

August, 2016

➤ GUIDELINES FOR THE USE OF THE INTELLECTUAL PROPERTY ASSETS OF THE RIO 2016 OLYMPIC AND PARALYMPIC GAMES

With the new version of the Olympic Games, that started last Friday in Rio, it is important to remember the recommendations made by the Rio 2016 Organizing Committee for the Olympic and Paralympic Games on the use of their intellectual property assets.

Rio 2016's intellectual property assets include:

- The Olympic and Paralympic symbols (Olympic rings and Paralympic agitos).
- The Olympic motto: *"Citius, altius, fortius"*, in English *"faster, higher, stronger"*.
- The Paralympic motto: *"Spirit in motion"*.
- The Olympic creed: *"The most important thing in the Olympic Games is not to win but to take part, just as the most important thing in life is not the triumph but the struggle"*.
- The Olympic and Paralympic flames.
- The historical images of the Games (logos, mascots, pictograms, posters, medals, coins, videos, photographs, etc.).
- The brands of the Rio 2016 Olympic and Paralympic Games and their logos.
- The graphic elements of the Games (graphic communication and identification elements which are part of the venues in which competitions will take place).
- The Pictograms of Rio 2016 (icons that represent the sports and disciplines included in the Rio 2016 Olympic and Paralympic Games).
- The official products.
- The publications and audio-visual products.
- The official designations and expressions (including the expressions *'OLYMPIC GAMES'*, *'PARALYMPIC GAMES'*, *'RIO 2016 OLYMPIC AND PARALYMPIC GAMES'*, *'RIO 2016 GAMES'*, *'RIO 2016'*, *'RIO OLYMPIAD'*, *'RIO 2016 OLYMPIAD'*, *'XXXI OLYMPIC GAMES'*, among others, and their variations and translations. These expressions are registered as trademarks by the International Olympic Committee, the International Paralympic Committee and/or Rio 2016.



If you have any questions regarding the matters discussed in this memorandum, please contact the following attorneys or call your regular Carey contact.

Fernando García Counsel

+56 2 2928 2665
fgarcia@carey.cl

Julika Weiss Associate

+56 2 2928 2638
jweiss@carey.cl

This memorandum is provided by Carey y Cía. Ltda. for educational and informational purposes only and is not intended and should not be construed as legal advice.

Carey y Cía. Ltda.
Isidora Goyenechea 2800, 43rd Floor
Las Condes, Santiago, Chile.
www.carey.cl

Only the Organizing Committee and the commercial partners of the Rio 2016 Games are allowed to use these assets for commercial purposes.

Third parties may use the intellectual property assets of Rio 2016 provided that they follow the following guidelines:

1. **Editorial Use:** The use of the Rio 2016 intellectual property assets is allowed for editorial and journalistic purposes if there is no commercial association between the published content and the Games, and if it does not generate an undue association between the non-official brand and the Games.
2. **Statement of facts and popular and cultural expressions:** The Rio 2016 intellectual property assets may be used for these purposes, provided that its use does not have commercial purposes and does not constitute an undue or unauthorized association with the Games.
3. **Advertising and propaganda:** It is forbidden to use the Rio 2016 intellectual property assets in association with any kind of propaganda, including political, and religious and especially advertising with the purpose of promoting the sale of goods and services.
4. **Promotion:** The use of the Rio 2016 intellectual property assets is forbidden as a theme or focus of any kind of promotion, competition and/or lottery drawing, in a manner that might create an undue association with the Games. Also, it is forbidden to undertake a promotion in which tickets for the Games are offered as a prize.
5. **Use of athletes' images:** According to the Olympic Charter, *"no competitor, coach, trainer or official 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."*
6. **Merchandising and promotional products:** It is forbidden to use the Rio 2016 intellectual property assets in any type of product or material (shirts, mugs, pins, etc.) for promotional, institutional and especially for commercial purposes.
7. **Trade names:** The Rio 2016 intellectual property assets may not be used as part of the name of a commercial or business establishment.
8. **Blogs and social networks:** The Rio 2016 Games already have official accounts on Facebook and on Twitter. Third parties are authorized to use the Rio 2016 intellectual property assets in blogs only to illustrate editorial contents or contents that have a cultural or popular purpose, provided that these blogs have no commercial purposes.

9. **Events:** It is forbidden to use the Rio 2016 intellectual property assets in a way that it creates an undue association with the games and/or that gives the impression that such event is part of the Rio 2016 official program.

These guidelines are, as their name implies, a simple guide on the use of the intellectual property assets of the Games, and therefore, the conducts described therein are illustrative and not exhaustive. Consequently, there may be other behaviors deemed by the Rio 2016 Organizing Committee to violate their intellectual property rights.

Finally, it is important to remember that the intellectual property assets of Rio 2016 are protected in Chile through trademark registrations, and by copyright. In addition, Chile is a signatory to the Nairobi Treaty on the Protection of the Olympic Symbol and, as a result, has an obligation to protect the Olympic symbol (five interlocked rings) from unauthorized commercial uses.