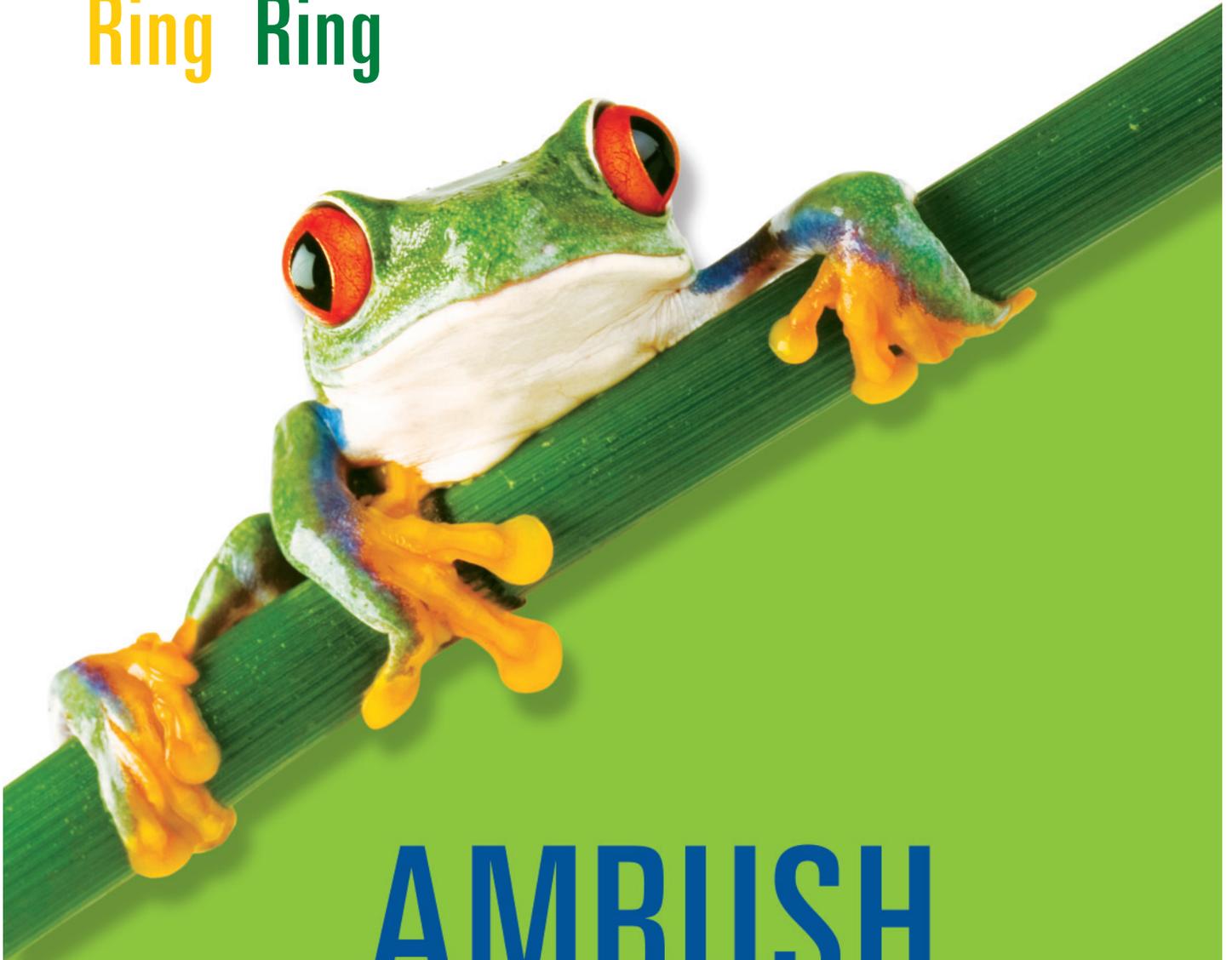


Ring Ring Ring
Ring Ring



AMBUSH MARKETING

PRINCIPLES - STAKES - CREATIVITY - APPLICATIONS

AMBUSH MARKETING

INTRODUCTION

A controversial marketing phenomenon decried by some and accepted by others, ambush marketing is steadily growing at top sports events. And it is all happening against the backdrop of a battle – often ethical and sometimes epic – between legality and morality.

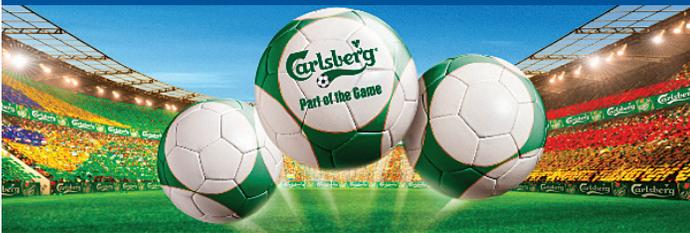
At a time when Canadian eyes are focused on Vancouver 2010 and the Canadian government has enacted a law to protect Olympic and Paralympic brands, *SportDecision* examines this marketing technique that is generating so much controversy.

This special edition looks at the principles of ambush marketing and the various forms it takes, as well as the positions of the parties most affected, all supported by examples from within Canada and at the international level.

Enjoy your read!

Alain Hotzau - Editor

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ORIGINS AND DEFINITION

Ambush marketing is a concept that is misunderstood by marketing professionals. While most are aware of the term, few can define it precisely. To specialists, this marketing strategy is an especially embarrassing one because of the ethical questions that arise when it is put into action.

The expression “ambush” was invented in the 1990s by **Jerry Welsh**, an expert in events marketing and sports sponsorship, when he worked at **American Express**. The basic premise was to establish healthy competition in sponsorships that were becoming more and more costly and were often ill-conceived.

Over time, however, the term, which refers to an *attack from a hidden position*, took on a more negative connotation that evoked the notion of theft – a notion that event organizers took great care to cultivate in the minds of many.

The following definition sums up the principle fairly well. In general, it is considered ambush marketing when, after a company has acquired partnership rights

The appearance of ambush marketing coincides with the high level of media coverage generated by events that are broadcast around the world. It is not sur-

*In general, it is considered **ambush marketing** when, after a company has acquired partnership rights to a mass event (most often a sports event), a competing brand affiliates itself to this same event, usually without breaking the law and without paying rights to the organizers.*

to a mass event (most often a sports event), a competing brand affiliates itself to this same event, usually without breaking the law and without paying rights to the organizers.

The tactic gives consumers the impression that the *ambusher* is an official partner of, or at least has close ties to, the event. The ambush can take various forms and can be found in a variety of situations, as seen below.

But one thing is for certain: the ambush phenomenon is not a chance occurrence. It is a real marketing strategy put in place after serious reflection and backed by funding that is usually in the millions of dollars. It is not surprising, then, to find major brands and international companies using these tactics.

prising that cases of ambush marketing appear most often during the **Olympic Games** and the **FIFA World Cup** of soccer.

Given the huge numbers of television viewers who tune in during these two flagship sports competitions, the Games and the World Cup have become the theatre of a veritable battle of the brands, with obvious commercial implications.

BACKGROUND AND HIGHLIGHTS

THE FIRST CASES OF AMBUSH MARKETING AT THE OLYMPICS

1984: The first case of ambush marketing was reported in 1984 during the **Los Angeles Olympic Games**. **Kodak** acquired the broadcast rights to the event, while its competitor, **Fuji**, was the official sponsor. Fuji retaliated four years later, during the **Seoul Olympic Games**, when it acquired the television sponsorship rights to the event, while Kodak was the official partner of the Games.

This example is a case of ambush marketing (see page 6) that is unique and completely legal. As stated above, the event partner relinquished its right to sponsor a segment involving the televised broadcast of the event, leaving the field wide open for its competitor.

1992: The **Barcelona Olympic Games** became the theatre for a highly visible ambush event involving **Michael Jordan's** famous American *Dream Team*. **Nike** was the team's partner, while **Reebok** was the official sponsor of the Games.

Throughout the competition, Nike achieved great visibility by erecting giant structures in the downtown area. But the most memorable event occurred when Jordan covered the Reebok logo on his official jacket with his hand when accepting his gold medal.

1994: **Visa**, the official partner of the **Lillehammer Olympic Games** (in Norway), had taken measures to ensure that its card would be the only one accepted at the competition venues and in the

1996: At the **Atlanta Olympic Games**, **Nike** showcased its brand throughout Atlanta by openly advertising on billboards around the Olympic venues. The sports equipment manufacturer made sure to reserve all the billboards long before the Games. And Nike did not stop there: it erected a huge centre that recreated a veritable *Nike Town* to promote its athletes and products. The price tag was never made public, but it was a great deal less than the \$50M entry cost demanded by the **International Olympic Committee (IOC)**. Talk about a well-thought-out strategy...

2000: The Australian airline **Qantas** launched an advertising campaign featuring American actor **John Travolta**. The two slogans used for the campaign were



John Travolta

Spirit of Australia and *Spirit of friendship* – terms that strangely coincided with the slogan *Share the spirit* that the airline **Ansett Air**, official sponsor of the **Salt Lake City Olympic Games**, was already using.

The first case of ambush marketing was reported in 1984 during the Los Angeles Olympic Games. Kodak acquired the broadcast rights to the event, while its competitor, Fuji, was the official sponsor. Fuji retaliated four years later, during the Seoul Olympic Games, when it acquired the television sponsorship rights to the event, while Kodak was the official partner of the Games.

Olympic Village. **American Express** responded by launching an attention-getting advertising campaign that claimed "Americans don't need visas to travel to Norway" (see page 7).

WHY RESORT TO AMBUSH MARKETING?

Companies and brands that turn to ambush tactics are far from unknowns. Most often, they are multinationals that invest regularly in sport, but have failed to obtain sponsorship rights, leading those making the marketing decisions to resort to ambush tactics.

Those that infringe in this way are far from obscure companies. Most often, they have the economic clout and vast resources to respond to their competitors, who have secured title rights to an event in advance.

Some factors help explain this.

ENTRY FEE

The access cost of a sponsorship for a prestigious event, such as the **Olympic Games**, has increased considerably over the years. An entry ticket for the Games is now more than \$65M, confining most companies to ambush tactics.

VISIBILITY

With a cumulative television audience of 26.29 billion viewers for a month during the recent **2006 World Cup** in Germany, it is tempting for a company to piggyback on this kind of event and try to reap some benefit from it.

EXCLUSIVITY

The notion of exclusivity forms an integral part of a sports event. But it is by far the major reason for the ambush phenomenon. Once a company acquires exclusive partnership rights to an event, its competitors will also look for ways to be front and centre in the minds of the public during the event.



THE VARIOUS ASPECTS OF AMBUSH MARKETING

Ambush marketing comes in several forms, some of which, contrary to appearances, are completely legal. A company may legally seize an opportunity to corner a *sports property* relinquished by its competitor, who is the exclusive sponsor of the event.

BROADCAST RIGHTS

Beyond their association with an event, companies are offered television broadcast rights. If they refuse these, the sponsorship is open and accessible to its competitors.

For example, the fast-food chain **Wendy's** acquired from the American television network **CBS** the right to associate itself to broadcasts of the **1994 Lillehammer Olympic Games**. The advertising investment was \$10M for the entire Games.

A poll conducted after the event revealed that 57% of people believed that the official sponsor of the Games was Wendy's compared with 37% who stated that it was **McDonald's**, the real official sponsor

In Canada, several similar cases have been noted:

ROYAL BANK/NATIONAL BANK

The **Royal Bank**, sponsor of the **Canadian Olympic Team**, exercised its right of first refusal of broadcast rights for the full **1996 Atlanta Olympic Games** on **Radio-Canada**, opting instead to purchase broadcast rights to the second week of the Games only.

In relinquishing rights to the first half of the Games on the French-language network, it left the field wide open for the **National Bank**. Its competitor was thus able to use the Olympic logo of Radio-Canada, which incorporated the much sought-after rings.

And the Royal Bank indirectly played into its competitor's hands by ensuring the promotion of Olympic athlete **Sylvie Fréchette**, long associated with the National Bank.

LABATT/MOLSON

In 1998, Labatt replaced Molson as the sponsor of *Hockey Night in Canada* on CBC. But Molson sponsored all the Canadian NHL teams. This situation gave rise to an unusual case: during the broadcast of games presented by Labatt as part of *Hockey Night in Canada*, the Molson brand appeared on the boards of the rinks.

SPECIFIC CASES

Other situations can arise and result in companies turning a given situation in their favour and exploiting it in a perfectly legal way.

BELL/TELUS

One of the most interesting cases must certainly be the battle between telecommunications giants **Bell** and **Telus** in the context of sponsorship of the **2010 Vancouver Olympic Games**.

While Bell was affiliated with the Canadian Olympic Committee, its competitor, Telus (whose head office is located in Vancouver), in a perfectly legal move supported and sponsored the Vancouver 2010 bid committee.

While Bell was affiliated with the **Canadian Olympic Committee**, its competitor, Telus (whose head office is located in **Vancouver**), in a perfectly legal move supported and sponsored the Vancouver 2010 bid committee.

Since then, Bell has succeeded in shutting out its competitor by becoming the exclusive national partner in the telecommunications field for the Vancouver Olympic Games and the Canadian Olympic Committee until 2012. Experts, however, are waiting for a reaction and ambush tactics from Telus during the Vancouver Games.

AMBUSH BORDERING ON THE LEGAL AND ETHICAL

COMPLICATED SITUATIONS

The form that each ambush tactic takes is unique and exploits a hazy aspect of the law that is subject to multiple interpretations.

AN ETHICAL QUESTION ABOVE ALL

Whether ambush marketing is seen as disloyal, parasitic or clever, experts agree that ambush tactics have undeniable

Setting aside these considerations, ambush tactics address the notion of ethics more than legal issues, since some forms of ambush marketing are legal.

For all parties to come out winners, it is up to the marketing community to define the rules of conduct and to respect them.

Whether ambush marketing is seen as disloyal, parasitic or clever, experts agree that ambush tactics have undeniable repercussions on the public. There is a real possibility of creating confusion in the minds of consumers, who may not be able to distinguish the real sponsor from the ambusher.

Is a store that decorates its windows with tennis balls during a tennis tournament being held in town, without mentioning the event, acting within the law, outside of the law or taking advantage of a grey area?

In the same vein, can a bar headline jazz artists on the periphery of the Jazz Festival or comedians during the Just for Laughs Festival?

These examples illustrate the difficulty in setting boundaries for ambush marketing. Even if some actions are legal, is the process used morally right? Therein lies the question.



repercussions on the public. There is a real possibility of creating confusion in the minds of consumers, who may not be able to distinguish the real sponsor from the ambusher.

This is precisely what a sponsor wants to avoid. By investing huge amounts in a sports event, a company is looking to stand out from the competition by associating itself exclusively with the event, and thus being the only one to benefit from the media spinoffs from the event.

THE POSITION OF MARKETING PROFESSIONALS

Jerry Welsh, author of a broad survey on the subject, defends the legality and ethical character of a marketing technique that is well understood and properly executed.

In his opinion, ambush marketing is intended to allow a company to exploit the weaknesses in the activation program of its competitor who is the official sponsor of an event.

"An official sponsor only acquires exclusive rights to use the brands, logos and other identifiers of the event... not the theme space



Welsh implies that you can talk about soccer, but not about the World Cup...

surrounding it. Therefore nothing prevents competitors from exploiting this space, as long as they don't present themselves as the official partner of the event or mislead the public about their contribution to its sponsorship," he explains.

To summarize his theory, a company is under no ethical obligation to ensure that its competitor properly manages its status as official partner where the latter is unable to execute its commercial strategy effectively.

Simply stated, Welsh implies that you can talk about soccer, but not about the World Cup...

Marketing and communications professionals are divided on the issue. Some underscore the creativity of ambush campaigns, while others justify such tactics by maintaining that this is the only way that small and medium-sized businesses can compete with large companies that have massive sums to invest in sponsorship.

When asked, those making marketing decisions refuse to openly comment on the issue. The reason is simple. These same individuals may, in turn, be confronted with the problem and find themselves in an extreme situation with the clients and companies that they advise.

A company, such as **Nike** (see page 4), is both a sponsor and an ambusher, depending on the event. Consequently, it is a delicate matter to condemn a practice that a client may apply under certain circumstances.

THE POINT OF VIEW OF EVENT ORGANIZERS

Sports promoters have a more clear-cut position. With an entry ticket set at \$65M for the four-year period of the Olympic Games, there are many companies that want to profit more or less explicitly from the Games' symbol without paying for the rights.

Faced with these huge economic issues, the **International Olympic Committee (IOC)** and the **Fédération Internationale de Football (FIFA)** are looking to forestall any ambush tactics that threaten their revenues.

The IOC uses the expressions "marketing pirate" or "parasite." **Michael Payne**, former IOC marketing director, clearly illustrates the point of view of these organizations: *"Ambush marketing is not a game. It's something that needs to be taken really seriously and that has the capacity to eradicate sports sponsorship. If nothing is done to fight this practice, the main revenue base of sports will be changed. If sports and the organizations that sponsor it don't learn to protect their rights and exclusivity properly, they'll lose this revenue source."*

With sponsorship revenues representing more than one-third of the Olympic budget, ambush marketing is definitely a threat to the longevity of a sports event.

THE IOC'S STRICT RULES

To illustrate the IOC's unequivocal position on the matter, here is the rule that the Committee put in place to protect against ambush marketing during the recent **2006 Turin Olympic Games**:

Every communications initiative, for example, advertising, publishing, leaflets, etc., that creates an unauthorised association with the Olympic Image and/or Olympic Intellectual Property, or that uses on products or packaging any of the elements that are part of IOC/TOROC intellectual property, is defined as Ambush Marketing.

Ambush Marketing is the attempt by any company or organisation to take advantage of the Olympic Event or of the Olympic Movement for its own commercial objectives, without prior authorisation and without providing to TOROC or to the IOC appropriate support.

Italian Law protecting the Olympic Symbol (no. 167 of 17 August 2005) safeguards the Torino 2006 Organising Committee and the IOC from Ambush Marketing activities, prohibiting the recording and the use of the marks and/or words that refer to Olympic symbols or terminology, including words such as, for example "Olympiads" or "Olympic" in any forms they may be expressed. In the same way, commercial and/or communications initiatives may not be promoted that involve an unauthorised reference to the Olympic Event or Movement.

Ambush Marketing is a dishonest, parasitic and illegal way to do business; companies that practice it deceive the consumer, threaten sports and discredit themselves.

TOROC combats Ambush Marketing to preserve and to promote the Olympic Spirit.

Ambush Marketing: Steals the Show

By Abram Sauer

Imagine you throw a party and invite heaps of brilliant, interesting people. Imagine your roommate fails to help with the planning or the cost. Imagine the night of the party, your deadbeat roomie shows up and claims co-sponsorship. Imagine watching in awe as the freeloader takes credit for your expense and effort. Now imagine that party just cost you \$20M.

"Ambush marketing is not a game. It's something that needs to be taken really seriously and that has the capacity to eradicate sports sponsorship."



THE POINT OF VIEW OF EVENT ORGANIZERS (continued)

EXAMPLES OF LEGAL BATTLES

To understand the difficulty of judging this issue and the latitude of interpretation given each case, here are some examples from a legal expert's point of view:

THE TELECOM NEW ZEALAND CASE

Few months before 1996 Olympic Games in Atlanta, USA, Telecom New Zealand published an advertisement that featured the word "ring" positioned so as to equate to the relative positions of the rings of the Olympic symbol. Specifically, the newspaper advertisement contained the word "ring" in large letters three times across the top line and twice across a lower line with the two lower "ring" words being beneath the gaps between the upper three. The colours of the individual words were, working from left to right upper line, blue, black, red, lower line, yellow, green.

Ring Ring Ring
Ring Ring

The advertisement was centred against a plain background. It also stated, again in capital letters, the phrase "with Telecom mobile you can take your own phone to the Olympics." It then included, in smaller case type, a message as to the ability to use Telecom mobile phones if travelling to the Olympics. The advertisement ended with a Telecom logo and mobile phone representation.

The New Zealand Olympic Association sought an interlocutory injunction alleging that the advertisement breached sections 9 and 13 of the New Zealand Fair Trading Act because it suggested an association or connection between Telecom New Zealand and the Olympic Movement.

An advertisement that featured the word "ring" positioned so as to equate to the relative positions of the rings of the Olympic symbol.

The court refused to grant the injunction, finding that the question to be answered in order to determine whether or not a misrepresentation had occurred was whether the advertisement taken as a whole, read in the way a "typical" newspaper reader would read it, conveyed an impression that there is some connection or association between Telecom and the Olympic movement, either generally or as a sponsor. The court was not convinced that such a message was conveyed, finding that the "average reader" would not be misled by the advertisement.

VISA / AMERICAN EXPRESS

The best way to appreciate the subtlety and potential of ambush marketing is to discuss specifics. There are many who will recall the build-up to the 1994 Winter Olympics in Lillehammer, Norway.

Visa, one of the official sponsors, aired television advertisements which, in addition to prominently featuring the Olympic logo, highlighted the message that American Express cards were not accepted in the Olympic Village.

American Express was not a sponsor. Nevertheless, in response to Visa, it aired television advertisements which explained that American Express cards were accepted throughout Norway and featured a tagline stating that American travellers did not need a "visa" to go to Norway.

The juridic point of view of a specialist

Russell H. Falconer is a litigation partner at **Brumbaugh Graves Donohue & Raymond**, an intellectual property law firm based in New York. Mr. Falconer specializes in trademarks, copyrights false advertising and trade secrets.

"Because American travellers did not need visas to travel to Norway, the American Express statement was quite accurate.

But the clever double entendre left unanswered the question of whether viewers of the American Express advertisements mistakenly believed that American Express was a sponsor of the Olympic Games or was somehow affiliated with the Games.

If such confusion was, in fact, proven to exist, then this might have been actionable conduct, at least under US law."

THE POINT OF VIEW OF EVENT ORGANIZERS (continued)

CASES LOST BY FIFA

The 2006 World Cup of soccer in Germany was the stage for numerous attempts and tactics to profit from the event. In an effort to protect its event, Fédération Internationale de Football (FIFA), the governing body of world soccer, enumerated and dealt with more than 1,200 cases of ambush marketing. Of these, FIFA lost only two cases in the courts:

THE BUDWEISER CASE

American brewer **Anheuser-Busch**, and its **Budweiser** brand – FIFA partner since 1986 – was not the only official beer of the World Cup. The brewery **Bitburger**, official partner of the German soccer federation, took full advantage of a very old agreement with the makers of Budweiser, forbidding the use of the name in Germany.

Following difficult negotiations, the two brands co-existed throughout the event and spectators were able to drink their choice of these two beers. Not one to hold a grudge, Anheuser-Busch signed on again with FIFA to 2014.

THE FERRERO SLOGAN

In another case, the confectionery producer **Ferrero** wanted to organize its advertising around the slogan “*Our 2006 German soccer team*”.

FIFA took legal action to prevent this and lost in Hamburg superior court. The court considered that the advertising message targeted the event and not the organizers.

In the eyes of the court, the slogan Ferrero used to promote its own products was far removed from the territory protected by FIFA for use of the 900 brands and services authorized to carry the FIFA emblem featuring the four corners of the globe.

“Guaranteeing our partners’ exclusive rights is at the basis of the organization’s funding of the world’s top sports event financed through private funds,” FIFA head office representatives hammered home after these successive court losses. The task of defending its partners’ rights is likely to become even more difficult in the future, given the display of imagination on the part of marketing ambushers.



GLOBAL EXAMPLES OF AMBUSH MARKETING

WORLD CUP OF SOCCER

The recent 2006 World Cup in Germany provided the framework for numerous ambush attempts and actions. Lufthansa, Pepsi and Nike stood out as especially creative in talking about the event without ever naming it!



International Herald Tribune

Lufthansa painted its fleet with soccer balls on the nose of its planes. An imaginative and cost-free way of associating itself with the event by clever suggestion!

Pepsi launched a massive international advertising campaign featuring a team made up of soccer stars from several countries (including **Ronaldinho**, **David Beckham**, **Thierry Henry** and **Roberto Carlos**) facing off against an unknown team.

The company also created a gold bottle in a shape closely resembling the World Cup. This strategy cost an estimated \$30M – far less than the \$600M paid by **Coca-Cola** to extend its official FIFA partnership.



Source: Coca-Cola AG

The recent 2006 World Cup in Germany provided the framework for numerous ambush attempts and actions.

And finally, Nike launched an on-line campaign entitled “Joga Bonito” (the great play) that clearly took off with fans. On a dedicated Web site, fans found capsule videos of players, from several teams, who were under contract with Nike. The bill: \$140M in marketing costs for Nike versus \$200M spent by **adidas** to be the event’s official partner.

But it was sports equipment manufacturer **Puma**, partner of the *Squadra Azzura* (the Italian team), that came out the big winner of the event through its partnership with the winning team. As if being the official partner or getting your message out around the event was not enough...

GLOBAL EXAMPLES OF AMBUSH MARKETING (continued)

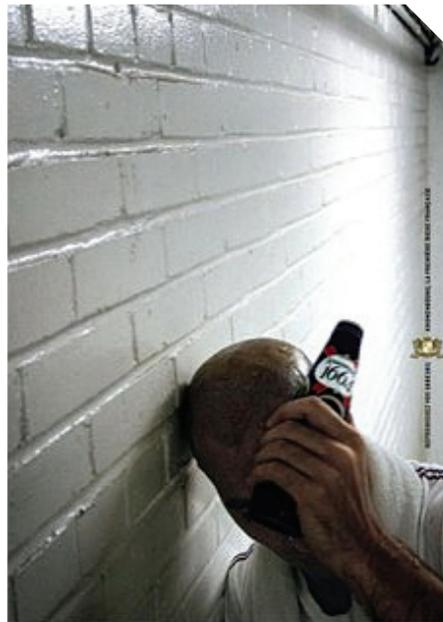
WHEN AMBUSHERS TARGET ATHLETES

Some specific and noted cases could also have something in common with the ambush phenomenon.

A month after the World Cup event, the **Social Democratic Party** of Germany (SPD) used a look-alike of **Jürgen Klinsmann**, the national team's coach, on an election poster in a bid to exploit the great performance of the German soccer team. Klinsmann's agent succeeded in having the campaign stopped in an effort to disassociate his client from the SPD. But the posters were up long enough for the public to see them.



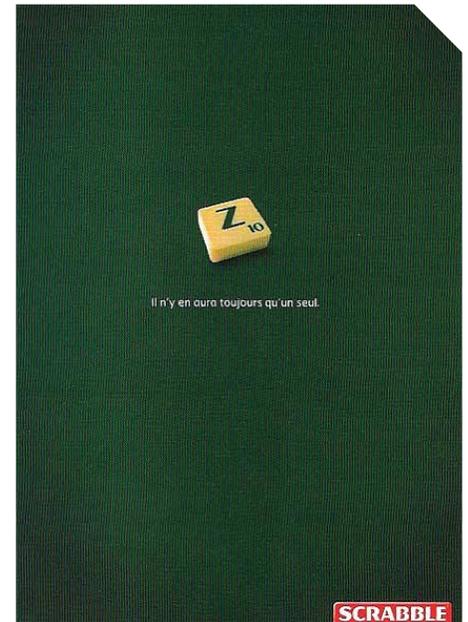
Roycod.com



Roycod.com

The same thing happened when **Kronenberg Canada** featured a soccer player, who resembled **Zinedine Zidane**, pressing a **1664** brand bottle to his forehead with the slogan "Cool your passion"... a direct reference to the famous head butt.

Budweiser, official partner of the World Cup, did not appreciate the reference... nor did the player, who is Muslim, appreciate being associated with the consumption of a brand of alcohol, frowned upon by his religion.



www.invisiblered.blogspot.com

*The reference to the letter **Z** and the number **10** (Zidane's number) immediately identified the player without mentioning him directly.*

Zidane himself was the target of ads. **Mattel**, which commercialized the popular **Scrabble** game, took advantage of the event and the huge media attention focused on the player to launch a very subtle advertising campaign. The reference to the letter **Z** and the number **10** (Zidane's number) immediately identified the player without mentioning him directly.

GLOBAL EXAMPLES OF AMBUSH MARKETING (continued)

AMBUSH MARKETING IN OTHER SPORTS EVENTS

WIMBLEDON 2005

At the 2005 Wimbledon tennis championships, two attempts at ambush marketing were widely reported. The company **Colgate-Palmolive**, sponsors of the 2004 champion Maria Sharapova, were handing out bottles of water emblazoned with a deodorant brand to fans in the queue.

These were confiscated by officials since the 'official' water supplier to the championships was **Buxton**. The company later gave the water away to thirsty spectators as they left the club.

A snack company was another ambush marketer, using the queues as an opportunity to raise brand awareness by handing out packets of crisps. These were also confiscated by officials and quite literally thrown in the bin!?



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RED BULL EVENT

In Spain, energy drink maker **Red Bull** organized a *Flugtag*, a popular flying machine contest that brought together nearly 50,000 people.

The winners were determined with the use of an applause meter. The principle was to make the most noise possible to have your favourite participant chosen.

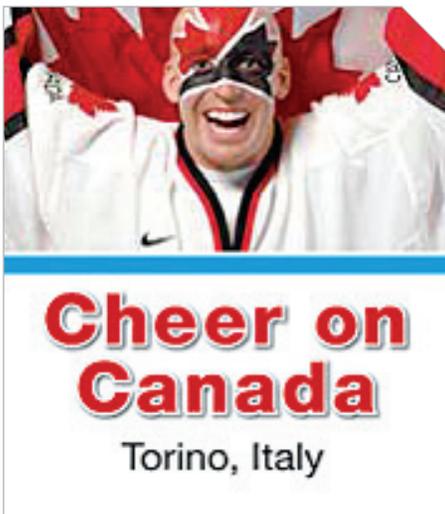
Entertainment television network **Fox** invited itself to the event by handing out orange cones to the public to be used as loudspeakers. The media impact of seeing this huge sea of orange was significant and ensured high visibility for Fox.

RECENT AMBUSH EXAMPLES IN CANADA

The Canadian market recently witnessed several cases of ambush marketing. One of these created lively controversy between two competing brands.

THE PETRO-CANADA/ESSO CONTROVERSY

During the **2006 Turin Olympic Games**, **Petro-Canada**, the Olympic partner at the national level, demanded the withdrawal of a promotional campaign launched by its competitor **Imperial Oil/Esso**, the sponsor of the Canadian men's hockey team.



Esso was promoting its support of the team and using evocative terms in its slogan "Cheer on Canada/Torino, Italy," which, according to Petro-Canada, deliberately associated its competitor with the Winter Games and created confusion in the minds of consumers.

Dick Pound, IOC (International Olympic Committee) member and president of **WADA (World Anti-Doping Agency)**, also applied pressure by stating that Hockey Canada should denounce Esso because of its deliberate intent to profit from an association with the image of the Olympic Games.

"I don't believe that this is a grey area at all. There can't be any doubt that Esso is running a pirating campaign," Pound said.

Under pressure, Imperial Oil finally changed its initial message.



*Over the 15 days of competition, **A. Lassonde**, in its role as advertiser, ran five ads showcasing its lead product, **Oasis orange juice**, in several disciplines within the context of the "Mondiaux de l'orange" (Orange World Games).*

LASSONDE/OASIS CREATED THEIR OWN GAMES

During these same Games, fruit juice manufacturer **A. Lassonde**, which markets the **Oasis** brand in Quebec, used several legal means to gain high visibility.

The company affiliated itself with **Radio-Canada** as a broadcast partner of the Games on the French-language television network. Over the 15 days of competition, **A. Lassonde**, in its role as advertiser, ran five ads

showcasing its lead product, **Oasis orange juice**, in several disciplines within the context of the "Mondiaux de l'orange" (Orange World Games).

The campaign allowed the company to position **Oasis** as a superior quality drink in a context and environment suited to the occasion.

RECENT AMBUSH EXAMPLES IN CANADA (continued)

CARLSBERG AND THE 2006 WORLD CUP

Once again in the Canadian market, Danish beer **Carlsberg** set itself apart from the competition during the **2006 World Cup** of soccer by openly promoting itself in the many bars that serve the brand.

Carlsberg distributed posters across its network of bars. The posters showed a colourful stadium and a soccer ball in the brand's colours and, most importantly of all, the slogan "Part of the game," which was an invitation to the public to watch the soccer matches in those bars.

Although American brewer **Anheuser-Busch** with its **Budweiser** brand was the official sponsor of the event, Carlsberg exploited its long and strong presence in the discipline through its many partnerships with the **English national team** and the **Liverpool** club.



Carlsberg Canada

Carlsberg distributed posters across its network of bars. The posters showed a colourful stadium and a soccer ball in the brand's colours and, most importantly of all, the slogan "Part of the game," which was an invitation to the public to watch the soccer matches in those bars.

AMBUSH RISK AT VANCOUVER 2010?

The Government of Canada tabled a bill to introduce brand protection legislation for the 2010 Winter Olympic Games in Vancouver. The proposed legislation, known as The Olympic and Paralympic Marks Act, will provide special time-limited intellectual property protection for Olympic and Paralympic words and symbols associated with the Vancouver 2010 Winter Games and provide protection against any unauthorized business association with the Games, known as ambush marketing.

The Vancouver 2010 Organizing Committee (VANOC) for the Olympic and Paralympic Winter Games has an obligation to the International Olympic Committee (IOC), its sponsors and government partners to protect the Olympic and Paralympic brands in Canada. As part of this commitment, VANOC has been engaged in extensive dialogue with Industry Canada on the need for this legislation to ensure adequate protection of the Olympic and Paralympic brands.

"A sponsorship program that properly protects sponsor exclusivity will continue to attract top-level sponsors who are confident their investment will be protected," says **Dave Cobb**, VANOC Executive Vice President, Revenue, Marketing and Communications.

Vancouver 2010 Organizing Committee (VANOC) is attempting to discourage any



Other companies have already eyed the Games and taken a strategic approach by positioning themselves in imaginative ways without actually becoming an event sponsor.

In this sense, sponsors of athletes and/or national sports federations play a particularly interesting role, since they represent one solution to the problems raised by ambush tactics.

The future will tell whether ambush marketing is really a threat to sports sponsorship.

ambush marketing initiatives by companies that are tempted to piggyback on the Games without holding rights.

In spite of measures in place, marketing professionals are expecting major companies to wage significant promotional offensives.

Eyes are focused especially on **Telus**. **Vancouver** is the bastion of the telecommunications company, and it supported the bid committee before being forced to withdraw to the sidelines by its competitor **Bell**, official partner of the **Vancouver Olympic Games**.

By endorsing players in a sports event, a company can communicate its message before, during and after an event in an above-board and perfectly legal way, without doing harm to the event's sponsors.

The future will tell whether ambush marketing is really a threat to sports sponsorship. With some common sense, creativity and a modicum of ethics, however, a company can always find a unique marketing solution and safeguard the interests of all.

REFERENCES

Rochelle Burbury

Ambush Tactics: It's a Jungle Out There, 1997

Jeremy Curthoys & Christophe N Kendall

Ambush Marketing and the Sydney 2000 Games, 2001

Russel H. Falconer

Ambush Marketing and how to avoid it, 1996

Christina Garrigues

Ambush Marketing: A threat to global sponsored events ? 2004

International Olympic Committee

Turin Olympic Charter

Italian Law protecting the Olympic Symbol

no. 167 of 17 August 2005

Helen Jones

World Cup Sponsors Worry Over Advertising Ambush (Reuters -1998)

Lyn Nicholson

Sponsorship and Marketing update, 2004

Abraham Sauer

Ambush marketing steals the Show, 2002

Jerry Welsh

Ambush Marketing: What it is, what it isn't, 2002

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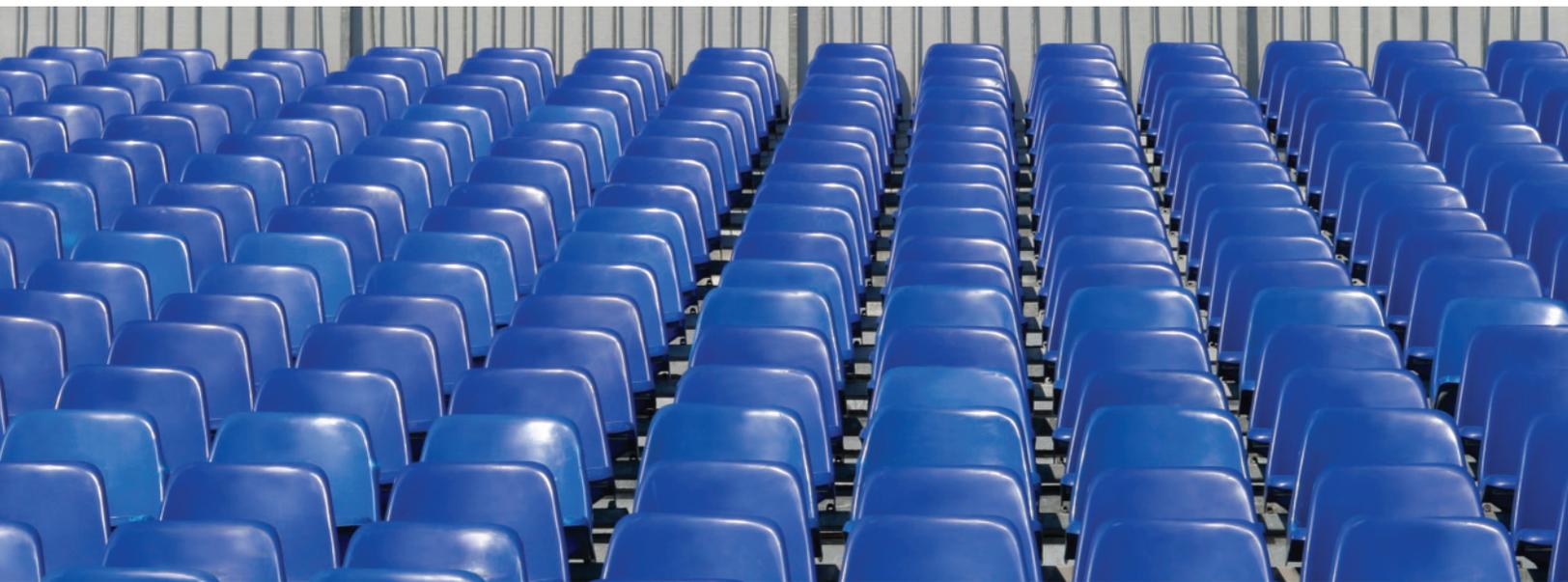
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