The worst case scenario is that your voice is used in an AI program to promote misinformation, views that you disagree with, or other things that could hurt you financial, reputational, or legal. Your voice is just as much a part of your unique identity as your NIL. Like NIL, your voice is just as important and valuable to building your brand and opening opportunities. And that is why you need to consider your voice as part of the NIL package to protect as an asset from risks.

### **How to protect your NIL and voice in the AI era**

With both NIL and AI growing fast with everyone still learning, you can take proactive steps to protecting your NIL and voice. The following are some starter questions to ask when doing deals involving your NIL and voice.

- What are the terms of the agreements related to my NIL?
- Is my voice included in the agreements?
- Will you use AI as part of using my NIL and voice?
- How will AI be used for my NIL and voice?
- How will I be compensated when AI is used with your NIL and voice?

These questions are not all inclusive, but should get you thinking about how to protect your valuable assets, NIL and voice. Aside from asking the mentioned questions, you should also ask in the negative. For example, along with asking who has access to my NIL and voice, who does *not* have access to my NIL and voice? Another example would be to not only ask 'How will AI be used for my NIL and voice,' but 'how will AI not be used for my NIL and voice?' Asking questions in the negative helps you better understand the boundaries of AI and its use of your NIL and voice. You may not get all the answers, but at least people know you are not a dumb jock, but a businesspeople protective of your identity and brand.

## Student Athletes Should Not Forget Artificial Intelligence When Protecting Their Name, Images, and Likeness

---

Monday, May 20, 2024

### **Takeaway**

Student Athletes have more opportunities to benefit and profit from their NIL. However, you should not forget that voice is just as much a part of your identity. The growth of AI presents opportunities, but risks to your NIL and voice. You should become aware of AI and its use on your NIL and voice. Ask questions, lots of questions. You will come across as someone who knows what is at stake when it comes to how organizations and individuals use your NIL and voice in the age of AI. Having a full understanding of how AI will play when using your NIL and AI will help you have better control of your brand and identity in this new era of student athletics and AI.