



MEMORANDUM FROM MGAP.

FIFA 2018 WORLD CUP AND ADVERTISING RESTRICTIONS

Any major sporting event is always a good opportunity for advertising activity.

Undoubtedly, as the 2018 FIFA World Cup is coming up, and as its final part will be held in Russia, the legal aspects of advertising associated with this event become especially relevant.

Due to this, local legislation in this part shall be brought into conformity with the requirements of FIFA, which is an important requirement for conducting any FIFA events in the country which is hosting the Championship.

Such requirements are based on two aspects:

- The protection of intellectual property of FIFA;
- The protection of competitive advantages of official partners of FIFA.

Symbols of FIFA and Confederation Cup

Symbols of the FIFA World Cup 2018 and the FIFA Confederations Cup 2017 include, in particular:

- The flag, logo, hymn, and motto of FIFA;
- Any logos and emblems of events using the words 'Football for Hope' and 'Green Goal', or without the use of such phrases, which are registered as trademarks, as well as other FIFA trademarks which are registered on the territory of the Russian Federation;
- The mascots of sports competitions, emblems, posters, identification symbols, as well as a number of other names, notations, and objects.

Legal use of FIFA and the Confederation Cup symbols

The symbols of FIFA World Cup 2018 and FIFA Confederations Cup 2017 can be used only on the basis of the contract signed with FIFA or the authorized organizations (for the territory of Russia, this organization is the ANO "Organizing Committee" Russia - 2018), and such a contract **shall be officially registered**.

The name of the companies and brands containing symbols similar to FIFA / Confederation Cup

The effect of exclusive rights on the means of identification of the legal entities (with the exception of FIFA itself) which contain the symbols of sports competitions shall be suspended from June 11, 2013 until December 31, 2018.

Thus, FIFA has the right to demand the company whose name or brand is identical or similar to the symbols of the World Cup and the Confederation Cup to suspend the use of such a name or brand until December 31, 2018.

Unofficial marketing

The strategy of Ambush Marketing, namely the intentional association of one brand with another significant brand or major event in the absence of real ties with the brand/event, remains one of the most relevant and common marketing strategies.

Anti-monopoly risks:

Such actions are interpreted by the legislation as being **an act of misrepresentation** and may be recognized as **unfair competition** and lead to the incurrence of administrative responsibility in the form of a fine in the amount of 12 000 to 20 000 rubles for officials and from 100 000 to 500 000 rubles for legal entities.

One of the best examples of unfair competition can be the case against LLC "LVZ" Saranskiy ", which was filed by the antimonopoly authority at the request of FIFA. Thus, the vodka "Saransk Export", produced by the liquor and vodka plant, had on its labeling a design similar to the trademark "FIFA World Cup". These actions were recognized as an act of unfair competition.

Copyright infringement:

Unauthorized use of FIFA symbols is a violation of FIFA copyright.

Depending on the nature of the violation, such use may entail civil liability (including numbers in the form of recovery of damages or compensation), administrative, or criminal liability.

Alcoholic beverages advertising

During the official sports events, advertising and distribution of advertising of alcoholic beverages, as well as beer and beverages made on its basis, are allowed.

Such advertising is allowed only in the form of **verbal** designations containing only the name of the product and its manufacturer.

The placement of such advertising is allowed only in the stadiums where sporting events are held, and also within 100 m from such places.

Outdoor advertising

One of the main advertising requirements during the World Cup **is the lack of outdoor advertising within the territory of two kilometers** from the football stadium as well as a hundred meters from the fan-zone **for the month** prior to the start of the tournament. Responsibility for violation of these requirements is established independently by each city hosting the World Cup.

For more information, please contact:



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