



U.S. OLYMPIC & PARALYMPIC TRIALS

PARTICIPANT RULES – COMMERCIAL MARKINGS

SECTION 1. OVERVIEW

To ensure the priority of sport remains the central look of the U.S. Olympic & Paralympic Trials, and to retain the crucial brand connection with USOPC sponsors and the Trials they support, no form of publicity, advertising, branding or promotion or may appear on a person's body, clothing or equipment used by competitors, officials and all other participants in the Trials, except the manufacturer logo and sports club logo, or as expressly permitted under these Rules.

Although these Rules provide that the Trials venue must remain free of commercial markings, the USOPC supports participants expressing their connection to personal sponsors through other avenues, such as social media.

SECTION 2. KEY TERMS USED IN THESE RULES

- a) **Commercial Marking:** Any mark, logo or other brand indicator affiliated with a commercial entity.
- b) **Commercial Use:** Use in connection with the promotion of any commercial entity and/or its relationship with a National Governing Body (NGB) or athlete.
- c) **Manufacturer Identification:** The identification of a manufacturer principally used in the business of manufacturing, providing, distributing and selling clothing or sporting goods (as applicable to the particular item), which is not confusingly similar or identical to an identification used in another line of business not related to clothing or sporting goods (as applicable to the particular item).
- d) **NGB:** The National Governing Body of the sport for the respective Trials, or the USOPC when a National Governing Body or Paralympic sport is not recognized and the USOPC assumes management responsibility over that sport.
- e) **Non-USOPC Sponsors:** Commercial entities that have no official relationship with the USOPC, but that may sponsor individual athletes.
- f) **Participants:** All athletes, coaches, team personnel, officials, volunteers and other individuals at the Trials venue.
- g) **Specialized Equipment:** Items of apparel and equipment, approved by the USOPC, used by an athlete in the course of participation in a competition, which have a material effect on the performance of the athlete due to the specialized characteristics of the item. Also known as "personal performance gear." Face masks required under the NGB's COVID-19 Mitigation Plan are not considered specialized equipment and must conform to these Rules' restrictions on commercial markings.
- h) **Trials:** A competition that leads directly to the selection of athletes for a Delegation Event. Under a contractual agreement with the USOPC, the NGB manages the event under the designation of a U.S. Olympic or Paralympic Trials.
- i) **Trials Administrative Board:** The hearing panel that hears and renders decisions on disputes related to a violation of these Rules under the USOPC Bylaws.
- j) **Trials venue:** On the field of play or other restricted area at a competition designated by the USOPC as an Olympic or Paralympic Trials.



- k) **USOPC Marks:** Olympic and Paralympic trademarks and/or imagery.
- l) **USOPC Sponsors:** Official sponsors of the USOPC.

SECTION 3. APPLICABILITY

These USOPC Rules regarding the use or display of commercial marks at the U.S. Olympic & Paralympic Trials applies to all Participants. The use of non-commercial marks, symbols or words for demonstration purposes is governed by the U. S. Olympic & Paralympic Trials Participant Rules – Demonstrations.

SECTION 4. STATEMENT OF COMMERCIAL MARKINGS RULES

A. Requirement

No form of publicity, advertising, branding or promotion may appear on a person's body, clothing or equipment used by Participants in the entire venue at the Trials.

B. Exceptions

- (a) Manufacturer Identification. Participants' clothing, footwear*, accessories and sports equipment* may bear the standard Manufacturer Identification permitted by the USOPC (or the Manufacturer Identification permitted by the rules of the NGB's International Federation (IF), and as approved by the USOPC). The size, frequency and placement of the Manufacturer Identification will follow the parameters as set forth by the NGB's IF in the manufacturer guidelines for the upcoming Olympic or Paralympic Games or as approved by the USOPC.

No item will be marked conspicuously or for advertising purposes. The USOPC will be the sole authority to determine whether the use of a Manufacturer Identification complies with these Rules and reserves the right to interpret these Rules on a case-by-case basis. Any further exception to these Rules must be approved by the USOPC in writing and in advance.

**All footwear and equipment may carry the identification as generally used on products sold through retail in the six-month period prior to the Trials.*

- (b) Sport Club Logo. Unless otherwise agreed to in writing by the USOPC, a Participant's uniform may bear up to two logo placements of his/her sport club(s) and not to exceed 30 cm² per placement or one piece of sport equipment may bear up to one placement of his/her sport club and one logo placement on uniform of his/her sport club. The size of the sport club logo on the sport equipment may be up to a maximum of 60 cm². The use of sport club logos will be permitted, provided that the club is in good standing with the NGB for at least the six months prior to the Trials. Athletes may coordinate approval of the sport club logo with the NGB. The use of the sport club logo may then be submitted by the NGB to the USOPC for approval in advance of the Trials.

Under no circumstances can corporate identification other than that of the manufacturer or the USOPC and NGB approved club name be visible on the competitor's uniform. If a corporate name is associated with the name of a club, the name must be in text form, and not represented in logo form. The USOPC



reserves the right to withhold approval of a club logo if the club name is deemed to be used conspicuously for advertising purposes.

(c) Face Masks. Face masks may not display any Manufacturer Identification or commercial/sponsor branding, but they may include a standard NGB emblem or logo. Such logos must be no larger than 10 cm², appear only once and not in the center of the mask. Single colors are preferred, but an NGB may have more than one color. Masks must comply with the medical and other technical specifications that apply at the time. The USOPC has discretion to approve exceptions to these Rules for markings on masks, such as for USOPC marks, Trials marks, or simple designs.

(d) Specialized Equipment. Each athlete has the right to select his or her own Specialized Equipment for use in the U.S. Olympic & Paralympic Trials. The USOPC has the sole authority to determine what equipment constitutes Specialized Equipment for each sport. The list of USOPC-approved clothing and equipment is located under Personal Performance Gear on TeamUSA.org.

SECTION 5. SUBMISSION PROCESS

Athletes may submit images of their uniforms and equipment that they anticipate using at the Trials to the NGB in advance of the Trials pursuant to deadlines set by the NGB. The NGB will then submit the images to the USOPC for final pre-approval. A notice of approval will be sent back to the athlete as soon as practicable, identifying any item that is not approved and the reasons for such rejection. The athlete will have the opportunity to cure any identified deficiencies. Any item that is not pre-approved by the USOPC may be subject to mark concealment at the Trials (e.g., having the mark covered by tape), but an athlete will still be permitted to use the item.

SECTION 6. NGB OBLIGATIONS TO ASSIST IN RULES IMPLEMENTATION

A. Pre-Event Notice of Rules. Each NGB hosting a Trials must reference this U.S. Olympics & Paralympics Trials Participant Rules – Commercial Markings in its Trials registration process for all athletes, coaches, agents, officials and other athlete personnel who may be attending or participating in Trials (except that, for spring 2021, the NGB will distribute these Rules to all Participants within two weeks after its enactment). Each NGB must have all Participants agree to abide by and be bound by these Rules, including the dispute resolution process, at the Trials.

B. Communication. Each NGB will provide education in advance to all Participants expected to attend the Trials regarding the requirements of these Rules and the potential sanctions for failure to abide by them. The NGB will jointly work with its USOPC Athletes' Advisory Council representative to develop communication plans to outreach to athletes with information about the commercial restrictions at the Trials. Communication about the requirements in these Rules should be widely disseminated.

C. Trials Enforcement. At the Trials, the NGB will work with the USOPC to identify any potential violations of these Rules and will assist to enforce the requirements at the Trials venue.



SECTION 7. USOPC ENFORCEMENT

- A. On-site Enforcement.** USOPC staff will be on-site at each Trials to enforce the requirements set forth in these Rules and to proactively mitigate any violations that could result in the disqualification of an athlete's result and denial of participation. This includes conducting an examination and regular monitoring of all clothing, footwear, accessories and sport equipment that will be used for competition. For any marking that does not comply with these Rules, the USOPC will have items (such as tape) on-hand to conceal the markings.
- B. First Warning Notice of Rules Violation:** USOPC staff will have a clear and concise warning notice to deliver orally to an athlete who appears to be in violation of these Rules at Trials.¹ This first warning notice should inform the athlete that:
- 1) The athlete has repeatedly been made aware of the requirements of these Rules for Trials, may hear them again if they wish, and that if the athlete chooses not to comply with the Rules, his or her results could be disqualified or face other sanctions.
 - 2) The athlete will be allowed to participate in the athlete's event, but that the performance may not be counted among the official results of the event and may not be considered in selecting the U.S. Olympic & Paralympic Team should they continue without compliance.
 - 3) If the athlete continues to participate without complying, then the disqualification decision will be made shortly after the athlete's last event and a hearing process to challenge the disqualification can be requested.
- C. Notice of Disqualification Based on Rules Violation.** The USOPC will have a clear and concise, written Notice of Disqualification to deliver to an athlete who continues to refuse to comply with these Rules after receiving the First Warning Notice orally. This Notice of Disqualification should inform the athlete that:
- 1) The athlete's result for his or her event is disqualified on account of the athlete's failure to comply with these Rules.
 - 2) The athlete has the right to challenge the disqualification decision by requesting a hearing before the Trials Administrative Board.
 - 3) Any such challenge to the disqualification must be made in writing (electronic is fine) to dru@usopc.org within 90 minutes.
 - 4) The athlete may contact an attorney or the Athlete Ombuds (ombudsman@usathlete.org) for independent and confidential advice.

SECTION 8. REPORTING VIOLATION

Any individual may report an alleged violation of these Rules to a USOPC representative on-site at the Trials. The USOPC may also pursue a possible violation based on first-hand knowledge, or information received otherwise.

¹ The USOPC acknowledges that, in certain circumstances, the tape or other items used to conceal commercial markings may become displaced unintentionally during competition. This warning will be delivered without regard to the intent of the athlete to ensure that all athletes are provided the same warnings and the same opportunity to comply with these Rules.



SECTION 9. AVAILABLE SANCTIONS FOR VIOLATION OF THESE RULES

An athlete who violates these Rules may be sanctioned by the USOPC for such violation. Possible consequences of violating these Rules include, but are not limited to:

- (a) Expulsion from Trials;
- (b) Disqualification of results at Trials, which may impact selection to the Olympic or Paralympic Games;
- (c) Recommendation to the NGB and the USOPC of the loss of the privilege to participate in future Olympic, Paralympic, Pan American, Parapan American and Youth Olympic Games, as well as other USOPC-sponsored events;
- (d) Denial of funding from the USOPC Athlete Support Programs or other USOPC-sponsored programs for which the team member may be eligible; or
- (e) Performance of a specified task or tasks, such as a formal written and/or oral apology.

SECTION 10. DISPUTE RESOLUTION

A. Applicability

This dispute resolution process provides Participants at a Trials the opportunity to have a hearing in front of the Trials Administrative Board (TAB) for any alleged violation of these Rules for a final and binding decision.

B. Sanction Imposed and Notification

After a USOPC representative obtains information related to the occurrence of an incident contrary to these Rules, and the first warning notice of rules violation is given and ignored, the USOPC will determine if a violation occurred and decide the appropriate sanction to be imposed. The USOPC will notify the Participant of its decision and the opportunity to accept the sanction or to request a hearing.

C. Request for Hearing

If the Participant wants to challenge (i) the violation and/or (ii) the sanction imposed, the Participant may request a hearing before the TAB. This request must be communicated in writing (electronic is fine) to the USOPC within 90 minutes from the notice of a violation and/or imposition of a sanction under these Rules.

D. USOPC Dispute Resolution Unit

If a Participant requests a hearing, the USOPC Dispute Resolution Unit (DRU) will initiate the proceeding.

DRU is responsible for ensuring that all disputes are heard in an expedited, fair and impartial manner. DRU may modify these procedures at any time for the effective administration of complaints taking into consideration any time restraints, while also ensuring fairness to all parties.

An attorney from DRU will serve as an impartial counsel to the TAB solely to answer questions and provide legal assistance when requested and will not in any way take part in rendering or influencing the TAB decision.



E. Trials Administrative Board

DRU will convene the TAB to hear and render a decision on the dispute.

The TAB is comprised of the following individuals:

1. USOPC Board Chair
2. USOPC CEO
3. National Governing Body Council Chair
4. Athletes' Advisory Council Chair
5. 10 Year+ Athlete* (designated position from the Chef de Mission)

Any member of the TAB may designate to an alternate. No member on the TAB will have a direct interest, either personally or by virtue of organizational affiliation, in the outcome of the proceeding. As long as a quorum² of the panel members is present, the hearing may proceed.

The USOPC Board Chair, or their designee, will be chair of the panel.

**10 Year+ Athlete is defined in the USOPC Bylaws.*

F. Initiation of the Proceeding

DRU will provide confirmation of the request for hearing to the Participant, the USOPC, the NGB and the reporting party (if applicable). DRU will provide details about the proceeding, including information about the date, time and call-in details for the hearing.

G. Conduct of the Proceeding

The TAB will run the proceeding, with assistance from the DRU. The proceeding will be held telephonically or through videoconference on an expedited basis. The TAB has the authority to rule on all matters raised in the proceeding, and will set such other rules regarding the proceeding and the conduct of the hearing as it deems necessary.

The Participant, USOPC, NGB and the reporting party (if applicable) will be permitted to present evidence relating to the violation of these Rules, including evidence regarding whether the violation of these Rules was unintentional. The TAB may ask questions at any time.

H. Decision

The TAB will render a written decision promptly after the hearing, and a verbal or operative decision may be rendered on an expedited basis. The decision will be determined by a majority of the TAB based on a preponderance of the evidence before the TAB. The TAB's decision will be final and binding.

² A majority of the panel members (i.e., 3 of the 5 panel members) will be necessary to establish a quorum.



The TAB has the authority to impose any consequence, including removal from competition and/or the Trials venue. The consequence will be in effect immediately after a decision is made, unless stated otherwise.

I. Representative

The Participant, or any other individual/entity participating in the proceeding, has the right to have counsel or a representative present at any point during the TAB proceedings at his or her own expense. Athletes may contact the Athlete Ombuds (ombudsman@usathlete.org) for information about attorneys and/or legal aid.

J. Athlete Ombuds

The Office of the Athlete Ombuds is available to provide cost-free, confidential and independent advice to athletes regarding their rights under this process and to assist athletes in resolving disputes or concerns. Athletes may contact the Athlete Ombuds at ombudsman@usathlete.org or 719-866-5000.