



IP and Athletics: A Spotlight on the 2024 Olympics

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There's nothing quite like sports to unite the world, and with the conclusion of the 2024 Paris Olympics with its extraordinary display of athletic feats and triumphs, we are excited to offer a perspective on the event.

Behind the scenes of this grand spectacle, a sophisticated network of Intellectual Property (IP) played a crucial role in shaping every facet of the Games. This exploration delves into the multifaceted role of IP at the Olympics, highlighting not only the prominent IP assets that were on display but also the interwoven legal and strategic considerations that would have made the display possible.

Join us as we explore interesting IP elements observed during the Games and as we go behind-the-scenes to shine a beam on IP management strategies that ensure the smooth execution of such events, revealing how IP laws and considerations would have been navigated to prevent conflicts and safeguard the interests of all stakeholders.



BRAND PLACEMENTS

Brand placements at the Olympics are like gold medals for advertisers, generating an estimated €1.226 billion at the 2024 Olympics. This is done primarily through registered trademarks (brand identifiers) by enabling brand owners exploit their trademarks through high-visibility placements. Major brands such as Nike, LVMH, NBCU, Visa, and Toyota invested heavily in strategic brand or product placements through participants and commercials. Nigeria's track star, Tobi Amusan, for example, sported QNB's logo on her track shirt. This approach is highly effective, as demonstrated by NBCU's record \$350 million in advertising revenue from brands during the Olympics.



PERFORMERS' RIGHTS

Performers' rights and choreographic works are protected under copyright law and were apparent in the numerous dance routines during the Olympics. From breakdancing, figure skating, rhythmic and artistic gymnastics, these energetic routines are protectable under copyright law. According to the Nigerian Copyright Act 2022, these rights grant performers, control over the use and reproduction of their performances.



BROADCASTING THE GAMES

In 2022, the International Olympic Committee generated \$1.5 Billion from selling broadcasting rights for the games, demonstrating the significant value of this type of IP rights. Copyright law protects broadcasts, requiring media companies who wish to rebroadcast or distribute Olympic content to obtain the consent of the copyright holders, giving these rights immense commercial value.¹



PATENTS - THE EDGE OF INNOVATION

From Nike's Pegasus Premium shoes with a sculpted Air Zoom technology that enhances fluid heel-to-toe transition, to innovative medical equipment that ensure the safety of daring sports men and women, the 2024 Paris Olympics was effectively a runway, featuring impressive new inventions. As the Athletes in the Olympics are nearly evenly matched, the slightest technological augmentation may offer significant comfort and edge, making sports-related inventions extremely valuable. Under patent laws, innovators are able to exploit their inventions for the benefit of the sporting community and ultimately, incentivize further innovation in the industry.



EQUIPMENT DESIGNS

As pole vaulter, Mondo Duplantis dared and achieved a new world record in this year's Paris Olympics and Simone Biles dazzled in her gold-earning vault routine, the spotlight can equally be directed to the equipment that made this possible. From the erstwhile horse-shaped vault table to the modern vault, the ornamental and ergonomic aspects of sporting equipment keep evolving and may be protected as industrial designs (or design patents) in Nigeria. Undoubtedly, industrial designs are a crucial part of the Olympic games, refining the look of sports gear, apparel, and equipment that define record-breaking moments.



1. This right is embedded in section 13 of Nigeria's Copyright Act, 2022 which provides for copyright protection in broadcasts.

BEHIND THE SCENES: IP CONSIDERATIONS

In the high-stakes arena of the Olympics, managing IP is as crucial as training for the gold. Just like athletes perfect their techniques behind the scenes, IP owners, with the help of practitioners, must ensure that every right is well-defined and protected.



OWNERSHIP OF IP ASSETS

Beneath the glitz and glamour of the 2024 Olympics lies complex IP ownership. The “Hello World” - Song of the Olympics with multiple IP components: Ryan Tedder’s musical composition, vocals by Gwen Stefani and Anderson Paak, and the recording commissioned by Coca-Cola and the International Olympics Committee. To avoid disputes and ensure fair use and compensation, it is important to clearly define and manage each contributor's rights situating IP ownership through due diligence, clear contractual provisions, licensing, and registration, where required.



WARRANTIES

Warranties play a vital role in IP in the Olympics, safeguarding investments, maintaining brand integrity and mitigating legal risks. Warranties are essential to IP owners in regulating use of their IP, quality control, and preventing unauthorized use. Contractual Representations will no doubt have been in demand providing assurance to licensees of claims to validity and subsistence of IP, absence of encumbrances and alignment of IP use with the brand's values.



IMAGE RIGHTS

Considering that Olympians are on the cusp of stardom or already basking in the limelight, it is crucial to recognize that their image, not just their athletic skills, is also an asset waiting to be exploited. Identification and protection of image rights play a pivotal role in managing and monetizing their likeness, name, voice and personal attributes for endorsements and sponsorships. Release forms and other contractual documents are essential here, as they grant the organizers the legal consent for the use of their image across various media, outline terms of use, and safeguard all parties from potential liabilities.



CONFLICT OF LAWS

The global scale of the Olympics, involving numerous countries and legal systems, creates a fertile ground for conflicts of law, particularly as IP law is territorial. Disputes may arise from unauthorized use of IPRs or conflicting licensing rights across different jurisdictions. In such complex scenarios, determining the appropriate court or applicable law for protecting rights can be challenging. Thus, resolving these issues involves navigating intricate international contracts and enforcement mechanisms, with the International Olympic Committee (IOC) and the Court of Arbitration for Sport (CAS), playing key roles.

CONCLUSION:

We have highlighted some intriguing developments in intellectual property rights during the Games and delved into the behind-the-scenes strategies that would have facilitated the smooth operation of the event. Our exploration has shed light on how conflicts are resolved and how the interests of all stakeholders are safeguarded through the navigation of IP laws and regulations.

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