

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Jett Elad v. National Collegiate Athletic Association

No. 25-1870 (3d Cir. Nov. 25, 2025) · No. 25-1870 · Decided November 25, 2025

SUMMARY

The United States Court of Appeals for the Third Circuit vacated a preliminary injunction that allowed Rutgers football player Jett Elad to compete for an additional NCAA season despite the NCAA's junior-college eligibility rule. The court held that the rule has a commercial effect potentially subject to Sherman Act scrutiny and that the district court failed to adequately define the relevant market for its rule-of-reason analysis. The case was remanded for further proceedings addressing current market realities in college athletics.

CASE DETAILS

COURT	United States Court of Appeals for the Third Circuit
WRITING FOR THE COURT	Montgomery-Reeves, Circuit Judge; Bibas, Circuit Judge; Ambro, Circuit Judge
JURISDICTION	United States Court of Appeals for the Third Circuit
DECIDED	November 25, 2025
DOCKET	25-1870
DISPOSITION	vacated
PROCEDURAL POSTURE	The NCAA appealed the United States District Court for the District of New Jersey's order granting Elad a preliminary injunction in his Sherman Act challenge to the NCAA's junior-college eligibility rule.
STANDARD OF REVIEW	The court reviews factual findings for clear error, legal conclusions de novo, and the ultimate grant of a preliminary injunction for abuse of discretion.
PRECEDENTIAL VALUE	precedential
PARTIES	National Collegiate Athletic Association v. Jett Elad

TOPICS

- commercial litigation
- appellate procedure
- interlocutory appeal
- standard of review
- remedies

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the NCAA's junior-college eligibility rule has a commercial effect and is therefore subject to scrutiny under Section 1 of the Sherman Act.
2. Whether the District Court adequately defined the relevant market for purposes of the rule-of-reason analysis.
3. Whether the District Court abused its discretion by granting a preliminary injunction when Elad had not demonstrated a likelihood of success on the merits.

HOLDINGS

1. The junior-college rule is not exempt from Sherman Act scrutiny merely because it is characterized as an NCAA eligibility rule; the rule has a commercial effect because it allegedly limits an athlete's participation in a labor market.
2. The District Court committed legal error by failing to define the relevant market through a fact-specific analysis and, alternatively, by relying on an expert market definition unsupported by economic evidence and current market realities.
3. The District Court abused its discretion by granting a preliminary injunction because Elad had not demonstrated a likelihood of success on the merits.

KEY QUOTATIONS

"If . . . market realities change, so may [a] legal analysis" (at 11)

"Rule-of-reason analyses under Section 1 of the Sherman Act require a well-defined relevant market and cannot rely on antiquated market definitions accepted on different evidence and in a different posture." (at 17)

FACTUAL BACKGROUND

Jett Elad played football at Ohio University, Garden City Community College, and the University of Nevada, Las Vegas, exhausting four seasons of eligibility over a five-year period, including one season at a junior college. Rutgers recruited Elad for the 2025–2026 season and helped him obtain an approximately \$500,000 name-image-and-likeness contract. After the NCAA denied Rutgers's waiver request under the junior-college rule, Elad sued to obtain an injunction allowing him to compete.

PROCEDURAL HISTORY

Elad sought an injunction allowing him to play a fourth season of NCAA Division I football after the NCAA denied Rutgers's request for a waiver of the rule counting his junior-college season against his four-season eligibility limit. The District Court granted a preliminary injunction preventing the NCAA from counting that season. The Third Circuit vacated the injunction and remanded for further proceedings.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The District Court must conduct a relevant-market analysis and account for changing market realities identified in its opinion, then conduct further proceedings consistent with the Third Circuit's opinion.

CASES CITED

- NCAA v. Alston, 594 U.S. 69 (2021)
- Boynes v. Limetree Bay Ventures LLC, 110 F.4th 604, 609 (3d Cir. 2024)
- Mazurek v. Armstrong, 520 U.S. 968, 972 (1997)
- Nken v. Holder, 556 U.S. 418, 434 (2009)
- Adams v. Freedom Forge Corp., 204 F.3d 475, 486 n.10 (3d Cir. 2000)
- Standard Oil Co. of N.J. v. United States, 221 U.S. 1, 50 (1911)
- NCAA v. Board of Regents of the University of Oklahoma, 468 U.S. 85, 104 & n.27 (1984)
- Copperweld Corp. v. Independence Tube Corp., 467 U.S. 752, 768 (1984)
- Ohio v. American Express Co., 585 U.S. 529, 540-43 (2018)
- State Oil Co. v. Khan, 552 U.S. 3, 10 (1997)
- Apex Hosiery Co. v. Leader, 310 U.S. 469, 493 (1940)
- Smith v. NCAA, 139 F.3d 180, 185-86 (3d Cir. 1998)
- Reich v. D.M. Sabia Co., 90 F.3d 854, 858 (3d Cir. 1996)
- Anderson v. Shipowners Ass'n of Pac. Coast, 272 U.S. 359, 362-63 (1926)
- United States v. Colgate & Co., 250 U.S. 300, 307 (1919)
- FTC v. Indiana Federation of Dentists, 476 U.S. 447, 460-61 (1986)
- Deutscher Tennis Bund v. ATP Tour, Inc., 610 F.3d 820, 830-31 (3d Cir. 2010)
- Agnew v. NCAA, 683 F.3d 328, 338-42, 346 (7th Cir. 2012)
- Queen City Pizza, Inc. v. Domino's Pizza, Inc., 124 F.3d 430, 436 (3d Cir. 1997)
- Eastman Kodak Co. v. Image Technical Services, Inc., 504 U.S. 451, 466-67 (1992)
- Walker Process Equipment, Inc. v. Food Machinery & Chemical Corp., 382 U.S. 172, 177 (1965)
- Brown Shoe Co. v. United States, 370 U.S. 294, 336 (1962)
- NHL v. Plymouth Whalers Hockey Club, 419 F.3d 462, 470-73 (6th Cir. 2005)
- Montana v. United States, 440 U.S. 147, 159 (1979)
- Pavia v. NCAA, 760 F. Supp. 3d 527, 534-35 n.6, 539, 543 (M.D. Tenn. 2024)
- Smith v. NCAA, 139 F.3d 180, 183 (3d Cir. 1998)

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