

## Scott Sherman Speaks at CBLI Fall Forum 2022: Sports Law's New Dimensions

SEPTEMBER 30, 2022

On September 30, Winston & Strawn Associate Scott Sherman spoke at Lewis & Clark Law School's Center for Business Law & Innovation (CBLI) 2022 Fall Forum: Sports Law's New Dimensions in Portland, Oregon.

The program brought together academics, attorneys, and team representatives for a discussion on the radical changes effected by measures such as the decision in *Alston v. NCAA*, the expansion of online betting and legalized sports books, and the continuing difficulties posed to labor relations by Curt Flood's 1969 bid for free agency.

Scott spoke on a panel titled, "College Sports Reimagined: The NCAA's Imposed Evolution."

### Key Takeaways

- *Alston* continues to shape the legal environment surrounding the NCAA, which knows it will not receive any form of antitrust immunity from courts and will instead be subject to rule of reason analysis. The decision has influenced the NCAA's thinking on how it attempts to regulate NIL and other areas. Additional antitrust cases, including *House v. NCAA*, have been filed in its wake.
- The name, image, and likeness (NIL) landscape continues to evolve since college athletes earned the ability to receive compensation for use of their NILs in July 2021. Constantly-evolving NCAA regulations and state laws define what athletes may and may not do in this area, and athletic departments continue to provide guidance on how their athletes can best navigate this complicated field.
- The future of the NCAA and the concept of amateurism likely looks very different than it does today. Possibilities include athletes being paid for their play, receiving a portion of revenues from TV deals, being classified as employees, and/or unionizing, while schools and conferences could see increased realignment, a breakaway from the NCAA structure in certain sports, and/or a move towards a "super league"-type model.

[Learn more about the event.](#)

1 Min Read

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