



The International IP SME Helpdesk

IP and Olympics

INTERNATIONAL
IP SME HELPDESKS



Website & social media

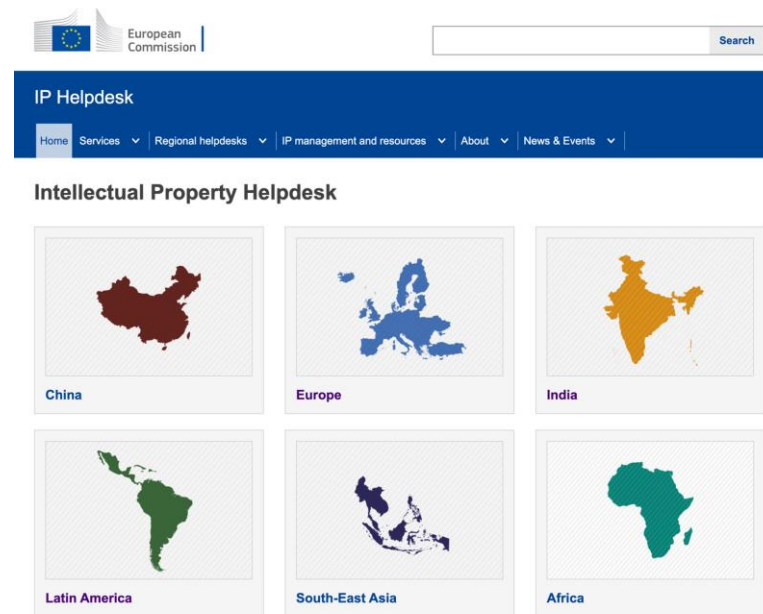
www.ec.europa.eu/ip-helpdesk



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@India IP SME Helpdesk
@Intellectual Property in Africa
@South-East Asia IP SME Helpdesk
@European IP Helpdesk
@China IP SME Helpdesk



@latinamericaipr
@IndiaIPhelpdesk
@AfricaIPR
@ipSEAsia
@IPRHelpdesk
@iprchina



The screenshot shows the IP Helpdesk website interface. At the top, there is the European Commission logo and a search bar. Below the navigation bar, the main heading is "Intellectual Property Helpdesk". The content area displays six regional helpdesk tiles, each with a map of the region and a label: China (dark red), Europe (blue), India (orange), Latin America (green), South-East Asia (dark blue), and Africa (teal).

Contacts

Latin America IP SME Helpdesk: info@latinamerica-ipr-helpdesk.eu

India IP SME Helpdesk: india@iprhelphdesk.eu

Intellectual Property in Africa: africa.iphelphdesk@euipo.europa.eu

South-East-Asia IP SME Helpdesk: expert@sea-iphelphdesk.eu

European IP SME Helpdesk: service@iprhelphdesk.eu

China IP SME Helpdesk: question@china-iprhelphdesk.eu

Roadmap

- **Speakers**
- **Introduction**
- **Identification of Relevant assets**
- **Rights Acquisition**
- **Use of the assets**
- **Case study Highlights**
- **How can companies use assets in similar ways**

- **Questions**



History of Olympic games

- **Ancient Olympics 776 BCE - 393 CE**
- **Modern Olympics 1896 CE onwards**
- **Modern Winter Olympics 1924 CE**
- **Paralympics games 1960 CE**



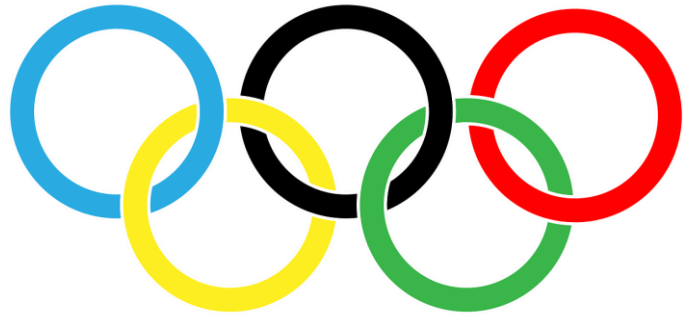
Olympics´ Committees

- **International Olympic Committee:** supreme authority of the Olympic Movement, responsible for overseeing the organization and promotion of the Olympic Games. Established in 1894 by Pierre de Coubertin, the IOC is a not-for-profit independent international organization based in Lausanne, Switzerland. Its functions are:
 - Organization of the Olympic Games
 - Promotion of Olympism
 - Regulation and Governance
 - Development Programs
 - Anti-Doping and Integrity

Olympics' Committees

- While the IOC is the global governing body, there are **several regional and continental organizations** that operate under its umbrella, each responsible for the promotion and coordination of the Olympic Movement within their respective regions:
- Association of National Olympic Committees of Africa (ANOCA)
- Pan American Sports Organization (PASO)
- Olympic Council of Asia (OCA)
- European Olympic Committees (EOC)
- Oceania National Olympic Committees (ONOC)

Olympics' Symbols



“Citius, Altius, Fortius”



Olympics' Symbols

- Olympic symbols are associated to:
- Heritage and Tradition
- Cultural Impact
- Unique market position

They are hence protected by Trademarks, Copyright, Industrial designs and even patents



Olympics´ Technological Advances

- Real-Time Data and Analytics
- AI and Machine Learning
- VR training simluations
- Biomechanical analysis

BROADCASTING:

- High-Definition and 4K Broadcasting
- Live Streaming
- Drones and Camera Technology



Olympics´ TOP Programme

- The Olympic TOP (The Olympic Partners) program is a premier global sponsorship program managed by the International Olympic Committee (IOC). It provides companies with exclusive worldwide marketing rights and association with the Olympic Games. TOP partners are ensured by the IOC with:
 - Exclusive Marketing Rights
 - Global Reach and Exposure
 - Brand Association
 - Marketing and Promotional Opportunities



Rights acquisition: Trade Marks and Copyright. Local relevance in global business

Ernesto Abarca
(EUIPO)

17/07/2024

Content

1. Olympic Games and IP rights
2. Impact of the intangible assets
3. Trade Marks vs Copyrights
4. Protection costs

1.- Olympic Games and IP rights



PARIS 2024

Trade mark status
Registered

Status date
31/05/2013

Application number
011397321

SSO Trade mark type
Figurative

Kind of mark
Individual

Application language code
fr

Second language
en

Application reference
C10/M79/CEE

Nice classification
25, 35, 41

Claimed colour(s)
bleu, jaune, noir, vert, rouge, blanc, gris

Trade mark status
Registered

Application number
58828/2015

Registration number
677126

SSO Trade mark type
Combined

Application language code
fr

Nice classification
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45

Claimed colour(s)
Noir, doré, argenté, rouge, bleu, jaune, vert.

Trade mark status
Registered

Status date
13/09/2016

Application number
840848889

Registration number
840848889

Kind of IPR
Trade mark

SSO Trade mark type
Combined

Kind of mark
Individual

Application language code
pt

Nice classification
16

Situación de la marca
Registrada

Número de solicitud
56922/2017

Número de registro
726629

SSO Tipo de marca
Verbal

Lengua de solicitud
fr

Clasificación de Niza
01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45

Observaciones
Marque imposée pour une partie des services, voir détails dans le dossier.

Trade mark status
Registered

Application number
13785/2019

Registration number
739771

SSO Trade mark type
Combined

Application language code
de

Nice classification
01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45

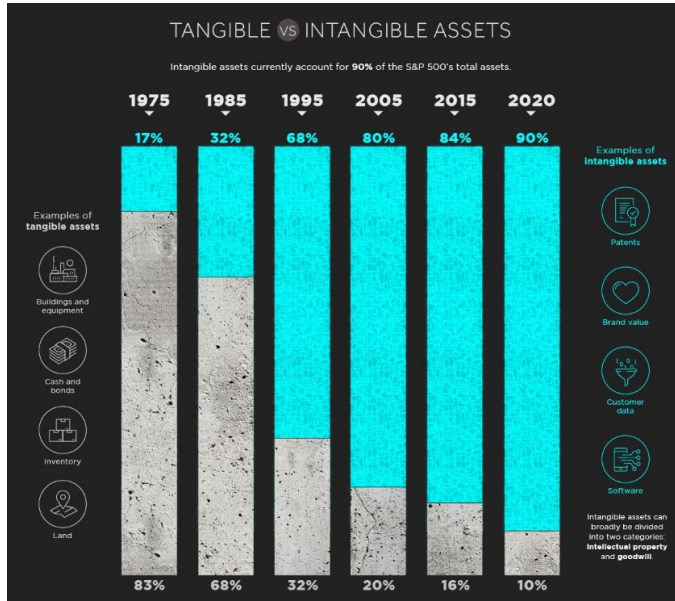
Claimed colour(s)
Doré, bleu, jaune, noir, vert, rouge.

2.- Impact of intangible assets

“An intangible asset is an **identifiable** non-monetary asset without physical substance. Such an asset is identifiable when it is separable, or when it arises from contractual or other legal rights. Separable assets can be sold, transferred, licensed, etc. Examples of intangible assets include computer software, licenses, trademarks, patents, films, copyrights, import quotas and extraction quotas.”

(International Financial Reporting Standards - IFRS)

2.- Impact of intangible assets



- IP represent more than 90% of the Standard and Poor's 500 total market value

2.- Impact of intangible assets

Knowing the economic value of intangibles is needed to:



Grant licenses / sell assets



Solve conflicts /
enforcement



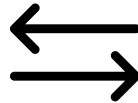
Corporate purchases /
mergers



Tax liabilities



Measure performance



Provide trust / attract
partners



Report on finance



Raise funds

3.- Trade Marks vs Copyrights: Concepts

TM

A **trademark** is a sign capable of distinguishing the goods or services of one enterprise from those of other enterprises.

Can consist of any sign, such as words, letters or numbers, with or without graphical elements; shapes; colours; or sounds and must conform to the rules and regulations set for their acceptability.



The term **copyright** is used to describe the rights that creators have over their original works of art or literature.

Works covered by copyright can include books, music, paintings, sculpture, and films, computer programs, databases, advertisements, maps, and technical drawings.

3.- Trade Marks vs Copyrights



Exclusive right to use the trade mark for the registered goods and services in the territory applied for.

- **Moral rights:** claim authorship and object to modifications of the work
- **Economic rights:** derive financial reward from the use of the work by others

Negative right: prevent third parties from using an identical/similar sign in the course of trade without owner's consent, in relation to identical/similar goods or services.

Negative rights: prevent third parties i.a. from reproducing, performing, recording, broadcasting, translating or adapting the work of art without owner's consent.

In most countries, trademark protection lasts 10 years and can be renewed indefinitely for 10 years at a time.

In most countries and for most works, protection lasts (at minimum) for the entire lifetime of the author + 50 years

License? Yes

License? Yes, but only economic rights. Moral rights cannot be assigned or licensed.

3.- Trade Marks vs Copyrights: right acquisition



Generally, a trademark can only be acquired through registration.

Trademarks can be registered at national, regional and international IPOs by filing an application for registration.



In most countries, copyright is granted automatically upon creation of an original work (Berne Convention).

Works may be voluntarily registered at national IPOs that allow it. Registration can help solve disputes over ownership or creation, facilitate financial transactions, and the assignment and/or transfer of rights.

3.- Trade Marks vs Copyrights: Pros and Cons



4.- Protection costs

- https://intellectual-property-helpdesk.ec.europa.eu/ip-management-and-resources/ip-tools_en#ip_cost_tool

IP cost tool

The purpose of the Cost Tool is to provide EU SMEs with a reliable overview of costs involved with the registration of their IP in third markets (China, India, South-east Asia, Latin-America). The costs are expressed in Euro where possible so as to ensure the information is easy to grasp for EU SME needing an estimate of costs incurred when dealing with the national IP offices of the countries you are thinking to do business with/in!

Like all other services we provide, the tool will be freely accessible with minimal input required from the user and provide a real-time response. Based on the options selected you will be able to find information regarding the following fees for the registration of trade marks, patents, industrial designs, utility models and copyright:

- Application Fees
- Examination Fees
- Renewal Fees
- Surcharges / exceptions
- Annuity Fee

View relevant protection costs for China. [Copyright](#) | [Design](#) | [Patent](#) | [Trade mark](#) | [Utility Models](#)

View relevant protection costs for India. [Copyright](#) | [Design](#) | [Patent](#) | [Trade mark](#)

View relevant protection costs for Latin America [Copyright](#) | [Design](#) | [Patent](#) | [Trade mark](#) | [Utility Model](#)

View relevant protection costs for South-East Asia. [Copyright](#) | [Design](#) | [Patent](#) | [Trade mark](#) | [Utility Models](#)

Protection costs

Trade mark protection cost per country - India

You will find in the table below the information regarding the costs of registering trade marks in India.

Phases	Activities	Official Govt. Fees	Expected Attorney Charges
Filing Phase	Filing of Trademark Application along with supporting documents (Single Class)	Individual/Small Entity/Startup: 51 Euros	Approx. 150-180 Euros
	Filing of Power of the Attorney	NIL	Approx 100 - 150 Euros
Examination Phase	Information of Examination Report	NIL	Approx. 200-250 Euros
	Drafting and Filing reply to the Examination Report	NIL	
Registration & Renewal Phase	Obtaining and forwarding registration certificate	NIL	Approx 100 - 150 Euros
	Trademark Renewal (After 10 years)	102 Euros per class	Approx 100 - 150 Euros

Useful link - [India Trade Mark Office](#) 

Disclaimer

Disclaimer: The fees included in these results are an estimation of the minimum price of protection. This estimation only aims to serve as a guide, additional official costs and taxes may apply. Furthermore the costs expressed in € are subject to change due to variations in the exchange rate with the local currency. No responsibility is accepted for actions taken on the basis of the information provided in this document.



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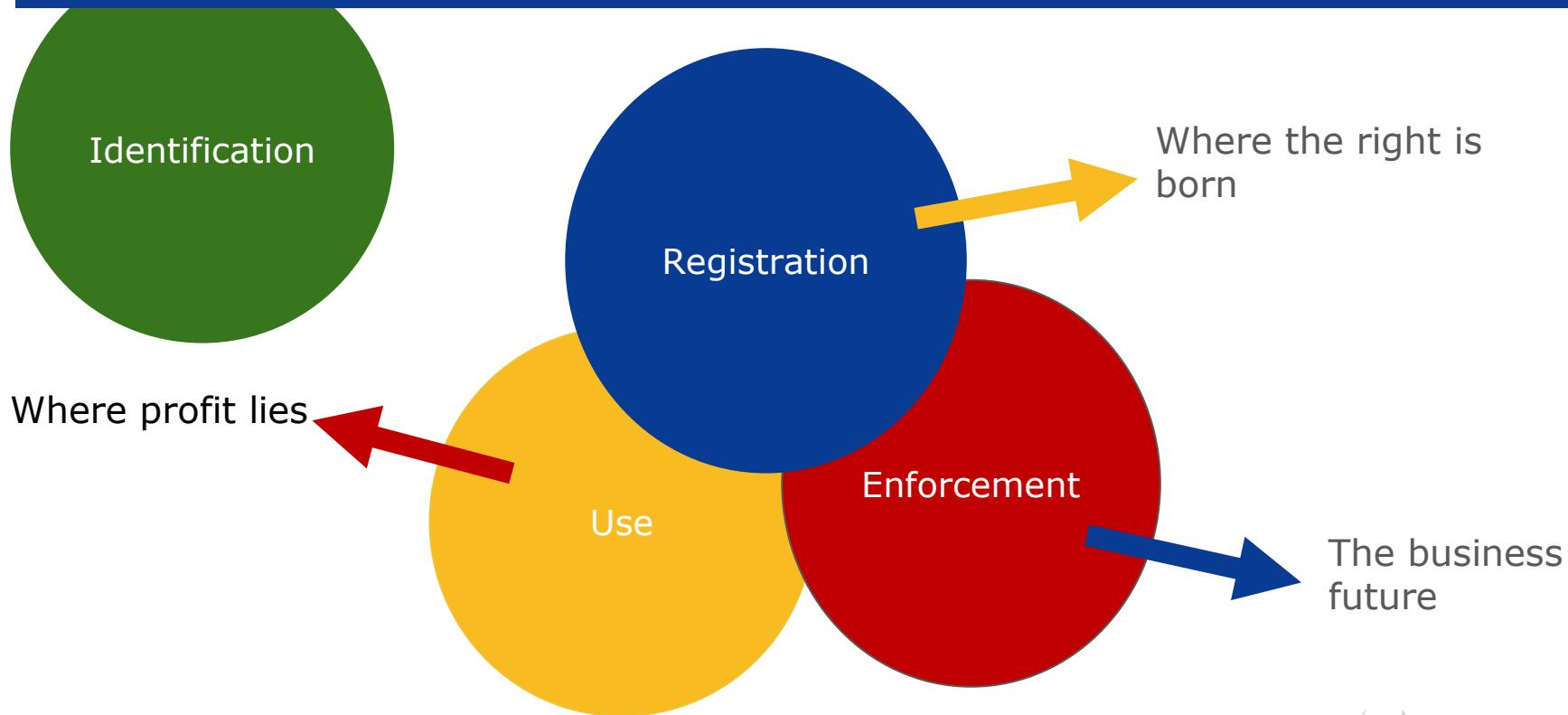
 [EUIPO.EU](https://www.facebook.com/EUIPO.EU)

 [@EUIPO](https://www.instagram.com/EUIPO)

 [EUIPO](https://www.youtube.com/EUIPO)

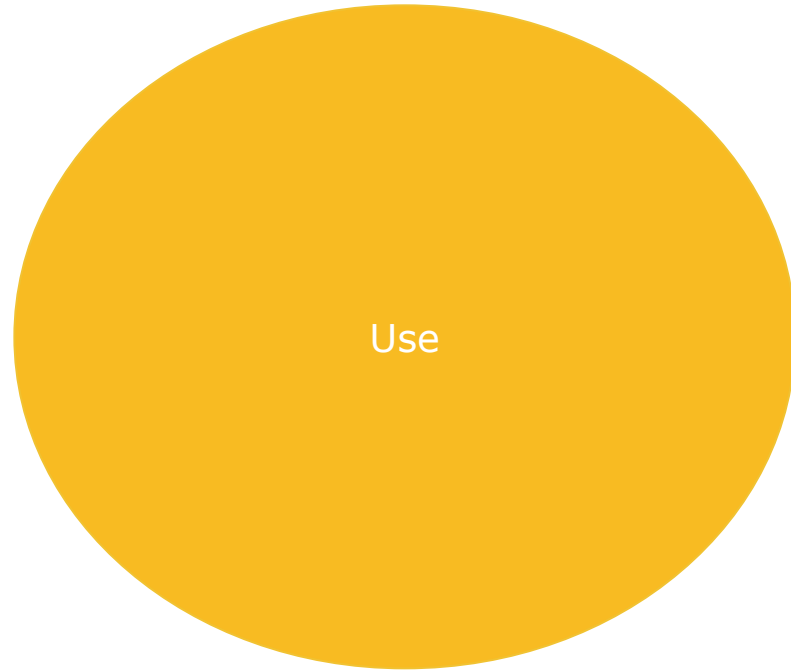
THANK YOU

Three stages of an effective and efficient protection

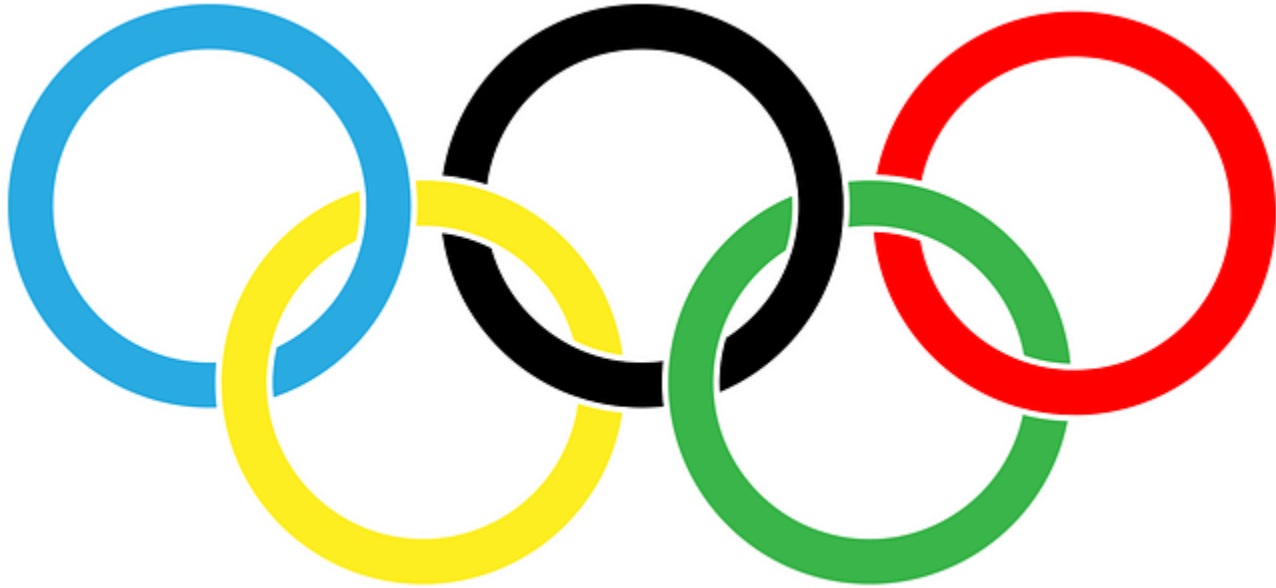


4. The Olympic Partners Programme

Where revenue lies



IOC - is a non-profit association



WHERE DOES THE REVENUE COME FROM?

Olympic Broadcasting

Olympic Partnerships

Olympic Digital Fan Engagement

Ticketing and Hospitality

Licensing and Merchandising

The Olympic Brand

Media Contacts

WHERE THE REVENUES GO



National Olympic Committees (NOCs), which prepare athletes and teams to compete in the Olympic Games



Organising Committees for the Olympic Games (OCOGs), which are in charge of staging the Olympic Games



International Sports Federations (IFs), which run and oversee the development of their sports around the world



Individual athletes and coaches, via Olympic Solidarity funding



Other Olympic Movement and sport organisations to promote the worldwide development of sport



IOC activities, projects and programmes aimed at supporting the staging of the Games and promoting the worldwide development of sport and the Olympic Movement

TOP

Long-term corporate partnerships that would benefit the
Olympic Movement as a whole

COMMERCIAL PROGRAMMES OF THE ORGANISING COMMITTEES

Under the direction of the IOC, the Organising Committees (OCOGs) manage their own complementary commercial programmes to support the staging of the Games, including local sponsorship and supplier programmes (in categories that do not compete with those of the global TOP Partners), ticketing programmes and licensing programmes.

COMMERCIAL PROGRAMMES OF THE NATIONAL OLYMPIC COMMITTEES

National Olympic Committees (NOCs) manage local sponsorship programmes which are in categories that do not compete with those of the TOP Partners and which grant Olympic marketing rights within the NOC country or territory only. NOCs may also manage local supplier and licensing programmes.

What is a license?

MONEY

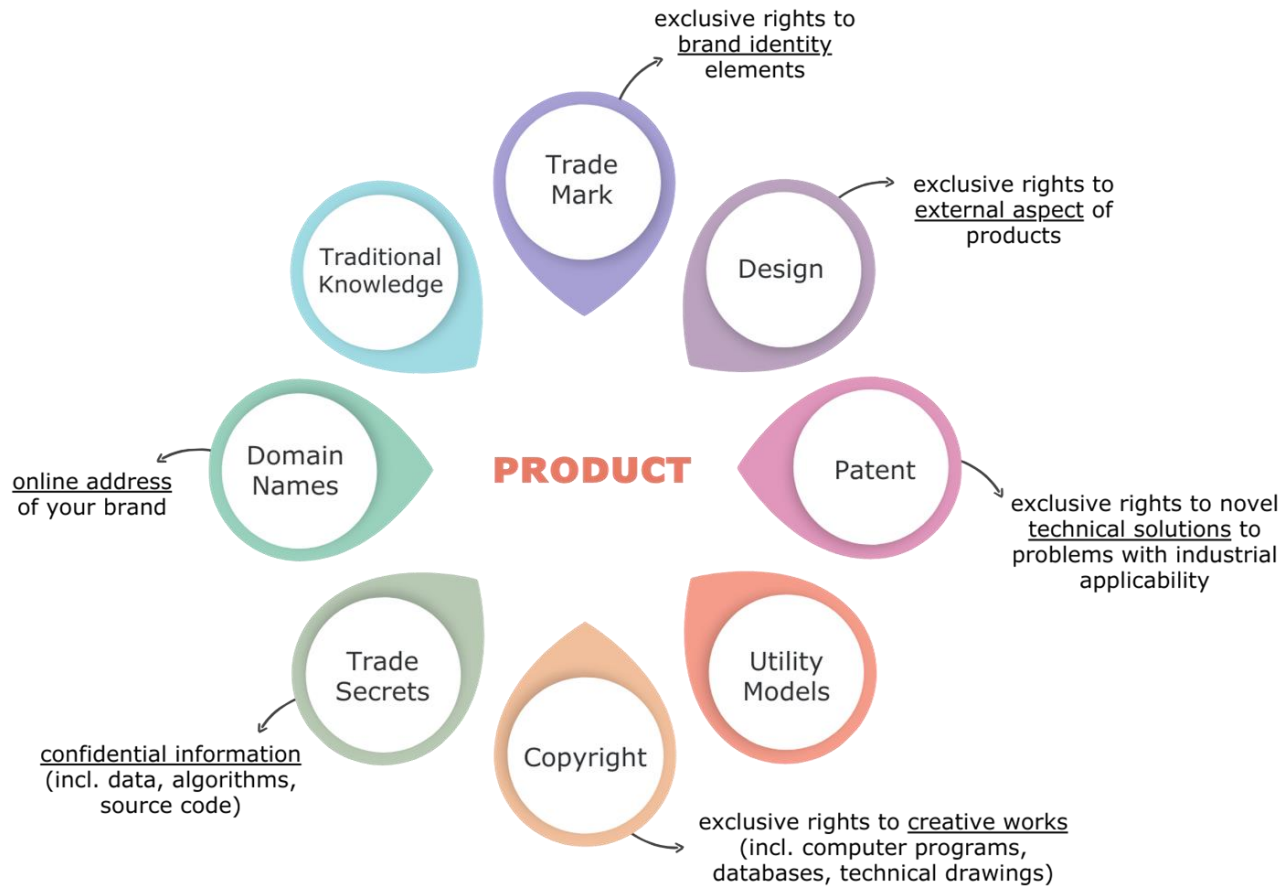


EXCLUSIVE RIGHT

Pre-requisite for Licensing

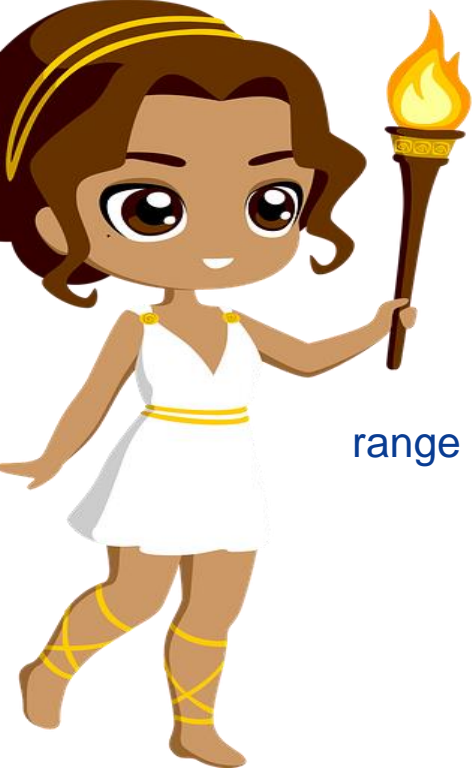
→ Existence of a Right





After registration you can then trade your
exclusive rights

- to manufacture
- to sell
- to license
- to import/export



The Paris 2024 Organising Committee launched its first official products in October 2021.

Approximately **6,000 different products** are now available in a wide range of categories, including clothing, accessories, pins, stationery, homewares, games and toys, luggage and eyewear.

lots



1 Olympics Bag Clip Mascot - 10cm



€25⁰⁰

Paris 2024 Olympics Plush Mascot - 24cm



€20⁰⁰

Paris 2024 Olympics Mascot T-Shirt - White - Kids



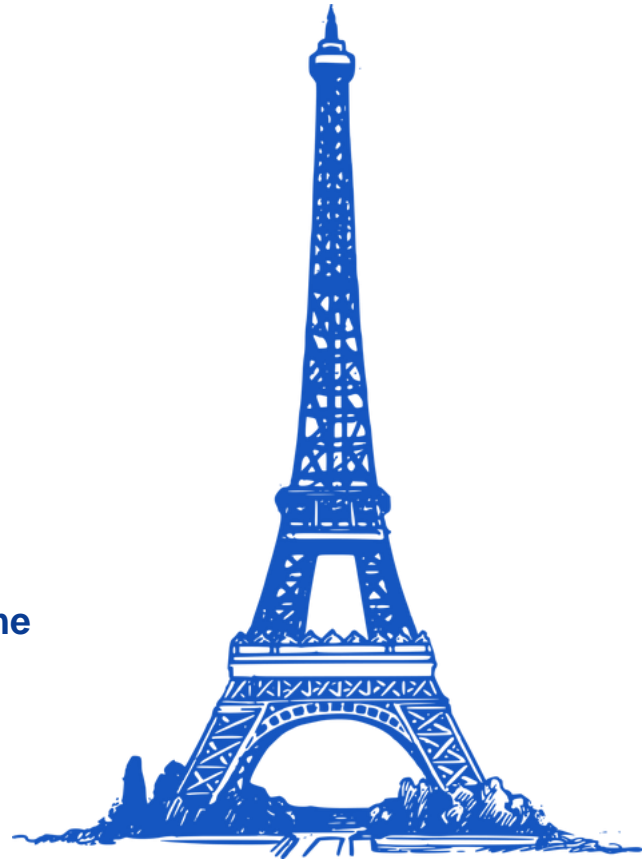
€45⁰⁰

Paris 2024 Olympics Made in France Mascot

Paris 2024 has chosen **French companies to manufacture its official licensed products** wherever possible, with approximately 90 per cent of licensees being French small and medium-sized enterprises.

These licensing programmes are managed by the **Organising Committees**, under the supervision of the IOC, and help provide part of the revenues required to stage the Games, as well as an opportunity to generate business for companies that become licensees.

The IOC has also developed a **global licensing programme** to strengthen and promote the Olympic brand, **not only during the Olympic Games, but between Games as well.**



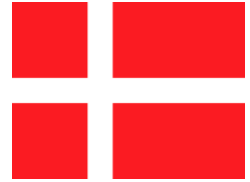
All intellectual properties, including emblems, logos and designations relating to the Olympic and Paralympic Games, were therefore protected in France by national law.

Permission must be granted for its use to be legal.

Global Brand Protection Programme consisting of monitoring the internet to detect and act against any infringing use of Olympic properties, and to collaborate with law enforcement authorities against counterfeit goods

5. Case Study

Background

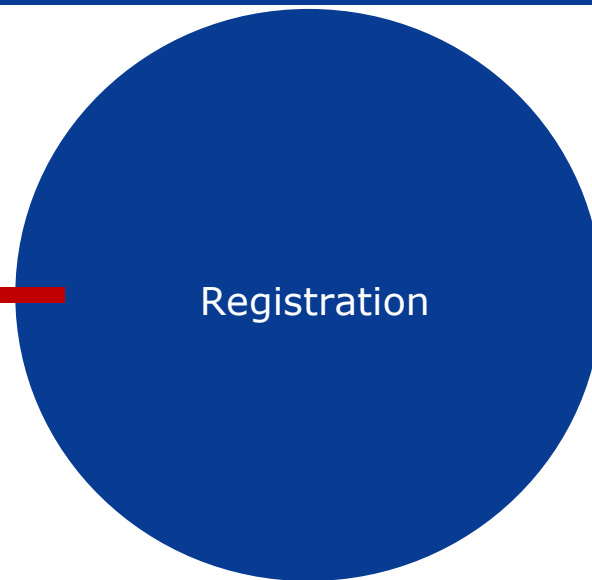


- A Danish company that develops packaging for drugs and medicine expanded its business to Colombia, Chile and Mexico.
- They file a trademark application for their name “DYNAMEDS” in the three countries. However, it did not want to expend any additional €€€ in the registration of their logo.
- Few months later a competitor started using a very similar name “MEDICODYNA” and logo.

Identifying and Acquiring exclusive rights to their relevant IPRs

- Brand name

- Logo design





Enforcement



Cease and desist letter

Legal action against trademark infringement



Registration

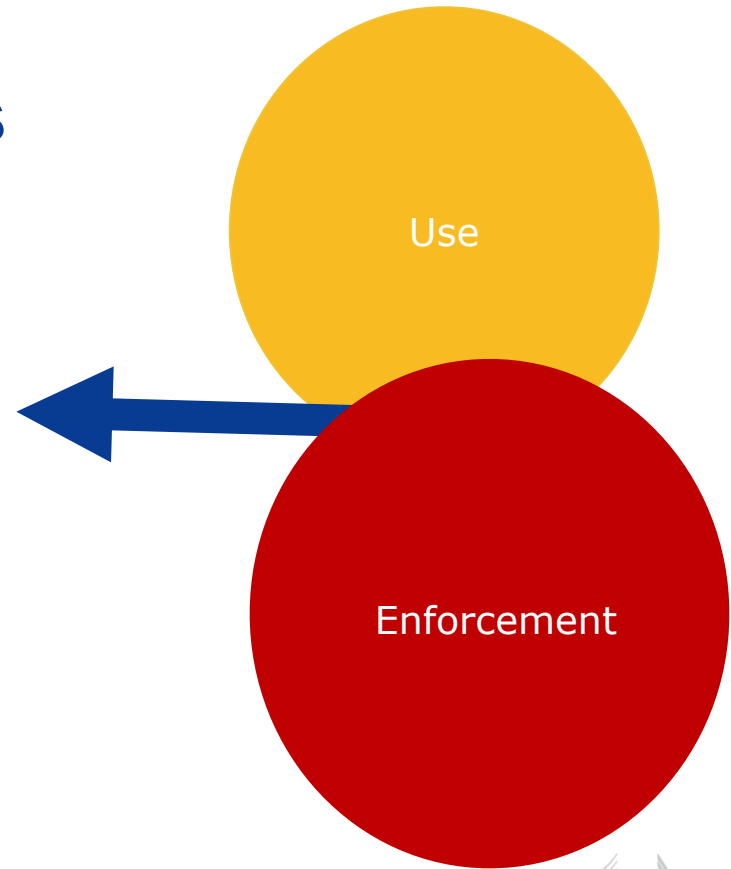


Separate TM

Application for the logo

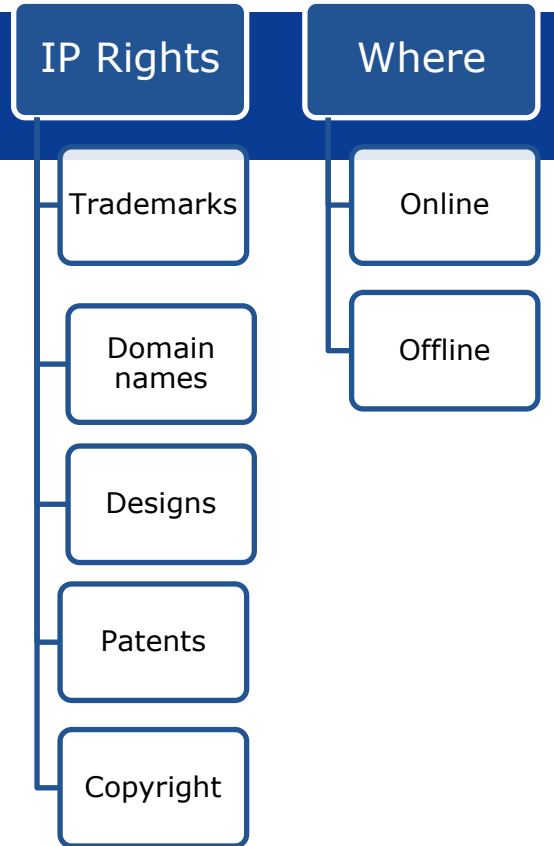
Like the Olympic games

Registration of all relevant elements is key to success of future commercial and enforcement actions



Monitor the Market

- ✓ IP registers watch
- ✓ Domain name watch
- ✓ Online market watch
- ✓ (mentions, keywords, hashtags and uses
- ✓ of your IPRs on social media, marketplaces,
- ✓ and search engines)
- ✓ Offline market watch
- ✓ (detective or inspection services)



Take legal action when necessary

Where?

- **National IP Office** → opposition (reputed[®]/well-known mark?)
- **Social media, marketplace** → complaint with platform
- **Domain names** → UDRP; ccTLD Policies
- **Google ads** → trademark, counterfeit, copyright complaints
- **The infringing part** → cease & desist letters
- **Courts** → legal actions (criminal & civil)

5. Case Study - Importance of Registration in India.

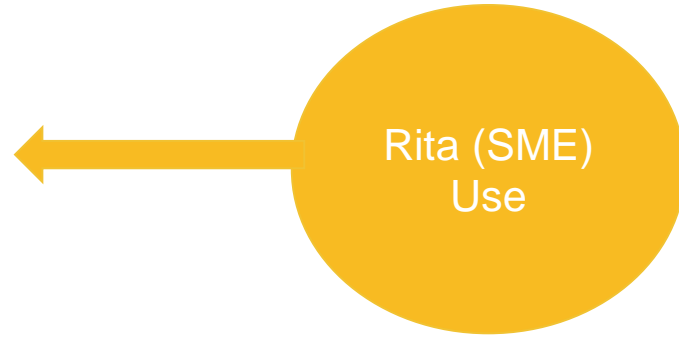
- A German startup developing prosthetics and other intelligent devices registered their trademark "Rita" in US And EUROPE in 2022.
- Digital Operations - Started building their digital platform and services from India, since 2021.



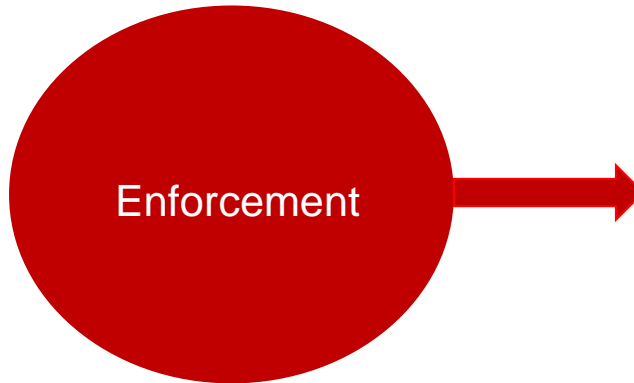
1. Registered TRADEMARK in USA AND EUROPE.
1. INDIA - Trademark Not Registered

5. Case Study - Importance of Registration in India.

Rita (German SME) used to name and logo on digital platform, website, mobile app in India.



Indian MNC "Rita" involved in **electrical industry**, monitored the German startup moved ahead to register their brand in India in the class of medical and prosthetics.



Cease and desist letter
Legal action against trademark infringement

5. Case Study - Importance of Registration in India.

UNREGISTERED MARKS IN INDIA

1. RECOGNISED in India under Common Law principles.
2. NEED to prove Goodwill, Reputation and Use.

UNUSED MARKS IN INDIA

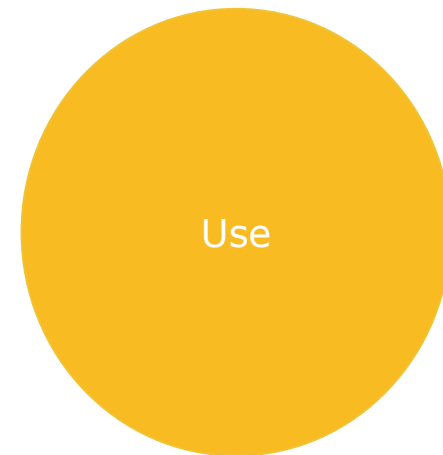
1. Marks can be **CANCELED** on non-usage (5 years)

German SME is opposing the trademark at the India Trademark Office

5. Cases highlighting the Importance of USE in India.



- Product was not present in the Indian market.
- There were advertisements in magazines.
- Court - Importation and advertisements could be beyond geographical boundaries.



Note - PIERRE DE COUBERTIN- IOC vs Tempting Brands. (Swiss case)

Identify relevant assets

- Audit of intangible assets (difficult to grasp and map).
- Confidential information/know-how are also intangible assets !
- Build an IP protection strategy (dynamic, multi layers).
- Is it possible to register or not ? (novelty requirement)
- **{TIPS}** geographical scope of protection ? budget available? Short-term, mid or long term plans? risks if no protection?

Local vs. International registration ?

- **National route** (where an IP Office exists)
- **Regional route** (EUIPO, EPO, ARIPO & OAPI – Ø ASEAN)
- **International route** (when ratified by a Contracting State)
 - 1) The [Patent Cooperation Treaty](#) for Patents (157 countries)
 - 2) The [Madrid System](#) for Trademarks (131 countries)
 - 3) The [Hague System](#) for Industrial Designs (96 countries)

Build your own 'partner programme'

- IP commercialization (sale, license, franchise, JV, TTA).
- Register your IPR (the sooner, the better).
- Draft + adapt your contracts (specific situation? local specs?).
- Need to record before an IP Office (franchise, license, transfer of rights).
- Keep your IP portfolio up to date (deadlines to maintain/renew, ownership info).

Monitor your rights and your partners

- Offline **AND** online
- On the databases of the IP Offices (TM watches, oppositions, claims)
- On e-commerce & social media platforms (takedowns, livestream sales)
- On the Internet (keywords, trends)
- Other verifications (domain names, company names)
- One employee should be in charge of IP matters / the IP portfolio.

Enforce your rights when necessary

- Assess the situation and plan a strategy with an IP lawyer (IPR portfolio, attack/defense, budget, risks).
- Have clear and written contracts (with third parties and your employees).
- Collect and organize evidence in advance (saving time).
- A trial can be lengthy, expensive and filled with uncertainty.
- Alternatives = amicable settlement, Alternative Dispute Resolution (support from EUIPO/WIPO), admin actions, customs, etc.



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