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Monetizing Attention and Branding Strategy: Assessing the Effects of Personal
Branding on Amateur Athletic Compensation

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requirements for the degree of
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Introduction

Professional athletes' have long been the subject of advertising. From Michael Jordan to Cristiano Ronaldo and Serena Williams, our screens have been flooded with images of “celebrity” athletes promoting products, services, and lifestyles. But why are professional athletes such a lucrative marketing tool? Why are they such good salespeople? Their success can be attributed to the importance of branding in the 21st century. While branding has been “traditionally limited to consumer-oriented products” (Shaker & Hafiz, 2014) for more than a century, the intense modernization and technological advancement of the last few decades have reconstructed “branding” into a necessary supplement for self-advancement, distinction, and relevance.

When companies seek out a “spokesperson” for their products or service, they generally look for individuals who have influence over a particular consumer group or target market, in order to sell directly to them. Researchers have found that professional athletes are valuable assets to marketing activities because they generally have a strong “image” or personal brand that highlights their talents and (oftentimes) expensive habits. Their publicized lifestyle or brand can influence consumers to “create favourable perceptions about products through positive associations with celebrity athletes” (Hambrick & Mahoney, 2011), which can “trigger consumers’ intent to purchase or use the endorsed product or service” (Schouten et. al., 2019). Athletes in general are an interesting case to investigate in terms of personal branding because they have the added layer of athletic abilities or talent. Along with vast media exposure, professional athletes are constantly “at work” on and off the field; their entire livelihood is based on the fact that they can physically compete at a high level and produce victories for their teams. But why are athletes such good marketers? – in order to deliver a win, they have to be good at their job and they do that with dedication and effort, both highly valued attributes by their fans. When translated into “marketing terms,” ‘dedication and effort’ turn into ‘credibility and reliability,’ both incredibly important and persuasive influences on consumers. One Forbes article puts it clearly: “You don’t win six NBA championships without putting in a lifetime of work, and an athlete’s fans and followers – the target consumers – know and respect that” (Garrett, 2021).

The combination of a strong personal brand and athleticism can lead to great compensation for professional athletes who often receive payment from “outside” organizations through endorsements or sponsorships in addition to contractual salaries from their “employer” (NBA, NFL, etc.). However, when the conversation is shifted to address amateur athletic compensation across sports, there is less gain for the athlete and more control by the National Collegiate Athletic Association (NCAA). The NCAA has long opposed the compensation of its players while simultaneously securing gains from their performance in the form of ticket, merchandise, and concession sales (Hambrick & Mahoney, 2011). There has been much debate concerning how, what, and if players should receive any payment for their contributions to university teams, especially concerning outside representation, sponsorships, or brand deals (Solomon, 2020). The NCAA’s everchanging rules that affect player compensation, seem to only accommodate the needs of the NCAA and never prioritize the player. Particularly, the term “amateurism,” which has been tirelessly debated in the ongoing conflict, has never had a

concrete definition in the view of the NCAA (Solomon, 2020). Yet the line between “amateur” and “professional” athletes continue to blur (and have for a while.) Consider the Olympics: a world-wide competition reserved for “amateur” athletes to prove themselves – but who could forget the infamous (and undefeated) “1992 Dream Team” stacked with men’s basketball players who played in the NBA, an American professional league?

Not only are professional and amateur athletes converging on the court (or field), they are also facing each other in the online world. Gone are the days when virality or celebrity were reserved for a select few; nowadays practically anyone can grasp social fame online and amateur athletes are no exception. In fact, they boast thousands and millions of followers online: Sabrina Ionescu: 686,000 Instagram followers (University of Oregon basketball player turned pro), Zion Williamson: 4.8 million Instagram followers (Duke basketball player turned pro) which have led to huge brand endorsements once they were no longer restricted by NCAA regulations. Luckily, recent discourse concerning this subject has led to new proposals for student athletes to earn money by leveraging/utilizing their name, image, and likeness (NIL), which are important aspects of one’s personal brand. Specifically, with cases heading to the Supreme Court, the NCAA changed its long-standing compensation rules, allowing athletes to make money on their NIL (Beginning July 1, 2021). Now armed with an avenue to make money, athletes need to know how to effectively market themselves and monetize the attention of their audiences.

In order to develop a discourse on the evolving amateur athletic compensation situation and discuss how specifically the rise of personal branding on social media has facilitated legal change for athletes, I will explore the origins of branding and its evolution into personal branding, specifically in regard to the rise of influencer marketing and strategy. First, I will establish context of branding and its influence on consumers in the digital age. Next, I will expand on personal branding, offering an outline, recommendations, and its rise and relevance on social media. Finally, with these foundations in place, I will expand to the discussion of amateur athletic compensation issues and how the prevalence of personal branding has led to legal victories for athletes. These issues will culminate to a discussion of the value of celebrity and image in our society.

Branding

While a brand is a familiar concept in marketing and a standard entity in the day-to-day lives of consumers, its origins and psychological affiliations are often forgotten. Consumers are constantly bombarded with branding in the store, on the road, and even in their homes on products, signs, and technology, but when did branding transform from a straightforward reporter of origin to the multi-dimensional figurehead of a company? In order to comprehend the extent to which personal branding strategy has influenced amateur athletic online monetization, one must first develop an understanding of the pace at which branding itself has evolved into a critical instrument for business success. In this section, I will detail a brief historical summary of branding, expanding its scope to account for a modern discussion of brand identity and equity and the significance of digital branding.

Brands are classically identified as distinctive markings attached to something, either figuratively or literally; in fact, the term ‘brand’ stems from the word ‘branding,’ meaning to physically mark something with an iron (Bastos & Levy, 2012). Typically, this behavior was seen in those who owned livestock or in some cases, people (Bastos & Levy, 2012). Placing one’s brand upon something else reveals control over that thing; it tells those who see it who it belongs to, all while communicating the reputation, personality, and distinction of the owner. Branding has a long history, some of which is difficult to trace due to its ancient timestamp. However, it is in the contemporary “version” that allows us to understand why brands are so impactful in business.

Modern branding is commonly traced back to the early 1900’s when commerce was booming and a highly competitive purchasing environment was born. Instead of “generic” products being sold in the local economy, big business took over offering mass production, cheaper prices, and above all specialization. In efforts to stimulate business, factories began branding their products with labels thereby aiming to “convince the market that the users or the consumers could have the same amount of trust in these foreign, non-domestic products” (Rajaram & Shelly, 2012) as they did in the products they were used to buying. The use of branding allowed companies to identify and differentiate themselves from competition while acquiring sections of the market. This simple technique, of informing customers who was producing their goods, started the evolution of what we now regard as a brand.

Brands have evolved far past their elementary state as identification mediums, such as logos and images. What was once merely an identifying mark on products is now practically a living, breathing entity. Current definitions of brands tend to find a consensus that it is made up of its tangible (name, image, logo, slogan, etc.) and intangible (personality, perception, reputation, connotation, etc.) qualities. The combination of both physical and psychological features paint brands as a very “human” system, thus enabling them to represent a specific set of ideals, goals, and motives. Succinctly, brands depict the *identity* of a company: who they are, what they believe in, what they offer, where they want to go, and how they plan to get there. A brand’s identity reflects how the company is portrayed to the world.

PhD scholars investigating historical literature concerning the origins, use, and meaning of branding, affirm the importance of brands in present day marketing and their resemblance to humanity: “At the root of all branding activity is the human desire to be someone of consequence, to create a personal and social identity, to present oneself as both like other people (e.g. to belong) and unlike other people (e.g. to stand out), and to have a good reputation” (Bastos & Levy, 2012). Because the concept of “brand identity” mirrors that of human experience so closely, it is not outlandish to conclude that brands are so successful because people use them as their own means in which to “fit in while standing out,” e.g., to express themselves. People choose to buy certain products or dress a certain way to convey their identity to the world and tend to use products from brands that they feel will represent the values or ideals they wish to portray. In this manner, both humans and brands have personal identity that they use to communicate their principles, personality, and beliefs. Moreover, one’s identity or self-concept has proven to be a decisive factor in consumption decisions. Nearly twenty years

ago, researchers set out to connect individual and brand identity with ad effectiveness; they embarked to better understand how one's self-concept coupled with a perceived brand identity led to decision making or preference in regard to particular advertising. They found that people whose self-concept "converged" with that of a particular brand were more likely to recall information, have positive connotations, and even make a purchase from a targeted ad (Mehta, 1999). Because identity is such an influential factor in decision making, both from the perspective of the consumer and the brand, it becomes clear how important a carefully crafted brand identity is to the financial success of a company.

As a result of brands adopting individual identities and finding traction with audiences, the matter of brand equity has become increasingly significant to the success of a company. Brand equity is the resulting power/leverage of a strong brand identity; it is the ultimate payoff for investing in branding. Shyle and Panajoti detail varying perspectives of brand equity that acknowledge it as the added value or enhancement, whether it be in a financial context or the perceived utility consumers experience, that a brand creates through its identity, thus leveraging the brand with competitive advantage (Shyle & Panajoti, 2013). Brand equity is a commodity that "is considered as a key factor [in business success] that can bring to the company: high profits, brand expansion opportunities, protection against competitors, effective communication strength but also leads to the strengthening of preferences, consumer purchase intention, and customer loyalty" (Shyle & Panajoti, 2013). Simply put, having strong brand equity is vital to the success of a company; and because equity is an earned asset, an excellent way to grow it is to invest in a brand's image.

In theory, having a strong brand identity that can be translated into brand equity seems rather straightforward. However, the shift from identity to equity is not instantly recognizable or so easily achievable. There is no set equation or framework to successfully grow one's equity through identity, as calculating the perceived value of a firm is highly intangible. But, there is strategy behind purposely shaping a brand and presenting it to consumers in a way that will incite engagement and subsequently assist companies in their pursuit of acquiring equity. (There is no "right way" to establish and promote brand identity simply because no two brands are alike. Brands can look to competitors for "inspiration" but there is always some differentiating factor within the company that make its brand strategy unique.) A brand strategy is simply the plan a company employs to reach their brand goals, whatever they may be. Having a strategy allows companies to effectively track and target their objectives while maintaining the desired image or identity the company wishes to present to consumers. Again, having a "predetermined" brand identity (e.g., your brand is perceived as "adventurous," "traditional," "charitable," etc.) whether it be from the perspective of the consumer or from set characteristics presented by the company, allows brands to more effectively carry out a strategy and appeal to desired consumers, as the established identity can guide marketing actions. Constructing a framework or schedule for engaging in marketing activities (e.g., creating advertisements, developing products, seeking endorsements, engaging in public relations, hosting events, developing ad campaigns, etc.) is vital to a company's financial success as they deliver the message of their brand identity to consumers.

Particularly important to the discussion of contemporary brands is the significance of digital marketing and the effects the advancement of the internet and social media are having on the ways that brands market to consumers. The last 20-30 years have equipped marketers with new tools in which to reach their audience. The internet allows brands and consumers to proactively interact with each other, which was previously stunted by “one way communication” (Edelman, 2010). It has even altered how marketers view the “purchase model” or the general framework that helps them understand how and why consumers buy the things they do. The old method, which resembles a funnel, suggests that consumers connection with a brand ends at the point of purchase (Edelman, 2010). The new model, the Consumer Decision Journey, is more cyclical and proposes that brand and consumer connection lasts beyond the final purchase (Edelman, 2010). With a new way to think about how they interact with consumers, brands are compelled to focus more efforts towards owned and earned media—both of which occupy space online and on social media. Brands are flocking to online spaces because that’s where the consumers are: reports from Mintel indicate that the top six spaces where consumers go to listen or watch content are on the internet and predict that the market will grow 13-20% in the coming years (Mintel, 2021). Digital branding is also an incredibly profitable space: ad revenues from five years ago (\$88.3 billion) are no contest for the nearly \$180 billion that is forecasted for 2022 (Mintel, 2021). The advancements in technology have allowed brands to advance their communication with consumers and alter the way that branding is portrayed online. Brands can no longer just have a company website to reach consumers, they need to have a presence across platforms in order to connect with their audience and craft an authentic image and identity.

As a whole, branding has and continues to evolve as a powerful method in which to convince consumers to buy a product or take some action. Elements of the brand, such as identity and equity, can be incredibly rewarding if carried out strategically. Brand identity reflects the humanistic characteristics of the brand, which helps to shape consumer perception and consequently purchase decisions. If brand identity is thoughtfully expressed to consumers and remains relatively consistent over time, the advantageous asset of equity or added value associated with a brand can emerge, revealing even greater success and competitive advantage. Further, these concepts have become vital to capturing the market as digital marketing has become incredibly relevant to any brand looking to connect with consumers. These concepts provide an accessible foundation for discussions of online personal branding strategy and its relevance to tactically monetizing the attention of amateur athletic audiences.

Personal Branding

As a subset of “traditional” company branding, personal branding is by no means a “new” concept. The overlap is evident with the exception of a single governing individual, not a massive corporation. Fahim Shaker and Reaz Hafiz suggest personal branding “...is based on communication...” (2014) or how one presents their values, skills, personality, attributes, or “self” to others. Peter Montoya, author of “Brand Called You,” corroborates this definition adding that it is “...a clear, powerful, compelling public image” (2008) that can have a positive impact on personal and/or professional ventures (Montoya, 2008). Put simply, a personal brand

is an amplification of you: a way to publicly/(broadly) determine and affect others perception of you, whether it be manufactured or authentic, likely for the premise of influence or personal (financial) gain. (It should be noted that targeting an authentic personal brand is recommended.) Nevertheless, a personal brand possesses all the similar characteristics of a “traditional” company brand, such as those previously mentioned, i.e., identity, self-concept, equity, etc. Consequently, the merits associated with a traditional company brand are just as advantageous and appealing in the scope of a personal brand, thus making it a very valuable asset to own.

Particularly, the value of a thoughtfully crafted personal brand has grown proportionately with the societal significance of branding on social media. What was once a system of “one-way communication” has transformed into an equal and highly responsive relationship between companies and consumers (Edelman, 2010). As Edelman notes, social media and the internet has and is changing the way we do business (2010). Social media platforms present the opportunity to visualize and convey a brand identity, message, etc. to a massive audience; the mere scope of social media alone is a compelling factor to share a brand in hopes to reach an audience. Specifically, digital marketing, as aforementioned, is a vital aspect of a brand’s modern marketing strategy. And it is no longer some “theoretical” nonsense thrown into conversation by young social media marketers trying to convince their bosses that its “really cool.” In 2019, the number of sponsored posts (meaning that someone was paid to post, likely in partnership with a company to promote a product/service) on Instagram (a digital platform) nearly tripled from the number of sponsored posts on the platform only a year prior (Mintel, 2020). Not to mention the digital advertising industry exploded by 153% in growth from 2014-2019 (Mintel, 2020). Only a minor glimpse into the statistics on digital and social media growth indicate just how important the digital field is for brands to stay relevant.

The intersection of branding, people, and social media is occupied by “influencers”: a title given to those who have harnessed an audience in an online space, often with the purposeful (sometimes accidental) development of a personal brand. Online influencers represent the persuasive power, authority, and status that come with the development of a strong online persona. While still a relatively contemporary concept, internet and social media influencers are making great strides in affecting the way traditional brands communicate with their audiences. Influencers are out sought by brands to endorse or promote products to target audiences that they have been able to capture online; such reach is often attributed to a platform built on reliability and credibility (Glucksman, 2017). Yet there is no threshold or set of attributes one must achieve in order to become “become an influencer.” There are, however, different “unspoken tiers” of influencer levels, dependent on the number of followers an individual has, e.g., Micro-Influencer, Nano-Influencer, Mega-Influencer, etc. which can affect how brands look for or recruit individuals to partner and work with. But don’t be fooled by the term “Micro-Influencer;” while it may seem that it must be more lucrative to have colossal numbers of followers in order to attract brands and negotiate compensation, Micro-Influencers are actually considered some of the top-performing influencers, accounting for the largest share (37%) of the total number of

sponsored posts on Instagram in 2019 (Intel, 2020).¹ Influencers generally emerge organically as they develop a relationship with an audience that leads to social clout, thus making their opinion and suggestions influential to that select group (Glucksman, 2017). A level of influence over consumers makes partnering with an influencer a favorable endeavor and profitable business practice for traditional brands.

Social media influencers have become an incredibly lucrative asset to companies hoping to reach niche audiences. However, influencers would not have the platform to be sought out by companies to endorse or promote products if they did not have a strong personal brand. The ability to shape consumer attitudes and affect purchase decisions is only attainable if there is a level of trust between audiences and influencers. To reach a level of credibility that warrants trust, building an honest online personal brand can be developed with a few guiding principles and a focused strategy. Below, I have compiled an assortment of a few of the tangible and intangible aspects of a well-developed personal brand:

- ***Unique Value Proposition*** - A Unique Value Proposition (UVP), more commonly recognized at the personal brand level as a “Personal Branding Statement,” is vital to developing a prominent and successful personal brand. It allows individuals to differentiate themselves from others by expressing what they offer or specialize in; it communicates why an individual is unique and why an audience should care (Johnson, 2017). The UVP is an attempt to persuade audiences to make a connection with and trust the influencer. Although one does not need to be an expert in their field to be an influencer, they should be passionate about the topic/idea, etc. enough that they are well-informed and educated on the subject e.g., an influencer who creates content around dogs doesn’t need to be a veterinarian but should have some level of knowledge on the subject. The UVP allows audiences to grasp what the influencer has to offer. While more explicit UVP statements are common in company branding, UVP’s in personal branding aren’t stated as directly but are revealed through actions, words, communication, etc. on social platforms e.g., the “bio” on an influencers Instagram page might state “Proud Dog Mom of Two Huskies” with a link to a husky adoption foundation; from this information we can infer that the influencer cares about dogs and is supporting charities that help to get huskies adopted. Further, this information reveals the influencers UVP of an individual that cares about dogs and wants to help them find good homes.
- ***Content that reflects UVP*** - Creating content that reflects an influencers UVP is vital to earning trust and connecting with audiences; if the content and values of an influencer did not match, they would likely not find traction with an audience. From our previous example, we would expect the husky owner to create posts of her animals, possibly with certain products she uses to care for them. We could also expect videos or commentary pertaining to dog adoption and/or animal care. On the other hand, if the husky owner created content that contradicted her UVP, she might lose credibility with her audience. Creating content that reflects a UVP strengthens the personal brand associated with it; we

¹ See Pankka’s *The Key Performance Indicators of Influencer Marketing* for more information about the different classifications of influencers.

should be convinced that this dog mom is passionate about dog adoption and caring for animals. In creating content that reflects a UVP, influencers can obtain (often) niche target audiences that large company brands may miss, thus attracting their attention (Glucksman, 2017). Large brands reach out to the influencers to connect with their select audience, often offering endorsement or sponsorship deals (brand pays influencer to promote a product/service, etc.) to interact with said audience (Glucksman, 2017). In communicating through influencers, brands have the ability to reach select groups of consumers and potentially untapped audiences. For example, Petco might reach out to the dog mom who has amassed a significant following to endorse and encourage their new line of Husky Food through an affiliate link.

- ***Consistency across platforms*** - Another important aspect of creating an impactful personal brand is remaining consistent (in the content shared) across social media platforms. For instance, if our dog mom (who has developed their brand around that very notion) suddenly began posting content analyzing a basketball game, there would be some confusion amongst her audience. While she may very well be an expert at basketball analysis, and that may be an important aspect of her life, her audience has come to expect dog content. It would create some uncertainty amongst her audience if she abandoned everything they knew about her. “However, in life we often have multiple identities such as colleague, family member, or student” (Johnson, 2017). But when creating a personal brand online, for the goal of advancement or gain, having a consistent voice is essential to communicating and interacting with an audience.

Other aspects of a personal brand, though much less tangible, are the characteristics or nature identified amongst those that have had success in developing a personal brand. Characteristics such as reliability, credibility, likability/charisma, openness, etc. are often attributed to a strong personal brand (Pankka, 2019). While some of these are more innate in nature, such as likability or charisma, developing credibility or reliability with an audience can be accomplished by creating content that is transparent, honest, and factual. (Glucksman, 2017). These intrinsic qualities of one’s personal brand can culminate into social clout, which warrants a relationship of trust between influencer and follower as they engage in communication. A combination of the concrete principles and general nature/personality of a personal brand can be impactful as influencers navigate online spaces and strategize their communication and delivery of content to their audience. A strong set of core values and goals can help determine what an influencer posts, how they “speak to”/communicate with their audience (language and tone), when they post content, how they incite engagement to their content, etc.

The development of a personal brand that gains interest from an audience can draw the attention of larger, traditional company brands that seek to reach a particular target market. The “influencer marketing” tactic is viewed as a mutually beneficial relationship between brands and influencers as they attempt to collaborate or “team-up” to get a message across to consumers e.g. brands sponsor a post; influencers give a review; the two brands co-create content; brand ambassadors; competitions and giveaways; events; monetary or product compensation; etc. (Pankka, 2019). When engaging in influencer marketing, brands look for influencer’s whose personal brand is in some way related to or relevant to their own brand, whether it be based on

the content they share or the audience they speak to. This type of relationship enables an influencer to make an impact on a consumer's decisions, whether it be to motivate action or change perception, etc., either through persuasion or recommendation. In the book "Brand Called You," marketing consultant Bryan Eisenberg is quoted, noting that: "...people rationalize buying decisions based on facts, but they make buying decisions based on feelings" (Montoya, 2008). Influencers can create relationships with consumers on a level that "big brands" can't. Brands look to influencers to get their own message across via the influencers' established persona. That persona is what is so compelling to consumers; the feeling they get when they are consuming content of a particular individual, whom they have built a relationship of trust with, is what influences them to make decisions. The collaboration between influencer and brand can help the brand with many marketing goals, such as increasing awareness, developing reaction or virality, inciting action or engagement, etc. (Pankka, 2019).

Social media influencers, aside from extreme exceptions, have a unique opportunity to tap into and communicate with a select audience that big brands don't have direct access to.² Building a personal brand that reaches people, draws them in, and makes them come back wanting more opens doorways for influencers to monetize the attention of their followers and gives brands the opportunity to speak to niche audiences. Like traditional brands, personal brands are etching out their own "market" on social media. Over half of social media users follow influencers, or "accounts that they don't know in real life" (Intel, 2020). Targeted digital advertising is quickly becoming an incredibly important aspect of marketing strategy, and influencers, with access to distinctly defined audiences, represent an excellent solution.

Amateur Athletes

The purpose of developing foundational research concerning the evolution of branding is to correlate it to the compensation issues faced and victories won by amateur athletes, particularly those affiliated with the NCAA. Understanding where personal branding has grown from and evolved into, on digital and social platforms, can paint an accurate picture of the financial success that amateur athletes have long missed out on. Likewise, it reveals arguments for their compensation and acts as a groundwork for athletes as they attempt to monetize the attention of their audiences. This discussion does not attempt to argue for athletic compensation, rather express why it has become an issue that many support to connect the legal outcomes with the emergence and popularity of personal branding.

² While this thesis generally takes a positive approach or outlook when discussing the rise of personal branding, so as to correlate it to amateur athletic compensation and express how it has benefited them, it should be noted that there are various perspectives to consider when understanding "influencer marketing" and the many facets of negativity and hatred that have resulted because of it on social media. Even though this thesis does not attempt to address issues like cancel culture or the negative impacts of social media on mental health (purely out of a lack of direct relevancy to the compensation issues faced by amateur athletes) it is the viewpoint of this thesis that they should not be ignored in conversations concerning the internet and social media.

Most of the conversation surrounding the compensation of amateur athletes arises from the regulations of the National Collegiate Athletic Association or the NCAA. The NCAA was founded in the early 1900's to "regulate the rules of college sports and protect young athletes" (NCAA.org, n.d.). Over time, the NCAA developed into a governing body overseeing college sports that developed "principles that covered financial aid [packages], recruitment and academic standards and were intended to ensure amateurism in college sports" (NCAA.org, n.d.). However, those initial goals to "preserve amateurism" amongst college athletes with fair regulations and guidelines have been muddled with legal jargon and loopholes. They have failed to evolve their rules for compensating college athletes while simultaneously contradicting their own standards when it comes to the amateur athletes who gain attention and recognition for the organization at world-wide contests such as the Olympics. Since 2001, the NCAA has "...allowed US Olympians to compete in college while pocketing tens of thousands of dollars from the United States Olympic Committee for winning gold, silver, or bronze" (Solomon, 2020).

Moreover, the United States is the "only country in the world to attach a highly-commercialized, multibillion-dollar industry to higher education" (Solomon, 2020). The NCAA acts as a gatekeeping liaison between the highly competitive field of college sports where they reward players with an 'education' (as opposed to financial compensation) despite raking in billions as a classified non-profit organization. One article describes the relationship clearly: "All these years later, the nonprofit organization pays its 460,000 plus student-athletes in good ol' fashioned opportunity, despite having evolved into an industry that charges networks nearly \$1 billion annually for March Madness TV rights" (Planos, 2020). The NCAA also benefits from the performance of college athletes in the form of ticket, merchandise, and concession sales (Hambrick & Mahoney, 2011). Even as the NCAA secures financial gains from the accomplishments of their teams and players, it appears that athletes are missing out the most in regard to the coveted "student-athlete" relationship. According to one article, student-athletes often receive a sub-par education, acquire large student loan debts, and lose out on wages while participating in college sports (Solomon, 2020). The NCAA believes that access to a higher education alone is enough compensation for its athletes, but the costs to benefits ratio that qualifies student-athletes to be classified as employees has shifted in favor of the NCAA while leaving students with far less resources and opportunities after college.

One non-monetary benefit that results from athletic exposure in college is the social merit and status that athletes can gain. Social media has allowed student-athletes to amass huge followings (comparable to professional athletes) where they can develop platforms to reach thousands, if not millions of people. However, because of their affiliation with the NCAA and their strict guidelines surrounding outside compensation, athletes have been historically unable to reap the benefits associated with "influencer status" on social media, such as those linked with the monetization of content in the form of views, interactions, sponsorships, brand deals, endorsements, etc. Yet, the idea that athletes can receive compensation for their "celebrity" status is not so farfetched. Often considered the "original influencers," professional athletes in the '80s and '90s like Michael Jordan assembled massive followings with fans, which lead to lucrative brand deals with companies like Nike (Garrett, 2021). Even today, amateur athletes

who “graduate” to professional teams sign multi-million-dollar contracts with companies hoping to sponsor them the minute they leave college because of their impactful online social presence. It appears that the (traditional) “four-year” college continuum holds athlete’s hostage from the potential benefits they could be receiving all because of their “amateur” classification. Luckily, the popularity and universality of social media (and the rise of strategic personal branding and development) have altered the narrative and led to actual legal change for amateur athletic compensation.

The NCAA has faced many legal battles over the years for various issues, which often fly under the radar from the general public. However, the last ten years or so have revealed a string of cases that consolidate into a defense for the compensation of student-athletes and spell out how they can utilize and monetize their name, image, and likeness (NIL), which are often referred to as the “three pillars of personal branding” (Planos, 2020). The most prominent cases boil down to arguments citing the NCAA has violated antitrust laws in regard to student compensation and recruitment. Antitrust laws and regulations help to promote competition and limit individual market power, so monopolies don’t override the free market and engage in deceptive activities for personal gain (Twin, 2021). The size of the NCAA (which operates similar to that of a monopoly over college sports) and the power they have over collegiate athletics (media deals, player contracts, coaching salaries, etc.) have led courts to question the NCAA’s role as a business and assess their violation of antitrust laws within the organization. In one opinion, the NCAA’s business model is deemed “...‘flatly illegal in almost any other industry in America...’” (Auerbach, 2021). The courts go on to suggest that the organization is participating in price-fixing their “labor,” a collusion technique where they conspire with other colleges to limit compensation to players, which violates antitrust laws protecting workers rights to fair compensation (Auerbach, 2021). The momentum gained with decisions to cite the NCAA with a violation of antitrust laws suggest that the NCAA should not be treated differently than other industries and is thus subject to the same laws; therefore its “employees” or players are entitled to a fair compensation for their contributions to the organization and have a right to utilize their own NIL for financial gain.

While most of the antitrust-related cases don’t directly address NIL compensation issues, rather focusing on capping educational benefits, they do act as a path to make those issues more prominent. As noted in the Stradley Ronon Client Alert, “...the NCAA [has previously] prohibited student-athletes from profiting from the use of their NIL...by signing [a] scholarship agreement[...]... as a requirement for eligibility to participate in intercollegiate athletics” (Stradley Ronon, 2021). But considering the strides found with the Supreme Court in barring some of the NCAA’s control and state-level legislation that “...allows student-athletes to profit from the use of their NIL” (Stradley Ronon, 2021), athletes are finding more opportunities to gain agency. In the summer of 2021, pending legal cases against the NCAA found traction, even resulting in the organization suspending its regulations on NIL, conceding the regulation and authority to individual schools and conferences beginning July 1, 2021 (Stradley Ronon, 2021). Given the “decentralization” of some of the NCAA’s power, both individual universities and athletes are beginning to take advantage of NIL opportunities.

With the new legislation in place, athletes have the ability to achieve monetary gain from their personal brand (NIL) through endorsements, sponsorships, “brand deals,” social media views and interactions, etc. Outside organizations (such as restaurants, clothing companies, sneaker manufacturers, etc.) generally reach out to student-athletes because of their audiences (the coveted 18-24 age range) typically acquired through a prominent (or influential) online/social status. The connections athletes can make with companies to endorse a product or encourage consumer action arise from their online presence, generally as a result of strategic personal branding. Take for example Antwan Owens, a Jackson State defensive end (as of June 30, 2021) who turned his passion and distinct hair style into a personal brand that opened the door for endorsement opportunities. Owen’s was one of the (reported) first student-athletes to sign an endorsement deal with a company (3 Kings Grooming) after NIL rulings (Dellenger, 2021). Through the endorsement, he promotes the company’s products in online spaces. Maybe even more significant, and likely a separate topic worthy of further study, is female student-athlete NIL deals. Though often cast aside in the professional world, collegiate female athletes are credited to much greater followings in online spaces than male college athletes, leaving them with opportunities to grasp even greater compensation. Louisiana State University gymnast Olivia Dunne, with over 1 million followers on Instagram is projected to make more than any other college athlete (Dellenger, 2021).

However, amateur athletes are not the only parties involved in monetizing or “cashing in” on NIL. Brand strategy and management agencies, specifically organized to assist student-athletes with strategic personal branding activities, are popping up in lieu of passed legislation. While there are various independent agencies that are helping students, The University of Oregon’s partnership with Division Street (a venture brought to the school by Nike co-founder Phil Knight) is gaining significant recognition. Division Street is set to partner with “UO’s School of Journalism and Communication and its Warsaw Sports Marketing Center in a ‘first-of-its-kind, full-service, student-led marketing and branding collective’” (Powell, 2021). The agency is meant to assist students with their branding endeavors as well as help them navigate the “business side” of endorsement and sponsorship contracts as well as NCAA regulations (Powell, 2021). Offering students access to resources within a university to help them capitalize on NIL related opportunities puts much more control back into the “system” if you will, possibly regulating the process so gains do not become unfathomable. These agencies are a testament to the importance of monetizing NIL for athletes and the lucrative financial gains associated with it.

The interconnectedness of personal branding, social media, amateur athletes, the NCAA, and their legal triumphs profess the significance of branding and personal branding in the 21st century: as a society we entrust our identities and beliefs to brands and people that we feel connected with, which opens the door for those brands/people to influence or impact our decisions. The legal victories won by student-athletes reveal a shift in, not only the NCAA’s control over collegiate athletics, but also the relevance/hold that branding has to/on consumers. The mere concept of online influencers or amateur-athlete influencers would not exist or persist if they were not significant to consumers and their purchase decisions.

Further Discussion

These discussions of personal branding and influencer status on social media surrounding amateur athletes raise the question where the line between professional and amateur athletes is drawn. Instead of compiling evidence to suggest where the line is and/or should be, I submit a broader view in consideration of what “celebrity” means in the age of social media. Attaining a level of celebrity is becoming more and more accessible with the internet, which tends to blur the lines between “traditional” (professional) celebrities and those who capture fame on the internet (amateur).

“The ascendancy of the celebrity is one of the distinctive features of the late twentieth century and early 21st century western culture” (Furedi, 2010). We, as a society, have come to regard “celebrity” as an aspiration or something that is viewed with envy. But why is “celebrity status” so desirable? There is a certain fascination that people have with celebrities: their lives, their fortune, their experiences, but most significantly, their *fame*. Fame is an attractive attribute or favorable reputation that anyone can obtain, generally through mass media attention “via their looks, wealth, special talent, skills, professional achievements, or [it] can be inherited from famous parents or relatives (Ruiz-Gomez, 2019). The longing for fame is driven by gaining some advantage and making money, which are both desirable ambitions to just about everyone (Ruiz-Gomez, 2019).

The most significant aspect of a celebrity is their ability to harness the attention of others, and social media is making it much easier to grasp that attention: “For the first time in history, celebrity status and the financial rewards that are associated with fame, seem largely attainable to ordinary people like never before” (Ruiz-Gomez, 2019). There are no “industry gatekeepers” in social media (in the sense that anyone can download the applications and post content) like there are in traditional routes to celebrity such as entertainment (TV) and sports (teams, leagues, contracts, etc.). However, just “being a part of social media” doesn’t guarantee fame; while gaining attention of an audience is a notable first step, it is the adoption and integration of “business practices” that help influencers monetize their content and “turn it into a steady source of income” (Ruiz-Gomez, 2019) i.e., strategic branding planning and execution.

Interestingly enough, the so-called “obsession with attention” that acts as a direct fuel and product of the prominence of fame and celebrity in our society, can be traced back to discussions earlier in this thesis surrounding brand and identity: “At the root of all branding activity is the human desire to be someone of consequence, to create a personal and social identity, to present oneself as both like other people (e.g. to belong) and unlike other people (e.g. to stand out), and to have a good reputation” (Bastos & Levy, 2012). To further that point, one article concerning celebrity culture identifies the same theme amongst those that are famous: “What is distinctive about today’s celebrities is that they are promoted as both special and utterly ordinary” (Furedi, 2010). As humans, we have a desire to ‘fit in while standing out;’ we aspire to be someone of consequence because we desperately want to “be remembered” for something.

Earlier, I suggested that brands are in many ways a somewhat “humanistic” entity; they have identity, aspirations, goals, motives, etc. just like humans do. I think that that recognition reveals just how impactful brands have been in shaping pop culture and societal norms.

Celebrities and brands have evolved in many ways and the more they are analyzed, the more they appear interwoven: “Although they [celebrities] are not quite like ordinary people, their problems and predicaments are sufficiently familiar to everyman to allow for the forging of an emotional bond” (Furedi, 2010) just as people form emotional bonds with brands that effect their behavior or attitudes (or at least that is the hope of brands as they engage with consumers.) Furedi, in his analysis, recognizes their connection, revealing patterns regarding celebrity personality attributes which are mirrored in previous sections regarding brands:

“Weber believed that even in a modern society charisma remained relevant as an external form of legitimation. Although historically charisma was based on heroism or revelation it can acquire different cultural forms. Celebrities may not possess heroic qualities but as highly visible role models they have become the object of imitation. Their highly publicized personality and individual qualities work as a form of quasi-charisma that has the quality of gaining people’s attention” (Furedi, 2010).

In considering the relevance of fame in regard to athletics, it is easy to recognize that athletes have long been viewed as “celebrities.” Professional athletes have been the subject of advertising for various decades because of their ability to capture attention. I think that what makes the amateur athletic compensation issues discussed in this paper so important or interesting to examine is our understanding of the word “amateur.” Amateur athletes are recognized as novices, unskilled and inexperienced; there are truly ordinary people who have been able to achieve some level of recognition and fame online. This perception is in direct conflict with our “traditional” view of celebrities who have been historically linked to “professionalism” or wealth. It challenges our understanding of what it means to be “famous” and forces us to consider a new definition. Furthermore, social media’s contributions to changing the narrative of celebrity, in that it has become much more accessible to the ordinary person to gain attention, have also aided in amateur athletes’ journey to stardom.³

Conclusion

More often than not, the conversation concerning the compensation of amateur athletes turns into a bitter debate about regulations and control. There is an incredible amount of discourse offering opinions on both sides attempting to persuade individuals to fight for or against the matter. While this thesis presents arguments that have resulted in increased freedom for NCAA athletes in monetizing their NIL in online spaces, it should be noted that the “outcome” of those freedoms has yet to elapse⁴. We have yet to experience and feel the repercussions of those decisions: Will the market become oversaturated with influencers? Will

³ While not the direct topic of this thesis, in regard to “amateurism,” there is definitely room for discussions of the level of talent or ability that is currently being displayed in college sports. There are debates that question if the level of talent at the Division I collegiate level is beginning to rival that of professional athletes, suggesting that “there isn’t a need for college sports anymore.”

⁴ As of January 2022, the NCAA adopted a new constitution that assigns compensation decisions to individual schools and conferences, decentralizing the NCAA’s role in regulating students’ intellectual property rights and the use of NIL. See Jones’ Sports Press article for more information concerning the ongoing changes.

amateur athletes forego athletic opportunities to focus on NIL endeavors? What effect will that have on college sports in the US? Even though there is no clear path to what will unfold in the coming years, it is with upmost certainty that I say social media has and will continue to enormously impact our business, lives, and relationships with others.

The evolution of branding online and in digital spaces have paved the way for personal brands to greatly impact personal and professional endeavors. All the time and energy spent developing *image* and *identity* have led many to find success with their personal brands and develop *equity* or *social value*, arguably the most valuable asset to own from a marketing perspective. The explosion of the internet and social media have fostered a place for people to find audiences to interact with, revealing *influencers* in its wake. The rise on fame and relevance on social platforms have led traditional brands to take notice, partnering with individuals to reach niche target audiences. The influencer-brand relationship has spearheaded efforts for amateur athletes to gain agency over their own *NIL* and capitalize on their stardom despite historically being limited in their ability to profit from *NIL* endeavors. The legal issues surrounding amateur athletic compensation, though still ongoing, finally resulted in more freedom for the athletes, who are now permitted to utilize their *NIL*. Amateur athletes who are serious about profiting from the use of the *NIL* have found guidance from third-party agencies equipped to assist them as they navigate content production and contract negotiation.

Overall, the ideas, concepts, and applications discussed in this thesis aim to correlate the rise of personal branding (as it has evolved from traditional branding) in online spaces (namely social media) to the legal issues faced and battles won by amateur athletes in their pursuit of *NIL* freedom. The popularity of personal branding has paved the way for amateur athletes to actively engage in branding activities that can help them monetize their content and generate long term forms of income. Moreover, now armed with their independence, amateur athletes need to learn how to effectively portray and utilize their *NIL* to gain such monetization opportunities.

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