



2008 Beijing Olympics or bust

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The upcoming Beijing Olympics have provided an impetus to the Chinese government to address concerns about piracy of the Olympic insignia and the 2008 Beijing Olympics mascots, given China's record on counterfeit goods. The Chinese government has teamed up with the World Customs Organization (WCO) to launch an anti-counterfeiting operation to protect marks associated with the Olympics.

Aside from national pride, the Olympic logo and, particularly, the mascots are extremely valuable – the 2004 Athens Olympics delivered US\$61.5m in revenue from the sale of licensed Olympics merchandise alone. Understandably, in relation to the Olympic logo and Beijing mascots, the Chinese government has strived not only to provide legal protection through the Regulations on Protection of the Olympic Logo 2002, as is required of the national authorities of all Olympic host countries by the International Olympic Committee, but also to take a proactive, high-profile approach to combating piracy by taking 'rapid response' action against infringers (it has acted over more than 1,500 violations since 2004), introducing a public hotline to report counterfeiters and widely publicising successful enforcement to serve as a deterrent to potential future infringers.

Despite the officials' proactive approach, counterfeit Olympic products can still be found in some (although few) locations across China and some continue to be sold online. It is on these remaining channels of supply of counterfeit products that the WCO and Chinese authorities intend to focus. Although the details of the newest WCO strategy are not yet known, the WCO has announced recently that it will be teaming up with the Chinese authorities to track flights originating from China and making extensive checks for unlawful goods. The possession of a single counterfeit item is sufficient to attract a fine. More serious offences may lead to a term of imprisonment. Although this latest method of combating counterfeits may be considered rather aggressive and intrusive, from the perspective of an innocent purchaser who has unintentionally bought a counterfeit product believing it to be genuine, this action alleviates consumer concerns (at least in part).

The government's efforts also seek to ensure that consumers are able to distinguish between official licensed Olympic products and counterfeits, by educating them to recognise 'authenticity' labels and hologram security threads.

The effectiveness of this collaboration in protecting the Beijing Olympics logo and mascots remains to be seen. However, it may be heralded as a welcome sign for the enforcement of intellectual property rights in China – enforcement is possible.

This text is based on an article that was published on *International Law Office*.

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