



# **2010 FIFA World Cup South Africa™**

## **FIFA PUBLIC INFORMATION SHEET (a guide to FIFA's Official Marks)**

The Public Information Sheet may be updated or amended periodically.  
Please check FIFA's website [www.FIFA.com](http://www.FIFA.com) for the latest version.

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# SECTION 1



## PURPOSE OF THIS PUBLIC INFORMATION SHEET

### THE 2010 FIFA WORLD CUP™

The FIFA World Cup™ is an event staged on a scale of mammoth proportions. As one of the most-watched sporting events on Earth it enjoys phenomenal interest from sports fans and the business world alike.

The 2010 FIFA World Cup™ in South Africa represents a special premiere in that it is the first time that the competition will be hosted on African soil. As such, many entities, organisations, businesses and non-commercial organisations will want to be a part of this groundbreaking movement.

### SUPPORT BY FIFA RIGHTS HOLDERS

It is important to note that FIFA's Commercial Affiliates, the host nation and Host Cities, as well as the Local Organising Committee, all make significant financial contributions to ensure that this privately funded event can be staged. In return for this critical support, the FIFA Rights Holders (please see Annex 1 for more information) are guaranteed an exclusive association with the 2010 FIFA World Cup™, especially the right to use the Official Marks (please see Section 2 for more information) for promotional and advertising purposes.

### NO COMMERCIAL ASSOCIATION

Therefore, the protection of the exclusive rights is crucial for the funding of the 2010 FIFA World Cup™ and FIFA and the Local Organising Committee ask that non-affiliated entities respect FIFA's intellectual property and conduct their activities without commercially associating themselves with the 2010 FIFA World Cup.

### WHY IS IT IMPORTANT TO PROTECT THE EXCLUSIVITY OF THE FIFA RIGHTS HOLDERS?

Any unauthorised use of the Official Marks by another party not only undermines the integrity of the FIFA World Cup™ and its marketing programme, but also puts the interests of the worldwide football community at stake. The FIFA Rights Holders will only invest in the 2010 FIFA World Cup if they are provided with this exclusivity for the use of the Marks. If anyone could use the Official Marks for free and create an association with the 2010 FIFA World Cup, there would be no reason to become a FIFA Rights Holder. This would mean that FIFA and the Local Organising Committee would not be able to appoint any FIFA Rights Holders and would not be able to secure the funding of the 2010 FIFA World Cup from such revenues.

### GENERAL INFORMATION AND GUIDANCE

This FIFA Public Information Sheet is designed to offer guidance and information to the general public in this respect.

Please note that this FIFA Public Information Sheet is NOT a licence and does not confirm whether or not an activity infringes any rights in relation to the 2010 FIFA World Cup™. We regret that FIFA cannot provide individual feedback on each potential use of its Official Marks. It is the responsibility of third parties to seek their own advice.



### THIRD PARTIES – HOW TO BENEFIT WITHOUT ASSOCIATION

The experience from previous FIFA World Cups™ has shown that there are many ways an entity can benefit from the 2010 FIFA World Cup without using the Marks or commercially associating itself with it. The opportunities range from becoming a service provider or supplier to benefiting from the overall economic impact of the 2010 FIFA World Cup™. For further details see Section 4.

### MEDIA

The use of the Official Marks by the media for editorial and information purposes is addressed in Annex 3.

### PUBLIC VIEWING EVENTS

Any public viewing events (i.e. an event where moving images from the matches are shown to the public) will be subject to the FIFA Public Viewing Guidelines. Such FIFA Public Viewing Guidelines will be issued separately by FIFA at a later stage and will be available on [www.FIFA.com](http://www.FIFA.com).

### TERRITORY

This FIFA Public Information Sheet applies to activities by any third parties on a worldwide basis, including in the host country South Africa.

# SECTION 2



## OFFICIAL MARKS

### OFFICIAL MARKS

In accordance with the local law in each country around the world, FIFA has developed and protected an assortment of logos, words, titles, symbols and other trademarks which it will use, or allow others to use, in relation to the 2010 FIFA World Cup™ (the “Official Marks”). The most important Official Marks are described in more detail below:

### OFFICIAL EMBLEM



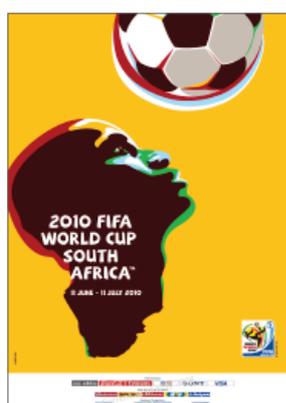
FIFA owns rights in the individual graphic and word elements, which combine to make up the Official Emblem as a whole, and these are protected by copyright, trademarks and/or other laws of intellectual property. The official emblem is the main logo used as reference to the 2010 FIFA World Cup™.

### OFFICIAL MASCOT



The Official Mascot, Official Poster of the 2010 FIFA World Cup™ and Official FIFA World Cup Trophy may only be used by a limited group of entities if specifically permitted by FIFA. The use is subject to further conditions of use

### OFFICIAL POSTER



### FIFA WORLD CUP TROPHY





## TERMS

- 2010 FIFA World Cup South Africa
- 2010 FIFA World Cup
- FIFA World Cup
- World Cup
- 2010 World Cup
- World Cup 2010
- South Africa 2010 or SA 2010 or ZA 2010
- 2010 South Africa
- Football World Cup
- Soccer World Cup
- and any similar derivations or combinations thereof

Please note that this is not a full list of FIFA's trademarks in relation to the 2010 FIFA World Cup™. For a full list of FIFA's trademarks one should seek advice from a local trademark attorney or contact the national Patent Office.

## FIFA.COM LOGO

The FIFA.com logo may only be used on a website as a hyperlink to the homepage of the official website [www.FIFA.com](http://www.FIFA.com), subject to specific prior approval by FIFA.

## PROTECTION

The Official Marks are protected in South Africa and in most territories around the world by trademark registration and/or copyright laws and/or other laws of intellectual property such as unfair competition or passing off. Such laws collectively protect FIFA against the unauthorised use of both identical reproductions of the Official Marks and also confusingly similar variations and modifications.

## SOUTH AFRICAN SPECIFIC STATUTORY PROVISIONS

In addition to the general law applicable, the Official Marks are further protected by specific statutory provisions in South Africa:

- Trade Practices Act (section 9 (d))
- Merchandise Marks Act number 17 of 1941, as amended (section15)
- Merchandise Marks Act number 17 of 1941, as amended (section15A)

Further details of the specific statutory provisions in South Africa are set forth in Annex 2 to this FIFA Public Information Sheet.

All of the above rights in South Africa are subject to defences and exceptions which would enable certain acceptable use of the Official Marks in limited circumstances. Third parties should seek their own independent legal advice in this regard.

# SECTION 3



## EXAMPLES OF USE (“DO’S AND DON’TS”)

### GENERAL PRINCIPLE

In order to provide some guidance to the general public, the below section sets out some examples of unauthorised commercial association with the 2010 FIFA World Cup™ (“**Unauthorised Association**”) and some examples of activities which can be considered “legitimate”.

Clearly it is not possible to address each and every situation. In the examples, references to the Official Marks include similar variations of such Official Marks (see Section 2).

### ADVERTISEMENTS/PROMOTIONS

**General advertisement:** an advertisement using general football terms/imagery does NOT create an Unauthorised Association.



**General advertisement:** an advertisement using an Official Mark (such as emblems, words, slogans, event titles, etc.) creates an Unauthorised Association.



## ADVERTISEMENTS/PROMOTIONS

**Ticket promotion:** any type of ticket promotion (including on-line auctions and promotional competitions) creates an Unauthorised Association.



**Contest/game/lottery:** any type of contest, game or lottery using an emblem, word, slogan, an event title or any other reference to the Event creates an Unauthorised Association.



## INFORMATIONAL EDITORIAL USE

**Editorial use:** any legitimate editorial use does NOT create an Unauthorised Association.



**"Infomercial/advertorial":** there is no legitimate justification for the commercial use or presentation of editorial content ("Infomercial" or "Advertorial") by third parties using an Official Mark (such as emblems, words, slogans, event titles, etc.) as this creates an Unauthorised Association.

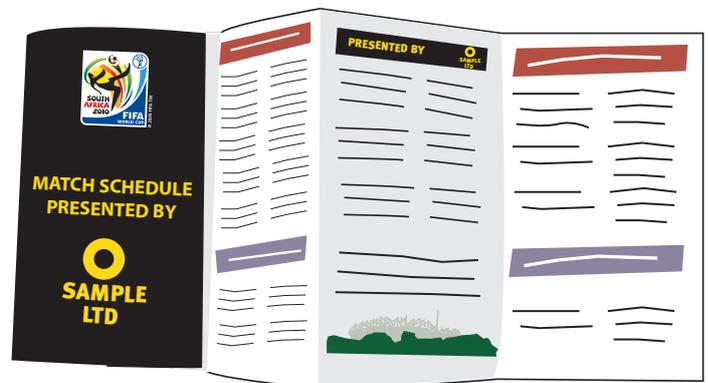


## MATCH SCHEDULE

**Non-commercial use:** the non-commercial use of the match schedule does NOT create an Unauthorised Association.



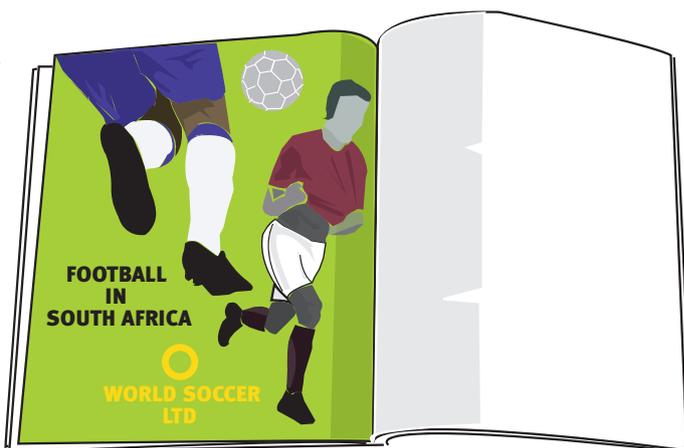
**Commercial use:** the commercial use of a match schedule creates an Unauthorised Association.



**Please note:** the match schedule of the Event is protected by copyright and other IP rights in numerous countries around the world. News media companies are allowed to publish the match schedule to inform the public about the 2010 FIFA World Cup™, but it must be ensured that the match schedule is not published with any unauthorised commercial branding upon, next to, or in relation to the match schedule, including an unbranded match schedule being distributed within a branded cover or among branded material.

## COMPANY/BUSINESS NAMES

**General terms:** a general football-related or South Africa-related business name does NOT create an Unauthorised Association (provided it is not used together with FIFA World Cup™ indicia, imagery or reference, or the name).



**Official Marks/event titles:** the use of an Official Mark (such as emblems, words, slogans, event titles, etc.) as part of a business name does create an Unauthorised Association.



## MERCHANDISE

**General football terms:** merchandising items with general football terms or South Africa-related terms or national flags do NOT create an infringement of FIFA's rights (provided it is not used together with FIFA World Cup™ indicia, imagery or reference, or the name).



**Official Marks/event titles:** the use of an emblem, word, slogan or an event title or other reference to the Event on a merchandising item creates an infringement of FIFA's rights.



## IN-STORE DECORATION (RESTAURANTS, BARS, RETAIL OUTLETS)

**General terms:** general football-related or South Africa-related in-store decoration does NOT create an Unauthorised Association.



**Official Marks/event titles:** the use of an Official Mark (such as emblems, words, slogans, event titles, etc.) on in-store decorations creates an infringement of FIFA's rights.



## INTERNET/WIRELESS TECHNOLOGY

**Legitimate domain names/URLs:** the use of an Official Mark in a URL can be considered legitimate and descriptive use if it comes after the domain name.



**“Commercial use”:** Official Marks may not be used on a non-editorial, stand-alone basis in a fixed position or in a recurring way on a website (particularly including repetitive use of the Official Marks in the corner of a special edition or on each successive web page of a special subsection of a website) or together with, or in proximity to, a company logo or a commercial reference (such as “brought to you by”, “sponsored by”, etc.).



## INTERNET/WIRELESS TECHNOLOGY

**Domain names/URLs:** in general, Official Marks cannot be incorporated in domain names (or into a URL identification which comes before the domain name) for websites with commercial content.



**Hyperlinks:** Official Marks (such as emblems, words, slogans, event titles, etc.) may not be used as hyperlinks or shortcuts on the Internet (for the conditions for the use of the [www.FIFA.com](http://www.FIFA.com) hyperlink, please see Section 2).



## INTERNET/WIRELESS TECHNOLOGY

**MMS/SMS/WAP/mobile phone services:** it is not permitted to use an Official Mark (such as emblems, words, slogans, event titles, etc.) or broadcast content for MMS, SMS, WAP, I-MODE or any similar mobile or wireless technology. Event titles may be permitted under local law for descriptive use in news and update services (provided the use does not create a risk of confusion that the service is in any way connected to the 2010 FIFA World Cup™).



**“Get up” (the look and feel of the website):**

Official Marks (such as emblems, words, slogans, event titles, etc.) may not be used as part of the “get up”, overall structure or design of a website (including background or wallpaper designs or other downloads), or as a major constituent of a transitional introductory page of a website.





## PLEASE NOTE

The examples in this section are given for illustrative purposes only.

If FIFA writes to you to explain that a certain activity which you thought was in compliance with this FIFA Public Information Sheet does in fact create an Unauthorised Association, we ask you to please respect FIFA's rights to the Official Marks.

We hope you appreciate that it is not possible to illustrate every possible scenario of acceptable use compared with Unauthorised Association and we trust that you will cooperate with FIFA's requests. For this reason, all of FIFA's rights are explicitly reserved.

This FIFA Public Information Sheet only addresses rights owned by FIFA and does not contain any statement in relation to any rights held by any third party, such as players, clubs, member associations, confederations or other entities and organisations.

# SECTION 4



## GENERAL BENEFITS (“HOW TO GET INVOLVED”)

### GENERAL PRINCIPLE

In general, an organisation, institution or entity does not need to create an association in order to benefit from the 2010 FIFA World Cup™. There are many ways an organisation, institution or entity can benefit from the 2010 FIFA World Cup without using the Official Marks or commercially associating itself with it.

The below section sets forth some examples of such benefits and opportunities in relation to the 2010 FIFA World Cup.

### SERVICE PROVIDER/SUPPLIER

- Be a service provider or supplier for the stadia construction and other general infrastructure requirements. For any details on the official procurement process for the supply of any products and services in relation to the organisation of the 2010 FIFA World Cup™, please contact the Local Organising Committee directly
- Be a service provider or supplier for events, functions and activities staged by FIFA and/or the Local Organising Committee in relation to the FIFA World Cup™
- Be a service provider or supplier for events staged by the Host Cities
- Be a service provider or supplier for events and other promotional activities by the FIFA Partners, FIFA World Cup Sponsors and National Supporters

### HOSPITALITY PACKAGE

Buy a hospitality package and invite corporate guests and customers. Hospitality packages will go on sale at a later stage. This will be communicated via the media. Further information will be available on FIFA's website [www.FIFA.com](http://www.FIFA.com).

### PRODUCT LICENCE

Buy a product licence from FIFA for the production of Official Licensed Merchandise. Please contact FIFA's Licensing Representative GLOBAL BRANDS GROUP (please see the contact information in Section 5).



## CO-PROMOTIONS

Engage in a co-promotion with one of the FIFA Partners, FIFA World Cup Sponsors and National Supporters. Please contact such entities directly, as FIFA is not authorised to provide any contact details of such entities. For information on the entities, please see Annex 1.

## GENERAL FOOTBALL PROMOTIONS

Conduct general football promotions without any reference or association to the 2010 FIFA World Cup™ (i.e. benefiting from the increased general attention to football in the host country).

## LOCAL FOOTBALL IN SOUTH AFRICA

Support local football in South Africa – grass roots football needs support, companies can conduct football promotions without association to the 2010 FIFA World Cup™.

## GENERAL ECONOMIC BENEFITS

Benefit from the 2010 FIFA World Cup™ in general:

- from the increased sales in the host country as a direct result of the 2010 FIFA World Cup™ (especially restaurants, hotels, retailers, etc.)
- from the additional tourists travelling to the country prior to, during and after the 2010 FIFA World Cup™
- from the general legacy of increased international respect and admiration for South African businesses
- from the physical legacy of stadium and infrastructure development after the 2010 FIFA World Cup™

# SECTION 5



## CONTACT INFORMATION

### FIFA

You can order the Official Marks by completing the Third Party Mark Request Form at the website

**[www.FIFAdigitalarchive.com](http://www.FIFAdigitalarchive.com)**

### LOCAL ORGANISING COMMITTEE

For enquiries regarding the Local Organising Committee procurement process for the provision of services in relation to the preparation for the 2010 FIFA World Cup™, please contact the Local Organising Committee:

**2010 FIFA World Cup Organising Committee South Africa  
Marketing Division  
SAFA House  
76 Nasrec Road  
Nasrec  
Gauteng  
South Africa**

**Tel: +2711 567 2010**

**Fax: +2711 494 3161**

**E-mail: [marketing@2010saloc.com](mailto:marketing@2010saloc.com)**

### FIFA'S LICENSING REPRESENTATIVE

For enquiries regarding licensing matters, in particular the use of the Official Marks on items of merchandise, please contact FIFA's Licensing Representative:

**Global Brands Group**

**Email: [enquiries@globalbrandsgroup.com](mailto:enquiries@globalbrandsgroup.com)**

**Fax: +27 11 537 4641**

# ANNEX 1



## GENERAL INFORMATION

### 2010 FIFA WORLD CUP SOUTH AFRICA™

The next FIFA World Cup™ is due to be held in South Africa in June and July 2010 (the "2010 FIFA World Cup™").

Fédération Internationale de Football Association ("FIFA") is the world governing body of association football. FIFA has appointed the South African Football Association, one of its member associations, with the organisation and staging of the 2010 FIFA World Cup™ and for this purpose the South African Football Association has created the Local Organising Committee ("LOC"). The government of the Republic of South Africa supports the organisation and has provided certain guarantees to FIFA to support the organisation of the 2010 FIFA World Cup.

FIFA is the owner of all rights in relation to the 2010 FIFA World Cup™, which includes all media, marketing, licensing and ticketing rights.

### FIFA RIGHTS HOLDERS

The FIFA World Cup™ is the world's largest single sporting event in the world but it is still a privately funded event. It would not be possible to cover the huge costs needed to organise such an event without the significant financial contributions provided by the entities to which FIFA grants certain 2010 FIFA World Cup-related rights ("FIFA Rights Holders").

FIFA has appointed the following FIFA Rights Holders:

- **FIFA Partners**

FIFA Partners are altogether 6 entities to which FIFA has granted or will grant the most comprehensive package of global advertising, promotional and marketing rights in relation to FIFA, all FIFA activities and all FIFA competitions, including the 2010 FIFA World Cup™. The following companies are FIFA Partners:



- **FIFA World Cup Sponsors**

FIFA World Cup Sponsors are a maximum of 8 companies to which FIFA has granted or will grant the second-most comprehensive package of global advertising, promotional and marketing rights in relation to the 2010 FIFA World Cup™ (and the FIFA Confederations Cup South Africa 2009). The following companies are FIFA World Cup Sponsors:

- Anheuser-Busch
- Castrol
- Continental
- McDonald's
- MTN
- Satyam



## FIFA RIGHTS HOLDERS

- **National Supporters**

National Supporters are a maximum of 6 companies to which FIFA has granted or will grant a package of advertising, promotional and marketing rights in relation to the 2010 FIFA World Cup™ (and the FIFA Confederations Cup South Africa 2009) for the territory of South Africa. The following companies are National Supporters:

- First National Bank
- Telkom South Africa

- **Licensees**

FIFA Licensees are such entities to which FIFA has granted the right to use the Official Marks on items of Merchandise on a direct basis or through the Global Brand Group acting as FIFA's Licensing Representative.

- **Broadcast Partners**

Broadcast Partners are such entities to which FIFA has granted or will grant the right to broadcast and/or transmit a feed of any match of the 2010 FIFA World Cup™.

Any parties interested in obtaining a public viewing licence for the public transmission of a TV signal of the 2010 FIFA World Cup should contact FIFA via e-mail: [broadcast\\_rights\\_management@fifa.org](mailto:broadcast_rights_management@fifa.org).

Further details on the FIFA Rights Holders are available on [www.FIFA.com](http://www.FIFA.com).

# ANNEX 2



## SPECIFIC STATUTORY RIGHTS IN SOUTH AFRICA

FIFA is the owner of all rights in relation to the 2010 FIFA World Cup™, which includes all media, marketing, licensing and ticketing rights.

Just like any other entity with registered and unregistered trademarks, the Official Marks are protected in South Africa by law, such as the Trade Marks Act, the Copyright Act, the Counterfeit Goods Act, the common law tort of passing off and the Advertising Standards Authority's Code of Advertising Practice.

In addition to these, the 2010 FIFA World Cup and the Official Marks are protected by the following specific statutory provisions in South Africa to prevent ambush marketing activities:

### SECTION 9(D) OF THE TRADE PRACTICES ACT 1976

This provides that no person shall, in connection with a sponsored event, make, publish or display any false or misleading statement, communication or advertisement which represents, implies or suggests a contractual or other connection or association between that person and the Event, or the person sponsoring the Event. The 2010 FIFA World Cup™ qualifies as a **sponsored event** for purposes of this Act.

This means that any entities (companies, non-commercial organisations or persons) which do not have explicit prior written authorisation from FIFA, may not use words or images in their advertising, marketing and point of sale displays which imply an association with the 2010 FIFA World Cup. In FIFA's view the following terms (in the absence of a valid defence or exception), could fall under this Act:

- **Any Official Marks**
  
- **"2010" or "Twenty Ten" used with**
  - the words "Soccer" or "Football" or soccer imagery
  - the words "South Africa" or "RSA" or "SA"
  - the words "World Cup" or FIFA World Cup™ imagery
  
- **"WORLD CUP" used with**
  - the words "Soccer" or "Football" or soccer imagery
  - the words "South Africa" or "RSA" or "SA"



## MERCHANDISE MARKS ACT NUMBER 17 OF 1941, AS AMENDED (SECTION 15A)

On May 25, 2006, the Minister of Trade and Industry published General Notice no. 683 of 2006 in Government Gazette number 28877 designating the 2010 FIFA World Cup™ as a “**protected event**”. Under the act, “no person may use a trademark in relation to such event in a manner which is calculated to achieve publicity for that trademark and thereby to derive special promotional benefit from the Event, without the prior authority of the organiser of such event”.

### “Use of a trademark” includes:

- any visual representation of the trademark upon or in relation to goods or in relation to the rendering of services,
- any audible reproduction of the trademark in relation to goods or the rendering of services; or
- the use of the trademark in promotional activities which in any way, directly or indirectly, is intended to be brought into association with or to allude to any event.

This means that any entities (companies, non-commercial organisations or persons) which do not have explicit prior written authorisation from FIFA, may not advertise or promote their brands or businesses at the 2010 FIFA World Cup™ itself or around it – both physically around the 2010 FIFA World Cup events (outside or above the stadia on match days) and conceptually around the 2010 FIFA World Cup (using words and images depicting the Event in advertisements).

Special care should be taken by advertisers for legitimate broadcast sponsorships and sponsorships of national football teams participating in the Event.

## MERCHANDISE MARKS ACT NUMBER 17 OF 1941, AS AMENDED (SECTION 15)

In addition to protection of Trade Mark Registration and Copyright, FIFA has applied to have its Official Marks declared **Prohibited Marks** by the Minister of Trade and Industry under this Act. Unauthorised use of a Prohibited Mark would be an offence.

FIFA will update this section with further information once the application has been examined by the Minister.

# ANNEX 3



## FIFA MEDIA INFORMATION USE OF THE OFFICIAL MARKS OF THE 2010 FIFA WORLD CUP™

### INTRODUCTION

FIFA welcomes the media providing editorial coverage of the 2010 FIFA World Cup™. FIFA understands that the news media wish to use the Official Marks in connection with their editorial coverage of the 2010 FIFA World Cup.

This FIFA Media Information intends to set forth some general indication for the media on how to use the Official Marks of the 2010 FIFA World Cup™ in a manner that is consistent with FIFA's obligations and the rights of the FIFA Rights Holders. Nothing in this document is intended to control or to restrict in any way the content of news stories and editorials on the 2010 FIFA World Cup by the media.

### TERMS OF USE OF THE MARKS

The media may use the Official Marks in editorial coverage of the 2010 FIFA World Cup™ in compliance with the following principles:

### EDITORIAL USE

For the purpose of identifying and illustrating articles about or news coverage of the 2010 FIFA World Cup™. However, the Official Marks cannot be used as an integral part of the layout of a publication or as elements of the brand of a publication.

### NO PROMOTIONAL/ ADVERTISING USE

The Official Marks cannot be used for any advertising or promotional purposes by the print media, including on any products for commercial purposes, e.g. in any competition, lottery or other type of contest. Regarding broadcasters, specific guidelines will follow.

### GRAPHIC GUIDELINES

The Official Marks should be used in compliance with FIFA's Graphic Guidelines, which you will receive from FIFA along with the requested reproduction artwork.

### NO ASSOCIATION

The Official Marks must not appear in such a way as to suggest an association between FIFA or the 2010 FIFA World Cup™ and the user, its trade name, logo or other marks or the user's goods and/or services.

### NO THIRD PARTY ASSOCIATION

The media should not authorise any third party to use or associate themselves with the Official Marks and should not use the Official Marks in such manner that allows any third party to gain an Unauthorised Association with the 2010 FIFA World Cup™. The Official Marks shall be clearly separated from third party advertisements in order to avoid any confusion. Extreme care should be taken for publications, or sections of publications, sponsored by third parties as the risk of mistaken third party association is high.



## FIFA DIGITAL ARCHIVE

The media may order the Official Marks by completing the Media Mark Request Form at the website [www.FIFAdigitalarchive.com](http://www.FIFAdigitalarchive.com). Later this year, FIFA will enable a more user friendly access to the Official Marks via the FIFA Media Channel. Further information will follow in due course.

## OFFICIAL PRINT PUBLICATIONS

FIFA, the Local Organising Committee and the official licensee for print publications for the 2010 FIFA World Cup™ will issue official publications on an exclusive basis.