

PROVISIONAL REFUSAL

according to rule 17(1) of the Common Regulations under the Madrid Agreement and Protocol

Refusal based on an opposition

I. Office:

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
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II. International registration number: 1390360

Trademark elements: OLIMPBET

III. Name and address of the holder: DENISOVA DARINA BORISOVNA

1-ST DUBROVSKAYA, 1, BUILD.1, FLAT 44RU-109044 MOSCOW, RUSSIA (FEDERAÇÃO DA)

IV. Grounds for refusal:

a) Corresponding essential provisions of the applicable law under IX:

Art.17, N.1, Art 238, N. 4, a), b),c), Art.234, N.3, N.4, a),b), c), Art. 245,N.1, Art,239, N.1,a), e), Art,317 do CPI

V. Opponent rights.

Application/registration number: 1128501(international applicant)

Filing Date: 16/09/2011

Registration date (if available): 08/11/2011

Priority date (if any):N.A

Name and address of the opponent:

Comité International Olympique (Association) , Château de Vidy , CH-1007 Lausanne (CH)

Trademark:

OLYMPIC

List of goods and services on which the opposition is based:

Class 41: Educational services; providing of training; entertainment; sporting and cultural activities, televised sporting and cultural entertainment; organization of exhibitions for cultural and educational purposes; operating lotteries and competitions; betting and gambling services in connection with or relating to sports; entertainment services provided during sporting events or concerning sporting events; organization of sporting and cultural events and activities; organization of real or virtual

sporting competitions; operation of sports facilities; rental of audio and video equipment; production, presentation and distribution of films and of sound and video recordings; rental of sound and video recordings; rental and/or provision via a computer network of interactive entertainment and education products, namely interactive compact discs, CD-ROMs, computer games; entertainment, namely presentation of interactive entertainment and education products, namely interactive compact discs, CD-ROMs, computer games; covering televised and broadcast sporting events; production of television and radio programs and of videotapes; production of cartoons; production of cartoons for television; reservation of tickets for sporting events and shows; timing of sports events; organization of beauty contests; interactive entertainment; on-line betting services; provision of games on the Internet; provision of raffle services; information concerning entertainment or education, provided on line from a data bank or the Internet; electronic game services provided by means of the Internet; provision of electronic publications on line; publication of books, magazines, texts (other than publicity texts) and periodicals; publication of books, magazines, texts (other than publicity texts) and of electronic periodicals on line; provision of digital music from the Internet; provision of digital music from MP3 web sites; provision of sporting results; information services concerning sports and sporting events; rental of recorded sounds and images; audio production services; information services concerning sporting events provided on line from a computer database or the Internet; editing and publishing services; provision of digital music (non-downloadable); offering digital music by means of telecommunications; publication of statistics regarding sporting results and audience ratings for sporting competitions; training in the use and operation of systems for signaling and notification of crossings for the railway and transit industries; education services in the field of medical imaging and diagnosis, namely conducting of seminars, conferences, symposiums or workshops concerning the pharmaceutical industry, intended for medical doctors and employees of pharmaceutical companies; education services, namely conducting of seminars, conferences, symposiums or workshops in the field of life sciences and biotechnology for scientists and researchers; conducting of seminars on problems in connection with industrial water treatment; training services in all the aforesaid fields; training services in the field of management and medicine by means of the use of instructions and demonstrations provided on line, via the Internet, intranets and extranets; education services, namely conducting of practical training workshops, courses and seminars including demonstrations in the field of medicine and management; design, conducting and hosting of courses, seminars and all training activities in the field of information technology; organization and performance of concerts; booking of seats for shows; movie presentations; entertainment information; film production; show production; theater production services; operation of golf facilities; health club services (fitness training); sports camp services; presentation of live performances; film projections; organization of shows (impresario services); holiday camp services (entertainment); movie studios; news reporter services; provision of on-line electronic publications, not downloadable; music hall services; education services, namely conducting of courses, seminars, presentations, video presentations, provision of educational material, namely dissemination of material in the field of financial knowledge; education services in the field of tourism; information services in the field of tourism, namely information services regarding reservation of tickets for recreational events; information services in the field of tourism, namely information services regarding entertainment; information services in the field of tourism, namely information services regarding planned sporting, cultural and recreational activities; services in connection with entertainment for tourist assistance; tourist reservation services, namely activity and entertainment reservation services; assistance services for tourists concerning reservation of tickets for recreational events; assistance services for tourists concerning planned sporting, cultural and recreational activities.

V. Opponent rights.

Application/registration number: 2827632(EUTM)

Filing Date: 22/08/2002

Registration date (if available): 18/01/2005

Priority date (if any): N.A

Name and address of the opponent:

Comité International Olympique (Association) Château de Vidy CH-1007 Lausanne (SUIZA)

Trademark:

THE OLYMPICS

List of goods and services on which the opposition is based:

Class 41: Education; providing of training; entertainment; sporting and cultural activities.

V. Opponent rights.

Application/registration number: 006662811(EUTM)

Filing Date: 12/02/2008

Registration date (if available): 18/11/2008

Priority date (if any): N.A

Name and address of the opponent:

Comité International Olympique (Association) Château de Vidy CH-1007 Lausanne (SUIZA)

Trademark:

YOUTH OLYMPIC GAMES

List of goods and services on which the opposition is based:

Class 41: Education; providing of training; entertainment; sporting and cultural activities, televised cultural and sporting entertainment; organization of exhibitions for cultural and educational purposes; organisation of lotteries and competitions; betting and gaming services relating to or in conjunction with sports; entertainment services provided at or relating to sports events; organization of sporting and cultural events and activities; organization of sports competitions; exploitation of sports facilities; rental services for audio and video equipment; production, presentation and distribution of films and video and sound recordings; rental of films and video and sound recordings; presentation, networking and/or rental of interactive education and entertainment products, namely interactive compact discs, CD ROMs, computer games; radio and television coverage of sports and sporting events; radio and television program and video tapes production services; production of animated movies; production of animated television programs; seat booking services for shows and sporting events; timing of sports events; organisation of beauty contests; interactive entertainment; on-line gambling services; providing games on the Internet; supplying of raffle services; information relating to entertainment or education, provided on-line from

a computer database or the Internet; electronic game services provided by means of the Internet; providing on-line electronic publications; publication of books, journals, texts (except publicity texts) and periodicals; online publication of electronic books, journals, texts (except publicity texts) and periodicals; providing digital music from the Internet; providing digital music from MP3 Internet websites; providing sports results; information services in relation to sport and sporting events; leasing of recorded sound and images; audio production services; information relating to sporting events provided on-line from a computer database or the Internet; publishing and publication services; providing digital music (not downloadable); delivery of digital music by telecommunications; Booking of seats for shows; Books (Publication of-); Calligraphy services; Digital Imaging services; Diving equipment (Rental of skin -); Education information; Electronic desktop publishing; Entertainment information; Information (Education -); Information (Entertainment -); Information (Recreation-); Interpretation (Sign language-); Layout services, other than for advertising purposes; Microfilming; Modelling for artists; Movie projectors and accessories (Rental of-); Providing on-line electronic publications, not downloadable; Publication of books; Publication of electronic books and journals on-line; Publication of texts, other than publicity texts; Radio and television sets (Rental of-); Recorders (Rental of video cassette-); Recreation information; Rental of audio equipment; Rental of camcorders; Rental of lighting apparatus for theatrical sets or television studios; Rental of movie projectors and accessories; Rental of radio and television sets; Rental of show scenery; Rental of skin diving equipment; Rental of sports equipment, except vehicles; Rental of stage scenery; Rental of video cameras; Rental of video cassette recorders; Show scenery (Rental of-); Sign language interpretation; Sports equipment (Rental of-), except vehicles; Sports events (Timing of-); Stage scenery (Rental of-); Television sets (Rental of radio and-); Texts (Publication of-), other than publicity texts; Ticket agency services [entertainment]; Timing of sports events; Translation; Videotaping.

V. Opponent rights.

Application/registration number: 977839(international applicant)

Filing Date: 14/12/2007

Registration date (if available): 26/06/2008

Priority date (if any): N.A

Name and address of the opponent:

Comité International Olympique (Association) , Château de Vidy , CH-1007 Lausanne (CH)

Trademark:



List of goods and services on which the opposition is based:

Class 41: Education; providing of training; entertainment; sporting and cultural activities, providing museum facilities, televised cultural and sporting entertainment; organization of cultural and educational exhibitions; operating lotteries and competitions; betting and gaming services linked to, or in connection with, sports; entertainment services provided at sports

events or concerning sports events; organization of sporting and cultural activities and events; organization of sports competitions; operating sports facilities; audio and video equipment rental services; production, presentation and distribution of films and video and audio recordings; rental of films video and sound recordings; presentation, networking and/or rental of interactive educational and entertainment products, interactive compact discs, CD-ROMs, computer games; coverage of radio broadcast and televised sports events; production of radio and television programmes and of video tapes; production of cartoons; production of animation programmes for television; ticket reservation services for shows and sports events; timing of sports events; arranging of beauty contests; interactive entertainment; online betting services; providing games on the Internet; providing raffle services; information on entertainment or education, provided online from a data bank or from the Internet; electronic games services provided through the Internet; providing electronic publications online; publication of books, magazines and texts (other than advertising texts) and periodicals; publication of books, magazines and texts (other than advertising texts) and of electronic magazines online; provision of digital music from the Internet; providing digital music from Internet MP3 Web sites; providing sports results; information services in connection with sport and sports events; rentals for pre-recorded images and sounds; audio production services; information services for sports events provided online from a computer database or from the Internet; editing and publishing services; providing digital music (non-downloadable); offering digital music via telecommunications; library services, providing archives and collections of all kinds for cultural and scientific purposes; setting up travelling exhibitions; rental of conference and seminar rooms.

V. Opponent rights.

Application/registration number: 1024203(international applicant)

Filing Date: 31/07/2009

Registration date (if available): 27/04/2009

Priority date (if any):N.A

Name and address of the opponent:

Comité International Olympique (Association) , Château de Vidy , CH-1007 Lausanne (CH)

Trademark:



List of goods and services on which the opposition is based:

Class 09: Computer-readable data recording media, DVDs and videocassettes, the said media, DVDs and videocassettes being prerecorded and containing presentations of texts, data, graphics, sound, commentary and images, animated or non-animated, and computer software for using these; telecommunication and image and sound processing software; computer software for television and radio applications; project management, supervision and analysis software.

Class 16: Printed matter, pamphlets, books.

Class 35: Organisation of computer files containing lists of qualified persons, their addresses, their experience and their field

of competence; business management and organisation consultancy, particularly relating to the method of organising, structuring and operating media centres (television, radio, press); business appraisal, assistance and consultancy for companies engaged in the television, radio or internet retransmission of sporting, cultural or business events, regarding relations with partners or sponsors of said sporting, cultural or business events; provision of statistics relating to various fields concerned with television, radio and all other media; business management assistance for private businesses and/or public authorities relating to television or radio retransmission of sporting, cultural or business events, whether permanent or not.

Class 36: Fiscal assessments and consultancy services relating to all financial aspects of television, radio or internet retransmission of sporting, cultural or business events.

Class 37: Architectural consultation services relating to infrastructures intended to accompany and house television, radio or internet retransmissions of sporting, cultural or business events; provision of information on infrastructure construction.

Class 38: Radio or television broadcasting; television broadcasting, radio broadcasting; providing user access to a global computer network (service providers); providing access to sites containing statistical information and data relating to sporting, cultural or business events; consultancy services relating to television, radio and internet retransmissions, deferred or not deferred; telecommunications consultancy services, particularly relating to electronic telecommunication systems for managing information internally and externally (for example results, timetables of events, lists of participants) for sporting, cultural or business events; telecommunication consultancy services in the field of television, radio and all other media relating to sporting, cultural or business events; provision of information about telecommunication relating to various fields concerned with television, radio and all other media; production of international television and radio programmes; provision and operation of international centres for television, radio and internet broadcasting; provision of telecommunication consultancy services relating to television and radio channels; rental of access time to database server centres.

Class 41: Providing of training; courses and seminars relating to the field of television or radio retransmission of sporting, cultural or business events; production of films on videotape or on any other multimedia.

Class 42: Scientific and technological services and associated research and development services; industrial analysis and research services; services for providing technical infrastructure using computer hardware and software for the simulation of television or radio retransmission of sporting, cultural or business events and testing and analysis relating to the organisation and running of the said events; design and development of computer hardware and software; technical operations support services in the field of television, radio and all other media relating to sporting, cultural or business events.

Class 45: Legal services; licensing of intellectual property.

V. Opponent rights.

Application/registration number: 008471369 (EUTM)

Filing Date: 04/08/2009

Registration date (if available): 17/02/2010

Priority date (if any): N.A

Name and address of the opponent:

Comité International Olympique (Association) Château de Vidy CH-1007 Lausanne (SUIZA)

Trademark:

GAMES OF THE OLYMPIAD

List of goods and services on which the opposition is based:

Class 41: Education; providing of training; entertainment; sporting and cultural activities, televised cultural and sporting entertainment; organization of exhibitions for cultural and educational purposes; organisation of lotteries and competitions; betting and gaming services relating to, or in conjunction with, sports; entertainment services provided at or relating to sports events; organization of sporting and cultural events and activities; arranging real or virtual sports competitions; exploitation of sports facilities; rental services for audio and video equipment; production, presentation and distribution of films and video and sound recordings; rental of films and video and sound recordings; presentation, networking and/or rental of interactive education and entertainment products, namely interactive compact discs, CD ROMs, computer games; radio and television coverage of sports and sporting events; radio and television program and video tapes production services; production of animated movies; production of animated television programs; reservation services; tickets for sports shows and events; timing of sports events; organisation of beauty contests; interactive entertainment; on-line gambling services; providing games on the Internet; supplying of raffle services; information relating to entertainment or education, provided on-line from a computer database or the Internet; electronic game services provided by means of the Internet; providing on-line electronic publications; publication of books, journals, texts (except publicity texts) and periodicals; online publication of electronic books, journals, texts (except publicity texts) and periodicals; providing digital music from the Internet; providing digital music from MP3 Internet websites; providing sports results; information services in relation to sport and sporting events; leasing of recorded sound and images; audio production services; information relating to sporting events provided online from a computer database or the Internet; publishing and publication services; providing digital music (not downloadable); providing music (not downloadable) via the Internet; providing statistical information in relation to sports results and audience ratings for sports competitions; Booking of seats for shows; Books (Publication of-); Calligraphy services; Digital imaging services; Diving equipment (Rental of skin -); Education information; Electronic desktop publishing; Entertainment information; Information (Education -); Information (Entertainment -); Information (Recreation-); Interpretation (Sign language-); Layout services, other than for advertising purposes; Microfilming; Modelling for artists; Movie projectors and accessories (Rental of-); Providing on-line electronic publications, not downloadable; Publication of books; Publication of electronic books and journals on-line; Publication of texts, other than publicity texts; Radio and television sets (Rental of-); Recorders (Rental of video cassette-); Recreation information; Rental of audio equipment; Rental of camcorders; Rental of lighting apparatus for theatrical sets or television studios; Rental of movie projectors and accessories; Rental of radio and television sets; Rental of show scenery; Rental of skin diving equipment; Rental of sports equipment, except vehicles; Rental of stage scenery; Rental of video cameras; Rental of video cassette recorders; Show scenery (Rental of-); Sign language interpretation; Sports equipment (Rental of-), except vehicles; Sports events (Timing of-); Stage scenery (Rental of-); Television sets (Rental of radio and-); Texts (Publication of-), other than publicity texts; Ticket agency services [entertainment]; Timing of sports events; Translation; Videotaping.

V. Opponent rights.

Application/registration number: 1029820(international applicant)

Filing Date: 28/02/2005

Registration date (if available): 04/12/2009

Priority date (if any):N.A

Name and address of the opponent:

Comité International Olympique (Association) , Château de Vidy , CH-1007 Lausanne (CH)

Trademark:

OLYMPIC TORCH RELAY

List of goods and services on which the opposition is based:

Class 41: Education; providing of training; entertainment; sporting and cultural activities, televised cultural and sporting entertainment.

V. Opponent rights.

Application/registration number: 009814294(EUTM)

Filing Date: 04/08/2009

Registration date (if available): 21/04/2011

Priority date (if any):N.A

Name and address of the opponent:

Comité International Olympique (Association) Château de Vidy CH-1007 Lausanne (SUIZA)

Trademark:



List of goods and services on which the opposition is based:

Class 41: Education; providing of training; entertainment; sporting and cultural activities, televised cultural and sporting entertainment; organization of exhibitions for cultural and educational purposes; organisation of lotteries and competitions; betting and gaming services relating to, or in conjunction with, sports; entertainment services provided at or relating to sports events; organization of sporting and cultural events and activities; arranging real or virtual sports competitions; exploitation of sports facilities; rental services for audio and video equipment; production, presentation and distribution of films and video and sound recordings; rental of films and video and sound recordings; presentation, networking and/or rental of interactive education and entertainment products, namely interactive compact discs, CD ROMs, computer games; radio and television coverage of sports and sporting events; radio and television program and video tapes production services; production of animated movies; production of animated television programs; seat booking services for shows and sporting events; timing of sports events; organisation of beauty contests; interactive entertainment; on-line gambling services; providing games on the Internet; supplying of raffle services; information relating to entertainment or education, provided on-line from a computer database or the Internet; electronic game services provided by means of the Internet;

providing on-line electronic publications; publication of books, journals, texts (except publicity texts) and periodicals; online publication of electronic books, journals, texts (except publicity texts) and periodicals; providing digital music from the Internet; providing digital music from MP3 Internet websites; providing sports results; information services in relation to sport and sporting events; leasing of recorded sound and images; audio production services; information relating to sporting events provided online from a computer database or the Internet; publishing and publication services; providing digital music (not downloadable); providing music (not downloadable) via the Internet; providing statistical information in relation to sports results and audience ratings for sports competitions; Booking of seats for shows; Books (Publication of-); Calligraphy services; Digital imaging services; Diving equipment (Rental of skin -); Education information; Electronic desktop publishing; Entertainment information; Information (Education -); Information (Entertainment -); Information (Recreation-); Interpretation (Sign language-); Layout services, other than for advertising purposes; Microfilming; Modelling for artists; Movie projectors and accessories (Rental of-); Providing on-line electronic publications, not downloadable; Publication of books; Publication of electronic books and journals on-line; Publication of texts, other than publicity texts; Radio and television sets (Rental of-); Recorders (Rental of video cassette-); Recreation information; Rental of audio equipment; Rental of camcorders; Rental of lighting apparatus for theatrical sets or television studios; Rental of movie projectors and accessories; Rental of radio and television sets; Rental of show scenery; Rental of skin diving equipment; Rental of sports equipment, except vehicles; Rental of stage scenery; Rental of video cameras; Rental of video cassette recorders; Show scenery (Rental of-); Sign language interpretation; Sports equipment (Rental of-), except vehicles; Sports events (Timing of-); Stage scenery (Rental of-); Television sets (Rental of radio and-); Texts (Publication of-), other than publicity texts; Ticket agency services [entertainment]; Timing of sports events; Translation; Videotaping.

V. Opponent rights.

Application/registration number: 609691(international applicant)

Filing Date: 01/04/1993

Registration date (if available): 01/10/1993

Priority date (if any):N.A

Name and address of the opponent:

Comité International Olympique (Association) , Château de Vidy , CH-1007 Lausanne (CH)

Trademark:

OLYMPIC

List of goods and services on which the opposition is based:

Class 41: Éducation; formation; activités sportives et culturelles; organisation et conduite de compétitions sportives; production de films, publication de livres et de textes

V. Opponent rights.

Application/registration number: 428281(national applicant)

Filing Date: 15/02/2008

Registration date (if available): 07/08/2008

Priority date (if any):N.A

Name and address of the opponent:

COMITÉ OLÍMPICO DE PORTUGAL, TRAVESSA DA MEMÓRIA, N°S 36-38, 1300-043 LISBOA

Trademark:

OLIMPICO

List of goods and services on which the opposition is based:

Classe 25 : Artigos de vestuário, calçado e chapelaria, incluindo o desportivo.

Classe 28: Artigos de ginástica e de desporto, não incluídos noutras classes.

Classe 35: Promoção de vendas para terceiros, nomeadamente através da internet; serviços de merchandising; feiras e exposições de carácter comercial, publicidade; difusão de material publicitário por todos os meios, nomeadamente sob a forma de mensagens temáticas centradas nos valores humanos; publicidade através de patrocínios; gestão de negócios comerciais; administração comercial; trabalhos de escritório; promoção de produtos e serviços de terceiros através de acordos contratuais, principalmente de patrocínio e de licenciamento que permitem aos parceiros obter maior notoriedade e/ou um reforço da sua imagem decorrentes de eventos culturais e desportivos, em particular eventos internacionais; promoção de produtos e serviços de terceiros através do meio conhecido como transferência de imagem; aluguer de espaços publicitários de todos os tipos e em todos os suportes, digitais ou não; administração comercial da participação de equipas nacionais num evento desportivo internacional e promoção do apoio a essas equipas junto do público e dos sectores pertinentes; serviços de informações estatísticas.

V. Opponent rights.

Application/registration number: 428286 (national applicant)

Filing Date: 15/02/2008

Registration date (if available): 26/05/2008

Priority date (if any):N.A

Name and address of the opponent:

COMITÉ OLÍMPICO DE PORTUGAL, TRAVESSA DA MEMÓRIA, N°S 36-38, 1300-043 LISBOA

Trademark:

PROJECTO OLÍMPICO

List of goods and services on which the opposition is based:

Classe 25 : Artigos de vestuário, calçado e chapelaria, incluindo o desportivo.

Classe 28: Artigos de ginástica e de desporto, não incluídos noutras classes.

Classe 35: Promoção de vendas para terceiros, nomeadamente através da internet; serviços de merchandising; feiras e exposições de carácter comercial, publicidade; difusão de material publicitário por todos os meios,

nomeadamente sob a forma de mensagens temáticas centradas nos valores humanos; publicidade através de patrocínios; gestão de negócios comerciais; administração comercial; trabalhos de escritório; promoção de produtos e serviços de terceiros através de acordos contratuais, principalmente de patrocínio e de licenciamento que permitem aos parceiros obter maior notoriedade e/ou um reforço da sua imagem decorrentes de eventos culturais e desportivos, em particular eventos internacionais; promoção de produtos e serviços de terceiros através do meio conhecido como transferência de imagem; aluguer de espaços publicitários de todos os tipos e em todos os suportes, digitais ou não; administração comercial da participação de equipas nacionais num evento desportivo internacional e promoção do apoio a essas equipas junto do público e dos sectores pertinentes; serviços de informações estatísticas.

V. Opponent rights.

Application/registration number: 428284 (national applicant)

Filing Date: 15/02/2008

Registration date (if available): 16/05/2008

Priority date (if any): N.A

Name and address of the opponent:

COMITÉ OLÍMPICO DE PORTUGAL, TRAVESSA DA MEMÓRIA, NºS 36-38, 1300-043 LISBOA

Trademark:

OLÍMPICO

List of goods and services on which the opposition is based:

Classe 16: Publicações e revistas.

Classe 38: Emissão e difusão de programas televisivos e radiofónicos; fornecimento de acesso a uma rede informática mundial, contendo informações desportivas.

Classe 41: Produção de programas televisivos e radiofónicos.; organização de eventos de carácter desportivo e cultural, serviços de divertimento, reserva de lugares para espectáculos e manifestações desportivas, exploração de instalações desportivas; feiras e exposições de carácter cultural e desportivo.

VI. Refusal for all the goods and services.

VII. Answer to the decision of refusal:

- a) Time limit to file an answer:** Within two (2) months following the date of the notification of provisional refusal sent by WIPO. This period can be extended once, for one (1) month, at the request of the interested party. The extension of period must be submitted before the first two (2) month period is over.

The answer and payment to this notification can be submitted electronically through the Website online services, available at www.inpi.pt (upon requiring the use of a digital signature certificate). In the case of electronic reply, the applicant will benefit of a fee discount of 50%.

Otherwise, the answer and payment to this notification can be submitted in person or by Mail, with the proper form (available for download at [FORM M4](#)) and the respective means of payment (a bank check, issued to the National Institute of Industrial Property).

The actual values to be paid can be found at www.inpi.pt. If further clarification is necessary, please contact us via telephone at **+351 21 881 81 00** or send an email to atm@inpi.pt

b) Authority to which the answer should be filed:

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
DIREÇÃO DE MARCAS E PATENTES
Campo das Cebolas
1149-035 – LISBOA PORTUGAL
Fax.: 21 886 98 59
Tel.: 21 881 81 00
Link: <http://www.inpi.pt/>
E-mail: atm@inpi.pt

VIII. Date and signature: 2018.06.28 Jose Alves Ribeiro

IX. Corresponding essential provisions of the applicable law:

Industrial Property Code

(approved by Decree-Law 36/2003 of 5 March and amended by Decree-Law 318/2007 of 26 September, Decree-Law 360/2007 of 2 November, Decree-Law 143/2008 of 25 July and Law 16/2008 of 1 April)

Art. 222nd – Composition of trademark

- 1 – A trademark may consist of a sign or set of signs that can be represented graphically, namely words - including the names of persons -, drawings, letters, numbers and sounds, the form of the product or respective packaging, provided that they adequately distinguish the products and services of one company from those of others.
- 2 – A trademark may also consist of advertising phrases for the respective products or services, provided that they are distinct in character, regardless of the protection conferred upon them by copyright.

Art. 223^d – Exceptions

- 1 – The conditions of [article 222nd] are not met by:
 - a) - Trademarks that are devoid of any distinctive character;
 - b) - Signs that exclusively consist of the form imposed by the nature of the product itself, the form of the product necessary for obtaining a technical result or the form that confers a substantial value on the product;
 - c) - Signs that are exclusively made up of indications that may serve in commerce to designate the type, quality, quantity, purpose, value, geographic origin, period or means of production of the product or the service, or other characteristics thereof;
 - d) - Trademarks that exclusively consist of signs or indications that have become common use in modern-day language or in the habitual and constant habits of commerce;
 - e) - Colours, save where they are combined with each other or with graphics, wording or other particular and distinctive elements.

Art. 238th – Grounds for refusal of a registration

- 1 – [...] registration of a trademark is refused when:
 - a) - It consists of signs that cannot be represented graphically;
 - b) - It consists of signs devoid of any distinctive character;
 - c) - It consists exclusively of signs or indications referred to in Article 223(1) (b) to (e);
- [...]
- 4 – Registration of a trademark will also be refused if it contains in some or all of its constitutive elements:
 - a) - symbols, crests, emblems or distinctions of the state, municipalities or other Portuguese or foreign public or private bodies, the emblem and name of the Red Cross or other similar bodies and any signs covered by Article 6-ter of the Paris Convention for the Protection of Industrial Property;
 - b) - signs of a high symbolic value, such as religious symbols, unless these are authorised;
 - c) - expressions or figures that are contrary to the law, morals, public order and morality;
 - d) - signs that may mislead the public, namely as to the nature, properties, utility or geographic origin of the product or service for which the trademark is designed.
- 5 – Registration of a trademark that is made up exclusively of the national flag of the Portuguese Republic or some of its constitutive elements will also be refused.
- 6 – Registration will also be refused for a trademark that contains, amongst other elements, the national flag, wherever the trademark is likely to:
 - a) - mislead the public as to the geographic origin of the products or services for which it is designed;
 - b) - lead the consumer to erroneously think that the products or services come from an official body;
 - c) - generate disrespect or a diminution of prestige for the national flag or any of its elements.

Art. 239th – Other grounds for refusal

- 1 – Further grounds for refusal of registration of a trademark are:
 - a) - reproduction or imitation of all or part of a trademark previously registered by another person for identical or similar products or services that may mislead or confuse the consumer or comprise the risk of association with the already registered trademark;
 - b) - reproduction or imitation of all or part of a logotype already registered by another person to distinguish an entity whose activity is identical or similar to the products or services for which the trademark is designed, if it is likely to mislead or confuse the consumer;
 - c) - violation of other industrial property rights;
 - d) - the use of names, portraits or any other expressions or figurations without the authorisation of the persons they relate to or, if these are deceased, of their heirs or relatives to the fourth degree or, if authorisation is obtained, if it generates disrespect or diminution of prestige for those persons;
 - e) - recognition that the applicant's intent is one of unfair competition or that unfair competition is a possible outcome, regardless of the applicant's intention.
- 2 – When cited in an opposition, the following are also grounds for refusal:
 - a) - reproduction or imitation of a business or corporate name and other distinctive signs, or merely a characteristic part thereof, that do not belong to the applicant or where the applicant is not authorised to use them, if it is likely to mislead or confuse the consumer;
 - b) - violation of copyright;

[...]

The English version of the Industrial Property Code is available at: <http://www.inpi.pt>

Marca Internacional n.º 1390360

**Exmo. Senhor Director de Marcas e Patentes do
Instituto Nacional da Propriedade Industrial**

COMITÉ INTERNATIONAL OLYMPIQUE (ASSOCIATION), suíça,
com sede em Château de Vidy, 1007 Lausanne, na Suíça (adiante designada por
Primeira Reclamante), e

COMITÉ OLÍMPICO DE PORTUGAL, portuguesa, com sede na Travessa
da Memória, 36, 1300-043 Lisboa (adiante designada por Segunda Reclamante),
vêm

RECLAMAM

nos termos e com os fundamentos seguintes, contra o pedido de registo da marca
internacional **n.º 1390360**, apresentado por **DENISOVA DARINA
BORISOVNA**, com domicílio na 1-st Dubrovskaya, 1, build.1, flat 44, 109044
Moscou, Rússia.

1.º

O pedido de registo *sub judice* vem inserto no Boletim da Propriedade Industrial
n.º 2018/04/09, de 09 de Abril de 2018, sendo a presente reclamação apresentada
dentro do prazo previsto no n.º 1, do artigo 17º, do Código da Propriedade
Industrial.

2.º

A marca registanda, exclusivamente nominativa, é composta pela designação

“OLIMP”

3.º

Destinando-se a mesma a assinalar *“Gambling services; providing recreation facilities; organization of lotteries; providing amusement arcade services; entertainment services; providing casino facilities [gambling]; providing on-line entertainment in the nature of game tournaments, fantasy sports leagues and game shows; organization of games and competitions; arranging of games and competitions via the Internet; organization and provision of games and competitions via the Internet; entertainment club services”*, na classe 41ª.

4.º

Porém, o Requerente não pode obter o registo da marca em apreço.

5.º

Uma vez que essa marca infringe, de forma inequívoca, os direitos das ora Reclamantes, como adiante se verá.

6.º

A Primeira Reclamante, **COMITÉ INTERNATIONAL OLYMPIQUE (COI)**, é uma organização não-governamental, fundada em 23 de Junho de 1894, por iniciativa de Pierre de Coubertin, com a finalidade de reinstituir os Jogos

Olímpicos realizados na antiga Grécia e organizar e promover a sua realização de quatro em quatro anos.

7.º

Actualmente, o objetivo do **COI** é a administração e regulamentação sobre os Jogos Olímpicos, bem como servir como entidade legal que detém os direitos de autor, marcas registadas e outras propriedades relacionadas com os Jogos Olímpicos.

8.º

Por exemplo, a Bandeira Olímpica, o Lema Olímpico e o Hino Olímpico pertencem e são administrados pelo **COI**.

9.º

Adicionalmente, existem outras organizações, nomeadamente os Comitês Olímpicos Nacionais e as Federações Desportivas Internacionais, que são controladas pelo **COI** e que colectivamente são designadas por Movimento Olímpico.

10.º

A Segunda Reclamante, **COMITÉ OLÍMPICO DE PORTUGAL (COP)**, foi fundada em 26 de Outubro de 1909, sendo uma instituição de utilidade pública desportiva, com personalidade jurídica e natureza associativa, de duração ilimitada, constituída de harmonia com as normas estabelecidas pelo **COI**.

11.º

O Estado Português reconhece, desde há longos os anos, o papel fundamental desempenhado nacional e internacionalmente pelas instituições Reclamantes, concedendo protecção aos seus símbolos, sendo disso expressão o **Decreto-Lei n.º 155/2012, de 18 de Julho**, em cujo preâmbulo se lê o seguinte:

«Através de um despacho do então Ministro da Educação Nacional, de 7 de Dezembro de 1949 e, posteriormente, no Decreto-Lei n.º 41 784, de 6 de Agosto de 1958, foi reconhecido ao Comité Olímpico de Portugal o direito exclusivo ao uso dos símbolos olímpicos, em território nacional, nos termos da lei, por forma a evitar a sua utilização indiscriminada e a reservá-los às actividades estritamente relacionadas com o movimento olímpico.

Perante a necessidade de clarificar alguns aspectos desse diploma e prever as infracções – e respectiva sanção – cometidas contra o direito reconhecido ao Comité Olímpico de Portugal, foi publicado o Decreto-Lei n.º 1/82, de 4 de Janeiro. Pretendeu-se com esse diploma dar eficácia à proibição de utilizações indevidas dos símbolos olímpicos, contribuindo para o prestígio do movimento olímpico e para evitar a deturpação da mensagem de fraternidade humana que esses símbolos encerram.

Todavia, 30 anos decorridos, impõe-se explicitar e actualizar o conteúdo desse direito, bem como das sanções correspondentes às infracções que sejam contra ele cometidas, tendo em conta a diluição da capacidade distintiva dos símbolos olímpicos e as alterações legislativas entretanto verificadas (...).»

12.º

O artigo 2.º, n.º 1, do referido diploma estabelece que se entendem por *«propriedades olímpicas»* as seguintes:

«a) Divisa olímpica, a expressão latina «Citius, Altius, Fortius»;

b) Símbolo olímpico, o símbolo constituído por cinco anéis entrelaçados, respetivamente das cores azul, amarela, preta, verde e vermelha, com a disposição e a forma de entrelaçamento do modelo oficial apresentado pelo barão Pierre de Coubertin, em 1914, no Congresso Olímpico de Paris;

c) Emblema olímpico, um desenho integrado que associa os anéis olímpicos a um outro elemento distintivo;

d) Bandeira olímpica, a bandeira que representa o símbolo olímpico sobre fundo branco, sendo o anel azul colocado no alto, à esquerda, o mais próximo do mastro;

e) Hino olímpico, a obra musical denominada «Hino Olímpico», composta por Spiro Samara».

13.º

Consagra ainda o n.º 2 do mesmo artigo, que *«São equiparadas às propriedades olímpicas as expressões «Jogos Olímpicos», «Jogos Paralímpicos», «Olimpíadas» e quaisquer outras semelhantes ou derivadas destas, bem como o logótipo oficial do Comité Olímpico de Portugal (COP), e outras*

denominações devidamente registadas no Instituto Nacional da Propriedade Industrial, I. P. (INPI, I. P.)» (sublinhado nosso)

14.º

E, nos termos do artigo 3.º, n.º 1, do mesmo diploma:

«É reconhecido ao COP o direito exclusivo ao uso das propriedades olímpicas ou equiparadas, independentemente de qualquer registo, depósito ou outra formalidade (...)».

15.º

Sendo ainda conferido ao COP, nos termos do n.º 2, do artigo 3.º, *«o direito de impedir terceiros, sem o seu consentimento, de usar, no exercício de quaisquer actividades económicas, qualquer sinal igual, ou semelhante, em produtos ou serviços, e que, em consequência da semelhança entre os sinais, possa causar risco de confusão, ou associação, no espírito do consumidor com as propriedades olímpicas ou equiparadas».*

16.º

A acrescentar, de acordo com o n.º 1, do artigo 4.º; *«Sem autorização expressa e por escrito do COP, no seguimento de decisão regularmente tomada por este, é proibido o uso, para fins comerciais, associativos ou desportivos, das propriedades olímpicas ou equiparadas».* (sublinhado nosso)

17.º

Ora, a marca registanda é composta exclusivamente pela designação “OLIMP” e destina-se, sem qualquer dúvida, a fins comerciais.

18.º

Estabelece o n.º 3 do artigo 1.º do Decreto-Lei n.º 155/2012, de 18 de Julho, que as propriedades olímpicas constituem sinais com elevado valor simbólico, nos termos e para os efeitos previstos na **alínea b) do n.º 4 do artigo 238.º** do Código da Propriedade Industrial.

Acresce que,

19.º

A Primeira Reclamante tem devidamente protegida a expressão “OLYMPIC”, através do registo da marca internacional n.º **1128501**, datado de 8 de Novembro de 2011, para assinalar, entre outros produtos e serviços, seguintes serviços:

- “ Educational services; providing of training; entertainment; sporting and cultural activities, televised sporting and cultural entertainment; organization of exhibitions for cultural and educational purposes; operating lotteries and competitions; betting and gambling services in connection with or relating to sports; entertainment services provided during sporting events or concerning sporting events; organization of sporting and cultural events and activities; organization of real or virtual sporting competitions; operation of sports facilities; rental of audio and video equipment; production, presentation and distribution of films and of sound and video recordings; rental of sound and video recordings; rental and/or provision via a computer network of interactive entertainment and education products, namely interactive compact discs, CD-ROMs, computer games; entertainment, namely presentation of interactive entertainment and education products, namely interactive compact discs, CD-ROMs, computer games; covering

televised and broadcast sporting events; production of television and radio programs and of videotapes; production of cartoons; production of cartoons for television; reservation of tickets for sporting events and shows; timing of sports events; organization of beauty contests; interactive entertainment; on-line betting services; provision of games on the Internet; provision of raffle services; information concerning entertainment or education, provided on line from a data bank or the Internet; electronic game services provided by means of the Internet; provision of electronic publications on line; publication of books, magazines, texts (other than publicity texts) and periodicals; publication of books, magazines, texts (other than publicity texts) and of electronic periodicals on line; provision of digital music from the Internet; provision of digital music from MP3 web sites; provision of sporting results; information services concerning sports and sporting events; rental of recorded sounds and images; audio production services; information services concerning sporting events provided on line from a computer database or the Internet; editing and publishing services; provision of digital music (non-downloadable); offering digital music by means of telecommunications; publication of statistics regarding sporting results and audience ratings for sporting competitions; training in the use and operation of systems for signaling and notification of crossings for the railway and transit industries; education services in the field of medical imaging and diagnosis, namely conducting of seminars, conferences, symposiums or workshops concerning the pharmaceutical industry, intended for medical doctors and employees of pharmaceutical companies; education services, namely conducting of seminars, conferences, symposiums or workshops in the field of life sciences and biotechnology for scientists and researchers; conducting of seminars on problems in connection with industrial water treatment; training services in all the aforesaid fields; training services in the field of management and medicine by means of the use of instructions and demonstrations provided on line, via the Internet, intranets and extranets; education services, namely

conducting of practical training workshops, courses and seminars including demonstrations in the field of medicine and management; design, conducting and hosting of courses, seminars and all training activities in the field of information technology; organization and performance of concerts; booking of seats for shows; movie presentations; entertainment information; film production; show production; theater production services; operation of golf facilities; health club services (fitness training); sports camp services; presentation of live performances; film projections; organization of shows (impresario services); holiday camp services (entertainment); movie studios; news reporter services; provision of on-line electronic publications, not downloadable; music hall services; education services, namely conducting of courses, seminars, presentations, video presentations, provision of educational material, namely dissemination of material in the field of financial knowledge; education services in the field of tourism; information services in the field of tourism, namely information services regarding reservation of tickets for recreational events; information services in the field of tourism, namely information services regarding entertainment; information services in the field of tourism, namely information services regarding planned sporting, cultural and recreational activities; services in connection with entertainment for tourist assistance; tourist reservation services, namely activity and entertainment reservation services; assistance services for tourists concerning reservation of tickets for recreational events; assistance services for tourists concerning planned sporting, cultural and recreational activities”, na classe 41^a.

20.º

A Primeira Reclamante tem, igualmente, devidamente protegida a expressão “THE OLYMPICS”, através do registo da marca comunitária n.º 2.827.632, pedido em 22 de Agosto de 2002 e concedido em 18 de Janeiro de 2005.

21.º

Esta marca destina-se a assinalar, entre outros, os serviços de “*Educação; formação; divertimento; actividades desportivas e culturais*”, na classe 41ª.

22.º

A mesma Reclamante é também titular do registo da marca comunitária n.º **6.662.811**, “**YOUTH OLYMPIC GAMES**”, que foi pedido em 12 de Fevereiro de 2008 e concedido em 18 de Novembro de 2008, para assinalar, entre outros, seguintes serviços:

- “*Educação; Formação; Divertimento; Actividades desportivas e culturais, divertimentos culturais e desportivos transmitidos na televisão; Organização de exposições para fins culturais ou educativos; Organização de lotarias e competições; Serviços de apostas e de jogos a dinheiro relacionados com desportos ou em conjugação com os mesmos; Serviços de divertimento prestados durante acontecimentos desportivos ou relacionados com os mesmos; Organização de eventos e actividades desportivos e culturais; Organização de competições desportivas; Exploração de instalações desportivas; Cobertura de desportos e acontecimentos desportivos; Organização de reserva de lugares para espectáculos e acontecimentos desportivos; Cronometragem de eventos desportivos; Serviços de entretenimento interativo; Serviços de jogos em linha; Fornecimento de jogos na Internet; Prestação de serviços de tómbolas (sorteios); Informações relacionadas com divertimento ou educação fornecidas em linha a partir de uma base de dados informática ou da Internet; Serviços de jogos eletrónicos fornecidos através da Internet; Disponibilização de resultados desportivos; Serviços de informações relacionados com desporto e eventos desportivos;*

Serviços de informações sobre eventos desportivos prestados em linha a partir de uma base de dados informática ou da Internet; Reserva de lugares para espetáculos; Informação sobre entretenimento; Informação sobre educação; Informação sobre entretenimento; Informações (recreio); Informação sobre atividades recreativas; Aluguer de equipamento de áudio; Aluguer de câmaras de vídeo; Aluguer de aparelhos de iluminação para palcos ou estúdios de televisão; Aluguer de projetores de cinema e acessórios; Aluguer de rádios e televisores; Aluguer de cenários de espetáculos; Equipamento desportivo (aluguer de), com exceção de veículos; Eventos desportivos (cronometragem de)” (classe 41).

23.º

A Primeira Reclamante também é titular do registo da marca internacional n.º 977.839, “THE OLYMPIC MUSEUM”, datado de 26 de Junho de 2008, para assinalar, entre outros, seguintes serviços:

- “entertainment; sporting and cultural activities, providing museum facilities, televised cultural and sporting entertainment; organization of cultural and educational exhibitions; operating lotteries and competitions; betting and gaming services linked to, or in connection with, sports; entertainment services provided at sports events or concerning sports events; organization of sporting and cultural activities and events; organization of sports competitions; operating sports facilities; coverage of radio broadcast and televised sports events; online betting services; providing games on the Internet; providing raffle services; providing sports results; information services in connection with sport and sports events; information services for sports events provided online from a computer database or from the Internet; (...)” (classe 41).

24.º

A Primeira Reclamante detém também o registo da marca internacional n.º 1.024.203, “OLYMPIC BROADCASTING SERVICES”, datado de 31 de Julho de 2009.

25.º

A mesma Reclamante é também titular do registo da marca comunitária n.º 8.471.369, “GAMES OF THE OLYMPIAD”, que foi pedido em 4 de Agosto de 2009 e concedido em 17 de Fevereiro de 2010, para assinalar, entre outros, seguintes serviços:

- “Educação; Formação; Divertimento; Actividades desportivas e culturais, divertimentos culturais e desportivos transmitidos na televisão; Organização de exposições para fins culturais ou educativos; Organização de lotarias e competições; Serviços de apostas e de jogos a dinheiro ligados ao, ou directamente relacionados com, o desporto; Serviços de divertimento prestados durante acontecimentos desportivos ou relacionados com os mesmos; Organização de eventos e actividades desportivos e culturais; Organização de competições desportivas reais ou virtuais; Cobertura de desportos e acontecimentos desportivos; De bilhetes para espectáculos e eventos desportivos; Cronometragem de eventos desportivos; Serviços de entretenimento interativo; Serviços de jogos em linha; Fornecimento de jogos na Internet; Prestação de serviços de tómbolas (sorteios); Informações relacionadas com divertimento ou educação fornecidas em linha a partir de uma base de dados informática ou da Internet; Serviços de jogos eletrónicos fornecidos através da Internet; Disponibilização de resultados desportivos; Serviços de informações relacionados com desporto e eventos desportivos;

Informação sobre entretenimento; Informação sobre educação; Informação sobre entretenimento; Informações (recreio); Aluguer de equipamento de desporto, exceto veículos; Aluguer de cenários de palco; Aluguer de câmaras de vídeo; Aluguer de vídeo gravadores; Aluguer de cenários para espectáculos; Aluguer de equipamento de desporto, exceto veículos; Eventos desportivos (cronometragem de)” (classe 41).

26.º

A Primeira Reclamante é, igualmente, detentora do registo da marca internacional n.º 1.029.820, “OLYMPIC TORCH RELAY”, datado de 4 de Dezembro de 2009, para assinalar, entre outros, seguintes serviços:

- *“Education; providing of training; entertainment; sporting and cultural activities, televised cultural and sporting entertainment.” (classe 41).*

27.º

A Primeira Reclamante também é titular do registo da marca comunitária n.º 9.814.294, “OLYMPIC”, que foi pedido em 4 de Agosto de 2009 e concedido em 21 de Abril de 2011, para assinalar, entre outros, seguintes serviços:

- *“Educação; Formação; Divertimento; Actividades desportivas e culturais, divertimentos culturais e desportivos transmitidos na televisão; Organização de exposições para fins culturais ou educativos; Organização de lotarias e competições; Serviços de apostas e de jogos a dinheiro ligados ao, ou directamente relacionados com, o desporto; Serviços de divertimento prestados durante acontecimentos desportivos ou relacionados com os mesmos; Organização de eventos e actividades desportivos e culturais; Organização de competições desportivas reais ou virtuais; Exploração de*

instalações desportivas; Cobertura de desportos e acontecimentos desportivos; Serviços de reserva de lugares para espetáculos e eventos desportivos; Cronometragem de eventos desportivos; Serviços de entretenimento interativo; Serviços de jogos em linha; Fornecimento de jogos na Internet; Prestação de serviços de tómbolas (sorteios); Informações relacionadas com divertimento ou educação fornecidas em linha a partir de uma base de dados informática ou da Internet; Serviços de jogos eletrónicos fornecidos através da Internet; Disponibilização de resultados desportivos; Serviços de informações relacionados com desporto e eventos desportivos; Serviços de informações sobre eventos desportivos prestados em linha a partir de uma base de dados informática ou da Internet; Informação sobre entretenimento; Informação sobre educação; Informação sobre entretenimento; Informações (recreio); Aluguer de equipamento de desporto, exceto veículos; Eventos desportivos (cronometragem de); Aluguer de cenários de espetáculos” (classe 41).

28.º

A Primeira Reclamante é, ainda, titular do registo da marca internacional n.º 609.691 “OLYMPIC”, datado de 1 de Outubro de 1993, para assinalar, entre outros, seguintes serviços:

- “Éducation; formation; activités sportives et culturelles; organisation et conduite de compétitions sportives; production de films, publication de livres et de textes.” (classe 41).

29.º

No que respeita à Segunda Reclamante, diga-se que esta é titular do registo da marca nacional n.º 428.281, “OLÍMPICO” (nominativa), pedido em 15 de

Fevereiro de 2013 e concedido em 7 de Agosto de 2008, para assinalar, entre outros, os serviços seguintes:

- “promoção de vendas para terceiros, nomeadamente através da internet; serviços de merchandising; feiras e exposições de carácter comercial, publicidade; difusão de material publicitário por todos os meios, nomeadamente sob a forma de mensagens temáticas centradas nos valores humanos; publicidade através de patrocínios; gestão de negócios comerciais; administração comercial; trabalhos de escritório; promoção de produtos e serviços de terceiros através de acordos contratuais, principalmente de patrocínio e de licenciamento que permitem aos parceiros obter maior notoriedade e/ou um reforço da sua imagem decorrentes de eventos culturais e desportivos, em particular eventos internacionais; promoção de produtos e serviços de terceiros através do meio conhecido como transferência de imagem; aluguer de espaços publicitários de todos os tipos e em todos os suportes, digitais ou não; administração comercial da participação de equipas nacionais num evento desportivo internacional e promoção do apoio a essas equipas junto do público e dos sectores pertinentes; serviços de informações estatísticas.” (classe 35).

30.º

A Segunda Reclamante é, ainda, titular do registo da marca nacional n.º **428.286, “PROJECTO OLÍMPICO”** (nominativa), pedido em 15 de Fevereiro de 2013 e concedido em 26 de Maio de 2008, para assinalar, entre outros, os serviços seguintes:

- “promoção de vendas para terceiros, nomeadamente através da internet; serviços de merchandising; feiras e exposições de carácter comercial, publicidade; difusão de material publicitário por todos os meios,

nomeadamente sob a forma de mensagens temáticas centradas nos valores humanos; publicidade através de patrocínios; gestão de negócios comerciais; administração comercial; trabalhos de escritório; promoção de produtos e serviços de terceiros através de acordos contratuais, principalmente de patrocínio e de licenciamento que permitem aos parceiros obter maior notoriedade e/ou um reforço da sua imagem decorrentes de eventos culturais e desportivos, em particular eventos internacionais; promoção de produtos e serviços de terceiros através do meio conhecido como transferência de imagem; aluguer de espaços publicitários de todos os tipos e em todos os suportes, digitais ou não; administração comercial da participação de equipas nacionais num evento desportivo internacional e promoção do apoio a essas equipas junto do público e dos sectores pertinentes; serviços de informações estatísticas.” (classe 35).

31.º

A Segunda Reclamante é também titular do registo da marca nacional n.º **428.284**, “**OLIMPO**” (nominativa), pedido em 15 de Fevereiro de 2008 e concedido em 16 de Maio de 2008.

32.º

A Segunda Reclamante detém também o registo da marca nacional n.º **428.281**, “**OLÍMPICO**”, pedido em 15 de Fevereiro de 2008 e concedido em 07 de Agosto de 2008.

33.^a

As marcas “OLYMPIC” e “OLIMPICO” (entre outros sinais distintivos das Reclamantes) gozam de assinalável fama e reconhecimento em todo o mundo, sendo – inquestionavelmente – **marcas notórias**.

34.º

Sendo este, aliás, em si mesmo, um **facto público e notório**.

35.º

Com efeito, as marcas da Reclamante são das mais conhecidas no mundo inteiro, rapidamente identificáveis com os afamados **Jogos Olímpicos**, que naturalmente, atraem a maior audiência a nível mundial, sendo um dos eventos mais divulgados e transmitidos no mundo inteiro (ver doc. 1., página 21 a 27).

36.º

Assim, tendo em conta a cobertura mediática mundial que se gera à volta deste evento, dúvidas não restam que as marcas das Reclamantes são conhecidas globalmente.

37.º

Ainda relativamente à notoriedade das marcas, e quanto aos serviços na classe 41^a, tem interesse citar a decisão n.º **1398215** proferida pelo EUIPO, em 31 de Março de 2010: “*The earlier mark has a very high distinctive character and is a powerful identifier of the origin of the opponent’s goods and services, at the very least for*”

services in Class 41 'education, training, entertainment; sporting and cultural activities' (decision of 31 March 2010, B 1398215, 'THE OLYMPICS/ELEKTROLYMPIC', and decision of 25 January 2000, B 9482, 'FAMILY CLUB BELMONT OLYMPIC/OLYMPIC' confirmed by decision of 1 March 2004, R145/2003-2, T CARD OLYMPICS/OLYMPIC)." (sublinhados nossos).

38.º

Ora, a marca registanda é exclusivamente constituída e caracterizada pela designação

“OLIMP”

39.º

Nestas circunstâncias, e por o pedido de registo não ter sido instruído com a autorização da Segunda Reclamante para a utilização da expressão «**OLIMP**», (exigida pelo n.º 1, do artigo 4.º do Decreto-Lei n.º 155/2012 e pelo artigo 234.º, n.º 3 do C.P.I.),

40.º

O pedido de registo da marca internacional n.º **1390360** deve ser recusado, nos termos do disposto no artigo 238.º, n.º 4, a), b) e c) do C.P.I., que estabelecem o seguinte:

«4 – É ainda recusado o registo de marca que contenha em todos ou alguns dos seus elementos:

a) Símbolos, brasões, emblemas ou distinções do Estado, dos municípios ou de outras entidades públicas ou particulares, nacionais ou estrangeiras, o emblema e a denominação da Cruz Vermelha, ou de outros organismos semelhantes, bem como quaisquer sinais abrangidos pelo artigo 6.º-ter da Convenção da União de Paris para a Protecção da Propriedade Industrial, salvo autorização;

b) Sinais com elevado valor simbólico, nomeadamente símbolos religiosos, salvo autorização;

c) Expressões ou figuras contrárias à lei, moral, ordem pública e bons costumes».

41.º

Ademais, e conforme resulta expressamente do artigo 16º, nº 1 do Regulamento 207/2009 de 26 de Fevereiro, do Conselho sobre a Marca Comunitária (R.M.C.), *“a marca comunitária enquanto objecto de propriedade é considerada na sua totalidade e para o conjunto do território da Comunidade como uma marca nacional registada no Estado membro”.*

42.º

Dispõe ainda o artigo 9º, nº 1, a) e b) do mesmo diploma que *“a marca comunitária confere ao seu titular um direito exclusivo”,* habilitando-o *“a proibir um terceiro de utilizar, sem o seu consentimento, na vida comercial, (...) um sinal idêntico ou similar à marca comunitária, para produtos ou serviços idênticos àqueles para os quais esta foi registada”,* bem como *“um sinal que, pela sua identidade ou semelhança com a marca comunitária (...) provoque o risco de confusão no espírito do público”.*

43.º

A acrescentar, no caso em análise, encontram-se, igualmente, preenchidos **todos os requisitos** do conceito legal de **imitação de marca**, estabelecidos no artigo **245º, nº 1**, do Código da Propriedade Industrial.

44.º

Desde logo, verifica-se **prioridade** do registo das marcas das Reclamantes.

45.º

Por outro lado, entre os serviços que a marca da Requerente se destina a assinalar e os serviços assinalados pelas marcas das Reclamantes existe uma **clara relação de identidade e de afinidade**.

46.º

No que respeita à **semelhança e confundibilidade** entre as marcas em causa, não restam dúvidas que entre as marcas registadas e a marca registanda se estabelece **inevitável confusão**.

47.º

Como se referiu supra, a marca registanda tem como único **elemento distintivo** a designação

“OLIMP”

48.º

Designação essa que constitui uma reprodução das expressões protegidas pelas marcas comunitárias n.º 2.827.632, n.º 6.662.811 e 9.814.294, e pelas marcas internacionais n.º 609.691, n.º 977.839, n.º 1.024.203, n.º 1.029.820 e n.º 1.128.501, todas da Primeira Reclamante e das marcas nacionais n.º 428.281, n.º 428.286, n.º 428.284 e n.º 428.281, da Segunda Reclamante:

OLYMPICS / OLYMPIC / OLÍMPICO

49.º

Bem como, apresenta manifesta semelhança gráfica, fonética e ideológica com a expressão

OLYMPIAD

50.º

Que constitui principal elemento distintivo da marca comunitária n.º 8.471.369, da Primeira Reclamante.

51.º

Todas estas semelhanças contribuem para que as marcas em causa, apresentem uma composição similar e facilmente confundível.

52.º

Assim, torna-se impossível estabelecer entre aquelas marcas a **necessária distinção**.

53.º

Com a eventual coexistência das marcas em confronto no mercado, viriam os consumidores a ser facilmente induzidos em **erro ou confusão** e existiria um claro risco de **associação** da marca registanda com as marcas das Reclamantes.

54.º

A marca registanda constitui, por consequência, **manifesta imitação das marcas das Reclamantes**, de acordo com o disposto no artigo 245º, nº 1, do Código da Propriedade Industrial.

55.º

De harmonia com o disposto no artigo 239º, nº 1, alínea a), do Código da Propriedade Industrial será recusado o registo das marcas que em todos ou alguns dos seus elementos contenham ***“reprodução ou imitação, no todo ou em parte, de marca anteriormente registada por outrem, para produtos ou serviços idênticos ou afins, que possa induzir em erro ou confusão o consumidor ou que compreenda o risco de associação com a marca registada”***.

56.º

Acresce que o uso da marca registanda, induzindo os consumidores em erro ou confusão, possibilitaria ainda à Requerente, mesmo independente da sua intenção, mover às Reclamante **concorrência desleal**, nos termos definidos no artigo 317º, a), do Código da Propriedade Industrial.

57.º

O registo em apreço deve, por isso, ser recusado, igualmente por força do disposto no artigo 239º, nº 1, e), do Código da Propriedade Industrial, segundo o qual constitui também fundamento de recusa do registo de marca ***“o reconhecimento de que o requerente pretende fazer concorrência desleal, ou de que esta é possível independentemente da sua intenção.”***

58.º

EM CONCLUSÃO:

a) O Estado Português reconhece, desde há longos os anos, o papel fundamental desempenhado nacional e internacionalmente pelas instituições Reclamantes, concedendo protecção aos seus símbolos, sendo disso expressão o **Decreto-Lei n.º 155/2012, de 18 de Julho;**

b) O artigo 4.º, n.º 1 do referido diploma legal determina que ***«Sem autorização expressa e por escrito do COP, no seguimento de decisão regularmente tomada por este, é proibido o uso, para fins comerciais, associativos ou desportivos, das propriedades olímpicas ou equiparadas».***

- c) A marca internacional n.º 1390360, é composta exclusivamente pela designação “OLIMP” e destina-se a fins comerciais, devendo, por isso, **ser recusado**, nos termos do disposto no artigo 238.º, n.º 4, a), b) e c) do C.P.I.;
- d) O pedido de registo em apreço deve, igualmente, **ser recusado**, nos termos do disposto no artigo 245.º, nº 1, do C. P.I., por constituir **manifesta imitação** das marcas das Reclamantes, porquanto:
- e) Verifica-se a **prioridade** de registo das marcas das Reclamantes;
- f) Não há dúvidas que entre os produtos e serviços que as marcas das Reclamantes assinalam e os serviços que a marca registanda se destina a assinalar estabelece-se um elo de **clara identidade e de afinidade**;
- g) Entre aqueles sinais estabelece-se inevitável **confusão**;
- h) O uso da marca registanda possibilitaria ainda à Requerente, mesmo independentemente da sua intenção, mover às Reclamantes **concorrência desleal**.

59.º

Nestas circunstâncias, não está o pedido de registo *sub judice* em condições de obter o solicitado deferimento, em face do disposto nos artigos artigo 238.º, n.º 4, a), b) e c) do C.P.I. e artigo 239º, nº1, a), e e), do Código da Propriedade Industrial.

60.º

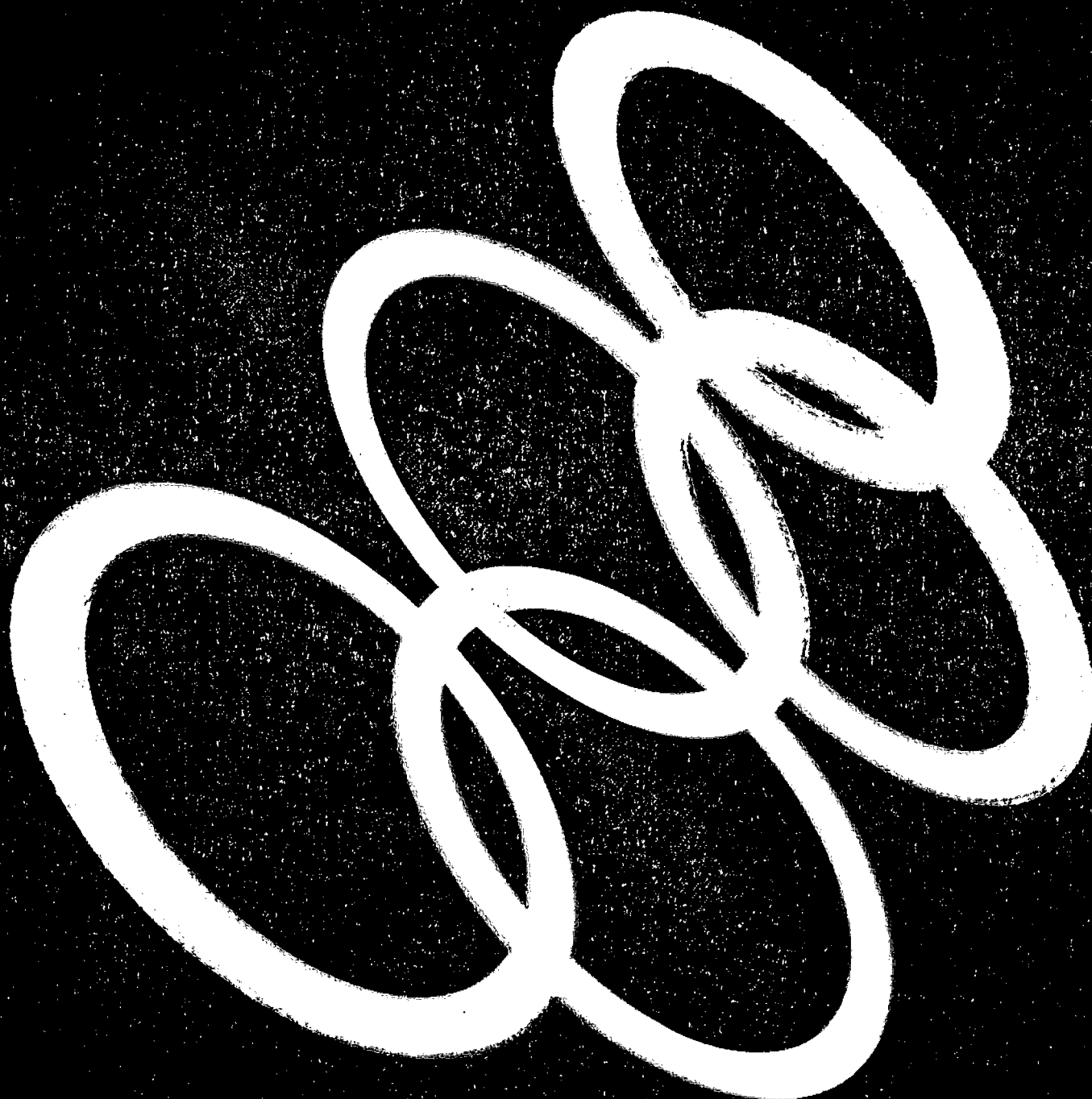
Termos em que as Reclamantes pedem e esperam, confiadamente, que o registo de marca internacional n.º 1390360, seja **RECUSADO**.



INTERNATIONAL
OLYMPIC
COMMITTEE

OLYMPIC MARKETING FACT FILE

2014 EDITION



INTRODUCTION

The Olympic Marketing Fact File is a reference document on the marketing policies and programmes of the International Olympic Committee (IOC), the Olympic Movement and the Olympic Games.

In this document, the IOC has endeavoured to present a clear, simplified overview of Olympic Movement revenue generation and distribution. Nevertheless, revenue comparisons between Olympic marketing programmes must be carefully considered because marketing programmes evolve over the course of each Olympic quadrennium, and each marketing programme is subject to different contractual terms and distribution principles.

Please note that commercial agreements reached with the IOC may be paid in different currencies depending on the nature of the agreement and the location of the parties. For the purposes of the Marketing Fact File, in order to provide comparisons across agreements/locations, exchange rates have been converted where possible to a single currency, United States Dollars, based on the exchange rate at the time of the agreement.

N.B. The financial figures contained in this document are provided for general information purposes, are estimates and are not intended to represent formal accounting reports of the IOC, the Organising Committees for the Olympic Games (OCOGs) or other organisations within the Olympic Movement. For the formal accounting reports of the IOC please visit <http://www.olympic.org>

The financial reports and statements of OCOGs may differ from this document due to different accounting principles and policies, such as those related to goods and services, that have been adopted. The goods and services (i.e., the provision of products, services and support) figures cited in this document have generally been accounted for based on contractual values, where available. The financial figures presented here do not include any public moneys provided to the OCOGs, the National Olympic Committees (NOCs), the International Federations of Olympic sports (IFs), or other governing bodies.

This edition of the Olympic Marketing Fact File contains the most complete information available as of 31 December 2013.

Further information on the marketing programmes of each Olympic Games are available in the IOC's Marketing Reports (available on <http://www.olympic.org>).

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CHAPTER 1: OLYMPIC MARKETING OVERVIEW

This chapter provides an overview of the fundamental principles of Olympic marketing, as well as facts and figures regarding the generation of Olympic marketing revenue and the distribution of revenue throughout the Olympic Movement.

FUNDAMENTAL OBJECTIVES OF OLYMPIC MARKETING

The IOC coordinates Olympic marketing programmes with the following objectives:

- To ensure the independent financial stability of the Olympic Movement, and thereby to assist in the worldwide promotion of Olympism.
- To create and maintain long-term marketing programmes, and thereby to ensure the financial security of the Olympic Movement and the Olympic Games.
- To build on the successful activities developed by each Organising Committee for the Olympic Games (OCOGs) and thereby to eliminate the need to recreate the marketing structure with each Olympic Games.
- To generate revenue to be distributed throughout the entire Olympic Movement – including the OCOGs, the National Olympic Committees (NOCs) and their continental associations, the International Federations (IFs) and other recognised international sports organisations – and to provide financial support for sport in emerging nations.
- To ensure that the Olympic Games can be experienced by the maximum number of people throughout the world principally via broadcast coverage.
- To protect and promote the equity that is inherent in the Olympic image and ideals.
- To control and limit the commercialisation of the Olympic Games.
- To enlist the support of Olympic marketing partners in the promotion of the Olympic ideals.

OLYMPIC MARKETING REVENUE GENERATION

The Olympic Movement generates revenue through several programmes. The IOC manages broadcast partnerships, the TOP worldwide sponsorship programme and the IOC official supplier and licensing programme, the OCOGs manage domestic sponsorship, ticketing and licensing programmes within the host country, under the direction of the IOC. In addition, NOCs generate revenue through their own domestic commercial programmes.

The following chart provides details of the total revenue generated from each major programme managed by the IOC and the OCOGs during the past five Olympic quadrenniums.

Olympic Marketing Revenue: The Past Five Quadrenniums*

Source	1993 – 1996	1997 – 2000	2001 – 2004	2005 – 2008	2009 – 2012
Broadcast	1,251	1,845	2,232	2,570	3,850
TOP Programme	279	579	663	866	950
OGOC Domestic Sponsorship	534	655	796	1,555	1,838
Ticketing	451	625	411	274	1,238
Licensing	115	66	87	185	170
Total	2,630	3,770	4,189	5,450	8,046

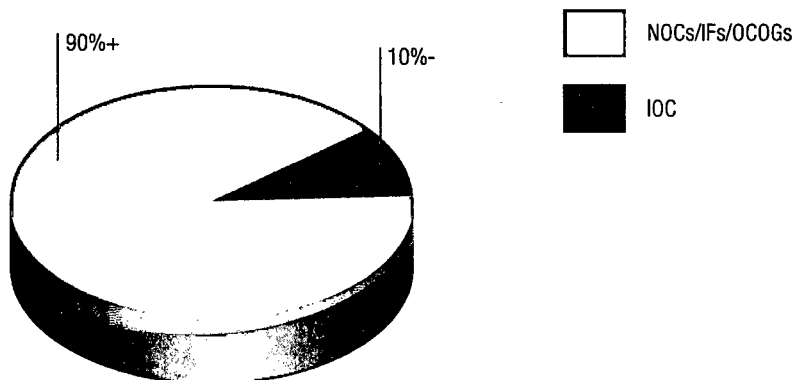
All figures in USD millions

* All figures in the chart above have been rounded to the nearest US\$1 million.

N.B. Does not include NOC domestic commercial programme revenues.

OLYMPIC MARKETING REVENUE DISTRIBUTION

The IOC distributes 90% of its revenue to organisations throughout the Olympic Movement, in order to support the staging of the Olympic Games and to promote the worldwide development of sport. The IOC retains 10% of Olympic marketing revenue for the operational and administrative costs of governing the Olympic Movement.

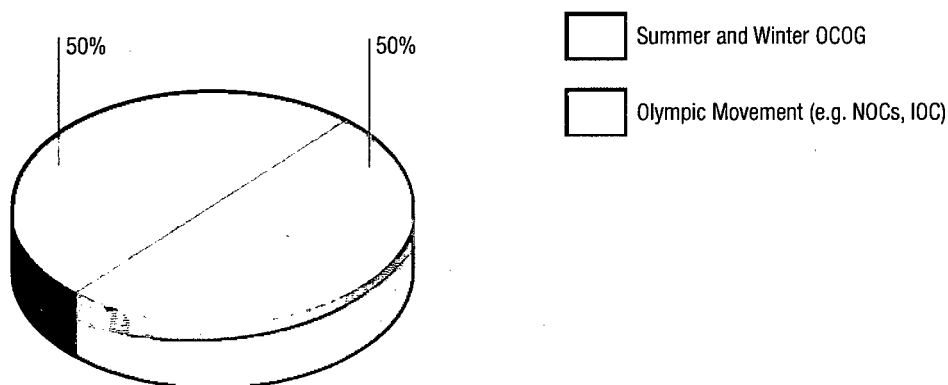


OLYMPIC MARKETING CONTRIBUTIONS TO THE OCOGS

The IOC provides a contribution from marketing revenues raised to the OCOGs to support the staging of the Olympic Games and Olympic Winter Games. In addition, beginning in Vancouver 2010, the IOC has entirely funded the host broadcaster operations, managed by Olympic Broadcast Services (<http://www.obs.tv>).

TOP Programme Revenue Distribution

The summer and winter OCOGs of each Olympic quadrennium generally share approximately 50% of TOP programme revenue and goods and services contributions.



Broadcast Revenue Contributions to OCOGs – up to 2010

Olympic Games	Broadcast Revenue to OCOG (million)
1992 Barcelona	US\$441
1996 Atlanta	US\$546
2000 Sydney	US\$797
2004 Athens	US\$733
2008 Beijing	US\$851

Olympic Winter Games	Broadcast Revenue to OCOG (million)
1994 Lillehammer	US\$229
1998 Nagano	US\$308
2002 Salt Lake	US\$443
2006 Turin	US\$406

IOC Contribution – 2010 onwards

From Vancouver onwards the IOC has funded the host broadcaster operations, Olympic Broadcast Services. In addition to this funding the IOC provides a contribution to the operations of the Organising Committee:

2010 Vancouver	US\$414 million
2012 London	US\$713 million

OLYMPIC MARKETING CONTRIBUTIONS TO THE NOCs

The NOCs receive financial support for the training and development of Olympic teams, Olympic athletes and Olympic hopefuls. The IOC distributes TOP programme revenue to each of the 204 NOCs throughout the world. The IOC also contributes Olympic broadcast revenue to Olympic Solidarity – the body responsible for managing and administering the share of the television rights of the Olympic Games <http://www.olympic.org/olympic-solidarity-commission/> – that is in turn allocated to the National Olympic Committees (NOCs). Olympic Solidarity assists the NOCs and the continental associations with their efforts to develop sport through programmes devised to match their specific needs and priorities.

The continued success of the worldwide TOP Programme and revenue from broadcast agreements has enabled the IOC to provide increased support for the NOCs with each Olympic quadrennium. Substantial additional indirect financial support is provided to the NOCs, for example through the provision of the athletes' village and travel grants for the Olympic Games.

Olympic Marketing Revenue Contributions to NOCs

Olympic Quadrennium	Broadcast Revenue via Olympic Solidarity (million)	TOP Programme Revenue * (million)	Total Revenue to NOCs (million)
Albertville / Barcelona 1989 – 1992	US\$51.6	US\$35	US\$86.6
Lillehammer / Atlanta 1993 – 1996	US\$80.9	US\$57	US\$137.9
Nagano / Sydney 1997 – 2000	US\$118.7	US\$93	US\$211.7
Salt Lake / Athens 2001 – 2004	US\$209.5	US\$110	US\$319.5
Torino/Beijing 2005 – 2008	US\$233.6	US\$139	US\$372.6
Vancouver/London 2009 – 2012	US\$663	US\$156	US\$819

* Separate reporting is conducted with regard to TOP revenue contributions to the NOC of the United States (USOC) and of the host countries for each quadrennium. The figures presented above do not include the contributions to the USOC and the host country NOCs.

OLYMPIC MARKETING CONTRIBUTIONS TO THE INTERNATIONAL FEDERATIONS

The IOC provides financial support from Olympic marketing to the 28 IFs of Olympic summer sports and the seven IFs of Olympic winter sports. These financial contributions are provided to support the development of sport worldwide.

Olympic Marketing Revenue Contributions to IFs of Olympic Summer Sports

Olympic Games	Revenue to IFs (million)
1992 Barcelona	US\$37.6
1996 Atlanta	US\$86.6
2000 Sydney	US\$190
2004 Athens	US\$254
2008 Beijing	US\$295
2012 London	US\$519

Olympic Marketing Revenue Contributions to IFs of Olympic Winter Sports

Olympic Winter Games	Revenue to IFs (million)
1992 Albertville	US\$17
1994 Lillehammer	US\$20.3
1998 Nagano	US\$49.4
2002 Salt Lake	US\$92.4
2006 Torino	US\$126
2010 Vancouver	US\$209

For further information on the IOC revenues and distribution please refer to the IOC's final reports on <http://www.olympic.org/ioc-interim-and-final-reports/documents-reports-studies-publications>

CHAPTER 2: OLYMPIC PARTNERSHIP

This chapter provides facts, figures and historical information regarding the TOP sponsorship programme (managed by the IOC) and the Olympic Games domestic sponsorship programmes (managed by the OCOGs).

OLYMPIC SPONSORSHIP OVERVIEW

Olympic sponsorship is an agreement between an Olympic organisation and a corporation, whereby the corporation is granted the rights to specific Olympic intellectual property and Olympic marketing opportunities in exchange for financial support and goods and services contributions. Olympic sponsorship programmes operate on the principle of product-category exclusivity. Under the direction of the IOC, the Olympic Family works to preserve the value of Olympic properties and to protect the exclusive rights of Olympic sponsors.

Olympic sponsorship programmes benefit the Olympic Movement in the following ways:

- Sponsorship provides valuable financial resources to the Olympic Family.
- Sponsors provide support for the staging of the Olympic Games and the operations of the Olympic Movement in the form of products, services, technology, expertise and staff deployment.
- Sponsors provide direct support for the training and development of Olympic athletes and hopefuls around the world, as well as essential services for athletes participating in the Games.
- Sponsors provide essential products and services for broadcasters, journalists, photographers and other media.
- Sponsorship activation enhances the Olympic Games experience for spectators and provides the youth of the world with opportunities to experience the Olympic ideals at the global and local levels.
- Sponsorship support contributes to the success of the educational, environmental, cultural and youth-oriented initiatives of the Olympic Movement.
- Sponsors develop advertising and promotional activities that help to promote the Olympic ideals, heighten public awareness of the Olympic Games and increase support for the Olympic athletes.

WORLDWIDE OLYMPIC PARTNERSHIP

TOP: The Olympic Partners

The Olympic Partners (TOP) programme is the worldwide sponsorship programme managed by the IOC. The IOC created the TOP programme in 1985 in order to develop a diversified revenue base for the Olympic Games and to establish long-term corporate partnerships that would benefit the Olympic Movement as a whole. The TOP programme operates on a four-year term – the Olympic quadrennium.

The TOP programme generates support for the Organising Committees of the Olympic Games and Olympic Winter Games, the NOCs and the IOC.

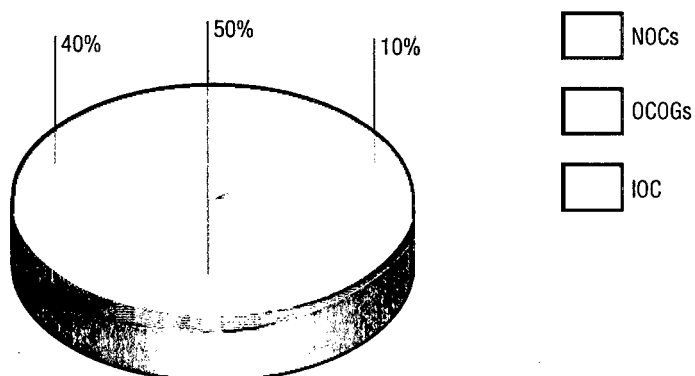
The TOP programme provides each Worldwide Olympic Partner with exclusive global marketing rights and opportunities within a designated product or service category. The global marketing rights include partnerships with the IOC, all active NOCs and their Olympic teams, and the two OCOGs and the Games of each quadrennium. The TOP Partners may exercise these rights worldwide and may activate marketing initiatives with all the members of the Olympic Movement that participate in the TOP programme.

TOP Programme Evolution

Quadrennium	Games	Partners	Number of participating NOCs	Revenue (million)
1985 – 1988	Calgary / Seoul	9	159	US\$96
1989 – 1992	Albertville / Barcelona	12	169	US\$172
1993 – 1996	Lillehammer / Atlanta	10	197	US\$279
1997 – 2000	Nagano / Sydney	11	199	US\$579
2001 – 2004	Salt Lake / Athens	11	202	US\$663
2005 – 2008	Torino / Beijing	12	205	US\$866
2009 – 2012	Vancouver / London	11	205	US\$950

TOP CONTRIBUTIONS TO THE OLYMPIC MOVEMENT

The TOP Partners provide vital financial support and contributions of goods and services to the Olympic Games and the Olympic Movement. The IOC distributes TOP revenue and contributions according to the approximate formula illustrated in the chart below.



Notes on TOP Contributions of goods and services:

1. Goods and services contributions in the TOP programme occur in the form of products, services, technology, expertise and personnel deployment. These contributions are assigned a value in terms of U.S. dollars, and these values are included in the TOP revenue figures presented in this document.
2. Goods and services are essential for the daily operations of Olympic Movement organisations and for the staging of the Olympic Games. The distribution of goods and services is based on the needs of each organisation. The OCOGs traditionally receive the greatest percentage of goods and services for their operational responsibilities in staging the Games.
3. The actual distribution of TOP resources may vary, as contributions of goods and services are delivered to fulfil the specific technical and operational needs of the OCOGs for the Olympic Games and Olympic Winter Games.

TOP PROGRAMME SUPPORT FOR THE OLYMPIC GAMES

The IOC provides approximately 50% of the TOP programme's quadrennial revenue and goods and services contributions to the following organisations: (1) the OCOG for the Olympic Winter Games, (2) the OCOG for the Olympic Games, and (3) the NOCs of the Olympic Games and Olympic Winter Games host countries.

The growth of the TOP programme has enabled the IOC to deliver increased funding to the OCOGs in order to support the staging of the Games. The increased contributions of the TOP Partners have been significant in providing independent financial stability to the Olympic Movement and ensuring the viability of the Olympic Games.

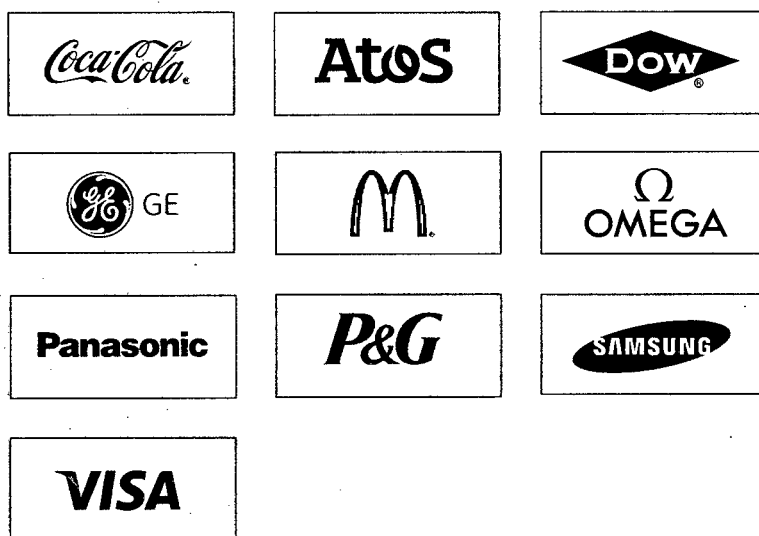
TOP PROGRAMME SUPPORT FOR NOCS

The IOC provides approximately 40% of the TOP programme's quadrennial revenue to all participating NOCs. The growth of the TOP programme has enabled the IOC to provide equitable revenue distribution throughout the Olympic Movement, delivering vital support to the NOCs to support the training and development of Olympic athletes and teams. The significant and increased contributions by the TOP Partners have helped ensure the development of sport in many nations and territories.

TOP VIII PARTNERSHIP

Eleven corporations currently participate in the eighth generation of the TOP programme, known as TOP VIII. During the 2013-2016 Olympic quadrennium, TOP VIII Partners provide support for the 2014 Olympic Winter Games in Sochi and the 2016 Olympic Games in Rio.

TOP VIII Partners



The TOP VIII Partners are:

- Partners of the Sochi 2014 Olympic Winter Games
- Partners of the Rio 2016 Olympic Games
- Partners of all Olympic teams competing in Sochi 2014 and Rio 2016

Coca-Cola

Corporate Web Address
Exclusive Category
Olympic Partnership History

<http://www.cocacola.com>
Non-alcoholic Beverages
Sponsored the 1928 Olympic Games in Amsterdam and every Olympic Games since
Longest continuous partnership with the Olympic Movement
Charter TOP Partner (TOP I)
Member of the TOP programme since 1986

TOP Partnership History**Atos Origin**

Corporate Web Address
Exclusive Category
Olympic Partnership History
TOP Partnership History

<http://www.atosorigin.com>
Information Technology
Supported the 1992 Olympic Games in Barcelona as Sema
Joined the TOP programme in 2001 (TOP V) as SchlumbergerSema

Dow

Corporate Web Address
Exclusive Category
TOP Partnership History

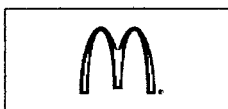
<http://www.dow.com>
Official Chemistry company
Joined the TOP programme in 2010

GE

Corporate Web Address
Exclusive Category

<http://www.ge.com>
Select products and services from GE Energy, GE Healthcare, GE Transport, GE Infrastructure, GE Consumer & Industrial, GE Advanced Materials and GE Equipment Services
Joined the TOP programme in 2005 (TOP VI)

TOP Partnership History

McDonald's

Corporate Web Address
 Exclusive Category
 Olympic Partnership History
 TOP Partnership History

<http://www.mcdonalds.com>
 Retail Food Services
 Sponsored the 1976 Olympic Games in Montreal
 Joined the TOP programme in 1997 (TOP IV)

Omega

Corporate Web Address
 Exclusive Category
 Olympic Partnership History
 TOP Partnership History

<http://www.omega.ch>
 Timing, Scoring and Venue Results Services
 Timing and Scoring sponsor of 1996 Atlanta and Sydney 2000.
 Longstanding IOC worldwide Olympic licensee
 Joined the TOP programme in 2003 (TOP V)

Panasonic

Corporate Web Address
 Exclusive Category
 TOP Partnership History

<http://www.panasonic.com>
 Audio/TV/Video Equipment
 Charter TOP Partner (TOP I)
 Member of the TOP programme since 1987

Procter & Gamble

Corporate Web Address
 Exclusive Category
 TOP Partnership History

<http://www.pg.com>
 Personal Care and Household Products
 Joined the TOP programme in 2010

Samsung



Corporate Web Address
Exclusive Category
TOP Partnership History

<http://www.samsung.com>
Wireless Communications Equipment
Joined the TOP programme in 1997 (TOP IV)

Visa



Corporate Web Address
Exclusive Category
TOP Partnership History

<http://www.visa.com>
Consumer Payment Systems
Charter TOP Partner (TOP I)
Member of the TOP programme since 1986

OLYMPIC GAMES DOMESTIC SPONSORSHIP

The Olympic Games domestic sponsorship programme is managed by the OCOG within the host country under the direction of the IOC. The programmes support the operations of the OCOG, the planning and staging of the Games, the host country NOC and the host country Olympic team.

The Olympic Games domestic sponsorship programme grants marketing rights within the host country or territory only. The host country NOC and the host country Olympic team participate in the OCOG sponsorship programme because the Marketing Plan Agreement requires the OCOG and the host country NOC to centralise and coordinate all marketing initiatives within the host country.

Olympic Games: History of OCOG Sponsorship Programmes

Olympic Games	Number of Partners*	Revenue & Support (million)
1996 Atlanta	111	US\$426
2000 Sydney	93	US\$492
2004 Athens	38	US\$302
2008 Beijing	51	US\$1,218
2012 London	42	US\$1,150

Olympic Winter Games: History of OCOG Sponsorship Programmes

Olympic Winter Games	Number of Partners*	Revenue & Support (million)
1998 Nagano	26	US\$163
2002 Salt Lake City	53	US\$494
2006 Turin	57	US\$348
2010 Vancouver	57	US\$688

* Domestic OCOG sponsorship programmes usually include several tiers of partnership, which may include sponsors, suppliers and providers. The figures in this column represent the total number of marketing partners from all tiers of the domestic programme.

OLYMPIC SPONSORSHIP HISTORY

Sponsorship in various forms has supported the Olympic Movement since the first modern Olympic Games in Athens 1896. The following is a brief overview of key milestones and informative anecdotes from the history of sponsorship in the modern Olympic Games.

1896 Athens	Companies provide revenue through advertising during the Olympic Games.
1912 Stockholm	Approximately ten Swedish companies purchase sole rights to take photographs and sell memorabilia of the Olympic Games.
1920 Antwerp	The official Olympic Games programme contains a great deal of corporate advertising.
1924 Paris	Advertising signage appears within view from the Olympic Games venues for the first and only time in history.
1928 Amsterdam	Current TOP Partner Coca-Cola begins the longest continuous Olympic partnership. Concessionaires are granted rights to operate restaurants on stadium grounds. Advertising continues in the official Olympic Games programme. The IOC stipulates that posters and billboards may not be displayed on the stadium grounds and buildings.
1932 Lake Placid	The OCOG solicits businesses to provide free merchandising and advertising tie-ins. Many major department stores in the eastern U.S. feature the Olympic Games marks in window displays, and many national businesses use the Games as an advertising theme.
1952 Helsinki	The first Olympic Games to launch an international marketing programme. Companies from 11 countries make contributions of goods and services ranging from food for the athletes to flowers for medallists.
1960 Rome	An extensive sponsor/supplier programme includes 46 companies that provide technical support and products such as perfume, chocolate, toothpaste and soap.
1964 Tokyo	250 companies develop marketing relationships with the Games. The new "Olympia" cigarette brand generates more than US\$1 million in revenue for the OCOG. (The tobacco sponsorship category is later banned.) Seiko creates quartz-timing technology, providing the most accurate timing system to date.
1976 Montreal	With 628 sponsors and suppliers, domestic sponsorship generates US\$7 million for the OCOG.
1984 Sarajevo	The OCOG signs 447 foreign and domestic sponsorship agreements.
1984 Los Angeles	For the first time, the domestic sponsorship programme is divided into three categories. Each category is granted designated rights and product category exclusivity. The marketing programme is limited to the host country and U.S. companies.

**1988 Calgary/
1988 Seoul** The IOC creates The Olympic Partners (TOP) worldwide sponsorship programme, in coordination with the OCOGs in Seoul and Calgary, as well as 159 NOCs. TOP is based on the 1984 Los Angeles model of product-category exclusivity. Prior to the establishment of the TOP programme, fewer than ten NOCs in the world had a source of marketing revenue.

The OCOGs launch independent marketing programmes.

For the first time, the IOC requires the OCOG to form a joint marketing programme with the host country NOC.

**1992 Albertville/
1992 Barcelona** TOP grows from nine to 12 partners in the programme's second generation.

1994 Lillehammer Broadcast and marketing programmes generate more than US\$500 million, breaking almost every major marketing record for an Olympic Winter Games.

1996 Atlanta The Games are funded entirely via private sources.

2000 Sydney The OCOG develops the most financially successful domestic sponsorship programme to date, generating more revenue (US\$492 million) than the domestic sponsorship programme of Atlanta 1996 in a host country marketplace 15 times smaller.

A new standard for brand protection through education, legislation and advertising controls.

2002 Salt Lake The Olympic Properties of the United States (OPUS) sponsorship for 2002 breaks records for both winter and summer Games.

2004 Athens In the smallest country to host the Olympic Games to date, Athens 2004 achieved its sponsorship revenue target two years before the Games and ultimately generated revenue from national and torch relay sponsorship that was 50% higher than initial estimates.

2006 Turin Torino 2006 stands as the most lucrative and successful sponsorship programme in Italian history. The programme accounted for 6.14% of the total sponsorship spending in the market, which was significantly higher than previous Olympic Winter Games sponsorship programmes and represented nearly 1% of the total advertising spend in the Italian market, 35 times greater than that of Salt Lake 2002.

2008 Beijing Beijing 2008 domestic sponsorship programme provided significant support to the operational needs of BOCOG in revenue, goods and services, which contributed towards the staging of the Olympic Games.

For more information on the Beijing Marketing programmes visit:
<http://view.digipage.net/?userpath=00000001/00000004/00040592/>

2010 Vancouver For more information on the Vancouver 2010 Marketing Programmes visit:
<http://view.digipage.net/?id=iocvancouver2010>

2012 London For more information on the London Marketing programmes visit:
<http://view.digipage.net/?id=ioclondon2012>

CHAPTER 3: OLYMPIC BROADCASTING

This chapter provides facts and figures regarding Olympic broadcasting, including information on the IOC broadcast policy, global broadcast viewing statistics from recent history, broadcast revenue support for the Olympic Movement, and broadcast rights fees from past Olympic Games and Olympic Winter Games.

OLYMPIC BROADCAST OVERVIEW

The IOC is the owner of the broadcast rights, including television, mobile and internet, for the Olympic Games and Olympic Winter Games. The IOC is responsible for allocating Olympic broadcast rights to media companies throughout the world through the negotiation of rights agreements. The IOC manages Olympic broadcast partnerships to ensure that the long-term interests of the Olympic Movement are protected.

The fundamental IOC broadcast policy as described in the Olympic Charter is to ensure maximum presentation of the Olympic Games to the world:

"The IOC takes all necessary steps in order to ensure the fullest coverage by the different media and the widest possible audience in the world for the Olympic Games."

— Rule 49, Olympic Charter

Broadcast rights to the Olympic Games are sold principally to broadcasters that can guarantee the broadest coverage throughout their respective territories.

OLYMPIC BROADCAST PARTNERSHIPS

The long-term Olympic broadcast marketing strategy is designed to achieve the following objectives:

- To establish partnerships to provide additional Olympic programming to (1) ensure improved global coverage of the Olympic Games, (2) promote the ideals of Olympism, and (3) heighten awareness of the work of the Olympic Movement throughout the world.
- To ensure the long-term financial future of the Olympic Movement and the Olympic Games.
- To ensure that broadcast partners are experienced in providing the highest quality of Olympic programming so that a strong image of the Olympic Games is upheld.
- To allow broadcast partners to develop strong Olympic associations and to strengthen each partner's identity as the Olympic broadcaster within its country or territory.
- To maximise exposure across all available media platforms and exploit latest media technologies.
- To forge strong links between sponsors, broadcast partners and the Olympic Family that will promote an agenda that supports the entire Olympic Movement.
- To strengthen the continuing legacy of broadcasting support from one Olympic Games to the next, allowing future OCOGs to draw on their support, experience and technology.

OLYMPIC BROADCAST: WORLDWIDE COVERAGE

The television broadcast of the Olympic Games is the most significant factor in the communication of the Olympic ideals worldwide. The primary broadcasting objective of the Olympic Movement is to ensure the most television viewers possible have the opportunity to experience the Olympic Games. In pursuit of this objective, coverage of the Olympic Games has been made available in an increasing number of nations, territories and markets throughout the world.

Olympic Games: Countries Broadcasting

Olympic Games	Number of Countries/ Territories Broadcasting
1936 Berlin	1
1948 London	1
1952 Helsinki	2
1956 Melbourne	1
1960 Rome	21
1964 Tokyo	40
1968 Mexico City	n/a
1972 Munich	98
1976 Montreal	124
1980 Moscow	111
1984 Los Angeles	156
1988 Seoul	160
1992 Barcelona	193
1996 Atlanta	214
2000 Sydney	220
2004 Athens	220
2008 Beijing	220
2012 London	220

Olympic Winter Games: Countries Broadcasting

Olympic Winter Games	Number of Countries/ Territories Broadcasting
1956 Cortina	22
1960 Squaw Valley	27
1964 Innsbruck	30
1968 Grenoble	32
1972 Sapporo	41
1976 Innsbruck	38
1980 Lake Placid	40
1984 Sarajevo	100
1988 Calgary	64
1992 Albertville	86
1994 Lillehammer	120
1998 Nagano	160
2002 Salt Lake City	160
2006 Torino	200
2010 Vancouver	220

OLYMPIC BROADCAST: GLOBAL VIEWERSHIP

Global Olympic broadcast audience and viewer figures continue to rise as the Olympic broadcast expands to more nations and territories, as more viewers throughout the world gain access to television, and as the appeal of Olympic Games programming continues to grow.

Olympic Games: Broadcast Viewing Levels

Olympic Games	Broadcast Viewing Levels Cumulative Audience * (billion)	
1988 Seoul	10.4	
1992 Barcelona	16.6	
1996 Atlanta	19.6	
	Total Viewer Hours ** (billion)	Average Minute Rating *** (million) (Based on 29 Key Territories)
2000 Sydney	36.1	113.5
2004 Athens	34.4	78.0
Global Audience****		
Beijing 2008: 3.546 billion		
London 2012: 3.635 billion		

Olympic Winter Games: Broadcast Viewing Levels

Olympic Winter Games	Broadcast Viewing Levels Cumulative Audience * (billion)	
1992 Albertville	8	
1994 Lillehammer	10.7	
1998 Nagano	10.7	
	Total Viewer Hours ** (billion)	Average Minute Rating *** (million) (based on 29 territories)
2002 Salt Lake City	13.1	48.0
2006 Turin	10.6	38.5
Global Audience****		
Vancouver 2010: 1.822 billion		

Global broadcast reports available at: <http://www.olympic.org/marketing/documents-reports-studies-publications>

Note on Broadcast Viewer Measurement:

The IOC has modified its approach to measuring the global viewership of the Olympic broadcast from cumulative audience/total viewer hours to Average Minute Rating (AMR). This shift in methodology is designed to provide greater accuracy in determining the appeal of Olympic television programming throughout the world. The charts on the previous page reflect this revised methodology.

** Cumulative audience is derived by determining the aggregate number of times each television viewer around the world tuned in to Olympic Games television programming.*

*** Total Viewer Hours measures the number of hours of Olympic programming that have captured the attention of the global television viewing audience during the period of the Olympic Games. Viewer Hours per programme is measured by multiplying the duration of the programme by the number of viewers in the audience. Total Viewer Hours for the Olympic Games and Olympic Winter Games is the sum of all Viewer Hours per programme.*

**** Average Minute Rating measures the number of viewers watching a typical minute of Olympic Games television coverage. The global figure is calculated by combining the average minute rating of dedicated Games coverage aired by official broadcasters.*

***** Global Audience is defined as individuals who have seen at least 1 minute of coverage. This figure is achieved using modern television audience systems from which it is possible to calculate the net number or percentage of people who have seen a particular piece of a broadcast or series of broadcasts. This section assesses the percentage of the population or potential television audience that consumed television coverage of the specific edition of the Games.*

For more details on broadcast statistics please refer to the broadcast reports of each Games available at:

<http://www.olympic.org/en/content/Footer-Pages/Documents/Marketing/>

OLYMPIC BROADCAST PROGRAMMING

Olympic broadcast programming is generated by Olympic Broadcast Services (<http://www.obs.tv>), which captures the broadcast signal from each Olympic venue and delivers the signal to the Olympic broadcast partners to air over various media platforms throughout the world. From 2009 onwards, Olympic Broadcast Services has overseen the host broadcaster function for the Games. OBS was formed by the IOC to serve as the permanent Host Broadcast organisation for both the Summer and Winter Games.

From the full range of available material, each Olympic broadcast partner may select the particular events to include in its schedule of Olympic programming. Each Olympic broadcast partner has the opportunity to deliver those events and images that it determines to be of greatest interest to the target audience in its home country or territory.

Increased host broadcast coverage has afforded the Olympic broadcast partners greater programming opportunities in more sports and enabled the broadcast partners to deliver more complete Olympic coverage to their audiences around the world. The IOC works in partnership with its broadcasters to ensure that an increasing amount of live coverage is available, and that the latest technologies, including HDTV, live coverage on the internet and coverage on mobile phones is available in as many territories as possible. For more information: <http://www.olympic.org/olympic-broadcasting>

Olympic Games: Hours of Coverage from the Host Broadcaster

Olympic Games	Host Broadcast Feed Hours
1988 Seoul	2,572
1992 Barcelona	2,800
1996 Atlanta	3,000
2000 Sydney	3,500
2004 Athens	3,800
2008 Beijing	5,000
2012 London	5,000

Olympic Winter Games: Hours of Coverage from the Host Broadcaster

Olympic Games	Host Broadcast Feed Hours
1992 Albertville	350
1994 Lillehammer	331
1998 Nagano	600
2002 Salt Lake City	900
2006 Turin	1,000
2010 Vancouver	1,000

OLYMPIC BROADCAST REVENUE GENERATION

Olympic broadcast partnerships have provided the Olympic Movement with a secure financial base and helped to ensure the future viability of the Olympic Games. Olympic broadcast partnerships have been the single greatest source of revenue for the Olympic Movement for more than three decades.

Broadcast Revenue History: Olympic Games

Olympic Games	Broadcast Revenue (million)
1960 Rome	US\$1.2
1964 Tokyo	US\$1.6
1968 Mexico City	US\$9.8
1972 Munich	US\$17.8
1976 Montreal	US\$34.9
1980 Moscow	US\$88
1984 Los Angeles	US\$286.9
1988 Seoul	US\$402.6
1992 Barcelona	US\$636.1
1996 Atlanta	US\$898.3
2000 Sydney	US\$1,331.6
2004 Athens	US\$1,494
2008 Beijing	US\$1,739
2012 London	US\$2,569

Broadcast Revenue History: Olympic Winter Games

Olympic Winter Games	Broadcast Revenue (million)
1960 Squaw Valley	US\$0.05
1964 Innsbruck	US\$0.937
1968 Grenoble	US\$2.6
1972 Sapporo	US\$8.5
1976 Innsbruck	US\$11.6
1980 Lake Placid	US\$20.7
1984 Sarajevo	US\$102.7
1988 Calgary	US\$324.9
1992 Albertville	US\$291.9
1994 Lillehammer	US\$352.9
1998 Nagano	US\$513.5
2002 Salt Lake	US\$738
2006 Turin	US\$831
2010 Vancouver	US\$1,279.5

BROADCAST RIGHTS FEES HISTORY: OLYMPIC GAMES

	North America (US and Canada)	Central America, South America and Caribbean	Asia	Middle East/ Africa	Europe*	Oceania	Total
1998-2000	1,124.0	14.2	208.0	11.9	422.1	64.9	1,845.1
2002-2004	1,397.4	20.8	232.6	12.9	514.0	54.3	2,232.0
2006-2008	1,579.0	34.0	274.0	24.9	578.4	79.7	2,570.0
2010-2012	2,154.0	106.0	575.0	41.0	848	126.0	3,850.0

All figures in USD millions

* Please note certain North African territories and Central Asian territories are included as part of the EBU agreement

For a list of rights holding broadcasters for each Games please visit
<http://www.olympic.org/en/content/Footer-Pages/Documents/Marketing/>

OLYMPIC BROADCASTING HISTORY

Television broadcasting has been the most significant factor in the promotion of the Olympic ideals and the growth of the Olympic Games worldwide. The following is a brief overview of key milestones in the history of Olympic television broadcasting.

1936 Berlin	<p>The first Olympic Games to be televised, in and around Berlin only, with a total of 138 viewing hours and 162,000 viewers.</p> <p>One of three cameras is capable of live coverage – only when the sun is shining.</p>
1948 London	<p>The first Olympic Games to establish the principle of the broadcast rights fee.</p> <p>BBC agrees to pay one thousand guineas (approximately US\$3,000). Concerned about financial hardship to the BBC, the OCOG does not accept payment.</p> <p>More than 500,000 viewers, most residing within a 50-mile radius of London, watch the 64 hours of Olympic programming.</p>
1952 Helsinki	<p>The OCOG conducts broadcast rights negotiations for the first time.</p>
1956 Melbourne	<p>The breakdown of negotiations prevents transmission of the Olympic broadcast to important markets including the U.S..</p>
1956 Cortina	<p>The Olympic Winter Games are broadcast live for the first time.</p> <p>During the Opening Ceremony, the final Olympic torchbearer stumbles and falls over the television cable placed on the ice surface of the stadium.</p>
1958	<p>Television rights issues are incorporated into the Olympic Charter with the introduction of Article 49: "the rights shall be sold by the Organising Committee, with the approval of the IOC, and the revenues distributed in accordance with its instructions".</p>
1960 Rome	<p>The Olympic Games are televised live for the first time to 18 European countries, and only hours later in the United States, Canada and Japan.</p>
1964 Tokyo	<p>For the first time, satellite broadcast coverage is used to relay images overseas.</p>
1966	<p>The IOC expands revenue sharing to include NOCs and IFs for the first time.</p>
1968 Mexico City	<p>The Olympic Games are broadcast live in colour for the first time.</p> <p>Slow-motion footage is available live.</p>
1972 Sapporo	<p>Japanese network NHK provides the television feed for broadcasters to choose the coverage they want – the model for today's host broadcast organisation.</p>
1984 Los Angeles	<p>Television and radio rights acquired by 156 nations.</p> <p>More than 2.5 billion people view the Olympic Games.</p>
1992 Albertville/ 1992 Barcelona	<p>For the first time in Olympic broadcast history, a multi-tier television structure is operated in several countries.</p> <p>The main national broadcaster sub-licenses coverage of additional events to other cable and satellite broadcasters, expanding the total sports coverage.</p> <p>Surveys of the U.S., the U.K. and Spain show an average of seven out of ten people tune in to Albertville, and more than nine out of ten tune in to Barcelona.</p>

1994 Lillehammer	<p>Broadcast and marketing programmes generate more than US\$500 million, breaking almost every major Olympic Winter Games marketing record.</p> <p>More than 120 countries and territories view television coverage of the Games, compared to the 86 countries that broadcast 1992 Albertville.</p> <p>For the first time, the Winter Games are broadcast on the African continent, via M-Net and ART satellites.</p>
1996 Atlanta	<p>The Games are funded entirely via private sources, including broadcast rights.</p> <p>The IOC underwrites the cost of the transmissions to Africa.</p> <p>The broadcast reaches a record 214 countries.</p>
1998 Nagano	<p>Television coverage of the Games is provided to 180 countries and territories, compared to 120 countries for 1994 Lillehammer.</p> <p>The Olympic Winter Games are broadcast live in Australia for the first time.</p> <p>Olympic broadcasting firsts include video-on-demand and 3-D high-definition.</p>
2000 Sydney	<p>Olympic broadcast reaches 3.7 billion viewers in 220 countries.</p> <p>The IOC introduces Total Viewer Hours (TVH), a new method of measuring the Olympic television audience levels.</p> <p>The Games broadcast generates 36.1 billion Television Viewer Hours.</p>
2002 Salt Lake	<p>The IOC and broadcast partners work to provide satellite coverage to East Timor</p> <p>2.1 billion viewers in 160 countries consume more than 13 billion TVH.</p> <p>For the first time, the host broadcaster covers all Winter events live.</p> <p>For the first time, 100 million viewers in India receive free-to-air coverage.</p>
2004 Athens	<p>More than 300 television channels provide a total of 35,000 hours of dedicated coverage, and 3.9 billion viewers in 220 countries and territories each watched an average of more than 12 hours of coverage.</p> <p>For the first time, the Olympic Games are broadcast live in Azerbaijan. Live coverage is also available on the internet in several territories for the first time.</p>
2006 Turin	<p>The Turin Olympic Broadcast Organisation provided nearly 1,000 hours of live content – the most in Olympic Winter Games history. The Olympic broadcasters also maximised opportunities in new media technology, providing viewers with more access and greater choice through the Internet, mobile phones and multiple television channels. Television coverage is offered for the first time in HDTV and coverage is available for the first time on the mobile phone.</p>
2008 Beijing	<p>Olympic Broadcast Services provide a record 5,000 hours of live HD content – the most in Olympic history. Digital media is made available across the world, including via the IOC's own digital channel in 78 countries in the Middle East, Asia and Africa.</p> <p>For more information on the broadcast of Beijing 2008 visit: http://view.digipage.net/?userpath=00000001/00000004/00040592/ </p>
2010 Vancouver	<p>For more information on the broadcast of the Vancouver 2010 Olympic Winter Games visit: http://view.digipage.net/?id=iocvancouver2010 </p>
2012 London	<p>For more information on the broadcast of London 2012 visit: http://view.digipage.net/?id=ioclondon2012 </p>

CHAPTER 4: OLYMPIC GAMES TICKETING

OLYMPIC GAMES TICKETING OVERVIEW

The Olympic Games ticketing programme is managed by the OCOG, with the support of the IOC. The primary goal of Olympic Games ticketing programmes is to enable as many people as possible to experience Olympic Games ceremonies and competitions. The secondary goal of Olympic Games ticketing programmes is to generate necessary financial revenue to support the staging of the Olympic Games.

The OCOGs and the IOC work to ensure the availability of tickets are priced to accommodate the wide-range of economic circumstances of the public and to establish ticket prices in accordance with the domestic market prices for major sporting events.

OLYMPIC GAMES TICKET SALES

Olympic ticketing programmes continue to generate substantial revenue to support the staging of the Games. The charts below present an overview of recent Olympic Games and Olympic Winter Games ticketing programmes.

Olympic Games Ticketing Programmes

Olympic Games	Tickets Available (million)	Tickets Sold (million)	% of Tickets Sold	Revenue to OCOG (million)
1984 Los Angeles	6.9	5.7	82%	US\$156
1988 Seoul	4.4	3.3	75%	US\$36
1992 Barcelona	3.9	3.021	77%	US\$79
1996 Atlanta	11	8.318	75%	US\$425
2000 Sydney	7.6	6.7	88%	US\$551
2004 Athens	5.3	3.8	71%	US\$228
2008 Beijing	6.8	6.5	95.6%	US\$185
2012 London	8.5	8.2	97%	US\$988

Olympic Winter Games Ticketing Programmes

Olympic Winter Games	Tickets Available (million)	Tickets Sold (million)	% of Tickets Sold	Revenue to OCOG (million)
1988 Calgary	1.9	1.6	84%	US\$32
1992 Albertville	1.2	0.9	75%	US\$32
1994 Lillehammer	1.3	1.207	92%	US\$26
1998 Nagano	1.434	1.275	89%	US\$74
2002 Salt Lake	1.605	1.525	95%	US\$183
2006 Turin	1.1	0.9	81%	US\$89
2010 Vancouver	1.54	1.49	97%	US\$250

CHAPTER 5: OLYMPIC LICENSING

OLYMPIC LICENSING OVERVIEW

Olympic Movement organisations develop programmes to create Olympic Games-related products, merchandise and souvenirs for consumers through licensing agreements that grant the use of Olympic marks, imagery or themes to third party companies that market and manufacture the products. Olympic Games licensing programmes are managed by the OCOGs under the direction of the IOC. Licensing programmes are designed to promote the Olympic image and convey the culture of the host region. Olympic Games licensing includes the numismatic and philatelic programmes that create Olympic Games commemorative coins and stamps, two long-standing traditions within the Olympic Movement.

The Olympic Movement works to ensure that licensing programmes provide consumers with high-quality merchandise that suitably reflects the Olympic image and the Olympic Movement, and properly commemorates the Olympic Games and Olympic teams.

The Olympic Movement also works to ensure the authenticity and quality of Olympic Games merchandise through a comprehensive programme of trademark legislation, education, monitoring and enforcement. These efforts protect consumers from unauthorised or counterfeit goods, protect official Olympic licensees from rights infringements and protect the Olympic brand from the potential negative impact of low-quality unauthorised merchandise.

OLYMPIC GAMES LICENSING PROGRAMMES

The charts below present an overview of recent licensing programmes and the revenue generated to support the Olympic Games and Olympic Winter Games.

Olympic Games Licensing Facts and Figures

Olympic Games	Licensees	Revenue to OCOG (million)
1988 Seoul	62	US\$18.8
1992 Barcelona	61	US\$17.2
1996 Atlanta	125	US\$91
2000 Sydney	100	US\$52
2004 Athens	23	US\$61.5
2008 Beijing	68	US\$163
2012 London	65	US\$119

Olympic Winter Games Licensing Facts and Figures

Olympic Winter Games	Licensees	Revenue to OCOG (million)
1994 Lillehammer	36	US\$24
1998 Nagano	190	US\$14
2002 Salt Lake	70	US\$25
2006 Turin	32	US\$22
2010 Vancouver	48	US\$51

OLYMPIC NUMISMATIC PROGRAMMES

For decades, Olympic numismatic programmes have provided financial support to the Olympic Games and Olympic teams. Governments that issue Olympic coins have often contributed some or all of the seigniorage to the cost of staging the Olympic Games or developing the nation's Olympic team. A government that issues legal tender promises to redeem to the bearer the face value of the coin. The seigniorage (i.e. the difference between the coin's retail value and the production cost) remains as a profit to the issuing government.

Olympic Numismatic Programmes: Basic Facts

- Olympic coins date back to 425 BC, when tetra drachmas were struck by the competition victors to commemorate success in the Ancient Olympic Games.
- Olympic coins were first struck in modern times to commemorate the 1952 Helsinki Olympic Games. Issued at face value, legal-tender, Olympic coins provided a means of raising funds without resorting to increased government taxation.
- Since 1951 more than 350 million Olympic coins have been sold, raising more than US\$1 billion for the issuing authorities and the Olympic Family.

OLYMPIC PHILATELIC PROGRAMMES

Since the first modern Olympic Games in 1896, Olympic philatelic programmes have raised awareness of the Olympic Games throughout the world, heightened interest in the history of the Olympic Movement and generated revenue for the Olympic Games and Olympic teams.

Olympic Philatelic Programmes: Basic Facts

- The partnership between the Olympic Games and philately, the collection and study of stamps, dates back to the first modern Olympic Games in 1896.
- More than 50 million Olympic stamp series have been issued by countries since the first modern Olympic Games.
- Since 1920, OCOGs have received revenue from philately and postal services either through a surcharge on stamps or through a gross sum on the sale of stamps.
- Olympic philatelic brochures are distributed by a series of agents throughout the world. By 2000, agents covered the globe, making Olympic stamps and brochures readily available.

OLYMPIC LICENSING, NUMISMATIC AND PHILATELIC HISTORY

1896 Athens	<p>A Greek philatelist proposes the issue of commemorative Olympic stamps.</p> <p>Olympic philatelic revenue helps to finance the building of Olympic venues including the rifle range in Kallathea and the cycle track in New Phaliron.</p> <p>A series of 12 stamps is issued on the inaugural day of the first modern Games.</p>
1912 Stockholm	<p>Approximately ten Swedish companies purchase sole-rights to take photographs and sell memorabilia of the Games.</p>
1928 Amsterdam	<p>The OCOG covers 1.5% of expenditures with philatelic programme revenue.</p> <p>Portugal issues stamps to finance its Olympic team's participation in the Amsterdam Games. The stamp is obligatory in Portugal for three days.</p>
1932 Lake Placid	<p>The OCOG solicits business organisations and retail stores to provide free merchandising and advertising tie-ins.</p>
1952 Helsinki	<p>The first Modern Olympic coin is struck. Finland began what was soon to become a tradition by issuing a 500 Markkaa circulating coin.</p>
1972 Munich	<p>The first Olympic coin programme dedicated to raising revenues to offset the cost of the Olympic Games. An extraordinary cooperation between the Ministry of Finance and the Bundesbank in Germany gave birth to a combined circulating and numismatic coin programme from which all revenues were directed to the OCOG. Over US\$300 million was raised from the market thereby allowing the government to avoid increased taxation to pay for the cost of the Games.</p> <p>An advertising agency acts as the Olympic licensing agent for the first time.</p> <p>Rights to use the official Olympic Games emblem are sold.</p> <p>Several types of licensing and advertising agreements are available.</p> <p>The image of the first official Olympic Games mascot, "Waldi", is licensed.</p>
1992	<p>137 countries issue 1,230,000 stamp series bearing the Olympic rings.</p> <p>In the period between 1992 and 1996, the IOC also became active in the field of Olympic numismatics. Rather than commemorating the Games edition, however, the IOC launched a programme designed to specifically celebrate the Centenary of the Olympic Movement in 1994. In collaboration with the mints of Canada, Australia, France, Austria and Greece, five consecutive series of three coins were created to pay tribute to the founding of the IOC, its ideals and the first edition of the modern Olympic Games that took place in Athens in 1896.</p> <p>Through this programme, a total of 93,879 gold and 526,750 silver coins were sold, representing a sales value of USD 48.4 million, making it one of the most successful coin programmes of that period. The IOC received a higher than normal royalty in recognition of its role as organiser and manager of its first Olympic coin programme.</p>

1994 Lillehammer	<p>Broadcast and marketing programmes generate more than US\$500 million, breaking almost every major Olympic Winter Games marketing record.</p> <p>The licensing programme results in three times the forecast revenue and sets new standards of organisation and quality for future OCOGs.</p>
1994	Four albums of stamps commemorate the Olympic Movement centennial.
1996	More than 150 countries issue a total of 15 million Olympic stamps.
1998 Nagano	Three albums of Olympic stamps commemorate the Games.
2000 Sydney	<p>A large and very successful coin programme was introduced with the cooperation of the federal mint in Canberra and the state mint in Perth Australia. This coin programme used modern marketing strategies and offered the first coloured Olympic coin.</p> <p>Merchandise is coded with the DNA of renowned Olympic athletes to ensure product authenticity.</p> <p>On-line retailing is available for the first time.</p> <p>The concept of the Olympic Store is implemented for the first time, including the Olympic Superstore in Sydney Olympic Park.</p>
2004 Athens	<p>The Bank of Greece and the Ministry of Finance understood the potential of using seignorage as a source of revenue for the Olympic Games. Greece successfully issues 24 million 500 drachma Olympic coins into circulation and followed this up with 50 million 2 Euro Olympic coins.</p> <p>Athens 2004 launched an Olympic philatelic programme in November 2000 in cooperation with Elta, the Hellenic Post. A series of six non-royalty-bearing stamps were issued to commemorate the Athens 2004 Olympic Games, with new stamp designs released each year up to the commencement of the Games.</p>
2006 Turin	Italy had a modest numismatic coin programme but the experience of Greece was not lost on the Ministry of Finance. 40 million 2 Euro circulating Olympic coins were issued by La Zecca, the mint of Italy. The Torino 2006 philatelic programme included a series of seven stamps. One stamp was dedicated to the Torino 2006 mascots, while the others celebrated the cities hosting Torino 2006 competitions. At the commencement of the XX Olympic Winter Games, nine additional stamps were issued, with eight depicting the Olympic winter sports and one dedicated to the Paralympics.
2008 Beijing	The Beijing licensing programme proved to be a remarkable success, offering a comprehensive product range – the largest in Olympic Games history – with over 8,000 different items of merchandise available from 1,000 retail units across China and beyond. The Olympic Expo Beijing 2008 was held in the iconic Beijing Exhibition Centre during the Games. Part of Pierre de Coubertin's original vision was to blend history, culture and sport. The Expo was brought together by the joint efforts of the IOC, BOCOG, the Chinese Olympic Committee (COC), and the China Post Group.
2010 Vancouver	<p>For more information on the Vancouver 2010 Marketing Programme visit:</p> <p>http://view.digipage.net/?id=iocvancouver2010</p>
2012 London	<p>For more information on the London 2012 Marketing Programme visit:</p> <p>http://view.digipage.net/?id=ioclondon2012</p>

APPENDIX

FUNDAMENTAL PRINCIPLES OF OLYMPISM

Modern Olympism was conceived by Pierre de Coubertin, on whose initiative the International Athletic Congress of Paris was held in June 1894. The International Olympic Committee (IOC) constituted itself on 23 June 1894.

The Olympic Charter is the codification of the Fundamental Principles, Rules and Bye-laws adopted by the IOC. It governs the organisation and operation of the Olympic Movement and stipulates the conditions for the celebration of the Olympic Games. The following are Fundamental Principles of the Olympic Movement, as stated in the Olympic Charter:

- Olympism is a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind. Blending sport with culture and education, Olympism seeks to create a way of life based on the joy found in effort, the educational value of good example and respect for universal fundamental ethical principles.
- The goal of Olympism is to place everywhere sport at the service of the harmonious development of man, with a view to encouraging the establishment of a peaceful society concerned with the preservation of human dignity.
- The Olympic Movement is the concerted, organised, universal permanent action, carried out under the supreme authority of the IOC, or all individuals and entities who are inspired by the values of Olympism. It covers the five continents. It reaches its peak with the bringing together of the world's athletes at the great sport festival, the Olympic Games. Its symbol is five interlaced rings.
- The practise of sport is a human right. Every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play. The organisation, administration and management of sport must be controlled by independent sports organisations.
- Any form of discrimination with regard to a country or person on grounds of race, religion, politics, gender or otherwise is incompatible with belonging to the Olympic Movement.
- Belonging to the Olympic Movement requires compliance with the Olympic Charter and recognition by the IOC.
http://www.olympic.org/Documents/olympic_charter_en.pdf

THE OLYMPIC MOVEMENT AND COMMERCIAL PARTNERSHIPS

Olympic marketing programmes have contributed significantly to the growth of the Olympic Movement, the Olympic Games, and sport worldwide.

The IOC, in accordance with the Olympic Charter, continues to ensure the priority of sport in a commercial environment. The IOC maintains the following policy objectives with regard to the commercial initiatives related to the Olympic Movement and the Olympic Games:

- To ensure that no advertising or other commercial message in or near the Olympic venues is visible to the Olympic Games venue spectators or to the Olympic Games broadcast audience. No advertising or commercial messages are permitted in the Olympic stadia, on the person of venue spectators, or on the uniforms of the Olympic athletes, coaches, officials, or judges.
- To ensure a clean telecast by all Olympic Games broadcasters. Images of Olympic events are not allowed to be broadcast with any kind of commercial association.
- To control sponsorship programmes and the number of major corporate sponsorships. The IOC constructs and manages programmes in which only a small number of corporations participate. Each partner participating in the Worldwide TOP Programme has global category exclusivity. OCOG programmes are also designed to maximise support for the Games through the minimum number of partnerships.
- To control sponsorship programmes to ensure that partnerships are compatible with the Olympic ideals. The IOC does not accept commercial associations with tobacco products, alcoholic beverages (other than beer and wine), or other products that may conflict with or be considered inappropriate to the mission of the IOC or to the spirit of Olympism.

THE IOC EXECUTIVE BOARD

President Jacques Rogge

The Executive Board, founded in 1921, consists of the IOC President, four Vice-Presidents and ten other members. All the members of the Executive Board are elected by the Session, by secret ballot, by a majority of votes cast, for a four-year term. Among many responsibilities, the IOC Executive Board oversees and approves the marketing policy developed and proposed by the IOC Marketing Commission at the IOC Session.

For more information:

http://www.olympic.org/uk/organisation/ioc/executive/index_uk.asp

IOC MARKETING COMMISSION

Chairman Gerhard Heiberg

The IOC Marketing Commission was established as the IOC New Sources of Financing Commission in 1983 to ensure the financial stability of the Olympic Movement. The New Sources of Financing Commission became the IOC Marketing Commission in 1997.

IOC Marketing Commission: Mission

Olympic marketing should help perpetuate the work of the Olympic Movement, by providing resources, programmes and financial support. All programmes and actions of a partner should be designed to enhance and protect the Olympic image and Olympic values.

IOC Marketing Commission: Mandate

- To review and study possible sources of financing and revenue for the International Olympic Committee (IOC) and the Olympic Movement, whilst ensuring that control of sport rests with sports authorities.
- To make recommendations to the IOC Executive Board regarding marketing and related programmes.
- To monitor the implementation of the IOC's marketing and related programmes, and report thereon to the IOC Executive Board.
- To seek means of maximising the potential benefits to the Olympic Movement available through association with marketing partners.

For further information:

<http://www.olympic.org/marketing-commission>

TV RIGHTS AND NEW MEDIA COMMISSION

Chairman Jacques Rogge

Mission

The TV Rights and New Media Commission is responsible for preparing and implementing the overall IOC strategy for future broadcast rights negotiations.

To this end, the Commission collects marketing intelligence and consults with experts, determines the rights and benefits packages to be sold, and organises the tender and negotiation process. The Commission also deals with issues pertaining to the current broadcast rights agreements. The IOC has signed long-term broadcast agreements for the Olympic Games in all major markets, up to 2008.

For further information:

<http://www.olympic.org/tv-rights-new-media-commission>

IOC TELEVISION & MARKETING SERVICES SA

Gerhard Heiberg

Chairman, IOC Marketing Commission

Timo Lumme

Managing Director, IOC Television & Marketing Services

IOC Television and Marketing Services is a wholly owned company of the IOC and was established by the IOC in 2005 following the acquisition of its exclusive marketing agency, Meridian Management SA, and the centralisation of Olympic broadcasting and marketing responsibilities.



**IOC
TELEVISION & MARKETING
SERVICES SA
SWITZERLAND**

LONDON 2012: LOCOG BASIC FACTS

The London Organising Committee for the 2012 Olympic and Paralympic Games (LOCOG) is responsible for the staging of the 2012 Olympic Games and for the management of the domestic marketing programmes that support the 2012 Olympic Summer Games.



London 2012

Election 2012 Host City: 6 July 2005
117th Session of the IOC
Singapore

London 2012 Web Site: <http://www.london2012.org/en/>

SOCHI 2014: SOCHI BASIC FACTS

The Sochi 2014 Organising Committee is responsible for the staging of the 2014 Olympic Winter Games and for the management of the domestic marketing programmes that support the 2014 Olympic Winter Games.



Sochi 2014

Election 2014 Host City: 4 July 2007
119th Session of
the IOC Guatemala

Sochi 2014 Website: <http://www.sochi2014.com/>

RIO 2016: RIO BASIC FACTS

The Rio 2016 Organising Committee is responsible for the staging of the 2016 Olympic Summer Games and for the management of the domestic marketing programmes that support the 2016 Olympic Summer Games.



Rio 2016

Election 2016 Host City: 2 October 2009
121st Session of
the IOC Copenhagen

Rio 2016 Website: <http://www.rio2016.com.br/>

PYEONGCHANG 2018: PYEONGCHANG BASIC FACTS

The PyeongChang 2018 Organising Committee is responsible for the staging of the 2018 Olympic Winter Games and for the management of the domestic marketing programmes that support the 2018 Olympic Winter Games.



PyeongChang 2018

Election 2018 Host City: 6 July 2011
123rd Session of the IOC
Durban, South Africa

PyeongChang 2018 Website: <http://www.pyeongchang2018.org>

CONTACTS

INTERNATIONAL OLYMPIC COMMITTEE – <http://www.olympic.org>

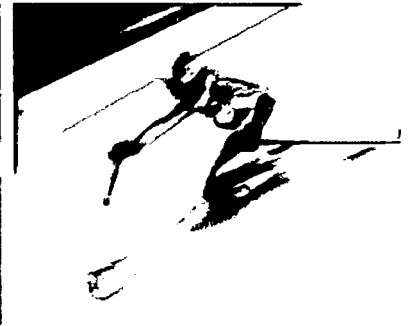
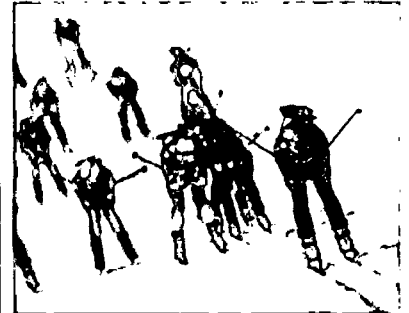
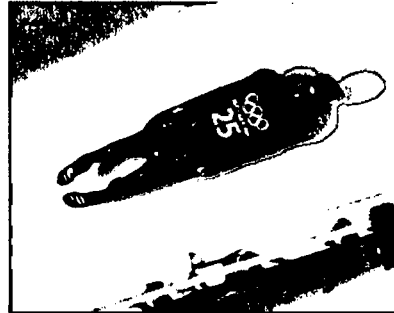
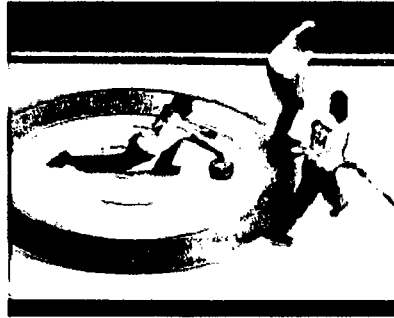
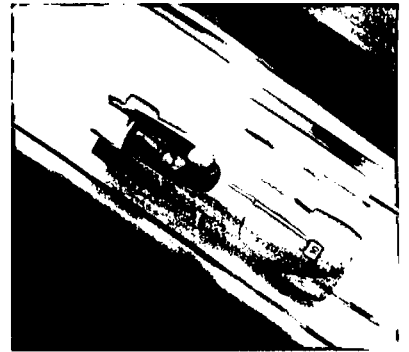
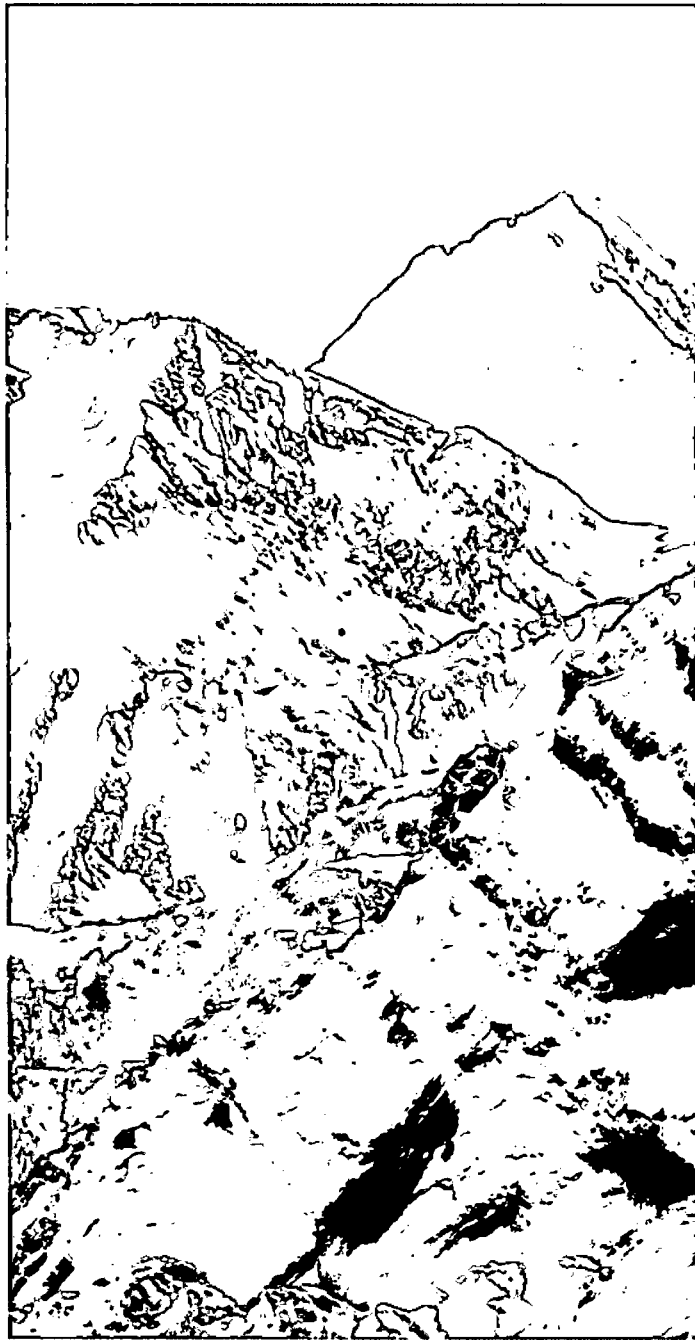
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WITH YOU,
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