

Noli IP Newsletter

NOLI IP Solutions, PC

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World Cup 2018: Go Argentina!

By Mariana Paula Noli

Whether you are a soccer fan or not, we all know by now that the 2018 FIFA World Cup in Russia is officially on!!! As a supporter of the Argentina National Team, and a big fan of Lionel Messi, the first

(team) win." We hope and wish that the Argentina National Soccer Team starts playing like we know they can. Vamos Argentina! But besides whoever wins



Ms. Mariana Noli, together with her mentee Mr. Reynolds, hoping for a win.

two games against Iceland and Croatia were extremely painful to watch. In Spanish we have a saying "Que gane el mejor" which translates "May the best one

or loses the World Cup, we hope you all enjoy this year's World Cup.

See you Next Year in Boston!

This year Ms. Mariana Noli together with our patent colleagues Mr. Lagobi and Mr. Chacon-Hoffmann were able to attend and represent our group at the INTA Annual Meeting in Seattle, Washington from May 19th, 2018 to May 23rd, 2018.



Noli IP Solutions, PC had the opportunity to meet with our existing foreign agents in different countries around the world and make new connections. It was a wonderful chance to catch up with old friends and make new ones. Until next year, see you in Boston!



The FIFA World Cup is the world's largest single sporting event, with nearly half the world's population tuning in and the event comprising nearly 30% of FIFA's annual revenue from marketing rights generated. As with many holidays and special events, we love to see that the intellectual property rights and issues that we at **Noli IP Solutions, PC** are so passionate about are often a topic of discussion.

You may recall that in our March 2018 edition of the Noli IP Newsletter, we included several takeaways and tips under two articles titled *"Legal Perspectives of the 2018 Russia World Cup Marketing Campaigns"* and *"World Cup Marketing Warnings"* Businesses looking to the World Cup to boost profits should be aware of breaking copyright and trademark laws.

Sponsors pay huge money for the right to link to the World Cup, they would not pay that money unless they believe FIFA will vigorously protect their interests. Trademarks such as FIFA, WORLD CUP 2018, RUSSIA 2018; designs

(both registered and unregistered) and copyrights in works such as the Official Poster, Emblem, Mascot and Look artworks are only part of FIFA's Intellectual Property. FIFA has protected its logos, words, titles, symbols and other trademarks which it will use, or allow others to use only under a formal agreement, in relation to the 2018 FIFA World Cup™.



Ms. Luciana Noli cheering for Argentina

FIFA's Commercial Affiliates will only invest in the FIFA World Cup™ if they are provided with this exclusivity for the use of the marks and for any other kind of association to the event. Official sponsors have paid large amounts of money for the privilege, with the six top-tier partners (Adidas, Coca-Cola, Kia/Hyundai, Emirates, Sony and Visa) paying a combination US\$

177 million annually to FIFA.

The FIFA's Guidelines, which can be found at its official site www.fifa.com, were created for the general public to give guidance on what is, and is not deemed acceptable. These guidelines also helpfully set out the Commercial Affiliates linked with the event.

FIFA is obliged to take action against any unauthorized reproduction of its marks in a commercial context. FIFA's lawyers have already dealt with thousands of cases worldwide - although experience from the previous World Cups suggest the vast majority of these are resolved after FIFA sends a warning letter.

But enough about being careful not to step on FIFA's toes inadvertently during the World Cup. If you have any questions about the DO'S and DON'TS during the games, reach out to us at **Noli IP Solutions, PC**. We hope you enjoy watching the matches whether on tv or in Russia at the stadium and may the Best Team Win!

Post-Registration Proof of Use Audit Program: Watch Out!

In case you have not yet heard, last November the United States Patent and Trademark Office (USPTO) made permanent a Post-Registration Proof of Use Audit Program which proved extremely successful during its provisional period.

This Program promotes the accuracy and integrity of the US Trademark Register. As you probably already know, trademark owners submit one specimen per class with six and ten-year declarations of use filed pursuant to the Trademark Act Section 8 or

71. The USPTO is now allowed to cancel audited registrations with unsubstantiated use claims or remove unsupported goods and services from others.

Trademarks that are not in use on all registered goods and services block registration of other future trademarks. Also, they allow trademark owners to maintain rights they no longer have.

Keep in mind that (1) if you file a Section 8&71 declaration of use, and (2) if your registration includes at least

one class with four or more goods and services or it includes at least two classes with two or more goods or services in at least two classes; your registration is likely to be audited.

If your registration gets audited, you will receive an office action from the trademark examining attorney saying that your registration has been selected for audit. If you have already received such notification and you need our professional assistance, please email us at mail@noli-ipsolutions.com.

2018 INTA TMAP Meeting in Orlando, FL

Ms. Diane Fischer will be representing **Noli IP Solutions, PC** at the upcoming International Trademark Association (INTA) Trademark Administrators and Practitioners (TMAP) Meeting taking place in Orlando, Florida from September 12th, 2018 to September 14th, 2018.

If you are interested in learning more about our firm and/or to schedule a meeting, contact her by sending an email to diane@noli-ipsolutions.com with a proposed meeting schedule.



DIANE FISCHER