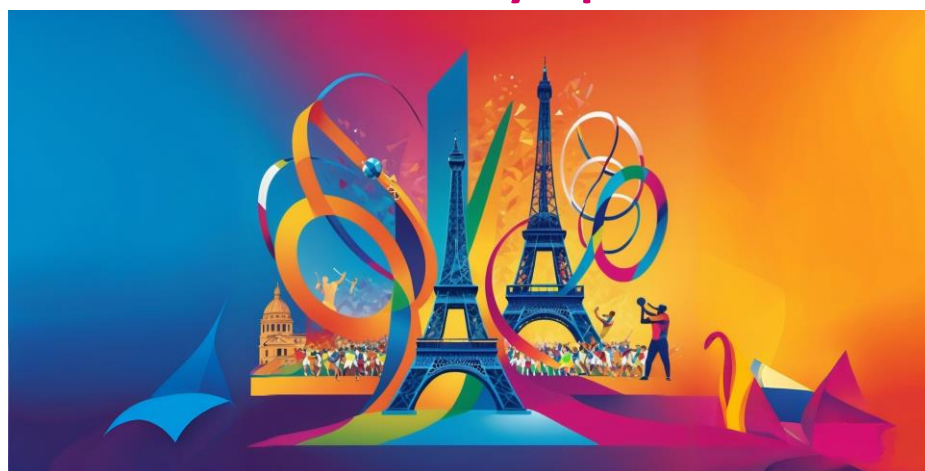


## Paris 2024 – Olympic Games



### In dit nummer

IOC: Registered Trademarks /  
Olympic Symbols

French Sports Code:  
Art L141-5 and L141-7

Design Rights: Claims on Characters,  
Pictograms

IOC Sponsors: Worldwide Partner,  
Premium Partner, Official Partner

IOC Olympic Charter:  
Rule 40

Ambus Marketing

Social Media and Rule 40

Do's and Don'ts

The 2024 Olympic and Paralympic Games will take place in Paris. The Olympic Games will be held from July 26 to August 11, followed by the Paralympic Games from August 28 to September 8. Over a million spectators are expected to attend the events live. Nearly 10,500 athletes from 200 countries will compete in the Olympic Games, while the Paralympic Games will attract about 4,400 athletes from around 160 countries, making the Olympics one of the world's largest sporting events. The budget for the Paris Games was 4.4 billion euros. It is estimated that the Games will

generate around 10 billion euros in revenue for the city. This includes spending on hotels, restaurants, and other services, with significant investments made in infrastructure and employment. The IOC is estimated to have raised over 3 billion euros in sponsorships. For businesses, the Games are a unique opportunity to promote their brand and associate it with the Olympics. However, strict rules apply, granting official sponsors more privileges. To prevent misuse of symbols, the IOC has registered numerous trademarks and designs. This includes not only words like "OLYMPIC" or "PARIS2024" but also symbols such as the five rings, logos, and mascots.

### Relevant regulations- Sponsors

## IOC and Sponsors' Guiding Principle

The International Olympic Committee (IOC) holds a monopoly on the use of Olympic symbols, including the name, the five rings, and mascots, through trademark and design rights.

While these rights belong to the IOC, national Olympic Committees (like NOC\*NSF in the Netherlands) are responsible for enforcement in their countries, leading to varying approaches.

In 2022, possibly under IOC pressure, France amended its Sports Code to combat all forms of ambush marketing. Athletes and their private sponsors are also bound by Rule 40 of the Olympic

Charter, detailing how athletes and their sponsors can communicate during the Games. This aims to protect official Olympic sponsors. Sponsorship, alongside TV contracts and ticket sales, forms the financial backbone of the IOC.

Sponsors commit for four years, categorized into four groups: Worldwide Partners (e.g., Coca-Cola and Omega), Premium Partners (LVMH and Carrefour), Official Partners (Decathlon and PwC), and Official Supporters (Randstad and SNCF). Special rules apply to these sponsors.



#### Trademark law

### What the IOC?

Each Olympic Games is unique in both performance and branding. The IOC recognizes that these are key assets. For each Games (Olympic and Paralympic), new expressions are often created.



This includes not only word marks like OLYMPIC or city names with the year (PARIS 2024) but also logos, characters (such as the walking Eiffel Tower mascot), the torch design for Paris, medal designs, fonts used in communications, flags, slogans, and pictograms. To act against third parties, these symbols are often registered as trademarks years in advance.

According to its regulations (Article 7), the IOC is the exclusive holder of all Olympic symbols, including: *the Olympic symbol, flag, motto, anthem, identifications (e.g., OLYMPIC GAMES), designations, emblems, flame, and torches, as well as any musical, audiovisual, or other creative works commissioned for the Games by the IOC, NOCs, and/or OCOGs.*



Based on these trademark rights, the IOC often successfully opposes other trademarks that suggest a link to the Olympics by using words like OLYMPIC/OLYMPUS. The argument is that these marks are confusingly similar and capitalize on the Olympics' reputation.

Case law has established that the five Olympic rings are a well-known mark. The word OLYMPIC is also recognized as a well-known mark under Article 6bis of the Paris Convention. If trademarks are not registered for all classes (which is increasingly the case for major brands), protection can still be claimed for dissimilar goods and services through this route.

### French Sports Code

In connection with the Olympic Games, French national legislation (French Sports Code) was further amended in 2022. According to Articles L141-5 and L141-7 of the French Sports Code, it is forbidden for companies to use (modify/adapt, etc.) symbols owned by the IOC.

Additionally, using the names of cities with the year where sports events are held (regardless of trademark registration) is prohibited.

Using words like OLYMPIC or OLYMPIAN for promotional or commercial purposes is forbidden if it could cause consumer confusion with the Olympic Games.

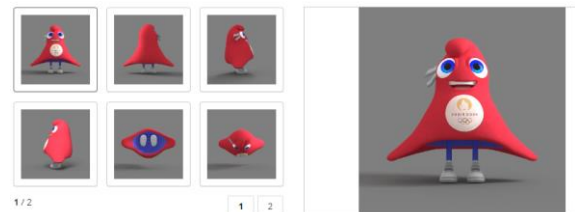


Essentially, any symbols referring to the Olympic Games are prohibited, whether registered or not. If a link to the Olympics is made, it is prohibited. For INPI, this is a basis to refuse various trademarks ex officio. Not because the trademarks are similar, but because they reference the Olympics, thus violating the French Sports Code.

#### Design rights

### Graphic designs and characters

In addition to trademarks, the IOC increasingly uses design rights (covering the entire European Union) to claim designs.



The main advantage is that the rights are not limited to specific products, making it ideal for merchandising. The process is also very inexpensive and fast. The main requirement is that the design must be new and possess individual character.



It is notable that protection remains largely limited to graphic symbols (characters, pictograms, logos). Given how innovative and creative the torch designs are, it's surprising that they haven't been claimed as designs.

#### Advertising rights

##### Official Sponsor

The Olympic and Paralympic Games have an enormous global reach. This is why companies are keen to capitalize on this momentum. Official sponsors are crucial to the IOC. Therefore, the IOC grants these sponsors exclusive rights to use its symbols. Companies can use Olympic symbols, such as the five rings, in their marketing and advertising, including Paris icons linked to the Games.



(Omega - Worldwide Olympic Partner- campaign 2024)

They can communicate their official involvement and promote their products and services, creating a direct link to the Olympics. Sponsors are divided into four categories. The key difference is the scope of their campaign use (geographical area and media rights). Worldwide Partners have global exclusivity, Premium Partners have regional rights, Official Partners have national rights, and Official Supporters have the most limited rights.

##### Rule 40 – IOC Olympic Charter

Official sponsors are the financial backbone of the IOC. However, many athletes do not earn as much as top football players. Without private sponsors, they would never reach the top. Rule 40 outlines what accredited athletes and their private sponsors can and cannot do. Private sponsors may run campaigns during the Games under special conditions (and with IOC approval).



(Essent campaign – Sven Kramer- Olympic Vancouver)

The only link to the Games is the use of the athlete's name or portrait. There must be an ongoing relationship between both parties that lasts longer than the Games. An advertising campaign must run longer than the Games and in the country's language. It is prohibited to link the athlete's performance to the sponsor's products/services. Private sponsors cannot be associated with tobacco, alcohol, drugs, gambling, pornography, or other immoral activities. Olympic symbols (such as the five rings, the word OLYMPIC, Olympic clothing, competition photos, venues/Olympic village) cannot be used unless Olympic elements are unrecognizable.

## Ambush marketing

Remember that all forms of advertising within stadiums/venues are prohibited. This includes sportswear, which cannot display names. Only sponsors may use Olympic symbols. To retain sponsors and ensure exclusivity, the IOC strives to prevent ambush marketing. Ambush marketing occurs when a company tries to associate with the event to benefit from its media impact without permission or financial compensation.



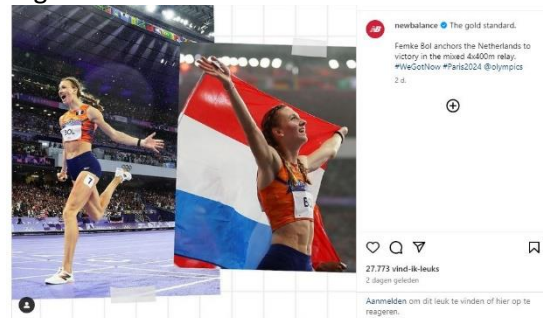
(Durex campaign – 2012 Olympic London)

Ambush activities have existed for decades, leading to increasingly strict rules. To minimize local actions, the IOC relies on trademark rights, the French Sports Code, and special legislation against parasitism and unfair competition. In summary, if a company without any official link to the event wants to advertise, it should use general symbols such as a regular person (not a specific athlete) in generic sportswear (e.g., plain orange clothing) and not at sports venues (e.g., a regular sports hall). Whether the IOC takes action depends on:

- The company's intentions (profiting from the link or damaging an official sponsor)
- The company's official connection to the event
- The use of Olympic symbols (marks, logos, slogans, names, or event locations)
- Potential consumer confusion about the company being an official Olympic sponsor
- Possible negative/reputational damage from the ambush activity.

## Social media

The same rules apply to social media. Private sponsors may congratulate athletes only if it aligns with Rule 40.



(New Balance –Instagram - Femke Bol)

A private sponsor (e.g., New Balance with Femke Bol) may post one greeting, thank you, or good luck message to the athlete on social media.

Private sponsors can also repost an athlete's message once.

No Olympic symbols, Olympic images, or links to the sponsor's products are allowed. It's best to use a neutral image and avoid linking to the Olympic Games..

## Do's en don'ts

In brief: almost nothing is allowed, and piggybacking always carries risks. So anticipate, and do not use:

- Words like OLYMPIC/OLYMPIC GAMES/OLYMPIAD
- City names where sports take place combined with the year
- Olympic symbols (not the five rings, flame/torch, IOC logos)
- Images of athletes/competition photos/venues

What is allowed:

- Use general images of an athlete (not an Olympic athlete)
- In neutral sportswear (e.g., orange sportswear – the Netherlands)
- In a neutral location (e.g., a regular sports hall or running through a park)
- Avoid any link to the Olympic Games and the Olympic Symbols.

## European Trademark Agency Abcor

Abcor is an IP Law firm, located in Europe (the Netherlands). Our specialty is consultation with regards to intellectual property matter, trademarks, designs, copy right and domain names in particular. Our services include the registration of trademarks and designs, searches, infringements and oppositions.

Suggestions for ABCOR's ABCHRONICLE may be sent to [info@abcor.eu](mailto:info@abcor.eu)

Sources:

Adformatie, BIE, BMM, Boek9.nl, Class46.eu, Domjur.nl, Elsevier, GPD, IER, IE-Forum.nl, INTA bulletin, Nu.nl, OHIM.eu, PCM-newspapers, Quote, SIDN, Trademark Reporter and WIPO

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