

242 Federal Plaza West  
Suite 405  
Youngstown, OH 44503  
Office: (330) 797-2556  
Fax: (330) 797-2559



Bernie Profato  
Executive Director

State of Ohio  
**OHIO ATHLETIC COMMISSION**

To whom it may concern:

Enclosed you will find the required Athlete Agent registration packet. This includes all the forms and needed information for individual agent's application as well as business entities. If you are a business entity and are registering individual agents, please feel free to photocopy this registration packet. Make sure the application is completed in its entirety and that all directions have been followed.

All applicants will receive a certificate with that will include their name, starting and expiration date of their license. All registered Athlete Agent names will be placed on our web site at: <http://aco.ohio.gov>. This list will be updated every thirty (30) to (60) days.

If there are any questions please feel free to contact the Athletic commission at the above phone numbers.

**MAKE ALL CHECKS PAYABLE: Treasurer State of Ohio**

Yours in sports,

*Bernie Profato*

Bernie Profato  
Executive Director

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Executive Director

State of Ohio  
**OHIO ATHLETIC COMMISSION**

**ATHLETE AGENT INSTRUCTIONS FOR REGISTRATION**

**STATUTORY AUTHORITY:** Pursuant to Chapter 4771 of the Ohio Revised Code, any person who practices as an **athlete agent** in the state of Ohio must be licensed by the Ohio Athletic Commission. Such license is not transferable.

**REGISTRATION REQUIREMENTS:** All the following must be checked and submitted to:

**Ohio Athletic Commission  
242 Federal Plaza West Suite 405  
Youngstown, OH 44503**

**Failure to file this information may result in the denial of your registration as an Athlete Agent.**

1. A completed Athlete Agent application

\_\_\_\_\_ Individual Application:

\_\_\_\_\_ Business Entity Application

2. License Fee:

\_\_\_\_\_ \$500 – Individual license (License expires 2 years)

\_\_\_\_\_ \$500 – Business Entity Application (License expires 2 years)  
(Make check payable to: TREASURER STATE OF OHIO)

3. Proof of one of the following:

\_\_\_\_\_ A surety bond in the amount of fifteen thousand dollars (\$15,000.00) in favor of the state of Ohio for the benefit of any individual who is injured by any violation of Chapter 4771 of the Ohio revised Code or rules adopted there under.

\_\_\_\_\_ A certificate of deposit in favor of or a savings account assigned to, the state of Ohio in the amount of Ohio in the amount of fifteen thousand dollars (\$15,000.00) for the benefit of any individual who is injured by any violation of Chapter 4771 of the Ohio Revised Code or rules adopted there under.

\_\_\_\_\_ Certification from an insurance carrier indicated that the athlete agent applying for the license has obtained professional malpractice insurance in an amount equal to, greater than fifty thousand dollars (\$50,000.00) or a lesser amount after receiving approval from the Ohio Athletic Commission.

- Upon approval of a completed registration application, the applicant will be issued a certificate of registration which is valid for two (2) years from the date of issuance
- An application for renewal shall be filed not less than thirty (30) days prior to the expiration date of the issued certificate and is subject to the same requirements as stated herein.
- ANY change in the applicant's principal business address must be reported to the Ohio Athletic Commission within thirty (30) days of changing address.
- Applicants and registered Athlete Agents are subject to all rules and regulations bearing agency-level 4771 of the Ohio revised code.

ATHLETE AGENT REGISTRATION APPLICATION  
BUSINESS ENTITY  
(FILING FEE \$500)

(Please Print or Type)

Name of Applicant \_\_\_\_\_

Applicant's Principal Business Address \_\_\_\_\_  
\_\_\_\_\_

Telephone Number (\_\_\_\_\_) \_\_\_\_\_

Type of Entity:

\_\_\_\_\_ Corporation          \_\_\_\_\_ Association          \_\_\_\_\_ Sole Proprietorship

\_\_\_\_\_ Partnership          \_\_\_\_\_ Limited Liability Company

\_\_\_\_\_ Other, please specify \_\_\_\_\_

Is this a Renewal? \_\_\_\_\_ Yes \_\_\_\_\_ No

If Yes, give the date the present registration expires \_\_\_\_\_ (Month/Day/Year)

**INSTRUCTIONS:**

List the following information as it applies to each officer, associate, partner, or individual on attached Appendix "A".

1. Business or occupation engaged in for the five years immediately preceding the application date;
2. All formal training, practical experience and educational background relating to applicant's professional activities as an athlete agent in the areas of contracts, contract negotiations, complaint resolution, arbitration and dispute resolution; and
3. Names and addresses of all persons, except bona fide employees on stated salaries, financially interested as partners, associates or profit sharers in the operation of the business of the athlete agent. (NOTE: Any member of the Ohio State Bar must only state the names and addresses of those persons involved in the activities of the athlete agent and not those merely interested as members of the law firm or professional corporation.)

*CONTINUED ON NEXT PAGE*

List the following on attached Appendix "B":

1. Names and addresses of each athlete agent registered in the State of Ohio employed by, or associated with the registered business entity. (NOTE: Athlete agents employed by or associated with any business entity and doing business in the State of Ohio must also be separately registered.)

List the following on attached Appendix "C":

1. Names and location of the interest bearing trust fund(s) or similar account required to be maintained by Ohio Revised Code 4771.12 for the deposit of all revenues received on behalf of the athlete.

APPENDIX A

1. List the business or occupation engaged in for the five years immediately preceding the date of application.

Name of Person \_\_\_\_\_

BUSINESS OR OCCUPATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has this person ever been convicted of an offense in connection with their service as an athlete agent in this or any other state?

\_\_\_\_\_ Yes \_\_\_\_\_ No If yes, explain.

Has this person ever been convicted of an offense involving gambling?

\_\_\_\_\_ Yes \_\_\_\_\_ No If yes, explain.

Name of Person \_\_\_\_\_

BUSINESS OR OCCUPATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has this person ever been convicted of an offense in connection with their service as an athlete agent in this or any other state?

\_\_\_\_\_ Yes \_\_\_\_\_ No If yes, explain.

Has this person ever been convicted of an offense involving gambling?

\_\_\_\_\_ Yes \_\_\_\_\_ No If yes, explain.

APPENDIX A CONTINUED

3. List names and addresses of all financially interested parties.

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

APPENDIX A CONTINUED

2. List all formal, practical experience and educational background relating to applicant's professional activities as an athlete agent. (NOTE: Any member of the Ohio State Bar shall submit a current certificate of good standing in lieu of this portion of the application.)

Name of Person \_\_\_\_\_

TRAINING, EXPERIENCE, EDUCATIONAL BACKGROUND

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Name of Person \_\_\_\_\_

TRAINING, EXPERIENCE, EDUCATIONAL BACKGROUND

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Name of Person \_\_\_\_\_

TRAINING, EXPERIENCE, EDUCATIONAL BACKGROUND

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Name of Person \_\_\_\_\_

TRAINING, EXPERIENCE, EDUCATIONAL BACKGROUND

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APPENDIX B

1. Name and principal business address of any business entity registered in the State of Ohio as an athlete agent with which you are employed or associated.

NAME OF ENTITY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF ENTITY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF ENTITY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF ENTITY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF ENTITY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

APPENDIX C

1. List the Name and location of the interest bearing trust fund(s) or similar account(s) required to be maintained pursuant to Ohio Revised Code 4771.12 for the deposit of all revenues received on behalf of an athlete.

NAME OF DEPOSITORY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_

NAME OF DEPOSITORY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_

NAME OF DEPOSITORY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_

NAME OF DEPOSITORY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

By: \_\_\_\_\_ (Name)

\_\_\_\_\_ (Title)

State of \_\_\_\_\_

County of \_\_\_\_\_

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature

(seal)

\_\_\_\_\_  
Printed or Typed Name

My commission expires: \_\_\_/\_\_\_/\_\_\_

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RETURN THIS APPLICATION WITH THE \$500.00 FILING FEE TO:



Ohio Athletic Commission  
242 Federal Plaza West  
Suite 405  
Youngstown, OH 44503

Make checks payable:

**Treasurer State of Ohio**



ATHLETE AGENT REGISTRATION APPLICATION  
INDIVIDUAL  
(FILING FEE \$500)

(Please Print or Type)

Name of Applicant \_\_\_\_\_

Applicant's Principal Business Address \_\_\_\_\_

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_

Applicant's Residential Address \_\_\_\_\_

Is this a Renewal? \_\_\_\_\_ Yes \_\_\_\_\_ No

If Yes, give the date the present registration expires \_\_\_\_\_ (Month/Day/Year)

Have you ever been convicted of an offense in connection with your service as an athlete agent in this or any other state? \_\_\_\_\_ Yes \_\_\_\_\_ No If yes, explain.

Have you ever been convicted of an offense involving gambling? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, explain.

**INSTRUCTIONS:**

List the following information on attached Appendix "A".

1. Business or occupation engaged in for the five years immediately preceding the application date;
2. All formal training, practical experience and educational background relating to applicant's professional activities as an athlete agent in the areas of contracts, contract negotiations, complaint resolution, arbitration and dispute resolution; and
3. Names and addresses of all persons, except bona fide employees on stated salaries, financially interested as partners, associates or profit sharers in the operation of the business of the athlete agent. (NOTE: Any member of the Ohio State Bar must only state the names and addresses of those persons involved in the activities of the athlete agent and not those merely interested as members of the law firm or professional corporation.)

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APPENDIX A

1. List the business or occupation engaged in for the five years immediately preceding the date of application.

Name of Person \_\_\_\_\_

BUSINESS OR OCCUPATION

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(D) "Athlete" means either of the following:

(1) A student enrolled in any educational institution or institution of higher education in this state, who participates, or is or may become eligible to participate, in any athletic sporting event, contest, exhibition, or program at the educational institution or institution of higher education;

(2) A student who meets one of the following criteria:

(a) Resides in this state, is eligible to participate in an amateur athletic program, and has informed an educational institution or institution of higher education, in writing, of the student's intent to participate in that institution's amateur athletic program;

(b) Does not reside in this state but is eligible to participate in an amateur athletic program and has informed, in writing, an educational institution or institution of higher education in this state of the student's intent to participate in that institution's amateur athletic program.

(E) "Institution of higher education" means a state university or college or a private nonprofit college or university located in this state that possesses a certificate of authorization issued by the Ohio board of regents pursuant to Chapter 1713, of the Revised Code.

(F) "Professional sports services contract" means either of the following:

(1) Any contract or agreement pursuant to which an athlete is employed or agrees to render services as a player on a professional sports team or as a professional athlete;

(2) Any contract or agreement that provides for the present or future marketing of an athlete or athlete's reputation.

APPENDIX A CONTINUED

2. List all formal, practical experience and educational background relating to applicant's professional activities as an athlete agent. (NOTE: Any member of the Ohio State Bar shall submit a current certificate of good standing in lieu of this portion of the application.)

Name of Person \_\_\_\_\_

TRAINING, EXPERIENCE, EDUCATIONAL BACKGROUND

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APPENDIX A CONTINUED

3. List names and addresses of all financially interested parties.

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

List the following on attached Appendix "B":

1. Name and principal business address of any business entity registered in the State of Ohio as an athlete agent with which you are employed or associated.

List the following information on attached Appendix "C":

1. Name and location of the interest bearing trust fund(s) or similar account required to be maintained by Ohio Revised Code 4771.12 for the deposit of all revenues on behalf of an athlete.

APPENDIX B

1. If registering other than as an individual, list names and addresses of each athlete agent registered in the State of Ohio employed by, or associated with, the registered business entity.

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NAME OF PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

APPENDIX C

1. List the Name and location of the interest bearing trust fund(s) or similar account(s) required to be maintained pursuant to Ohio Revised Code 4771.12 for the deposit of all revenues received on behalf of an athlete.

NAME OF DEPOSITORY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_

NAME OF DEPOSITORY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_

NAME OF DEPOSITORY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_

NAME OF DEPOSITORY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

By: \_\_\_\_\_ (Name)

\_\_\_\_\_ (Title)

State of \_\_\_\_\_

County of \_\_\_\_\_

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature

(seal)

\_\_\_\_\_  
Printed or Typed Name

My commission expires: \_\_\_/\_\_\_/\_\_\_

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RETURN THIS APPLICATION WITH THE \$500.00 FILING FEE TO:



Ohio Athletic Commission  
242 Federal Plaza West  
Suite 405  
Youngstown, OH 44503

Make checks payable:

**Treasurer State of Ohio**



OHIO ATHLETIC COMMISSION  
ATHLETE AGENT SURETY BOND

BOND NUMBER \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS:

That we, \_\_\_\_\_, as

Principal, whose address is \_\_\_\_\_

and \_\_\_\_\_  
as Surety, being a surety company authorized to do business in the State of Ohio, are held and firmly bound unto the State of Ohio, in the penal sum of \$15,000, lawful money of the United States of America, payable to the state for the use and benefit of the state or any injured party, by reason of the principal's intentional misrepresentation, fraud, deceit, or any other unlawful or negligent act or omission by the principal or his/her representative or employee while acting within the scope of an agent contract as defined in Ohio Revised Code 4771.01, for the payment of which well and truly to be made, we and each of us, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

THE CONDITIONS OF THE ABOVE OBLIGATIONS ARE SUCH THAT:

WHEREAS, the above named principal is acting as an athlete agent providing services for an athlete pursuant to a an agent contract as defined by Ohio Revised Code 4771 *et seq.*

NOW, THEREFORE, if the principal or his representative or employee shall provide services in accordance with the provisions of Ohio Revised Code 4771, *et seq.*, and if said principal or his representative or employee shall not damage any person by reason of the intentional misrepresentation, fraud, deceit, or any other unlawful or negligent act or omission while acting within the scope of the athlete agent contract, then this obligation shall be void, otherwise to remain in full force and effect, subject only to the following conditions:

1. This bond shall be construed to be in favor of any person damaged by reason of the intentional misrepresentation, fraud, deceit, or any other unlawful or negligent act or omission by the principal or his representative or employee while acting within the scope of the athlete agent contract.
2. That any person injured by violation(s) of Ohio Revised Code 4771, *et seq.*, may bring action against the principal and surety on this bond.
3. That the aggregate liability of the surety for any claim arising under this bond shall not exceed the actual damages for principal's violation of this Act; in no

event shall the aggregate liability of the surety for any and all claims which arise under the bond exceed the penal sum thereof.

4. This bond shall not be subject to cancellation by the surety unless written notice of intent to cancel is forwarded by the surety to the Ohio Athletic Commission, Agent Athlete Section, at least thirty (30) days prior to the effective date of cancellation. The surety shall also provide the principal with written notification at least thirty (30) days prior to cancellation.
5. The principal must maintain the bond for 2 years after the termination date(s) of any athlete agent contract(s) entered into by the principal his representative or employee under the provisions or the Ohio Revised Code 4771,

IN WITNESS said PRINCIPAL and SURETY have executed this bond this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
NAME OF PRINCIPAL

\_\_\_\_\_  
SECRETARY OF PRINCIPAL

BY: \_\_\_\_\_  
NAME AND DESIGNATION OF  
OFFICER

\_\_\_\_\_  
NAME OF SURETY

BY: \_\_\_\_\_  
ATTORNEY IN FACT

**§ 4771.01. Definitions.**

(A) "Agent contract" means any contract or agreement pursuant to which an athlete authorizes or empowers or agrees to authorize or empower at some later date an athlete agent to do any of the following:

(1) Negotiate or solicit an agreement on behalf of the athlete with one or more professional sports teams for the employment of the athlete by a professional sports team;

(2) Negotiate or solicit an agreement on behalf of the athlete for the employment of the athlete as a professional athlete;

(3) Market, or enter an agreement to market, an athlete or an athlete's reputation.

(B) "Athlete agent" means any person who directly or indirectly recruits or solicits any athlete to enter into an agent contract or professional sports services contract, or who for a fee procures, offers, promises, or attempts to obtain employment for an athlete with a professional sports team, or as a professional athlete, or otherwise attempts to market an athlete or an athlete's reputation. Athlete agent does not include either of the following:

(1) A member of a student athlete's immediate family;

(2) An attorney from whom an athlete seeks legal advice concerning a proposed professional sports services contract if the attorney does not represent the athlete in negotiating or soliciting the contract.

(C) "Immediate family" means an individual's spouse, child, parent, stepparent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or the spouse or guardian of any of the individuals described in this division.

(G) "State university or college" includes the state universities listed in section 3345.011 [3345.01.1] of the Revised Code, community colleges created pursuant to Chapter 3354 of the Revised Code, university branches created pursuant to Chapter 3355 of the Revised Code, technical colleges created pursuant to Chapter 3357 of the Revised Code, and state community colleges created pursuant to Chapter 3358 of the Revised Code.

(H) "Educational institution" means any institution located in this state, public or private, that provides elementary or secondary education to students as its primary function.

**HISTORY: 142 v S 263 (Eff 6-14-88); 143 v H 153 (Eff 7-28-89); 148 v H 107. Eff 3-22-2001.**