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**Abstract:**

The protection of the Olympic symbol is regulated on the international level in Nairobi Treaty on the protection of Olympic symbol from 1981. This act provides for an absolute ground for refusal of the trademark containing the Olympic symbol – five interlaced rings in specific colors. The Treaty establishes an exclusive right to use the Olympic symbol for International Olympic Committee (IOC). In author’s opinion, the method of the protection of the Olympic symbol seems to be similar to the protection of a famous trademark.

However, many countries among which the countries succeeding worldwide in the sport competitions are not the parties to Nairobi Treaty. From this point of view, it is possible to indicate four separate models of the protection of the Olympic symbol in the national legal orders: “Both Nairobi Treaty and special law act”, “Special law act and no Nairobi Treaty”, “Nairobi Treaty and no special law act”, “Neither Nairobi Treaty nor special law act”. The example of the first of aforementioned models is Poland, which is the party of Nairobi Treaty, but its provisions are complemented by the law on sport of 2005, which e.g. provide for the criminal remedies (but no civil remedies) for using the Olympic symbol without the permission of national Polish Olympic Committee. After the detailed analysis author states in the conclusion, that the Polish model raises some doubts and is not entirely satisfactory. Germany, France and US belong to the countries, which have not accessed to Nairobi Treaty, but have issued the special law acts on protection of the Olympic symbol, providing for the complex regulations, including the civil and penal remedies. There are probably some countries, which are parties of Nairobi Treaty, although they do not complement its regulations by the special law acts. In this case the protection is weak, because Nairobi Treaty as such do not provide for the civil and penal remedies for the illegal use of the Olympic symbol. As far as the last model is concerned (e. g. Germany before 2004), the protection can base on the general law provisions regarding trademarks (or combating unfair completion). For example, it is possible to protect the Olympic symbol as a famous trademark.

Moreover, author describes the practical aspects of protection of the Olympic symbol, indicating the trademarks granted for IOC by OHIM, and giving examples of the lawsuits (or the nullity actions) brought by IOC on the base of the granted rights.