



## **PUBLIC & BUSINESS COMMUNITY BRAND USE GUIDELINES**

Updated: September 2011

## SUMMARY

The Canadian Olympic Committee (COC) is a private, not-for-profit organization and as a National Olympic Committee (NOC), has a legal duty to its sponsors and the International Olympic Committee (IOC) to monitor and protect the Olympic Brand in Canada. In order to fulfill this duty, the COC has developed a **balanced approach to brand management** that relies on education, assessment and enforcement to respond to all commercial and non-commercial marketing, communications and/or promotional tactics that might create an unauthorized commercial association with the Olympic Brand in Canada.

The following *Public and Business Community Brand Use Guidelines* (herein referred to as '*Brand Use Guidelines*') are intended to provide the **general public, community institutions** and the **business community** with an opportunity to become informed about the COC's perspective and approach. To provide clarity, this document includes visual examples which describe how to actively promote and engage with the Olympic Movement in Canada without devaluing the investments made by the COC's marketing partners/sponsors.

Separate guidelines have been developed for **Media, COC Sport Partners** and **Athletes** which are available by contacting [branduse@olympic.ca](mailto:branduse@olympic.ca).

We hope that these guidelines provide you with the brand use information that you are looking for. If you have any additional questions, please contact [branduse@olympic.ca](mailto:branduse@olympic.ca)

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## **1. THE OLYMPIC BRAND IN CANADA - WHAT IS IT?**

The 'Olympic Brand' is comprised of the names, phrases, marks, logos and designs relating to the Olympic Movement. This includes, but is not limited to, those relating to specific Olympic Games, the Canadian Olympic Team, Olympic moments and the accomplishments of Olympians. Use of the Olympic Brand in Canada is subject to COC authorization.

## **2. WHY PROTECT THE OLYMPIC BRAND?**

The COC relies heavily on the sale of exclusive marketing rights to generate revenue, which is used to fund the Canadian Olympic Team's preparation and participation at Olympic and Pan American Games. Thus, the awarding, management and protection of exclusive marketing rights surrounding the Olympic Brand in Canada is necessary to sustain Canada's participation in the global Olympic Movement.

The COC is responsible for the Olympic Brand in Canada on behalf of the IOC. This responsibility includes the awarding, management and protection of exclusive marketing rights to the Olympic Brand in Canada from which the COC derives commercial value.

Only official sponsors, licensees and partners of the COC are permitted to suggest an affiliation or connection with the Olympic Movement in Canada. When companies create false or misleading commercial associations with the Olympic Brand without making the financial investment required to secure official marketing rights, they are threatening the COC's sponsorship and licensing programs and impair the COC's ability to attract future sponsors and licensees. Protecting sponsor rights allows the COC to continue to support Canadian athletes and foster the success of our current and future Olympians.

## **4. WHAT IS UNAUTHORIZED COMMERCIAL ASSOCIATION AND WHAT HARM DOES IT CREATE?**

Only official sponsors, licensees, and government partners of the Olympic Movement in Canada are permitted to suggest an affiliation or connection with the Olympic Movement. Unfortunately, those exclusive rights can be infringed upon by marketing that capitalizes on the goodwill of the Olympic Movement by creating a false, unauthorized commercial association without making the financial investment required to secure official marketing rights.

Developing such an unauthorized commercial association can be intentional - a tactic used by businesses to exploit the goodwill of the Olympic Brand - or inadvertent. Either way, building such an unauthorized commercial association with the Olympic Movement in Canada is prohibited because it allows the marketer in question to benefit from an association without providing any financial support for the Canadian Olympic Team and/or athletes. The COC also endeavours to prohibit such marketing tactics to ensure consumers are not misled into believing a marketer is associated with the COC or the Olympic Brand when they are not.

Marketing tactics that are designed to build an unauthorized commercial association with the Olympic Movement in Canada are a threat to the COC's sponsorship and licensing programs as they undermine the value of official rights and impair the COC's ability to attract future sponsors and licensees.

## 5. RELEVANT LAW

Any enforcement actions undertaken by the COC will be in accordance with applicable law. In particular, the Government of Canada has enacted legislation - the *Olympic and Paralympic Marks Act* ("Act") - to specifically protect the Olympic Brand in Canada. The Act ensures that Canada is aligned with the international community in granting special protection for the Olympic Brand. Its passage is evidence that the Government of Canada supports the importance of the Olympic Movement in Canada being able to establish financial sustainability through securing and maintaining successful corporate partnerships which benefit from the exclusive right to associate with the Olympic Brand in Canada.

The *Act* augments protection of Olympic Marks in addition to that offered under the Canadian *Trade-marks Act* and the prevention of deceptive business practices as captured under the *Competition Act*. The *Act* prevents a person or company from promoting or otherwise directing public attention to their business, wares or services in a manner that misleads or is likely to mislead the public into believing that the business, wares or services in question are approved, authorized or endorsed by the COC, or that a business association exists between the business in question and the Olympic Brand. It is this kind of activity that the COC will endeavour to prevent through a combination of monitoring for, assessment of and, where relevant, enforcement against unauthorized use of the Olympic Brand in Canada.

## 6. THE COC'S APPROACH TO PROTECTING THE OLYMPIC BRAND

The COC has a responsibility to not only to protect the Olympic Brand, but also to educate the marketplace on how to appropriately engage with the Olympic Games and the Canadian Olympic Team while respecting the exclusive commercial rights of the sponsors to the Olympic Movement. The COC will proactively educate and engage the public by implementing a fair, objective, and transparent process for assessing brand use and enforcing its rights.

In particular, the COC is committed to proactively protecting and strengthening the Brand using a wide range of methods, including the following:

**Protection with purpose:** The COC is committed to protecting the Olympic Brand against unauthorized use only in cases where such use puts at risk the financial well being of the Olympic Movement in Canada.

**Public education:** The COC continuously endeavours to educate the public and key business sectors on appropriate interaction with the Olympic Brand, highlighting the parameters of permissible engagement and association.

**Grandfathering long-standing use:** Businesses who use the word "Olympic" (or similarly protected terms) in their names or marks prior to March 2, 2007 (as stipulated by the *Olympic and Paralympic Marks Act*) will be grandfathered, provided that subsequent use of the protected term is not expanded and the business is not otherwise creating a misleading business association with the Olympic Brand.

**Engaging non-commercial entities:** The COC is committed to allowing for fair and meaningful non-commercial engagement with the Olympic Brand in Canada. Individuals, communities and non-commercial organizations will be encouraged to continue to find ways to harness the energy and excitement that can be generated by the stories created by the Olympic Movement. Where non-commercial activities overlap with commercial activities however there may be a risk of

creating an unauthorized commercial association with the Olympic Brand. Please contact the COC at [branduse@olympic.ca](mailto:branduse@olympic.ca) to discuss approval for any use of the Olympic Brand.

**Monitoring, assessment and reasonable enforcement:** The COC will use a variety of tools and resources to monitor the use of the Olympic Brand across the Canadian marketplace. Upon identifying use of the Olympic Brand, the COC will use a consistent and objective methodology to assess whether the use is generating unauthorized commercial association with the Olympic brand and subsequently enforce its rights appropriately.

## **7. HOW DOES THE COC PROTECT THE OLYMPIC BRAND?**

The COC is committed to enforcing its rights in a disciplined, sensitive, fair and transparent manner. The COC interprets and considers enforcement actions using a two-stage process of assessment:

### **1. Case assessment**

The COC will assess whether identified marketing, communications, promotional or advertising tactics might constitute an infringement of the Olympic Brand through the creation of an unauthorized commercial association.

### **2. Enforcement assessment**

If the COC concludes that there has been an infringement that creates an unauthorized commercial association with the Olympic Brand, the COC will next consider what appropriate enforcement action, if any, to take.

### **Case Assessment Criteria**

When analyzing whether the Olympic Brand has been infringed upon and/or an unauthorized commercial association has been created, the COC considers a range of factors in order to maintain an objective assessment process. In particular, while not exhaustive, the COC considers the following six factors when assessing cases:

#### **Accuracy**

The marketing tactic in question must be accurate, represent a true statement and/or faithfully represent rights to which the advertising party have the right to associate with. Elements of the Olympic Brand may not be subject to any distortion or modification.

#### **Relevance**

The marketing tactic should only reference the Olympic Brand if and when relevant to a larger initiative and/or creative theme. Such references should be proportionate and not overtly promotional in manner. Examples of relevant use for non-marketing rights holders might be factually-accurate statements (such as a store's proximity to a legacy Olympic facility) or descriptions of athlete achievements with whom the advertiser might have a direct relationship.

#### **Commercial neutrality and/or motivation**

Use of the Olympic Brand (or other marks or images that have the potential of creating an unauthorized commercial association with the Olympic Brand) will be of low concern to the COC if they are used in a manner that does not overly commercialize the Olympic Brand element in question and/or suggest or connote a direct endorsement of a product or service by the Olympic Movement. Similarly, Olympic Brand elements used on materials or in creative that is not commercial in nature or commercially motivated will be of low concern.

**Prominence**

Use of the Olympic Brand (or other marks or images that have the potential of creating an unauthorized commercial association with the Olympic Brand) will be of low concern to the COC if such use does not enjoy undue prominence within the context of the overall initiative or storyline. For example, the use of Brand elements that is included in a proportional manner within a larger portfolio list of projects worked on, calendar of events or with other similarly themed non-commercial marks, statements or concepts will be a matter of low concern for the COC. Provided such use does not contribute to an unauthorized commercial association with the Olympic Brand.

**Use of Olympic visuals**

Use of Olympic visuals such as logos, archival Games imagery, team uniforms or Olympic medals in connection with a business will typically be of high concern. In certain circumstances, however, their use might be justified for a non-marketing rights holder such as the use of an image of an Olympic athlete wearing their medal should the advertiser in question have a direct and authorized relationship with the athlete in question.

**Cumulative impact**

The major factor considered is whether the identified marketing, communications, promotional or advertising tactics in question, when combined with other environmental factors such as timing (i.e., during or close to an Olympic Games window) and placement (i.e., strategic adjacency to Olympic coverage or content) of the activity in question might have the cumulative effect of confusing consumers into believing an advertiser has a commercial association with the Olympic Brand when they do not.

## CASE ASSESSMENT FORM

Assessment Criteria		Rating (1=low to 3=high concern)		
Accuracy				
Relevance				
Commercial neutrality and/or motivation				
Prominence				
Use of Olympic visuals				
Cumulative impact				
<b>SCORE</b>				
Score = 6 - 8 Unlikely to Infringe; monitor		Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)		
		Score = 14 - 18 Likely to Infringe; Enforcement Assessment required		

Each of these factors is assessed given a rating between 1 (low concern) and 3 (high concern) and an aggregate score is generated.



**A score of 8 or below** is considered, in most instances, unlikely to create an unauthorized commercial association with the Olympic Brand and the case is closed subject only to periodic monitoring.



**A score between 9 and 13** is considered as having the potential to provide an unauthorized commercial association between the advertiser in question and the Olympic Brand. Such cases are subject to further review and monitoring with a view to determining whether follow-up with the advertiser in question and/or enforcement is required.



**A score of 14 or higher** is considered, in most instances, to be a clear case of building an unauthorized commercial association with the Olympic Brand and follow up will be immediate in order to protect the exclusive rights of the COC and its sponsors and licensees.

The following provides an example of potential case and the subsequent assessment of Olympic Brand use:



## EXAMPLE - How does the COC Assess a Case?



**Painting Exhibit** - An artist uses the Olympic Rings in a piece of artwork titled “Olympic Spirit”, which is displayed in an art exhibit and has not been produced on a commercial scale.

Is this permissible use?

Assessment Criteria		Rating (1=low to 3=high concern)		
Accuracy			2	
Relevance		1		
Commercial neutrality and/or motivation		1		
Prominence		1		
Use of Olympic visuals		1		
Cumulative impact		1		
SCORE		7		
Score = 6 - 8 Unlikely to Infringe; monitor		Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)		
		Score = 14 - 18 Likely to Infringe; Enforcement Assessment required		

**Case Assessment:** Despite the prominent featuring of the Olympic Brand, an individual piece of artistic work that is not produced on a commercial scale is of low concern to the COC. **This would be considered as unlikely to create an unauthorized commercial association with the Olympic Brand and therefore unlikely to infringe.**

## EXAMPLE - How does the COC Assess a Case?



**Sponsored Painting Exhibit** - A local artist creates an Olympic Games-themed painting exhibit titled “Olympic Spirit” sponsored by XYZ Company.

Is this permissible?

Assessment Criteria		Rating (1=low to 3=high concern)		
Accuracy			2	
Relevance			2	
Commercial neutrality and/or motivation				3
Prominence				3
Use of Olympic visuals				3
Cumulative impact				3
<b>SCORE</b>		<b>16</b>		
Score = 6 - 8 Unlikely to Infringe; monitor		Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)		
		Score = 14 - 18 Likely to Infringe; Enforcement Assessment required		

**Case Assessment:** Despite the initiative being artistic in nature, because it prominently features the Olympic Brand and is endorsed by a commercial organization that does not have the right to associate with the Olympic Brand, **this would be considered as likely to create an unauthorized commercial association with the Olympic Brand and thereby likely to infringe.**

Note: The *Brand Use Guidelines* support individuals featuring the Olympic Brand in personal artistic and/or editorial works for non-commercial use. However, some non-commercial uses may be subject to written approval by the COC and/or the IOC. In all cases, should you be unclear on permissible non-commercial use of the Olympic Brand we encourage you to send your requests to [branduse@olympic.ca](mailto:branduse@olympic.ca)

## USER SPECIFIC BRAND USE GUIDELINES

### A) GENERAL PUBLIC

Canadians have proven to be very proud supporters of the Olympic Movement and the Canadian Olympic Team. The following section explains how individuals can demonstrate their support for the Canadian Olympic Team and enthusiasm for the Olympic Movement in Canada, while still respecting the exclusive commercial use of the Olympic Brand and the valuable investments of COC sponsors, licensees and partners.

#### How can an individual show their support and get involved?

Individuals and non-commercial groups are encouraged to show their support for Canadian Athletes and the Canadian Olympic Team and in doing so it is clearly acknowledged, **expected and encouraged that informal use of the Olympic Brand in a non-commercial context may be undertaken**. Use of the Olympic Brand in an informal and non-commercial manner by individuals or groups for the purpose of promoting Olympic values, sport and healthy living is equally acknowledged, expected and encouraged.

We would also suggest and encourage you to consider support of and/or **volunteering for local, provincial and/or National Sport Federations** all of whom play a vital role in inspiring, developing and preparing our Canadian athletes for success on the international stage.

**Monetary contributions** to Canadian athletes can be made to the Canadian Olympic Foundation. Information about current programs can be found at [www.olympicfoundatoin.ca](http://www.olympicfoundatoin.ca)

The COC **will continue to announce initiatives that enable individuals to get directly involved** with the Olympic Movement in Canada. For further information, we suggest you monitor the COC website regularly or follow the Canadian Olympic Team on Facebook (Canadian Olympic Team) or Twitter (@CDNOlympicTeam).

Individuals can also support the COC and Canadian Olympic Athletes by **not engaging in the unauthorized use of the Olympic Brand for commercial gain**, by not supporting businesses that attempt to create an unauthorized commercial association with the Olympic Brand, by not purchasing counterfeit Olympic merchandise, and by not purchasing Olympic Games tickets and/or hospitality packages from unauthorized sources.

The following example demonstrates how a member of the public might incorporate the use of the Olympic Brand with the intent of generating excitement for the Olympic Movement. The examples also outline the assessment tool that is relied upon to determine the likelihood of an infringement.

## EXAMPLE



**Non-Commercial Use of the Olympic Brand** - An Ontario resident decorates the front of their house with the Olympic rings and Canadiana with a sign reading “Go Team Canada!”.

Is this permissible use?



Assessment Criteria		Rating (1=low to 3=high concern)	
Accuracy		1	
Relevance		1	
Commercial neutrality and/or motivation		1	
Prominence		1	
Use of Olympic visuals		1	
Cumulative impact		1	
SCORE		6	
Score = 6 - 8 Unlikely to Infringe; monitor	Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)	Score = 14 - 18 Likely to Infringe; Enforcement Assessment required	

**Case Assessment:** Despite the use of multiple Brand elements, the use is non-commercial in nature. This would be considered as **unlikely to infringe**.

## **B) COMMUNITY INSTITUTIONS**

The COC encourages community institutions and groups such as schools, libraries, community centres and clubs to share their support for the Canadian Olympic Team and our Olympic Athletes as well as generate excitement related to the Olympic Movement in Canada. This information is intended to give further clarity for institutions operating in the not-for-profit fields such as youth development, human services, social and environmental justice, community development, health care, education, housing and the arts.

### **How can a community institution associate with the Canadian Olympic Team or Olympic Brand?**

The following two examples demonstrate how a community institution might incorporate the use of the Olympic Brand in its operations with the intent of generating excitement for the Olympic Movement. The examples identify situations where use of the Olympic Brand would be permitted as well as a contrasting example displaying engagement in a manner that is likely to infringe upon the rights of COC sponsors. The examples also outline the assessment tool that is relied upon to determine the likelihood of an infringement.

Requests for use of the Olympic Brand and/or related questions should be submitted to the COC at [branduse@olympic.ca](mailto:branduse@olympic.ca).

## EXAMPLE



**Community Institution Engagement** - A public library wants to create an Olympic Games book display using the Olympic rings.

Is this permissible use?



Assessment Criteria		Rating (1=low to 3=high concern)	
Accuracy		1	
Relevance		1	
Commercial neutrality and/or motivation		1	
Prominence			2
Use of Olympic visuals			2
Cumulative impact		1	
SCORE		8	
Score = 6 - 8 Unlikely to Infringe; monitor	Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)		Score = 14 - 18 Likely to Infringe; Enforcement Assessment required

**Case Assessment:** Because the use is for educational purposes and is non-commercial in nature, this would be considered as **unlikely to infringe**.



## EXAMPLE



**Community Festival** - You are a community leader organizing a winter festival where part of the event will include an “Olympic Hockey Challenge” sponsored by XYZ Company.

Is this permissible use?

Assessment Criteria	Rating (1=low to 3=high concern)		
Accuracy	1		
Relevance		2	
Commercial neutrality and/or motivation			3
Prominence			3
Use of Olympic visuals	1		
Cumulative impact			3
SCORE	13		

Score = 6 - 8 Unlikely to Infringe; monitor	Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)	Score = 14 - 18 Likely to Infringe; Enforcement Assessment required
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**Case Assessment:** In this case, because the proposed use of the brand and the event itself is being sponsored by a commercial organization that is not a COC sponsor, this would be considered as **likely to infringe**.

## **C) BUSINESS COMMUNITY**

The COC frequently responds to requests from members of the business community who are looking for clarity on how to reference the Olympic Brand and how to engage with the Olympic Movement in accordance with the COC's Brand Use Guidelines.

The most effective way to engage in the excitement and opportunities created by the Olympic Brand in Canada is to become a COC marketing partner/sponsor. To learn more, businesses are encouraged to enquire via [branduse@olympic.ca](mailto:branduse@olympic.ca)

### **How can a non-sponsoring business reference the Olympic Brand and Olympic Games?**

In order for a non-sponsoring business to reference the Olympic Brand and Olympic Games in accordance with the COC Brand Use Guidelines, all references to the must be:

- Factually correct
- Editorially relevant (cultural relevance, geographic relevance, etc.)
- Relevant to the non-Olympic purpose of the publication, creative, advertising, etc. (not overtly promotional)

And must not:

- Be given undue prominence
- Involve the unauthorized use of Olympic visuals such as logos, archival Games imagery or team uniforms
- Be commercially motivated
- Create an unauthorized commercial association between the business in question and the Games or Olympic Movement.

The following examples provide direction on how these provisions can be applied.



## EXAMPLE



**Store front and in-store advertising** - A retailer, company XYZ, creates a sales promotion with the tagline “Cheer on Canada” featuring significant discounts on products. The promotion is launched and/or escalated during the period of the Olympic Games and supported by social media, advertising, direct mailers and an in-store display.

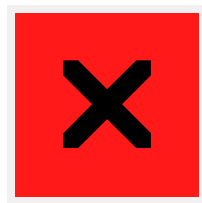
Is this permissible use?



Assessment Criteria		Rating (1=low to 3=high concern)		
Accuracy		1		
Relevance		1		
Commercial neutrality and/or motivation			2	
Prominence			2	
Use of Olympic visuals		1		
Cumulative impact		1		
<b>SCORE</b>		<b>8</b>		
Score = 6 - 8 Unlikely to Infringe; monitor		Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)		
		Score = 14 - 18 Likely to Infringe; Enforcement Assessment required		

**Case Assessment:** Despite the use of a “cheering on Canada” theme during the Olympic Games-time Window. This retailer’s promotion would be viewed as **unlikely to infringe**. The references are relevant to a larger initiative and do not constitute gratuitous references to the Olympic Movement in an overtly promotional manner and the business is not attempting to create an unauthorized business association.

## EXAMPLE



**Store front and in-store advertising** - A retailer, company XYZ creates a sales promotion with the tagline “Cheer on Canada” featuring significant discounts on products. The promotion is launched and/or escalated leading up to and during the Olympic Games-time Window and supported by social media, advertising, direct mailers and an in-store display.

Is this permissible use?



Assessment Criteria		Rating (1=low to 3=high concern)		
Accuracy		1		
Relevance				3
Commercial neutrality and/or motivation				3
Prominence				3
Use of Olympic visuals				3
Cumulative impact				3
<b>SCORE</b>		<b>16</b>		
Score = 6 - 8 Unlikely to Infringe; monitor		Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)		
		Score = 14 - 18 Likely to Infringe; Enforcement Assessment required		

**Case Assessment:** This example would be viewed as **likely to infringe** given that the promotion features significant prominence of the Olympic Movement and the unauthorized use of the Olympic Emblem. The gratuitous use of the Olympic Brand constitutes the business attempting to create an unauthorized business association.

## EXAMPLE



**Olympic Games Viewings in Restaurants and Bars** - A local pub promotes live viewing of the Sochi 2014 Olympic Winter Games by posting a sign on the door of its establishment. The sign reads “Come enjoy a drink while you watch the 2014 Olympic Games”.

Is this permissible use?

Assessment Criteria		Rating (1=low to 3=high concern)		
Accuracy		1		
Relevance			2	
Commercial neutrality and/or motivation			2	
Prominence		1		
Use of Olympic visuals		1		
Cumulative impact		1		
SCORE		8		
Score = 6 - 8 Unlikely to Infringe; monitor		Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)		
		Score = 14 - 18 Likely to Infringe; Enforcement Assessment required		

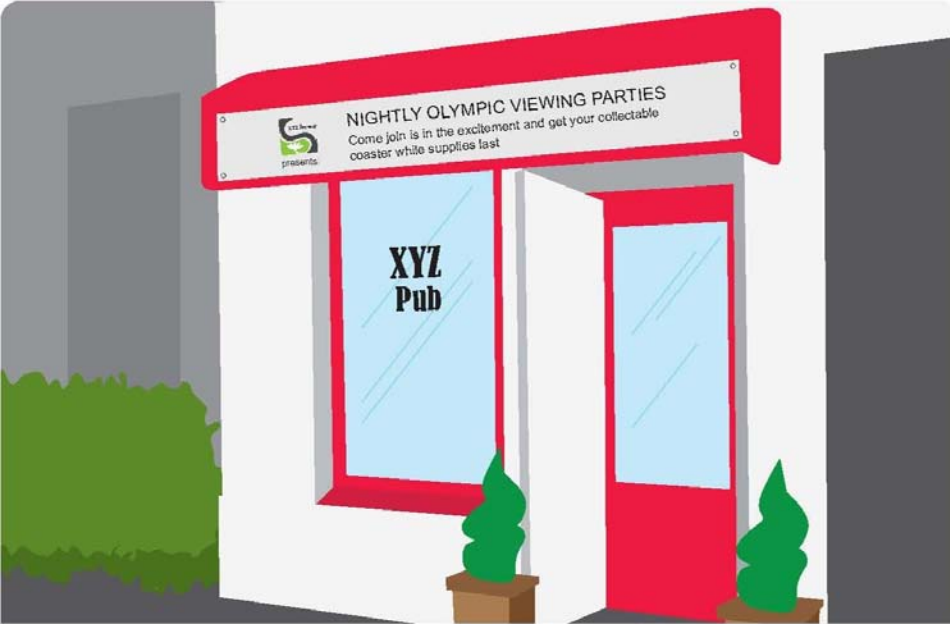
**Case Assessment:** Despite the use of the Brand, because the use is accurate, relevant and not overly promotional it does not create an unauthorized association with the Olympic Movement. This would be considered as **unlikely to infringe**.

## EXAMPLE



**Olympic Games Viewings in Restaurants and Bars** - A local pub promotes live viewing of the Sochi 2014 Olympic Winter Games by creating a series of events titled “Nightly Olympic Viewing Parties sponsored by XYZ Brewery”. Each patron of the establishment will receive a collectable coaster featuring the Olympic Rings.

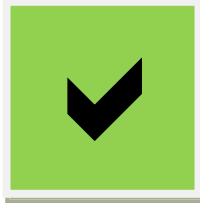
Is this permissible use?



Assessment Criteria	Rating (1=low to 3=high concern)		
Accuracy	1		
Relevance			3
Commercial neutrality and/or motivation			3
Prominence			3
Use of Olympic visuals			3
Cumulative impact			3
<b>SCORE</b>	<b>16</b>		
Score = 6 - 8 Unlikely to Infringe; monitor	Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)		
	Score = 14 - 18 Likely to Infringe; Enforcement Assessment required		

**Case Assessment:** Because the promotion prominently features the Brand and is sponsored by a commercial organization that is not a sponsor to the Olympic Movement, this promotion creates an unauthorized third-party commercial association which would be considered as **likely to infringe**.

## EXAMPLE



**Business Websites** - A dental office wants to illustrate its office location. The dental office website states: “The Offices of XYZ Dental Office are located in Richmond close to the Richmond Olympic Oval”.

Is this permissible use?

Assessment Criteria	Rating (1=low to 3=high concern)		
Accuracy	1		
Relevance	1		
Commercial neutrality and/or motivation		2	
Prominence	1		
Use of Olympic visuals	1		
Cumulative impact		2	
<b>SCORE</b>	<b>8</b>		
Score = 6 - 8 Unlikely to Infringe; monitor	Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)	Score = 14 - 18 Likely to Infringe; Enforcement Assessment required	

**Case Assessment:** Despite the commercial nature of the website, because the reference to the Richmond Olympic Oval serves as a factual reference for directional purposes and does not give any undue prominence to the Olympic Brand or otherwise create an unauthorized commercial association with the Olympic Movement, this would be considered as **unlikely to infringe**.

## How can my website link to the Canadian Olympic Team website?

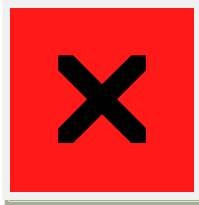
As a general rule, a third party may link to the home page of the COC, [www.olympic.ca](http://www.olympic.ca) (and any other domain names used by the COC), provided that:

- The link is in plain text-only format and does not use the emblems of the COC, or any Olympic Games logo or any other mark, unless otherwise agreed to in writing by the COC
- The link is displayed in a proportionate manner, separated from, and not otherwise associated with, any sponsorship advertising, or other commercial text or graphics that may be on the page/area containing such word link

Visit [www.olympic.ca](http://www.olympic.ca) for the COC's web linking policy or contact [branduse@olympic.ca](mailto:branduse@olympic.ca) for more information.

The following examples provide direction on properly linking to the COC's website:

## EXAMPLE



**Website Linking** - ABC Fitness and Spa wants to include a link to the COC website.

Is this permissible use?

## Assessment Criteria

Rating (1=low to 3=high concern)

Accuracy

1

Relevance

3

Commercial neutrality and/or motivation

3

Prominence

3

Use of Olympic visuals

3

Cumulative impact

3

## SCORE

16

Score = 6 - 8  
Unlikely to Infringe; monitor

Score = 9 - 13  
Potential Infringement that could  
require Enforcement Assessment  
(internal discussion required)

Score = 14 - 18  
Likely to Infringe; Enforcement  
Assessment required

**Case Assessment:** In this case, there are two major issues: a) unauthorized use of the Olympic Rings, and b) the proximity of these Olympic Marks to a third-party logo, creating an unauthorized commercial association with the COC. This would be considered as **likely to infringe**.



## EXAMPLE



**Website Linking** - ABC Fitness and Spa wants to include a link to the COC website.

Is this permissible use?

## Assessment Criteria

Rating (1=low to 3=high concern)

Accuracy

1

Relevance

1

Commercial neutrality and/or motivation

2

Prominence

1

Use of Olympic visuals

1

Cumulative impact

1

## SCORE

7

Score = 6 - 8  
Unlikely to Infringe; monitor

Score = 9 - 13  
Potential Infringement that could  
require Enforcement Assessment  
(internal discussion required)

Score = 14 - 18  
Likely to Infringe; Enforcement  
Assessment required

**Case Assessment:** Despite the commercial nature of the website, the factually accurate use of the Brand in a list without special featuring does not appear in close proximity to third party branding, therefore, this would be considered as **unlikely to infringe**.



## Can Canadian businesses use the word "Olympic" in their business name?

The COC is sensitive to the fact that some businesses in Canada have used the word "Olympic" (or similar protected terms) in their names and marks for a significant period of time.

In dealing with businesses that are currently using the word "Olympic" (or similar protected terms) in their names and marks, the COC will generally not expect that businesses cease or modify use of the word "Olympic" (or similar protected terms) in their names or marks if they began using those marks prior to March 2, 2007 (as per the *Olympic and Paralympic Marks Act*). This commitment is subject to reasonable conditions which are required in order to meet commitments to protect the Olympic Brand in Canada:

- Apart from the use of the word "Olympic" (or similarly protected terms) in its name or marks, the business is not otherwise creating an association with the Olympic Brand
- The use of the protected term by the business is in association with the same wares or services as used by the business before March 2, 2007
- The business is not making a connection with the Olympic Games, using the Olympic Rings, the Olympic Torch or other symbols or expressions commonly associated with the Olympic Movement

Other factors that would be taken into consideration in this regard would be:

- Whether the business in question is directly competing with one of the COC or IOC Olympic Games sponsors, licensees or partners
- Geographic or cultural relevance of why Olympic marks might be used
- The business is not making a connection with the Olympic Games, using the Olympic Rings, the Olympic Torch or other symbols or expressions commonly associated with the Olympic Movement

These Guidelines are designed to be applied on a case-by-case basis. The COC will assess each business individually and will carefully consider all unique circumstances. If you have questions regarding the use of the Olympic Brand in a business name, please contact [branduse@olympic.ca](mailto:branduse@olympic.ca).

The following examples provide direction on how these provisions can be applied:

## EXAMPLE



**Use of “Olympic” in Business Name** - A bakery has operated under the name “Olympic Bakery” since 1965. The company’s logo is simply a loaf of bread.

Is this permissible use?



Assessment Criteria		Rating (1=low to 3=high concern)		
Accuracy		1		
Relevance			2	
Commercial neutrality and/or motivation				3
Prominence			2	
Use of Olympic visuals		1		
Cumulative impact		1		
SCORE		10		
Score = 6 - 8 Unlikely to Infringe; monitor		Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)		Score = 14 - 18 Likely to Infringe; Enforcement Assessment required

**Case Assessment:** Despite the use of the in the business name, because use of the name began prior to March 2, 2007 and there is no other use of the Olympic Brand, this would be considered as **unlikely to infringe**.

## EXAMPLE



**Use of “Olympic” in Business Name** - A bakery has recently adopted the business name “Olympic Bakery”. The company’s logo includes a torch.

Is this permissible use?



Assessment Criteria		Rating (1=low to 3=high concern)	
Accuracy		1	
Relevance			3
Commercial neutrality and/or motivation			3
Prominence			3
Use of Olympic visuals			3
Cumulative impact			3
SCORE		16	
Score = 6 - 8 Unlikely to Infringe; monitor	Score = 9 - 13 Potential Infringement that could require Enforcement Assessment (internal discussion required)	Score = 14 - 18 Likely to Infringe; Enforcement Assessment required	

**Case Assessment:** Because the company registered the business name after March 2, 2007 and uses a version of the Olympic Torch, the use in question creates an unauthorized third-party commercial association. This would be considered as **likely to infringe**.

## **How does a business promote an Olympic sport or athlete sponsorship?**

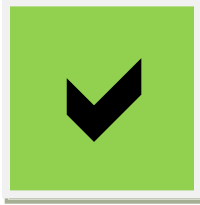
The COC recognizes the important investment many companies make towards Canadian athletes and National Sport Federations (NSF) and other COC sport partners. While these partnerships allow the rights for association with a Canadian athlete or an NSF, they do not extend the right to associate with the Olympic Games in which the athlete has competed in, aims to compete in, or the Olympic Movement itself.

Businesses that have Canadian athlete endorsement rights or NSF sponsorship rights can make factually accurate references to an athlete's Olympic achievements and/or the relevant sport's role in the Olympic Movement. However, such references should not be the primary focus of messaging that could in turn contribute to the creation of an unauthorized commercial association with the Olympic Movement.

Marketing of relationships with NSFs and Olympians during an Olympic Games window is particularly sensitive given the risk of creating an unauthorized commercial association with the Olympic Movement such activities can create. Companies exploring such marketing and advertising tactics should consult with the respective NSF and/or athlete and their representative agent or contact [branduse@olympic.ca](mailto:branduse@olympic.ca) for further information.

The following examples provide direction on referencing sport/athlete sponsorship during the non-Olympic Games window:

## EXAMPLE



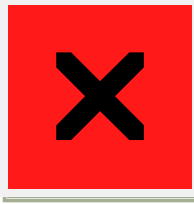
**Athlete Sponsorship** - A company that sponsors an athlete wants to create a congratulatory advertisement to recognize the athlete's achievements.

Is this permissible use?



**Case Assessment:** Despite the promotional use of the phrase “Olympic Gold Medallist” in an advertisement by a company that is not a COC sponsor, this would be considered as **unlikely to infringe** because the athlete’s Olympic achievement is listed in the context of other accomplishments and the theme of the advertisement is non-Olympic in nature, the athlete’s Olympic Team uniform is not being worn and an Olympic Medal is not being displayed on its own.

## EXAMPLE



**Athlete Sponsorship** - A company that sponsors an athlete wants to create an advertisement to recognize the athlete's achievements.

Is this permissible use?



**Case Assessment:** In this case, the advertisement's theme is purely Olympic-focused (through the use of Olympic Marks within the headline, use of an Olympic Games image, and the citation of the athlete's Olympic Games achievements without reference to other achievements). As a result, this would be considered **as likely to infringe**.

### **Can Olympic tickets be used as prizes or contest promotions?**

Tickets for all Olympic Games are subject to terms and conditions that expressly prohibit use of for commercial, advertising, or promotional purposes, including use as prizes in contesting, unless authorized by the COC. If tickets to any Olympic Games are obtained in violation of the applicable terms and conditions, the ticket holder may be refused entry to the Games venue or asked to leave the venue.

For more information, please contact [branduse@olympic.ca](mailto:branduse@olympic.ca)



## **APPENDIX A - DEFINITIONS**

### **Ambush Marketing**

Only official sponsors, licensees and government partners of the Olympic Movement in Canada are allowed to suggest an affiliation or connection with the Olympic Movement or any Olympic Games. Unfortunately, those exclusive rights can be infringed by “ambush marketing” - marketing that capitalizes on the goodwill of the Olympic Movement by creating a false, unauthorized association.

Ambush marketing can be intentional - a tactic used by unscrupulous businesses to exploit the goodwill of the Olympic Brand - or inadvertent. Either way, ambush marketing is unfair because it allows the ambush marketer to benefit from an association with the Olympic Brand without providing any financial support for Canadian Olympic athletes and their participation in the Olympic Games.

### **Canadian Olympic Committee (COC)**

The COC is a national, private, not-for-profit organization committed to sport excellence. It is responsible for Canada's participation in the Olympic and Pan American Games and a wide variety of programs that promote the Olympic Movement in Canada through cultural and educational means. For more information, please visit [olympic.ca](http://olympic.ca)

### **International Olympic Committee (IOC)**

The International Olympic Committee is the authority of the Olympic Movement worldwide. Its role is to promote top-level sport as well as sport for all in accordance with the Olympic Charter. It ensures the regular celebration of the Olympic Games and strongly encourages, by appropriate means, the promotion of women in sport, the ethics of sport and the protection of athletes. By retaining all rights relating to the organization, marketing, broadcasting and reproduction of the Olympic Games, the IOC ensures the continuity of a unique and universal event. For more information please visit [olympic.org](http://olympic.org)

### **Non-Olympic Rights Holder**

Any organization that does not have an official relationship with the Olympic Movement has no right to associate with the Olympic Brand. Non-Olympic Rights Holders cannot create or imply an association to the Olympic Games, Movements or Canadian Olympic Team.

### **Olympic Brand**

The “Olympic Brand” is comprised of all of the names, phrases, marks, logos and designs relating to the Olympic Movement, the Olympic Games and Canadian Olympic Committee including Olympic Games photography, logos, mascots, medals, wordmarks and official uniforms. The Olympic Brand includes official marks or trademarks owned or licensed by the COC and IOC. Use of the Olympic Brand in Canada is carefully controlled and must be authorized by the Canadian Olympic Committee. See Olympic Marks for more information,



## Olympic Marks

Canadian Olympic Committee Marks (consisting of wordmarks and logos) are protected by Section 9 Official Marks status under the Trademarks Act and have also been offered special protection under the Olympic and Paralympic Marks Act. For a detailed account of Canadian Olympic Committee (nee Canadian Olympic Association) Marks, please visit the [Canadian Trade-marks Database](#). The following provides an example of protected Olympic Marks in Canada: (see following page)

### Wordmark Examples:

Olympic  
Olympia  
Olympian  
Canadian Olympic Team  
The Best of Us  
Faster, Higher, Stronger  
Gold Medal

### Logo Examples:



## Olympic Games Time

The official period of the Olympic Games as identified by the IOC and/or the host Organizing Committee and the Canadian Olympic Athlete Agreement. For point of reference, this is defined as starting 15 days before the Opening Ceremony and/or the day the COC names the full national team - whichever is earlier - through to eight days after the Closing Ceremony, the closing of the Athletes' Villages at the relevant Games site and/or the final official Canadian team homecoming event - whichever is later. The confirmed dates of each relevant Olympic window will be set by the COC as part of the Athlete Agreement published for that relevant Games. Should the dates defined in such Athlete Agreement not match those defined above, the Athlete Agreement shall take precedence.

## Olympic Rights Holder

An Olympic Rights Holder is any commercial organization that has an official sponsorship or licensing relationship the COC, and/or the IOC. The organization's rights (as it relates to the Olympic Brand) must be defined in a contract between the two parties. An Olympic Rights Holder is commonly referred to as a "Sponsor" or "Marketing Partner", "Supplier" or "Supporter" of the COC or IOC.

## APPENDIX B - OFFICIAL CANADIAN OLYMPIC MARKETING PARTNERS

(visit [www.olympic.ca/marketingpartners](http://www.olympic.ca/marketingpartners) to view an up to date listing of COC Marketing Partners)



### WORLDWIDE OLYMPIC PARTNERS • PARTENAIRES OLYMPIQUES MONDIAUX



### NATIONAL PARTNERS • PARTENAIRES NATIONAUX



### OFFICIAL SUPPORTERS • SUPPORTEURS OFFICIELS



### OFFICIAL SUPPLIERS • FOURNISSEURS OFFICIELS

3M CANADA ACKLANDS-GRAINGER AGGREKO ALDA PHARMACEUTICALS AQUILINI INVESTMENT GROUP  
AVAYA BIRKS BRITCO STRUCTURES CANADA POST CTV COLD-FX CONCORD PACIFIC DEVELOPMENTS  
DELOITTE EPCOR GARRETT METAL DETECTORS GENERAL MILLS HAIN CELESTIAL CANADA HAWORTH  
JACKSON-TRIGGS KARL'S GLOBAL EVENTS, INC. MILLENIUM MOLSON COORS NIKE OFFSETTERS ORACLE  
PORT METRO VANCOUVER PUROLATOR SAPUTO SLEEP COUNTRY CANADA SNC-LAVALIN STAGE AND SCREEN  
TICKETS.COM TRANSCANADA VANCOUVER AIRPORT AUTHORITY WESTON BAKERIES WORKOPOLIS WRIGLEY

### PRINT MEDIA SUPPLIERS • FOURNISSEURS DE MÉDIAS IMPRIMÉS

THE GLOBE AND MAIL LA PRESSE POSTMEDIA

[olympic.ca](http://olympic.ca)

## OLYMPIC BRAND MANAGEMENT - DISCLAIMER

These *Public and Business Community Brand Use Guidelines* are intended to provide guidance only and are made available without prejudice to any rights or remedies which the COC may have in any particular case.

The information provided in these Guidelines does not constitute legal or professional advice. The COC has sought to provide reasonable guidance as to how it evaluates potential infringements of the Olympic Brand in order to assist the public. The COC reserves the right to revise these Guidelines at any time.

Anyone using these Guidelines must accept that the COC will react to potential infringements on a case-by-case basis and that it is impossible to predict or describe every type of potentially infringing activity. Consequently, the information provided in this document is given without liability or restriction on the part of the COC. These Guidelines do not constitute any form of authorization, permission, consent, license, waiver or estoppel (express or implied) that in any way limits or prejudices the statutory or common law rights of the COC in any circumstances.

These Guidelines are for illustrative purposes only and reliance on them is at the reader's own risk. If you are in any doubt as to whether your activities may infringe the rights of the COC, then you should seek your own legal advice.