

**STEPHEN M. McKELVEY, J.D.**

**Curriculum Vitae**

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**EDUCATION:**

J.D., May 1992. Seton Hall School of Law  
M.S., Sport Management, 1986. University of Massachusetts Amherst.  
B.A., *Cum Laude*, American Studies, 1981. Amherst College.

**TEACHING EXPERIENCE:**

9/18 - Present	Professor of Sport Management University of Massachusetts Amherst
9/08 – 8/18	Associate Professor of Sport Management University of Massachusetts Amherst
9/02 – 8/08	Assistant Professor of Sport Management University of Massachusetts Amherst

- Undergraduate-level courses taught: Introduction to Sport Law, Sport Marketing, Sport Promotion & Sales; Sport Sales (experiential learning class)
- Graduate-level courses taught: Sport Law, Sport Marketing, Sport Promotion & Sales; Professional Development Seminar, Consumer Sales Promotion (online MBA program).
- Ph.D. level course taught: Sport Law Seminar

6/99-6/02	Adjunct Professor, Seton Hall School of Law
9/97-6/98	Adjunct Professor, Seton Hall University, Stillman School of Business.

**SPORT INDUSTRY EXPERIENCE:**

5/95-present	Consultant, DiaMMond Management Group (baseball representation firm)
6/09-6/18	Consultant, Buntdown Bat Co.
1/00-4/02	President, Fan Guide Publications (New York, NY).
5/95-12/99	Vice President, Marketing & Promotions, PSP Sports (New York, NY)
3/93-4/95	Vice President, Sports Marketing, Sherry Group (Parsippany, NJ)
10/91-2/93:	Partner, Maverick Marketing (New York, NY)
9/89-9/91	Director, Corporate Sponsorship, Major League Baseball (New York, NY)
5/85-8/89	Manager, Corporate Sponsorship, Major League Baseball (New York, NY)
10/86-3/89	Consultant, MLB Player Relations Committee (seasonal consultant for salary arbitration preparation)

## ACADEMIC JOURNAL PUBLICATIONS:

McKelvey, S., Grady, J., & Moorman, A. (2021). Ambush Marketing and Rule 40 for Tokyo 2020: A Shifting Landscape for Olympic Athletes and Their Sponsors. *Journal of Legal Aspects of Sport*, 31, 94-122.

Masteralexis, J., McKelvey, S., & Statz, K. (2021). #Iamarobot: Is it time for the Federal Trade Commission to rethink its approach to virtual influencers in sports, entertainment and the broader market? *Harvard Journal of Sports and Entertainment Law*, 12(2), 353-368.

Grady, J. & McKelvey, S. (June 2018). #Congratulations But #Seeyouincourt: Olympic Hashtag Restrictions Raise Concerns over Trademark Rights and Free Speech. *Harvard Sport and Entertainment Law Journal*. 9(2). Available at, <http://harvardjsel.com/wp-content/uploads/2018/06/HLS203.pdf>

Demirel, A, Fink, J. & McKelvey, S., (2018). An Examination of Employees' Response to Sponsorship. *Sports Marketing Quarterly*, 27(2), 5-19.

Burton, N., Snyder, K., & McKelvey, S. (2018). The Evolution of Media Reporting of Ambush Marketing. *Sports Marketing Quarterly*, 27(1), 18-30.

McKelvey, S., (2017, October). Ambush Marketing: From the Front Lines to the Halls of Academia: Charting Ambush Marketing Discourse. *Sport and Entertainment Review*, 3(3), 54-61.

McKelvey, S. & Grady, J. (2017, February). #JoinTheConversation: The evolving legal landscape of using hashtags in sport. *Journal of Legal Aspects of Sport*, 27(1), 90-105.

McKelvey, S., Goins, J. & Krauss, F. (2016, Summer). The Air Jordan Rules: Image Advertising Adds New Dimension to Right of Publicity - First Amendment Tension, *Fordham Intellectual Property, Media & Entertainment Law Journal*, 26(4), 945-994.

Snyder, K., McKelvey, S., & Sutton, B. (2016). All Together Now? Exploring sales and marketing integration. *Sport, Business and Management: an International Journal*, 6(1), 2-18.

McKelvey, S. & Longley, N. (2015) Event-specific ambush marketing legislation for mega-sporting events: An economics perspective. *International Journal of Sport Marketing & Sponsorship*, 16(5), 349-364.

McKelvey, S. & Sliffman, A. (Summer 2015). The merchandising right gone awry: What "Moore" can be said? *American Business Law Journal*, 52(2), 321-367.

Larkin, B. & McKelvey, S. (2015). Of smart phones & Facebook: Social media's changing legal landscape provides cautionary tales of "Pinterest" for sport organizations. *Journal of Legal Aspects of Sport*, 25(2), 123-153.

McKelvey, S. & Masteralexis, J. (2011). This tweet sponsored by ...: The application of the new FTC Guides to the social media world of professional athletes. *Virginia Sport & Entertainment Law Journal*, 11, 222-248.

McKelvey, S., Sandler, D. & Snyder, K. (2011). Sport participant attitudes toward ambush marketing: An exploratory study of ING New York City Marathon runners, *Sport Marketing Quarterly*, 21(2), 7-18.

McKelvey, S., Fairley, S., & Groza, M. (2010). Caught in the Web? The communication of trademark rights and licensing policy on university official athletic websites. *Journal of Legal Aspects of Sport*, 20(1), 1-33.

Grady, J., McKelvey, S. & Bernthal, M. (2010). From Beijing 2008 to London 2012: Examining event-specific Olympic legislation vis à vis the rights and interests of stakeholders. *Journal of Sponsorship*, 3(2), 1-13.

Grady, J. & McKelvey, S. (2008). Trademark Protection of School Colors: *Smack Apparel* and *Sinks* decisions trigger *color-ful* legal debate for the collegiate licensing industry. *Journal of Legal Aspects of Sport*, 18(1), 207-242.

McKelvey, S. & Grady, J. (2008). Sponsorship program protection strategies for special sport events: Are event organizers outmaneuvering ambush marketers? *Journal of Sport Management*, 22(5), 550-586.

McKelvey, S. & Southall, R. (2008). Teaching sport sponsorship sales through experiential learning. *International Journal of Sport Management and Marketing*, 4(2/3), 225-254.

McKelvey, S. & Moorman, A. J. (2007). Bush-Whacked: A legal analysis of the unauthorized use of sport organizations' intellectual property in political campaign advertising. *Journal of Sport Management* 21(1), 79-102.

McKelvey, S. & Grady, J. (2006, Fall). Missouri court fashions new "Twist" on athletes' right of publicity. *Entertainment and Sports Lawyer*, 24(3), 1, 26-28.

McKelvey, S. & Gladden, J. (2006). Exploring the opinions and perceptions of corporate sport sponsorship executives toward ambush marketing. *International Journal of Sport Management*, 7(3), 1-19.

Grady, J., McKelvey, S., & Clement, A., (2005). A new "Twist" for "The Home Run Guys": An analysis of the right of publicity versus parody. *Journal of Legal Aspects of Sport*, 15(2), 267-294.

McKelvey, S., (2004). The growth in marketing alliances between US professional sport and legalised gambling entities: Are we putting sport consumers at risk? *Sport Management Review*, 7(2), 193-210.

McKelvey, S. & Grady, J. (2004, Winter). Ambush marketing: The legal battleground for sport marketers. *Entertainment and Sports Lawyer*, 21(6), 8-15.

McKelvey, S., (2004, Winter). U.S. professional sport organization policies shift to embrace legalized gambling entities: A roll of the dice? *Journal of Legal Aspects of Sport*, 14(1), 23-45.

McKelvey, S. & Grady, J. (2004). An analysis of the ongoing global efforts to combat ambush marketing: Will corporate marketers take the gold in Greece? *Journal of Legal Aspects of Sport*, 14(2), 190-220.

McKelvey, S. (2002, Winter). Commercial “branding”: The final frontier or false start for athletes’ use of temporary tattoos as body billboards. *Journal of Legal Aspects of Sport* (publisher error cites as 13(1), Winter 2002, 1-37).

McKelvey, S. (1994). Atlanta ’96: Olympic countdown to ambush armageddon? *Seton Hall Journal of Sport Law*, 4(2), 397-445.

McKelvey, S. (1992). NHL v. Pepsi-Cola Canada, Uh-huh! Legal parameters of sports ambush marketing. *The Entertainment and Sports Lawyer*, 10(3), 397-445.

#### **REFEREED CONFERENCE PRESENTATIONS:**

McKelvey, S. and Grady, J., FTC Guides 2023 Signal New Ballgame for Brands and Influencers. 35<sup>h</sup> Annual Sport and Recreation Law Association (SRLA) Conference (Baltimore, Feb 22, 2024).

Moorman, A. & McKelvey, S., Trademark Dress Infringement and the Use of University Color Schemes in NIL Activities: An evolving and unexplored marketplace. 33<sup>rd</sup> Annual Sport and Recreation Law Association (SRLA) Conference (Atlanta, Feb 24, 2022).

McKelvey, S., Grady, J. & Moorman, A., A Trans-National Analysis of New IOC Rule 40 Guidance and Subsequent Enforcement Challenges to Olympic Advertising and Sponsorship Restrictions. 32<sup>nd</sup> Annual Sport and Recreation Law Association (SRLA) Conference (Louisville, March 4-7, 2020)

McKelvey, S., Can a Robot *Really* Use a Product?: Computer-Generated Influencers Provide Next Enforcement Frontier for FTC. 31<sup>st</sup> Annual Sport and Recreation Law Association (SRLA) Conference (Philadelphia, Feb. 28-March, 2019)

McKelvey, S., Re-Post Photos at your Peril: You May Not Have the (Copy) Right. 16<sup>th</sup> Annual Sport Marketing Association (SMA) Conference (Frisco, Texas, October 25, 2018).

McKelvey, S., Athletes Beware: FTC Goes on Offensive Against Social Media Influencers. 31<sup>st</sup> Annual Sport and Recreation Law Association (SRLA) Conference (San Antonio, Feb. 29, 2018).

McKelvey, S., #EnterToWinNow!: Rules continue to evolve for sales promotions on social media. *Annual Sport Management Association of Australia and New Zealand (SMAANZ) Conference* (Gold Coast, Australia, November 30, 2017).

McKelvey, S. & Grady, J., Examining the Legal Intersection of Ambush Marketing Prevention and Olympic Hashtag Usage, *25<sup>th</sup> Annual European Association of Sport Management (ESAM) Conference* (Bern, Switzerland, Sept. 8, 2017)

McKelvey, S., & Grady, J., #FreeSpeech? Analyzing USOC's Hashtag Enforcement at Rio 2016," *30<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (Las Vegas, March 1, 2017)

McKelvey, S., Cocieru, O., & McDonald, M., "The legal patchwork and consumer implications of daily fantasy sports: a path forward," *14<sup>th</sup> Annual Sport Marketing Association (SMA) Conference* (Indianapolis, Nov. 3, 2016).

McKelvey, S. & Botti, B., "#Likethisproduct: FTC Remains Vigilant Watchdog Against Deceptive Social Media Practices," *29<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (New Orleans, Feb 26, 2016)

Burton, N., McKelvey, S. & Bradish, C., "Managing the Message? An Examination of Media Portrayal of Ambush Marketing," *European Association of Sport Management (EASM) Conference* (Dublin, September 13, 2015).

McKelvey, S. & Grady, J., "Untangling the Web: Court Embraces Trade Dress Protection for Websites," *28<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (Charlotte, N.C., March 7, 2015)

McKelvey, S., & Burakoff, A., "Way to Go Michael!: Should the Right to Say "Congrats" Should Trump Right of Publicity," *28<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (Charlotte, N.C., March 7, 2015)

McKelvey, S., "Use of Athletes in 'Image Advertising': Spitz and Jordan Blur Lines Along the Free Speech Spectrum, *12<sup>th</sup> Annual Sport Marketing Association (SMA) Conference* (Philadelphia, October 22, 2014).

McKelvey, S., & Cornish, A., "Livestrong or Livewrong: Legal Implications for the sport industry in the wake of the Lance Armstrong saga," *27<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (Orlando, February 2014).

McKelvey, S. & Cornish, A., "Show Me, Don't Tweet Me: Reshaping the legal landscape for social media platforms," *27<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (Orlando, February 2014).

McKelvey, S., "Like Us on Facebook: The Ever changing legal landscape for use of social media platforms." *11<sup>th</sup> Annual Sport Marketing Association (SMA) Conference*. (Albuquerque, October 2013)

- McKelvey, S., “*Already, LLC. Vs. Nike, Inc.*: Marketing Implications of the U.S. Supreme Court’s ‘Sue and run’ decision. 11<sup>th</sup> Annual Sport Marketing Association (SMA) Conference. (Albuquerque, October 2013)
- McKelvey, S. & Grady, J., “Who can own gold? A legal analysis of *Rawlings Sports Goods Co. v. Wilson Sporting Goods Co.*, 26<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference (Denver, March 2013)
- McKelvey, S. & Sliffman, A., “Sports Art and the Mundane: An analysis of how Moore should be applied to non-print products. 26<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference (Denver, March 2013)
- McKelvey, S. & Masteralexis, J., “This tweet sponsored by...: The application of the new FTC Guides to the social media world of professional athletes. 25<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference (Greensboro, N.C., February 29-March 3, 2012)
- McKelvey, S., Sutton, W.A., & Snyder, K., “All Together Now?: Analyzing the Interaction between Marketing and Sales Departments Within the Professional Sport Team Setting.” 10<sup>th</sup> annual Sport Marketing Association (SMA) Conference (Houston, October 2011).
- McKelvey, S. & Longley, N. “An Economic Analysis of Olympic Games Event-Specific Legislation: Do the Olympics Merit Special Treatment? 19<sup>th</sup> Annual European Sport Management Association (EASM) Conference (Madrid, September 2011)
- Chadwick, S., McKelvey, S. & Bradish, C. “The Intensifying Debate over Ambush Marketing: Setting the Agenda for London 2012.” 19<sup>th</sup> Annual European Sport Management Association (EASM) Conference (Madrid, September 2011)
- McKelvey, S., “Using a Mock Trial Format to Enliven Current Legal Issues.” Special Teaching Initiatives Session. 24<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference (Savannah, GA, March 2011).
- Gibbons, M., & McKelvey, S., “Strange Bedfellows: The NFL and Library Associations Seek Further Review of the Fourth Circuit’s Decision in *Bouchat v. Baltimore Ravens.*” 24<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference (Savannah, GA, March 2011).
- McKelvey, S., Bradish, C. & Schmidt, A., “Examining the Legal Efficacy of Event Specific Legislation in Combating Ambush Marketing During the 2010 Vancouver Olympic Games,” 9<sup>th</sup> Annual Sport Marketing Association (SMA) Conference (New Orleans, October 29, 2010).
- McKelvey, S. & Heim, D., “What’s in a Name? *AFL Philadelphia Soul v. Krause* provides legal lessons for sport organizations on use of employee names, 9<sup>th</sup> Annual Sport Marketing Association (SMA) Conference (New Orleans, October 28, 2010).

Bradish, C., McKelvey, S. & Schmidt, A., "Protecting or policing: Examining brand protection, ambush marketing and the Vancouver 2010 Winter Olympic Games. *18<sup>th</sup> Annual European Sport Management (EASM) Conference* (Prague, September 19, 2010).

McKelvey, S., "Exploring the Changing Dynamics of Athlete Endorsement Deals: The Practitioners Perspective," *2010 Summer Marketing Educators' Conference, American Marketing Association* (Boston, August 13-16).

McKelvey, S., Sandler, D. & Snyder, K., "Assessing Attitudes of ING New York City Marathon Participants toward ambush marketing," *17<sup>th</sup> Annual European Sport Management (EASM) Conference* (Amsterdam, September 19, 2009).

Grady, J., McKelvey, S. & Bernthal, M., "From Beijing 2008 to London 2012: A Comparative analysis of recent Olympic sponsorship protection legislation – Does it fairly balance the rights and interests of all stakeholders?" *24<sup>th</sup> Annual North American Society for Sport Management (NASSM) Conference* (Columbia, S.C., May 2009).

McKelvey, S. & Fairley, S., "Caught in the Web? An exploratory study of university athletic program websites and the communication of trademark rights issues," *22<sup>nd</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (San Antonio, March 2009).

McKelvey, S., "The application of trademark law to the 'voice of God': An analysis of *Facenda v. NFL Films, Inc.*," *21<sup>st</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (Myrtle Beach, S.C., February 2008).

Batista, P. & McKelvey, S., "A legal battle of good vs. evil: "Saw 'Em Off" lawsuit pits first amendment free speech versus trademark infringement." *8<sup>th</sup> Annual Sport Marketing Association (SMA) Conference* (Pittsburgh, Nov. 2007).

McKelvey, S. & Grady, J., "Trademark protection for color schemes: A Smack-down victory for collegiate licensing." *20<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (Raleigh-Durham, NC, March 2007).

McKelvey, S. & Grady, J., "You can host the Games but ... Exploring the use of the ambush marketing protection requirements in the host city/country bid process for major sporting events." *4<sup>th</sup> Annual Sport Marketing Association (SMA) Conference* (Denver, Nov. 2006).

McKelvey, S. & Sandler, D., "Ambush Marketing: Does involvement in the ING New York City Marathon affect attitude?" *4<sup>th</sup> Annual Sport Marketing Association (SMA) Conference* (Denver, Nov. 2006).

McKelvey, S., "From fantasy games... To 'The Big Game': Gray areas at the nexus of sport marketing and the law." *Academy of Legal Studies in Business (ALSB), 81<sup>st</sup> Annual Meeting* (St. Petersburg, FL, August, 2006).

Sandler, D. & McKelvey, S., “Does a decade make a difference? Online survey of sponsor effectiveness at the 2005 ING New York City Marathon.” *Academy of Marketing Conference* (London, July 2006).

Southall, R., Dick, R., & McKelvey, S., “Theory and practice in action: Experiential learning in sport sales training.” *21st Annual North American Society for Sport Management (NASSM) Conference* (Kansas City, June 2006).

McKelvey, S. & Sandler, D., “Do participants care more than spectators: Assessing sponsorship recall and recognition levels and attitudes toward ambush marketing among participants of the 2005 ING New York City Marathon.” *21st Annual North American Society for Sport Management (NASSM) Conference* (Kansas City, June 2006).

McKelvey, S., “Mud Hen Baseball v. Mud Hen Coffee: Can consumer confusion analysis factors trump strong-arm trademark infringement claims?” *19<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (Albuquerque, NM, March 2006).

McKelvey, S., “Ambushing ‘The Big Game’: Analyzing the National Football League’s avenues of legal recourse.” *3<sup>rd</sup> Annual Sport Marketing Association (SMA) Conference* (Phoenix, November 2005).

McKelvey, S. & Sandler, D., “Assessing event participant attitudes toward ambush marketing.” *3<sup>rd</sup> Annual Sport Marketing Association (SMA) Conference* (Phoenix, November 2005).

Grady, J., McKelvey, S., & Clement, A., “A new ‘twist’ in the evolving debate between the right of publicity and the First Amendment.” *18<sup>th</sup> Annual Sport and Recreation Law (SRLA) Conference* (Virginia Beach, VA, March 2005).

McKelvey, S. & Moorman, A., “Bush-whacked: An analysis of the legal issues surrounding President Bush’s unauthorized use of ‘Olympics’ in campaign advertising.” *18<sup>th</sup> Annual Sport and Recreation Law (SRLA) Conference* (Virginia Beach, VA, March 2005).

McKelvey, S., & Dudukovich, J., “Legal and practical issues in negotiating ambush marketing protection clauses into sponsorship contracts.” *2nd Annual Sport Marketing Association (SMA) Conference* (Memphis, November 2004).

Grady, J. & McKelvey, S., “Using trademark and the right of publicity to protect an athlete’s image.” *2nd Annual Sport Marketing Association (SMA) Conference* (Memphis, November 2004).

Clement, A., Grady, J., McKelvey, S., & Moorman, A., “The relationship between intellectual property law and sport marketing.” *19<sup>th</sup> Annual North American Society for Sport Management (NASSM) Conference* (Atlanta, June 2004).

McKelvey, S., “Sponsors have the hammer, now use it!: Examining the need for stronger contract provisions to better protect sponsor investments.” *17<sup>th</sup> Annual Sport and Recreation Law Association (SRLA) Conference* (Las Vegas, March 2004).



McKelvey, S., & Gladden, J., "Examining the attitudes of sports fans toward the involvement of casinos and lotteries as sponsors of sport organizations." *19<sup>th</sup> Annual North American Society for Sport Management (NASSM) Conference* (Atlanta, June 2004).

McKelvey, S., "Unauthorized use of event tickets in ambush marketing campaigns: Will *NCAA v. Coors* resolve the sport marketers' debate?" *18<sup>th</sup> Annual North American Society for Sport Management (NASSM) Conference* (Ithaca, NY, June, 2003).

McKelvey, S., & Gladden, J., "An Exploration of corporate sport marketers' assessment of ambush marketing." *1<sup>st</sup> Annual Sport Marketing Association (SMA) Conference* (Gainesville, FL, November 2003).

Grady, J. & McKelvey, S., "Current trends in the use and viability of disclaimers as a means of alleviating consumer confusion: Is the 'legal loophole' closing for ambush marketers?" *1<sup>st</sup> Annual Sport Marketing Association (SMA) Conference* (Gainesville, FL, November, 2003).

## **TEXTBOOKS**

Dees, W., Walsh, P., McEvoy, C., and McKelvey, S., Originated by Mullin, B., Hardy, S., Sutton, W.A. *Sport Marketing* (5<sup>th</sup> Ed, 2021). Human Kinetics (Champaign, IL).

## **PEER-REVIEWED CASES STUDIES IN REFEREED JOURNALS**

McKelvey, S. & Grady, J. (2014). Who can own the color gold?: Fielding the case of Rawlings Sports Goods Company vs. Wilson Sporting Goods Company. *Journal of Legal Aspects of Sport*, 24(1), 24-34.

Cobbs, J., & McKelvey, S. (2009). The practice of brand extension through licensing: The Spalding challenge. *Sport Management Review*, 12(3), 185-192.

McKelvey, S., McDonald, M., and Cramer, R. (2005). MasterCard and Major League Baseball: Metrics for measuring a most 'memorable' promotion. *Sport Marketing Quarterly*, 14(4), 254-262.

McKelvey, S. (2006). Coca-Cola vs. PepsiCo -- A "super" battleground for the cola wars? *Sport Marketing Quarterly*, 15(2), 114-123.

## **PUBLICATIONS - SPORT MARKETING & THE LAW COLUMN, *SMQ***

McKelvey, S. & Grady, J. (2014). On Second Thought ... Recent Decisions Continue to Reshape Intellectual Property Landscape. *Sport Marketing Quarterly*, 23(3), 176-179.

McKelvey, S. & Masteralexis, J. (2013). New FTC Guides impact use of social media for companies and athletes. *Sport Marketing Quarterly*, 22(1), 69-71.

McKelvey, S. (2010). What's in a Name? *AFL Philadelphia LLC v. Krause* provides legal lessons for sport organizations on use of employee names in company communications (Sport Marketing and the Law column), *Sport Marketing Quarterly*, 19(3), 226-228.

Kaburakis, A. & McKelvey, S. (2009). *Facenda Jr. v. NFL Films, Inc.*: "Voice of God" case settled after Third Circuit ruling (Sport Marketing and the Law column). *Sport Marketing Quarterly*, 18(2), 107-111.

McKelvey, S. (2008). Recent trademark dilution cases redefine concept of "fame". *Sport Marketing Quarterly*, 17(3), 173-177.

McKelvey, S., (2006). "Dawg Pound" decision provides guidance for fan group-related trademarks (Sport Marketing and the Law column). *Sport Marketing Quarterly*, 15(3), 181-183.

McKelvey, S. & Epstein, A. (2006). "Beerman" served a cold response from Tenth Circuit (Sport Marketing and the Law column), *Sport Marketing Quarterly*, 15(1), 50-52.

McKelvey, S. (2005). Sport celebrities and the right of publicity take a new "Twist" (Sport Marketing and the Law column), *Sport Marketing Quarterly*, 14(3), 188-189.

McKelvey, S. (2004). MMAA v. Netfire: "March Madness" protection strengthened for NCAA (Sport Marketing and the Law column), *Sport Marketing Quarterly*, 13(2), 117-119.

McKelvey, S. (2003). Unauthorized use of event tickets in promotional campaign may create new legal strategies to combat ambush marketing: *NCAA v. Coors* (Sport Marketing and the Law column), *Sport Marketing Quarterly*, 12(2), 117-118.

McKelvey, S. (2004). Interview, Glenn Horine, Executive Vice President, Arena Football League, in *Sport Marketing Quarterly*, 13(4), 177-179.

McKelvey, S. (2004). Interview, Chuck Steedman, Senior Director of Business Services, New England Sports Ventures, Inc. in *Sport Marketing Quarterly*, 13(1), 5-6.

#### **BOOK CHAPTERS:**

McKelvey, S. (2018). "Sport Sales," in Principles and Practice of Sport Management (6th Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Burlington MA: Bartlett & Jones.

McKelvey, S. (2018). "Sport Sponsorship," in Principles and Practice of Sport Management (6th Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Burlington MA: Bartlett & Jones.

McKelvey, S. (2015). "Sport Sales," in Principles and Practice of Sport Management (5th Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Burlington MA: Bartlett & Jones.

McKelvey, S. (2015). "Sport Sponsorship," in Principles and Practice of Sport Management (5th Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Burlington MA: Bartlett & Jones.

McKelvey, S. & Grady, J., (2014). "Legal Aspects of Sport Marketing," in Sport Marketing (4th Ed.). Bernard Mullin, Stephen Hardy, William Sutton (eds), Champaign, IL: Human Kinetics.

McKelvey, S. & Spalding, R. (2013). Merchandising the NFL Brand and Intellectual Property Rights. *Economics of the NFL: State of the art* (K. Quinn, Ed.), pp. 107-135. New York, NY: Springer.

McKelvey, S. (2012). "Sport Sales," in Principles and Practice of Sport Management (5th Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Burlington MA: Bartlett & Jones.

McKelvey, S. (2012). "Sport Sponsorship," in Principles and Practice of Sport Management (5th Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Burlington MA: Bartlett & Jones.

McKelvey, S. (2008). "Sport Sales," in Principles and Practice of Sport Management (3d Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Gaithersburg, MD: Aspen Publishers.

McKelvey, S. (2008). "Sport Sponsorship," in Principles and Practice of Sport Management (3d Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Gaithersburg, MD: Aspen Publishers.

McKelvey, S. & Masteralexis, L.P. (2007). "Legal Aspects of Sport Marketing," in Sport Marketing (3d Ed.). Bernard Mullin, Stephen Hardy, William Sutton (eds), Champaign, IL: Human Kinetics (2007).

McKelvey, S. (2005). "Sport Sales," in Principles and Practice of Sport Management (2d Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Gaithersburg, MD: Aspen Publishers.

McKelvey, S. (2005). "Sport Sponsorship," in Principles and Practice of Sport Management (2d Ed.). Lisa P. Masteralexis, Carol A. Barr, and May A. Hums (eds), Gaithersburg, MD: Aspen Publishers.

### **PROFESSIONAL PRESENTATIONS (Invited):**

Extensive interview with Harvard University's Journal of Sports & Entertainment Law, specifically to provide insights on topic of ambush marketing (April 2017).  
<http://harvardjsel.com/2017/04/interview-with-steve-mckelvey/>

Panel Moderator on “Life after Law: making the Switch, Tackling the Transition and Climbing the Ladder (Sports & Entertainment Law Symposium, Harvard Law School, March 26, 2015).

Panel Participant on “Brand Management & Ambush Marketing: Educations. Enforcement” (Ryerson University, Toronto Canada, Dec. 8, 2014).

Panel Participant on “Legal Aspects of Ambush Marketing,” Institute of Continuing Legal Education, Georgia State Bar (Atlanta, April 16, 2012)

McKelvey, S., “This tweet sponsored by ...: The application of the new FTC Guides to the social media world of professional athletes. *86<sup>th</sup> Annual Academy of Legal Studies in Business Conference* (New Orleans, August 12, 2011).

McKelvey, S. & Grady, J., “Intellectual property protection of mega sports events.” *International Conference on Sport & Entertainment Business* (University of South Carolina, November 2006).

McKelvey, S., “Business and legal issues in ambush marketing.” *2d Seminario Internacional en Alta Gerencia Deportiva*, Univeridad Metropolitana (Caracas, Venezuela, October 2006).

McKelvey, S., “Putting sport marketing theory into practice.” *1er Seminario Internacional en Alta Gerencia Deportiva*, Univeridad Metropolitana (Caracas, Venezuela, November 2005).

McKelvey, S., “Protecting athletes’ endorsement value: An overview of current legal options.” Presentation given as part of panel entitled “Legal Intellectual Property Issues in Endorsements and Sponsorships,” *31<sup>st</sup> Annual Sports Lawyers Association (SLA) Conference* (Phoenix, May 2005).

McKelvey, S., Panel moderator and presenter. “Front row insights to activating your sports sponsorship.” *Promotion Marketing Association* (New England chapter), (Boston, MA, February 2005).

Cohen, M. & McKelvey, S. (2003, December). The current state of ambush marketing in sports. *25<sup>th</sup> Annual Promotion Law Conference*, Promotion Marketing Association, Chicago, IL (December 2003). Paper included in CD-ROM compilation distributed to all attendees.

McKelvey, S., “Legal issues in ambush marketing.” *American Bar Association Entertainment and Sport Industries Annual Forum* (New York City, October 2003).

McKelvey, S., “Legal issues and update on use of special event tickets in promotions.” *National Sport Law Institute Conference* (Marquette University Law School, October 2002).

McKelvey, S., Panel moderator, “Scope of protectable rights of sports team and event trademarks and logos.” *National Sport Law Institute Conference* (Marquette University Law School, October 2002).

## **PUBLICATIONS IN INDUSTRY TRADE JOURNALS NEWSPAPERS**

McKelvey, S. (2024, March 2015). Beware “March Madness” of sports betting. *Daily Hampshire Gazette*, B3.

McKelvey, S. & Grady, J. (April 21, 2023). Does recent decision portend end to “Clean Zones” in Event Host Cities? *Sports Litigation Alert*, 20(8), 28-30.

McKelvey, S. & Ann, S. (Jan. 23, 2023). LIV Golf triggers memories of McCormack’s creation of OWGR system. *Sports Business Journal*. (Promotion of McCormack Archives).

McKelvey, S. & Moorman, A. (March-April 2022). Use of School Colors Poses Yet Another Legal Issue on NIL Landscape. *Name, Image and Likeness (NIL) Institutional Report*, Lead1 Association, p. 12, 17-19. Reprinted in *Sports Litigation Alert* (May 6, 2022), 19(9), pp. 12-15.

McKelvey, S., & Penn, C. (August 2, 2021). McCormack archives reveal early efforts at “NFL Negro Collective,” *SportsBusiness Journal*, p. 18. (Promotion of McCormack Archives).

McKelvey, S., & McClure, M. (March 9, 2020). Long before investing in avatars, there were ... laundromats? *SportsBusiness Journal*, p. 35 (Promotion of McCormack Archives).

McKelvey, S., & McClure, M. (August 12, 2019). Archives shed light on early endorsement deals. *SportsBusiness Journal*, p. 35. (Promotion of McCormack Archives).

McKelvey, S. (2018, July 9). Memo offers view to licensing’s early days. *SportsBusiness Journal*, p. 33. (Promotion of McCormack Archives).

McKelvey, S. (2017, Nov 20). FTC Reminds Use #YouMustDisclose. *SportsBusinessJournal*, p. 44.

McKelvey, S. (2016, August 16). Ambush or Not ... Telstra’s “I Go to Rio” Campaign Rules Legal, *Sports Litigation Alert*, 13(15), 2-7.

McKelvey, S. & Burton, N. (August 1, 2016). Who own Games? Time to retire term “ambush marketing.” *SportsBusiness Journal*, p. 23.

Grady, J. & McKelvey, S. (2015, May 18). The IOC’s Rule 40 changes and the forecast for Rio 2016. *SportsBusiness Journal*, p. 19.

McKelvey, S (2014, Feb 17). Memos reveal advent of ambush marketing around ’84 Games. *SportsBusiness Journal*, p. 13. (Promotion of McCormack Archives).

McKelvey, S. & Grady, J. (2012, October 22). Ambush Marketing Lessons from the London Olympic Games. *SportsBusiness Journal*, p. 25

McKelvey, S. (2010, January 18). As Games approach, time to reconsider ambush marketing. *SportsBusiness Journal*, p. 23.

McKelvey, S. & Snyder, K. (2009, June 1). Sponsor recognition numbers stand out for sports participants. *SportsBusiness Journal*, p. 12.

McKelvey, S. (2007, October 1). Students gain on-the-job experience in front office "classroom." *SportsBusiness Journal*, p. 13.

McKelvey, S. (2007, March 12). Team Colors? Meet the team of lawyers. *Brandweek*, p. 18.

Longley, N. & McKelvey, S. (2006, March 13). Venezuela holds lessons for MLB. *SportsBusiness Journal*, p. 24.

McKelvey, S. (2005, February 14). "Vice" sponsorships raise brand issues, *Brandweek*, p. 18.

McKelvey, S. (2004, May 17). Rolling the dice with gambling entities, *SportsBusiness Journal*, p. 23.

McKelvey, S. (2003, May 19). Jury still out on ticket giveaways, *SportsBusiness Journal*, p. 27.

McKelvey, S. (2003, January 20). More Tales of Body Art and "Branding," *Brandweek*, p. 23.

McKelvey, S. (2002, April 22). Ambush threat the real madness in March, *SportsBusiness Journal*, p. 33.

McKelvey, S. (1997, January 27). Sell Sponsorships Against Pols' Loose Talk, *Brandweek*, p. 24.

McKelvey, S. (1994, April 18). Sans Legal Restraints, No Stopping Brash, Creative Ambush Marketers, *Brandweek*, p. 20.

McKelvey, S. (1993, March). Corporate Bushwackers," *Athletic Business*, p. 16.

## **RESEARCH FUNDING**

Fall 2005: \$7,500

New York City Road Runners. Grant money utilized to conduct research and produce report on sponsor recall and recognition levels and attitudes toward ambush marketing

amongst participants and non-participants in 2005 ING New York City Marathon.  
Industry Report submitted March 2006.

### **INDUSTRY CONTRACTS:**

#### Funding Record

Spring 2007: \$2,000

Holyoke Giants (New England Collegiate Baseball League). Donation to Center for Spectator Sport Research (CSSR).

#### Funding Record

10 year agreement, \$40,000 (annual average value: \$4,000)

Sponsorship contributions to Center for Spectator Sport Research (CSSR) for participation in PRISM Award program.

#### Funding Record

Fall 2005-Spring 2006: \$5,000

Sponsorship contributions to Center for Spectator Sport Research (CSSR) for participation in PRISM Award program.

#### Funding Record

Spring 2006: \$2,500

Holyoke Giants (New England Collegiate Baseball League). Donation to Center for Spectator Sport Research (CSSR).

#### Funding Record

Spring 2005: \$2,500

Holyoke Giants (New England Collegiate Baseball League). Donation to Center for Spectator Sport Research (CSSR).

### **SERVICE TO THE ACADEMY:**

Editorial Board, *Sport Marketing Quarterly* (SMQ), January 2019-Present.

Past-President, *Sport & Recreation Law Association (SRLA)*, March 2016-March 2017.

President, *Sport & Recreation Law Association (SRLA)*, March 2015-March 2016.

President-Elect, *Sport & Recreation Law Association (SRLA)*, Elected March 2014.

Chair, Sport Marketing Section of the Academy of Legal Studies in Business (ALSB) (August 2012-July 2013)

Vice President, Industry Relations, *Sport Marketing Association (SMA)* (October 2011-present; elected to a second 2-year term in September 2013)

Co-editor, Sport Marketing and the Law column, *Sports Marketing Quarterly* (2005-2016)

Sport Marketing Track Co-Chair, 2010 Summer Marketing Educators' Conference, American Marketing Association, Boston MA, August 13-16, 2010.

Board of Directors, Sport and Recreational Law Association (SRLA) (Spring 2007-Spring 2009).

Editorial Review Board, *Sports Marketing Quarterly* (Spring 2007-Present).

Editorial Review Board, *Journal of Legal Aspects of Sport* (2004-present)

Marketing Committee, Sport and Recreation Law Association (SRLA) (2004-2006)

North American Society for Sport Management (NASSM) Conference (Abstract Reviewer: 2003-present)  
Sport and Recreational Law Association (SRLA) Conference (Abstract Reviewer: 2003-present)  
Sport Marketing Association (SMA) Conference (Abstract Reviewer: 2004-present)  
Board Member, Seton Hall Sports Law Symposium (1992-1998)

#### **DEPARTMENTAL/ISENBERG SCHOOL OF MANAGEMENT SERVICE:**

Department Chair, Sport Management Department (June 2020-August 2023)  
Associate Department Chair for External Engagement, Sport Management Department (June 2015-August 2020)  
Graduate Program Director, Sport Management Department (Summer 2007-August, 2021)  
Isenberg School of Management Personnel Committee (Fall 2018-present)  
Faculty Advisor, NASCAR Kinetics National Competition, 1<sup>st</sup> place finish (Fall 2012)  
Faculty Advisor, NASCAR Kinetics National Competition, 2<sup>nd</sup> place finish (Fall 2011)  
Chair, Search Committee (for Associate Professor position), Fall 2011-Spring 2012.  
Member of Dean Fuller's Task Force on Career Development & Professional Services (Fall 2011-Spring 2012)  
Member, Sport Management Department Curriculum Committee (2002-present)  
Director, PRISM Award program (2002-2007)  
Member, HTM Dean Search Committee (2006)  
Sport Management Department Personnel Committee (2002-present)  
Jr. Writing Faculty Search Committee (Spring 2004)

#### **PROFESSIONAL SERVICE:**

Appointed to inaugural Western Massachusetts Sports Commission (March 2013-July 2017)

#### **HONORS & AWARDS (UMASS)**

University of Massachusetts Amherst Distinguished Graduate Mentor Award (2016)  
- 1 of 3 awarded university-wide each year by the Graduate School  
Lilly Teaching Fellow, University of Massachusetts Amherst (2008-2009)  
Outstanding Teacher Award, Isenberg School of Management (2007)

#### **HONORS & AWARDS, ACADEMIC ASSOCIATIONS**

*Herb Appenzeller Sport and Recreation Law Association Honor Award*, 2021 (Presented to an individual who has given outstanding service to the Association).  
*William Sutton Award*, Sport Marketing Association, 2017 (Recognizing sport marketing educator "who best exemplifies the mission of the SMA" through the expansion of the body of knowledge through connections to the sport industry)  
*Betty van der Smissen Leadership Award*, Sport & Recreation Law Association (SRLA, 2017 (the SRLA's highest honor)  
President's Award, in Appreciation of Outstanding Service to SRLA, 2017  
President's Award, in Appreciation of Outstanding Service to SRLA, 2015



Research Fellow, Sport & Recreation Law Association (SRLA), 2012  
President's Award, in Appreciation of Outstanding Service to SRLA, 2011

**PROFESSIONAL AFFILIATIONS:**

American Business Law Association  
North American Society for Sport Management  
Sport and Recreation Law Association  
Sports Lawyers Association  
Sport Marketing Association