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Gold rush: Brand owners beware. It's time to take stock before chasing fool's gold at the London 2012 Olympics

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The Olympics is one of the world's most popular sporting events, but it's also the most regulated. So, brand owners wanting to reach this lucrative audience need to tread carefully as they start planning for the next Summer Games.

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As the lights dim on a successful Winter Games, attention is turning away from Vancouver towards London as brand owners around the globe start planning their assault on the estimated one billion people¹ who will be huddled around television screens globally to watch the Opening Ceremony at London 2012. However, there is an equally dedicated team within LOCOG² and the IOC³ who are there to stop this happening.

The commitment to guard jealously the rights of sponsors comes from LOCOG's need to recoup as much as possible of the anticipated £2 billion staging costs and this can only be done if the value of sponsorship rights is maintained. Failure to do this could reduce the value derived by brand owners who see the commercial benefit of investing in the Olympic ideal. Otherwise, why would global power brands such as Coca-Cola, Adidas, Samsung, Visa, BP and British Airways get involved?

This article considers the ways in which LOCOG plan to protect sponsors' interests so that other brand owners are aware of the restrictions around Olympic activations and also considers alternative strategies for involvement.

The Olympic Trinity: three regulatory measures

Firstly, LOCOG has a clear and legally admissible set of brand regulations for London 2012 that are designed to prevent unauthorised use of the Games' Marks and / or the implied association of any renegade people, goods or services.

They do this by combining legal statutes with the IOC's commercial clout to create the Olympic Trinity: three powerful measures which prevent ambush marketing in the lead up to and during the Games. These are:

- The Olympic Symbol Protection Act 1995 – this legally protects the Olympic and Paralympic symbols, mottos and various words.
- The London Olympic Games and Paralympic Games Act 2006 – this enhances the protection offered by the above Act by specifically preventing association with London 2012 Olympics and Paralympics
- LOCOG outdoor advertising option agreements – these are 'agreements in principle' between LOCOG and key outdoor media owners which gives official sponsors options on key sites around Olympic venues nationwide and key strategic sites within London itself. This is designed to increase exposure for sponsors and 'lock out' potential ambush marketers by restricting access to high profile sites.

A fourth measure to support the Olympic Trinity is expected to be introduced by LOCOG as the Games approach. The LOCOG Advertising and Street Trading Regulations will restrict certain types of

¹ In Beijing, estimated TV audience peaked at 963m, the most-viewed television programme in history. While fewer Chinese will be watching the London ceremony, we expect the shortfall to be made up by viewers from around the world – and many of them will of course be discussing and sharing their experience online and on mobile.

² LOCOG stands for London Organising Committee of the Olympic and Paralympic Games. They are the body responsible for putting on the Games. They work closely with the ODA, the Olympic Delivery Authority.

³ IOC is the International Olympic Congress responsible for awarding and controlling the Games in conjunction with LOCOG.

outdoor advertising and trading in the vicinity of Olympic venues. So, brand owners trying to be clever with sandwich boards on the streets of East London may need to think again.

What exactly is protected by the Olympic Trinity?

As mentioned above, the Olympic Trinity is designed to protect the Games' Marks, London 2012 associations and outdoor media which covers most of the major ways in which an ambush marketer would try to get involved: In more detail, this means the following:

1. Games' Marks

All of the official names, phrases, trademarks, logos and designs related to the 2012 Games and the Olympic and Paralympic movements (collectively referred to as the 'Games' Marks') are protected by The Olympic Symbol Protection Act 1995 and it's clear by looking at the list of current items covered that an ineffective spellchecker is not an excuse. Some of the current items that make up the Games' Marks include:

- The Olympic symbol
- The Paralympic symbol
- The London 2012 Olympic and Paralympic emblems
- The words 'London 2012' and '2012'

- The words 'Olympic', 'Olympiad', 'Olympian' (and their plurals and things very similar to them – eg 'Olympix')
- The words 'Paralympic', 'Paralympiad', 'Paralympian' and their plurals and things very similar to them – eg 'Paralympix'
- The Olympic motto: 'Citius Altius Fortius' / 'Faster Higher Stronger'
- The Paralympic motto: 'Spirit in Motion'
- The word "TeamGB"
- The Team GB logo
- The Paralympics GB logo
- The British Olympic Association logo
- The British Paralympic Association logo
- London2012.com (and various derivatives)
- The word "Javelin"
- The phrase "Games for a Connected World"

2. London 2012 Olympics & Paralympics Associations

If that wasn't bad enough for an aspiring ambush marketer, there is a second problem around the use of "listed expressions". These are words and phrases that cannot be used to form an association with London 2012. Listed expressions are:

- any two of the words in list A below; OR
- any word in list A with one or more of the words in list B below:

List A	List B
Games	London
Two Thousand and Twelve	Medals
2012	Sponsors
Twenty-twelve	Summer
	Gold
	Silver
	Bronze

For example, "Backing the 2012 Games" or "Supporting the London Games" would fall foul of these regulations.

3. Outdoor Media

London 2012 has entered into 'option agreements' with key outdoor advertisers. These agreements provide options over key outdoor media sites for existing advertisers in early 2012 with options transferring to official sponsors between June and September 2012. These key sites are all Games-related, such as around venues, live sites, transport venues and airports. LOCOG will be responsible for allocating the inventory amongst the sponsors through a combination of auctions and fixed price sales. Vicinity and spectacular sites will be sold by auction; premium and standard sites will be traded on a fixed price.

Current understanding of when this will take place is:

- Quarter 4 2010: Packages of outdoor media are announced
- Quarter 2 2011: Buying process for sponsors begins
- July 1 2011: Unsold inventory opened up to non-sponsors

This process is only applicable to outdoor advertising where the supply of inventory is fixed. There is currently some uncertainty over whether long term holdings that are in place prior to Quarter 2 2011 will be honoured over the Olympic window June-September 2012.

When will regulations apply?

Regulations on Games Marks and London 2012 Olympic Associations are in force from now until after the Games. The outdoor media options will be in force from June to September 2012. Additional regulations which cover local street trading and any other outdoor advertising will be in force from mid July (2weeks ahead of the Opening Ceremony on 27 July 2012) until mid September (5days after the closing ceremony of the Paralympic Games on 9 September 2012).



Who will enforce them?

The penalty for contravening the regulations is a court imposed fine, enforced by the police or an officer designated by London 2012 to prevent/ stop unauthorised advertising or trading. The London 2012 Brand Protection team will also be monitoring unauthorised uses.

So, what opportunities are left for non-sponsors wanting to get involved in the Games?

Although these regulations exist to protect the globally recognized London 2012 brand, marketers can still benefit from the Games by linking in to the emotive power of the Olympics. Examples of how this can be achieved include:

1. Use of creative propositions aligned with key London 2012 pillars e.g. national passion, sustainability, youth athletes, sporting prestige, etc
2. Copywriting that does not infringe regulations e.g. "Going for Gold" or "Supporting Athlete Hopefuls"
3. Association with individuals, teams and sports involved in the Olympics and Paralympics
4. Purchase of supplementary inventory not included in option agreements or inventory remaining after first option provided to sponsors.
5. Long term outdoor renewals that cover the Olympic window, June- September 2012, on the hope or agreement that media owners honour them during the closed period.
6. Smart media buys around non-restricted channels, e.g. editorial content, Paralympics on Channel 4, etc.
7. Experiential activity in key retail sites and city centre locations.
8. Leverage of digital opportunities, social networking and viral campaigns to deliver word of mouth.

So, for some brand owners, the smart move may be to ignore chasing the Olympic crowd and find a fresh way of engaging with consumers.

However, for those who do want to pursue the Olympic opportunity, there are two key questions:

1. What's the creative idea? How do brand owners create an idea that navigates the regulatory landscape but is still strong enough to resonate with the Olympic audience? Can you also create a credible role for your brand in enhancing the Olympics experience so that your activity has relevance?
2. Where can it be communicated? Even with the big idea, are there enough unrestricted channels open for the big idea to reach consumers and will it resonate bearing in mind anticipated clutter? There is also the size of investment required to make an impact around key global events. A key consideration when trying to punch through a network of official partners and general media clutter around the Games.

Ends



Mindshare works with global brand owners to create marketing communication strategies which harness the power of sport and entertainment to create compelling connections with consumers and customers.

For more information on how to get the most out of the London 2012 opportunity through an official association or alternative campaign, please contact:

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