



Brand Protection Guidelines

Version 4.3 March 2019

Introduction

This document provides an overview of the protection standards for Olympic and Paralympic Games intellectual property, which is managed by the Tokyo Organising Committee of the Olympic and Paralympic Games (hereinafter the “organising committee”) and includes marks associated with the Tokyo 2020 Games (emblems, logos, and slogans, etc.).

Emblems and names for the Tokyo 2020 Games and other intellectual property associated with the Olympic and Paralympic Games are protected in Japan by the Trademark Law, Unfair Competition Prevention Law, Copyright Act, and so on. Furthermore, upon receiving the invitation to host the Tokyo 2020 Olympic and Paralympic Games (hereinafter the “Tokyo 2020 Games”), the national government of Japan has made a pledge to the International Olympic Committee (hereinafter the “IOC”) and International Paralympic Committee (hereinafter the “IPC”) to observe the Olympic Charter and suitably protect the intellectual property, etc. of the Olympic and Paralympic Games.

Organizations/Businesses permitted to use the marks associated with the Tokyo 2020 Games

The use of intellectual property in the form of marks associated with the Tokyo 2020 Games is permitted for the following organizations/businesses.

1. Tokyo 2020 Games official sponsors, rights holding broadcasters (RHB)
2. Host City, Host Government, Host Venue
3. Media organizations, such as newspaper publishers, TV stations, magazine publishers, etc. (for reporting purposes only)
4. The Japanese Olympic Committee (hereinafter “JOC”), the Japanese Paralympic Committee (hereinafter “JPC”)
5. Local and municipal governments (only for items provided by the organising committee)
6. Other organizations/businesses for which use of the marks associated with the Tokyo 2020 Games is deemed appropriate by the organising committee

1 ■ Reasons for the Protection of Intellectual Property

Emblems and names associated with the Olympic and Paralympic Games and other intellectual property are the exclusive property of the IOC and IPC, and the management of this intellectual property has been entrusted to the organising committee in Japan for the Tokyo 2020 Games.

The organising committee, in cooperation with the JOC and JPC, has been carrying out marketing activities that utilize this intellectual property, with the aim of securing the financial resources required to prepare for the Tokyo 2020 Games, ensure its stable operation, and develop and strengthen the athletes of Japan.

The unauthorized use, abuse, or misappropriation of marks associated with the Olympic and Paralympic Games and other intellectual property is known as ambush marketing. This not only infringes on the intellectual property rights of the IOC and IPC, but also results in a reduction of sponsorship funds and other forms of funding from sponsors and other organizations. This could therefore seriously compromise the operation of the Games and impede efforts to develop the athletes.

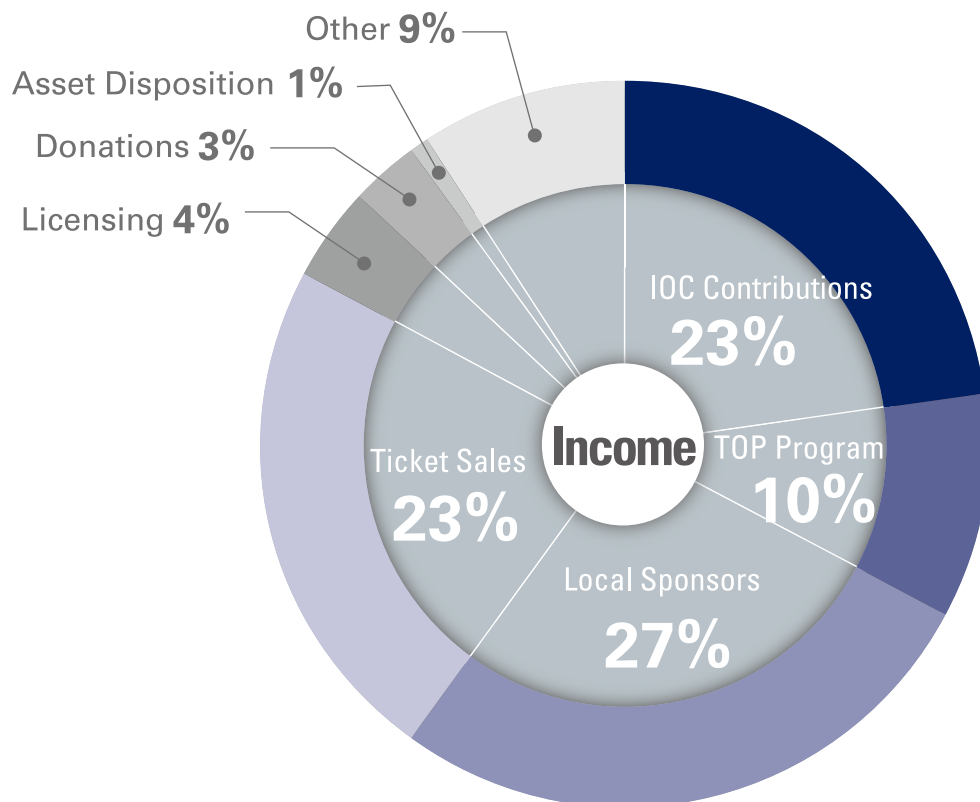
Hence, the organising committee has the duty to protect the intellectual property, in order to observe Japanese law, including the Trademark Act, and its pledge to the IOC, while facilitating the smooth operation of the Olympic and Paralympic Games and develop athletes.

The Olympic Charter, Section 7.4

The Olympic symbol, flag, motto, anthem, identifications (including but not limited to “Olympic Games” and “Games of the Olympiad”), designations, emblems, flame and torches, as defined in Rules 8-14 of the Olympic Charter, may, for convenience, be collectively or individually referred to as “Olympic properties.” All rights to any and all Olympic properties, as well as all 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 may license all or part of its rights on terms and conditions set forth by the IOC Executive Board.

2. Revenue Sources for the Tokyo 2020 Games

Revenue earned through marketing programs implemented by the Tokyo 2020 Games, such as sponsorships, licensing, and ticketing, forms the basis of funds that are used to pay for the expenditures associated with the operation of the Games, which are managed by JOC and the organising committee.



Source: 2013 Candidacy file

3. Tokyo 2020 Olympic Games sponsors

The sponsors for the Tokyo 2020 Olympic Games comprise the Worldwide Olympic Partners (i.e. TOP Partners) which are IOC sponsors, as well as local partners which are sponsors of the organising committee. In categories (industries) that have entered into agreements with the IOC or the organising committee, exclusive commercial exploitation rights for the intellectual property associated with the Olympic Games is granted.

The Worldwide Olympic Partners



Tokyo 2020 Olympic Gold Partners



Tokyo 2020 Olympic Official Partners



Tokyo 2020 Olympic Official Supporters

AOKI Aggreco ECC KOKUYO Shimizu Corporation TANAKA HOLDINGS NOMURA Park24 Pasona Group
MARUDAI FOOD Morisawa THE SABKEI SHIMBUN The Hokkaido Shimbun Press

Tokyo 2020 Paralympic Games sponsors

The sponsors for the Tokyo 2020 Paralympic Games comprise the Worldwide Paralympic Partners which are IPC sponsors, as well as local partners which are sponsors of the organising committee. In categories (industries) that have entered into agreements with the IPC or the organising committee, exclusive commercial exploitation rights for the intellectual property associated with the Paralympic Games is granted.

The Worldwid Paralympic Patners



Tokyo 2020 Paralympic Gold Partners



Tokyo 2020 Paralympic Official Partners



Tokyo 2020 Paralympic Official Supporters

AOKI Aggreco ECC Ottobock KOKUJO Shimizu Corporation TANAKA HOLDINGS NOMURA Park24 Pasona Group
MARUDAI FOOD Morisawa THE SABKEI SHIMBUN The Hokkaido Shimbun Press

4. Main Intellectual Property Associated with the Olympic and Paralympic Games

The main intellectual property associated with the Olympic and Paralympic Games includes the Olympic Symbol, the Paralympic Symbol (three Agitos) emblems for the Tokyo 2020 Games, names for the Tokyo 2020 Games, mascots for the Tokyo 2020 Games, pictograms, mottos for the Tokyo 2020 Games, and terms, images, and voice communications related to the Olympic Games. These are protected as intellectual property, and may not be used freely.



Olympic Symbol



Paralympic Symbol



Tokyo 2020 Olympic Emblem



Tokyo 2020 Paralympic Emblem



Mascots



Pictograms

Tokyo 2020

Designation for the Tokyo 2020

Um mundo novo
A new world

Mottos



Medals



Olympic flame and torch



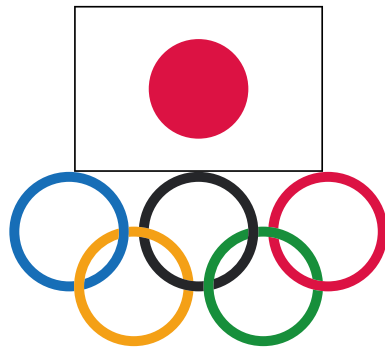
Images for the Games



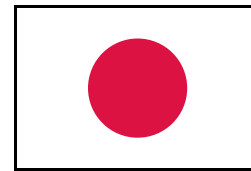
Past images (e.g.: Tokyo 1964 Olympic Games)

Main Intellectual Property Associated with the JOC and JPC

The respective marks associated with the JOC and JPC are also protected as intellectual property.



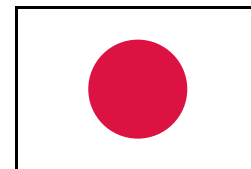
JOC first emblem



JPC first emblem



JOC second emblem



JPC second emblem

がんばれ!ニッポン!®

JOC slogan

Terms to be Protected

Terms, including names of the Tokyo 2020 Games, are also subject to protection as intellectual property, and may not be used freely.

Names for the Tokyo 2020 Games

Games of the XXXII Olympiad

Tokyo 2020 Paralympic Games

Abbreviated names for the Tokyo 2020 Games

Tokyo 2020 Olympic Games

Tokyo 2020 Olympic and Paralympic Games

Tokyo 2020 Games

Tokyo 2020

Other terms (Examples)

Olympics

Olympism

Olympian

Olympiad

Paralympics

Paralympian

Citius, Altius, Fortius

Faster, Higher, Stronger

Faster, Higher, Stronger (in Japanese)

Spirit in Motion

Olympic flame / Olympic flame relay / torch / torch relay

Athletes of the Japanese Olympic delegation/Athletes of the Japanese Paralympic delegation

“Gambare! Nippon!” slogan

5. Legal Protection

The intellectual property and images associated with the Olympic and Paralympic Games are protected by the Trademark Act, the Unfair Competition Prevention Act, the Copyright Act, and other laws in Japan. The national government of Japan has pledged to the IOC to comply with the Olympic Charter, and submitted a letter of agreement on the prevention of ambush marketing to the IOC and IPC along with its bid for the Tokyo 2020 Games.

Trademark Act

Prevention of the infringement of trademark rights (refer to Articles 25, 37, and 36)

Under the Trademark Act, use of a trademark that is identical or similar to a registered trademark for goods or services that are identical or similar to the designated goods or designated service is deemed as an act of infringement of a trademark right, and is subject to demand for injunction and claims for compensation for damage. Trademarks such as the Olympic symbol, Paralympic symbol, emblems for the Tokyo 2020 Games, mascot for the Tokyo 2020 Games, JOC emblem No. 2, or the “Gambare! Nippon!” slogan, are trademarks registered by the IOC, IPC, JOC, JPC, or the organising committee for an extensive range of designated goods or designated services.

Criminal charges (Article 78, Article 78-2)

Infringers of a trademark right are punishable by imprisonment with work for a term not exceeding 10 years, a fine not exceeding 10,000,000 yen, or combination thereof. Any person who has committed an act deemed to constitute the infringement of a trademark right is punishable by imprisonment with work for a term not exceeding five years, a fine not exceeding 5,000,000 yen, or combination thereof.

Unregistrable trademarks (Article 4, Paragraph 1(vi), (vii))

Trademarks that are identical with, or similar to, a famous mark indicating the State, a local government, an agency thereof, a non-profit organization undertaking a business for public interest, or a non-profit enterprise undertaking a business for public interest, may not be registered as trademarks. This applies to famous trademarks that indicate the Olympics, IOC, or JOC (such as “OLYMPIC,” “IOC,” “Olympic symbol,” “JOC,” or “Gambare! Nippon!”).

Legal Protection (cont'd)

Unfair Competition Prevention Act

Prohibition of commercial use of a mark of an international organization (Article 17)

The IOC and IPC are recognized as international organizations. Hence, the Olympic symbol, which is a mark indicating an international organization, may not be used without authorization from the IOC.

Criminal charges (Article 21, Paragraph 2(vii))

Any person found to be in violation of the stipulations of Article 17 is punishable by imprisonment with work for not more than five years or a fine of not more than 5,000,000 yen, or combination thereof.

Indication of well-known or famous goods, etc. (Article 2, Paragraph 1(i), (ii))

Acts that involve the use of indications (such as name, trade name, trademark) of the goods, etc. of another person as a well-known item, thereby giving rise to confusion with the goods, etc. of another person, as well as acts that involve the use of indications of famous goods, etc. of another person, are deemed as acts of unfair competition, and are subject to demand for injunction (Article 3) and claims for compensation for damage (Article 4).

Criminal charges (Article 21, Paragraph 2(i), (ii))

Any person who undertakes the commercial use of indications of the well-known or famous goods, etc. of another person under certain conditions, is punishable by imprisonment with work for not more than five years or a fine of not more than 5,000,000 yen, or combination thereof.

Copyright Act

Prevention of acts that infringe copyrights

The use (reproduction, transfer, public transmission, adaptation, etc.) of copyrightable works (such as the mascot of the Tokyo 2020 Games) with copyrights owned by other persons, without the authorization of the copyright holder, is deemed to have infringed on the copyrights, and is subject to demand for injunction (Article 112) and claims for compensation for damage.

Criminal charges (Article 119, Paragraph 1)

Infringers of copyrights are punishable by imprisonment with work for not more than 10 years, a fine of not more than 10,000,000 yen, or combination thereof.

6 ■ Ambush Marketing

Regardless of whether or not the act was carried out intentionally, ambush marketing refers to the use of intellectual property associated with the Olympic and Paralympic Games or the misappropriation of images associated with the Olympic and Paralympic Games by organizations or individuals, without authorization from the IOC, IPC, and the organising committee, which are the rights holders of this intellectual property. Acts by such organizations or individuals to appear as if they were officially involved in the Olympic and Paralympic movement interfere with the legitimate marketing activities undertaken by marketing partners, and damage the Olympic and Paralympic brand.

The basis of marketing for the Olympic and Paralympic Games is the sale of intellectual property associated with the Olympic and Paralympic Games as rights, such as in the form of sponsorships and licensing, exclusively to corporations and organizations by category. Hence, marketing activities cannot be established without the protection of the intellectual property.

With the introduction of marketing into the Olympic Games, and amidst a situation of strong dependency on marketing for the procurement of operating funds for the Games, an anti-ambush marketing policy not only serves to protect the intellectual property of the Olympic and Paralympic Games, but has also become an absolutely indispensable element of the marketing activities. In other words, marketing of the Olympic and Paralympic Games cannot be established without the implementation of thorough anti-ambush marketing measures.

7. Examples of Problematic Acts Deemed as Ambush Marketing



Unauthorized use of Tokyo 2020 emblem



Use of Tokyo 2020 emblem by corporations/organizations that have not been authorized to do so



Use of the Olympic Symbol



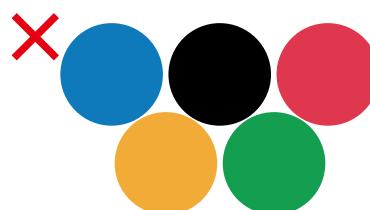
Use of terms that bring to mind the Olympics



Use of Olympic terms and the torch image



Publication of PR magazines by persons or organizations other than rights holders



Graphics that bring to mind the Olympic Symbol

Examples of Problematic Acts Deemed as Ambush Marketing

Unlike regular articles, press releases are publicity tools used by corporations. Hence, the use of the names “Olympic” and “Paralympic,” as well as expressions that evoke these, in a way that misappropriates images associated with the Olympic and Paralympic Games, is not permitted for businesses that are not the official sponsors of the games.



Please refrain from using terms such as the following in the misappropriation of images associated with the Olympic and Paralympic Games, as they may also be deemed as ambush marketing.

Examples:

Tokyo 2020 ●●●●●●

●●●lympic

2020 Sports Festival

Go for the gold

London, Rio, and then Tokyo

Countdown to 2020

Examples of Problematic Acts Deemed as Ambush Marketing

Example: Marketing activities in Japan by companies under a contract with organizations related to the Olympic and Paralympic Games.

No company or organization, except for the Tokyo 2020 Partners, are allowed to engage in marketing activities and public relations activities using the names and images of the Olympic or Paralympic Games, even if they are/were under a contract with TOCOG or any other organizations related to the Olympic or Paralympic Games.

Examples of such companies and organizations are following:

- Sponsors or official suppliers of the foreign National Olympic Committees or Paralympic Committees
- Sponsors or official suppliers of the International Federations or each National Federation for each sport
- Suppliers of items/equipment or services relating to the Tokyo 2020 Games



March 2019

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Please direct inquiries to:
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Tokyo Organising Committee of the Olympic and Paralympic Games
Brandmanagement@tokyo2020.jp

Approximately 10 business days are needed to review requests and reply.
If there is size limitation for emails, contact to Brand Management Division.
