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More than a Game:

Global Strategies for IP Protection in Major Sport Events

Jared Lay, Senior Legal Counsel, FIFA

WHY INTELLECTUAL PROPERTY MATTERS IN SPORT

- Major sporting events are global brands
- Intellectual property protects those brands
- Protected rights attract investment and partnerships
- Strategic rights management creates long-term value

WHAT DOES THE FIFA IP TEAM DO?

IP Registration/Portfolio Management

- Support the development of FIFA's brand architecture
- Advise on the selection, clearance, and protection of names, logos, mascots, slogans, and other assets
- Develop registration strategies that align with FIFA's sporting, commercial, and organizational objectives
- Implement and manage global filing programs across hundreds of jurisdictions
- Monitor trademark registers and assess risks to FIFA's rights worldwide
- Pursue oppositions, cancellations, and other actions to preserve FIFA's IP portfolio

Brand Protection

- Leverage FIFA's IP rights to combat counterfeiting, ambush marketing, and online infringement
- Develop and implement enforcement strategies aligned with legal, commercial, and reputational objectives
- Coordinate with customs authorities, online platforms, external counsel, and other stakeholders worldwide
- Prioritize enforcement actions based on risk, impact, and available resources
- Protect the exclusivity and integrity of FIFA's commercial ecosystem

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FIFA'S IP TEAM

- **Core Team**
  - Lynn Carrillo - Director, Commercial Legal (Miami)
  - Jared Lay- Senior Legal Counsel (Miami)
  - Mara Stojanovic - IP Assistant (Zurich)

- **Global Support Network**
  - External registration counsel overseeing worldwide prosecution and portfolio management
  - External brand protection counsel supporting enforcement and anti-counterfeiting activities across multiple jurisdictions

GLOBAL COUNSEL NETWORK

Local Legal Nuances

- Jurisdiction-specific registration and enforcement considerations
- Regulatory restrictions and prohibited terms
- Local practices affecting specifications, classification, or examination

Recent Case Law

- Significant trademark, copyright, and design decisions
- Developments affecting slogans, event brands, and non-traditional marks
- Enforcement trends and evolving legal standards

Deviations from Standard Practice

- Divergence from FIFA's filing guidelines or IP Handbook
- Higher distinctiveness thresholds
- Restrictive treatment of non-traditional rights
- Local enforcement limitations or procedural hurdles

IP Registration & Portfolio Management

THE UNIQUE CHALLENGE OF SPORTING EVENT IP

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Traditional Brands

Designed to exist indefinitely

Built over decades

Registration strategy focuses on long-term protection

Sporting Events

Commercial value is concentrated in a short period

New assets are created for each tournament cycle

Rights must be secured before public launch

Enforcement activity peaks around the event

The Challenge

A FIFA brand may only be commercially relevant for a short period of time, but protection must begin years before kickoff and continue long after the trophy has been lifted.

BEFORE WE FILE: WHAT MAKES A STRONG COMPETITION BRAND?

- **Distinctiveness**
  - Can the brand function as a trademark?
  - Is it descriptive, generic, or geographically problematic?
  - Can it be protected globally?
- **Availability**
  - Are there conflicting prior rights?
  - Are there problematic registrations in key markets?
  - Will opposition risk delay launch plans?
- **Commercial Value**
  - Will the asset be used by sponsors, broadcasters, or licensees?
  - Does protection justify the cost?
- **Longevity**
  - Is this a short-term campaign or a long-term FIFA asset?
  - What level of protection is proportionate?



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FIFA'S COMMERCIAL PROGRAM

FIFA PARTNERS

SPONSORS

SUPPORTERS

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INTERNATIONAL LEGAL FRAMEWORK

Area	Framework
Trademarks	Paris Convention, Madrid Protocol TRIPS
Copyright	Berne Convention, WIPO Copyright Treaty
Designs	Hague System*, National Design Laws
Domains	UDRP
Event Protection	National Laws & Regulations

EVENT LAWS

Brazil

Automatic High-Renown Status: The Brazilian Patent and Trademark Office (INPI) automatically recognizes FIFA's emblems, mascots, and official designations as highly renowned across **all branches of economic activity** through December 31, 2027.

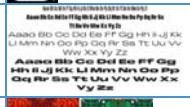
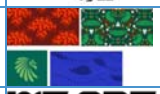
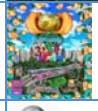
Broad Protection Scope: Third parties are strictly prohibited from using or registering any signs, logos, or domain names that imitate FIFA's protected assets, **even outside the sports sector**.

Fast-Track Processing: Normative Ordinance No. 58/2026 sets up a dedicated Trademark Work Group at the BRPTO to prioritize and fast-track FIFA-related applications.

Commercial Restrictions: Host cities are mandated to set up commercial restriction zones around official stadiums and Fan Festival locations to curb ambush marketing.

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PROTECTING FIFA'S IP ASSETS: FIFA IP HANDBOOK

Assets	IP Protection	EXAMPLES
Official Event Title	Trademark	FIFA WORLD CUP 2026
Official Emblem	Copyright, Trademark and/or Design	
Official Typography	Copyright	
Official Look	Copyright, possibly Trademark or Design	
Official Slogan	Trademark	
Official Mascot and Mascot Name**	Trademark, Copyright, possibly Design, depending on the timing for obtaining a registration.	
Official Poster / Official Host City Posters	Copyright	
Official Trophy	Copyright, Trademark, and/or Design	
Additional Graphic Elements*	Copyright, Trademark and/or Design	



WHERE AND WHEN DO WE FILE?

- The trademarks are filed first in Switzerland to establish a clear priority date in case it is needed for subsequent filings
- Filings are made as close as possible to the public launch making coordinate with commercial teams and outside counsel vital

Comparison of Competitions

FIFA U20 Women's World Cup 2026

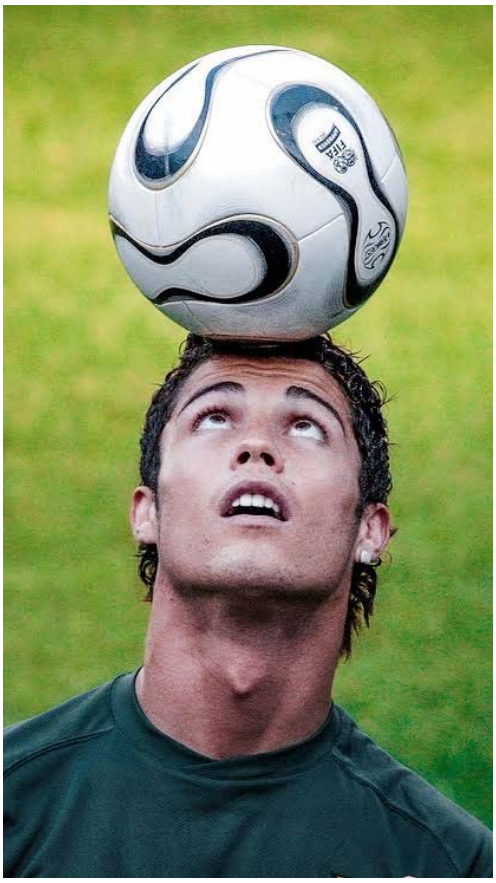
Trademark registration in Poland, the Host Country, in six Nice Classes

FIFA Women's World Cup 2027

Global protection sought for the Official Emblem across approximately 90 intellectual property offices worldwide and 36 Nice Classes.

EVERY FILING REQUIRES BALANCING:

- Distinctiveness
- Enforceability
- Timing
- Cost
- Commercial Value
- Future Use
- Global Consistency
- Risk



PORTFOLIO MANAGEMENT

- **Trademark Watching**
  - Monitor new applications that may conflict with FIFA right
- **Oppositions**
  - Prevent problematic marks from becoming registered
- **Cancellations & Invalidity Actions**
  - Remove conflicting registrations already on the register
- **Market & Register Monitoring**
  - Identify emerging risks and changing filing trends
- **Renewals & Maintenance**
  - Preserve valuable rights throughout the asset lifecycle



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CASE STUDY- FWC22 EMBLEM

- **Scenario**: In 2026, FIFA's Thailand application for the FWC22 Official Emblem received an office action objecting to numerous goods and services across 13 classes.
  - The objections included:
    - Legacy physical media goods (DVDs, video tapes, CD-ROMs, magnetic media)
    - Broadcasting and media-related services
    - Recording of sports events
    - Online platform and digital-content services
    - Various merchandising and retail specifications

- **Key Question**: Should FIFA invest additional resources to preserve all objected specifications, or focus on protecting commercially significant rights?

- **Assessment**
  - Lower commercial value: DVDs, video tapes, CD-ROMs and other obsolete physical media; Niche merchandising categories; Certain retail and promotional service descriptions
  - Higher commercial relevance (these categories align more closely with FIFA's current and expected future media and digital activities): Broadcasting and transmission services; Recording of sports events; Online video and digital-platform services

- **Decision**: Proceed with deletion

- **Reasons**: Broad protection remains across key goods and services. The remaining specification still covers significant audiovisual, digital, software, hosting, telecommunications, broadcasting and entertainment activities. Protection against unauthorized distribution of official tournament films is driven primarily by copyright rather than trademark registrations. The filing concerns a historical asset in a single jurisdiction (Thailand), reducing the commercial value of pursuing marginal specifications.

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FIFA WORLD CUP Qatar2022

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Brand Protection

AMBUSH MARKETING: WHERE IS THE LINE?

- **What is it?**
  - Ambush marketing occurs when a non-sponsor seeks to obtain the commercial benefits of an event without acquiring official sponsorship rights.

- **Three Common Forms**
  - *Unauthorized use of FIFA IP*
    - Using tournament marks, logos, mascots or official slogans
  - *Ambush by Association*
    - Suggesting a commercial connection with FIFA
    - Campaigns implying sponsorship or endorsement without authorization
  - *Ambush by Intrusion*
    - Capitalizing on the event environment
    - Advertising near venues, fan zones or within the broader event ecosystem

- **Why FIFA Cares**
  - Protects sponsor exclusivity
  - Preserves commercial value
  - Prevents consumer confusion
  - Safeguards the commercial ecosystem supporting the tournament

Sponsors invest because they receive exclusivity. Ambush marketing seeks to obtain that exclusivity without making the investment.

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THE LEGAL REALITY OF AMBUSH MARKETING

- **What Is Not Prohibited**
  - General football-themed advertising
  - References to fans, matches, or host countries
  - Generic football imagery
  - Descriptive references that do not suggest sponsorship

- **Where Risk Begins**
  - Use of FIFA protected marks
  - Similar logos, slogans, or designs
  - Ticket promotions implying official status
  - Advertising that suggests sponsorship, partnership, or endorsement
  - Attempts to create an unauthorized commercial association



- **Fair Use**
  - Section 107 of the Copyright Act of 1976 (17 U.S.C. § 107).
  - **Trademark**: Trademark fair use allows third parties to use a protected brand name or logo without permission, provided the use does not confuse consumers about who provides the product or service
  - **Copyright**: Allows the unlicensed use of copyrighted material for specific purposes like criticism, comment, news reporting, teaching, and research.

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CASE STUDY: OLYMPIC RINGS VS. FIFA

Olympic Rings Protection	FIFA Protection
Special statutory and treaty-based protection	Protection built through trademark, copyright, design, and unfair competition laws
Unauthorized use alone may be sufficient	A recognized legal basis is generally required
No need to establish infringement under traditional trademark principles	FIFA typically relies on infringement, dilution, unfair competition, copyright, or design claims
Broad protection regardless of goods or services	Scope of protection depends on the right asserted and the jurisdiction

As we saw earlier, the FIFA Women's World Cup 2027 Event Law in Brazil provides for FIFA's trademarks to receive well known status in Brazil until December 2027.

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ENFORCEMENT MATRIX

Scenario:

A non-sponsor sportswear company launches a social media campaign during the FIFA World Cup featuring:

- Match-day content and football imagery
- "Road to the Final" promotions
- Influencer partnerships during tournament matches
- References to the excitement of the World Cup
- Hashtags designed to trend alongside official FIFA content

The campaign does not use official FIFA trademarks or logos but creates a strong impression of a connection to the tournament.

Total Score: 23 (range 0-69)

Recommended Action:
- Takedown / demand letter
- Add to monitoring list

Attribute	Score (Pre-Determined)	Applies?	Rationale
FIFA Top Tier Brand/Logo	15	✅	Targets the FIFA World Cup™ ecosystem
Illicit Activity	15	❌	Not applicable
Health & Safety Risk	15	❌	No consumer safety concerns
In-Person Event	10	❌	Entirely digital
Multiple Brands / Influencers	6	✅	Large influencer network
FIFA Mid-Tier Brand/Logo	4	❌	Flagship competition involved
Cultural Sensitivity	2	❌	Not applicable
History of Infringement	2	✅	Prior sponsorship-related warnings

CUSTOMS ENFORCEMENT



Why Customs Matters

- Protects consumers from counterfeit products
- Protects the value of licensed merchandise
- Supports FIFA's commercial partners and licensees
- Disrupts supply chains before counterfeit products enter the marketplace
- Complements online brand protection efforts

Customs Enforcement Starts with Registration

- Trademark registrations provide the legal basis for customs recordations
- Border authorities generally cannot seize counterfeit products without an underlying IP right
- Registrations allow FIFA to record rights with customs authorities worldwide
- Enable authentication requests, intelligence sharing, and enforcement cooperation
- Protect official licensees by preventing counterfeit products from entering the market

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FIFA IP DESK

- **Challenge**: Addressing infringements and counterfeit products globally.
- Centralizing FIFA's Brand Protection Program
- Developed by FIFA Commercial Legal, supported by outside counsel, to manage IP infringement reporting and enforcement worldwide
- Single reporting portal and real time dashboards for Commercial Affiliates, Licensees, Broadcasters
- Transparent case tracking from submission through resolution

KEY TAKEAWAYS



Sporting-event IP is different from traditional brand management

Registration strategy begins years before commercialization

Trademark portfolios create commercial value

Effective brand protection requires multiple complementary legal rights

Global enforcement demands prioritization rather than pursuing every infringement

