

USE OF TRADEMARKS AT OLYMPIC GAMES

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USE OF TRADEMARKS AT OLYMPIC GAMES



Use of Olympic properties



Use of non-Olympic sponsor's trademarks



OLYMPIC PROPERTIES

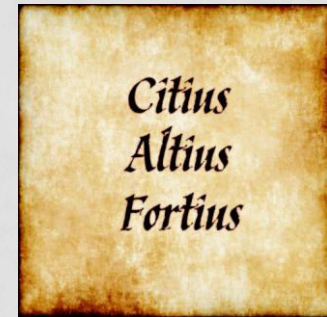
Olympic Charter Rule 7-14:



Olympic
symbol



Olympic
flag



Olympic
motto



Olympic
emblems



Olympic
anthem



Olympic flame,
torches



Olympic
designations

PROTECTING OLYMPIC PROPERTIES

EXCLUSIVE RIGHT HOLDER OF OLYMPIC PROPERTIES:

INTERNATIONAL OLYMPIC COMMITTEE

Exclusive right **TO USE** and **TO AUTHORIZE OTHERS TO USE**



PROTECTING OLYMPIC PROPERTIES

Olympic Charter Rule 7:

„All rights to the Olympic properties, as well as rights to the use thereof, belong exclusively to the IOC, including but not limited to the use for any profit-making, commercial or advertising purposes.”

„The IOC shall determine the conditions of access to and the conditions of any use of data relating to the Olympic Games and to the competitions and sports performances of the Olympic Games.”



PROTECTING OLYMPIC PROPERTIES

Olympic Charter Bye-law to Rules 7-14:

1.1 „The IOC may take all appropriate steps to obtain the legal protection for itself, on both a national and international basis, of the rights over the Olympic Games and over any Olympic property.”

1.2 „Each NOC is responsible to the IOC for the observance, in its country, of Rules 7-14 and Bye-law to Rules 7-14. It shall take steps to prohibit any use of any Olympic properties which would be contrary to such Rules or the Bye-laws. It shall also endeavour to obtain, for the benefit of the IOC, protection of the Olympic properties of the IOC.”

SOCHI 2014

Applicant	International Olympic Committee
Trademark number	004768792
Application date	12/07/2015
Registration office	EU



Applicant	International Olympic Committee
Application number	1145556
Application date	03/12/2012
Registration office	WO

PROTECTING OLYMPIC PROPERTIES

Olympic Charter Bye-law to Rules 7-14:

1.3 „Where a national law or a trademark registration or other form of legal instrument grants legal protection to a NOC for the Olympic symbol or any other Olympic property, such NOC may only use the ensuing rights in compliance with the Olympic Charter and with instructions received from the IOC.”

BUDAPEST 2024

The logo for the Budapest 2024 Olympic Games, featuring the Olympic rings symbol followed by the text "BUDAPEST 2024".

Applicant	Hungarian Olympic Committee
Application number	M1503668
Application date	09/12/2015
Registration office	HU

Applicant	International Olympic Committee
Application number	86922871
Application date	07/09/2015
Registration office	US

COOPERATION BETWEEN IOC AND NOC

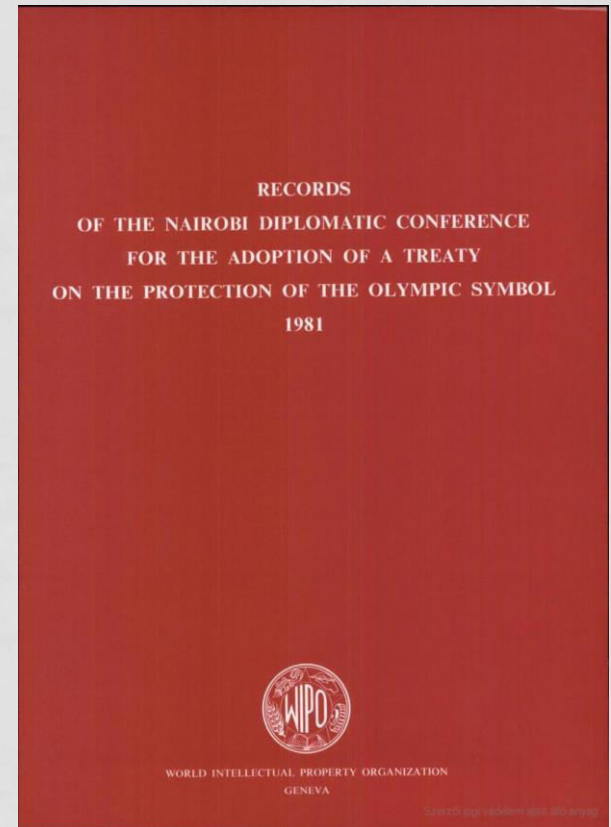
PROTECTING OLYMPIC PROPERTIES

INTERNATIONAL LEVEL:

The Nairobi Treaty

on the Protection of Olympic symbol

- contracting states are obliged to refuse or invalidate the registration as a mark and to prohibit the use for commercial purposes of any sign consisting of or containing the mark, except with the IOC's authorization
- if the IOC grants authorization to use the Olympic symbol in a state party to the Treaty, the NOC of that State is entitled to a part in any revenue the IOC obtains for granting the said authorization



PROTECTING OLYMPIC PROPERTIES

NATIONAL LEVEL:

- Trademarks
- Design
- Copyright
- Unfair competition
- Event-specific legislation



OBLIGATIONS OF CANDIDATE CITIES

- **Candidature process**
- **Host City Contract Operational Requirements**
- **Host City Contract Principles**

PROTECTING OLYMPIC PROPERTIES

Olympic Host City requirements

Candidature Process

- Protection of wordmark CITY+YEAR within the host territory in all 45 classes
- IOC: protect wordmark CITY+YEAR outside of host territory

DISTINCTIVENESS?

PARIS 2024

Applicant Ministry of Sports, France
Application number 3854260
Application date 18/08/2011
Registration office FR



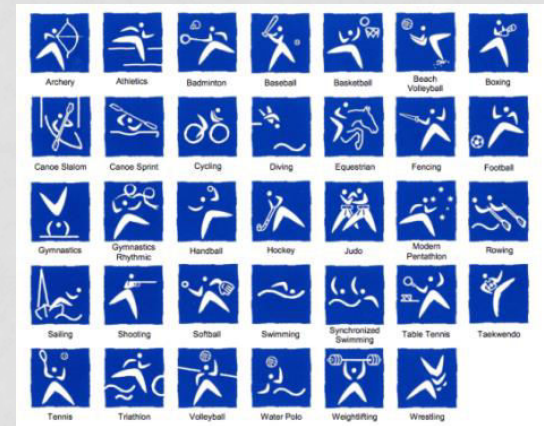
- Register domain names CITY+YEAR (.country code + .com, .net, .org)

PROTECTING OLYMPIC PROPERTIES

Olympic Host City requirements

Host City Contract Operational Requirements

- Brand, Identity and Look of the Games (brand development)



- Look of the Games Strategy (Key Olympic Venues)



PROTECTING OLYMPIC PROPERTIES

Olympic Host City requirements

Host City Contract Operational Requirements

- Rights Protection Programme
 - adopting specific legislation concerning protection of IP assets
 - rules against ambush marketing
 - national authorities conformance



PROTECTING OLYMPIC PROPERTIES

Olympic Host City requirements

Host City Contract Operational Requirements

- Rights Protection Programme
 - Olympic Venues Principles



PROTECTING OLYMPIC PROPERTIES

Olympic Host City requirements

Host City Contract Operational Requirements

- Assignment of Games-related Properties to the IOC
- Transfer of physical embodiments

Host City Contract Principles

- Rights on the Games and Games-related Properties
- Measures in case of non-compliance with the Host City Contract



USE OF NON-OLYMPIC SPONSOR'S TRADEMARKS

- Identification of the manufacturer



- Product technology identification



USE OF NON-OLYMPIC SPONSOR'S TRADEMARKS

- NOC / IF emblem



- Personal sponsors



USE OF NON-OLYMPIC SPONSOR'S TRADEMARKS

Other identifications

- Athlete names



- National identity



USE OF NON-OLYMPIC SPONSOR'S TRADEMARKS

Olympic Charter Rule 40 and Bye-law to Rule 40

„Except as permitted by the IOC Executive Board, no competitor, team official or other team personnel who participates in the Olympic Games may allow his person, name, picture or sports performances to be used for advertising purposes during the Olympic Games.”



USE OF NON-OLYMPIC SPONSOR'S TRADEMARKS

Olympic Charter Rule 50 and Bye-law to Rule 50

PROHIBITION OF ANY ADVERTISING IN OLYMPIC SITES:

„Except as may be authorized by the IOC Executive Board on an exceptional basis, no form of advertising or other publicity shall be allowed in and above the stadia, venues and other competition areas which are considered as part of the Olympic sites.”

„No form of publicity or propaganda, commercial or otherwise, may appear on persons, on sportswear, accessories or, more generally on any article of clothing or equipment whatsoever worn or used by all competitors, team officials, other team personnel and all other participants in the Olympic Games, except for the identification of the manufacturer of the article or equipment concerned, provided that such identification shall not be marked conspicuously for advertising purposes.”

Guidelines regarding Authorized Identifications issued by the IOC Executive Board.

USE OF NON-OLYMPIC SPONSOR'S TRADEMARKS

Ambush marketing?



MOOTED RELAXATION OF OLYMPIC CHARTER RULE 40 and 50

USE OF NON-OLYMPIC SPONSOR'S TRADEMARKS

GUIDELINES REGARDING AUTHORISED IDENTIFICATIONS

- When an identification is marked conspicuously for advertising purposes
- Which types of identifications are allowed
- Where such identifications may be placed
- How many times such identifications may appear



USE OF NON-OLYMPIC SPONSOR'S TRADEMARKS

GUIDELINES REGARDING AUTHORISED IDENTIFICATIONS

for the Games of the XXXI Olympiad, Rio 2016

MAJOR CHANGES FROM PREVIOUS VERSIONS

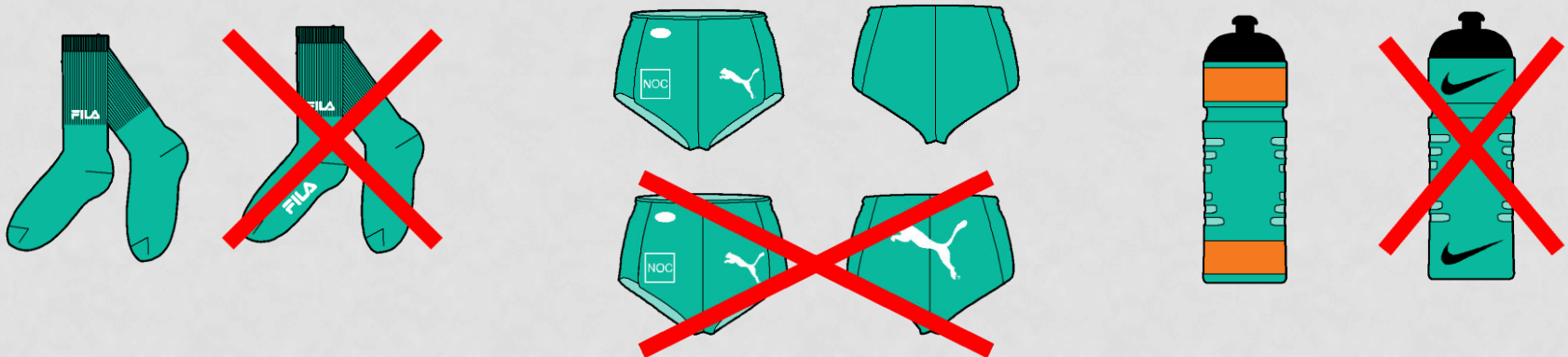
- Definitions updated within the list of „Authorized Identifications” and „Items”
- Change in size and frequency of Authorized Identifications (increased)
- Updated list of items which must be unbranded on the field of play (headphones, water bottles, umbrellas, towels, bandages, contact lenses, earplugs, mouth guards, nose clips)
- Additional examples of prohibited third party references (e.g. nicknames, URL, QR codes, barcodes)
- Clarification regarding use of National Identifications and International Federation Identifications
- Inclusion of list of personal items which are not permitted on podiums (e.g. plush toys, water bottle)

USE OF NON-OLYMPIC SPONSOR'S TRADEMARKS

GUIDELINES REGARDING AUTHORISED IDENTIFICATIONS

for the Games of the XXXI Olympiad, Rio 2016

- A. GENERAL GUIDELINES
- B. SPORT SPECIFIC IMPLEMENTATION
- C. GRAPHICAL ILLUSTRATION



THANK YOU FOR YOUR ATTENTION

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