



UNITED STATES
OLYMPIC COMMITTEE
1 Olympic Plaza
Colorado Springs, CO 80909

USOC RULE 40 GUIDANCE for OLYMPIC WINTER GAMES PYEONGCHANG 2018 March 20, 2017

The IOC has published its updated Rule 40.3 guidance for the Olympic Winter Games PyeongChang 2018 at <http://www.teamusa.org/Athlete-Resources/Athlete-Marketing>. As established by the IOC, the Rule 40 period for the PyeongChang Games is **February 1-28, 2018**.

In summary, the guidance is intended to:

- Enable continuation of in-market generic advertising featuring PyeongChang Games participants during the Rule 40 period, thereby eliminating a significant source of athlete dissatisfaction and disruption to athlete sponsors.
- Protect exclusive Olympic sponsor rights to use Olympic intellectual property (“IP”).
- Ensure that all stakeholders understand that each National Olympic Committee (“NOC”) will be responsible for Rule 40.3 guidance and enforcement within its own territory.

The IOC’s Rule 40 guidance follows the model created for the Olympic Games Rio 2016. As such, the USOC’s Rule 40.3 guidance for the Olympic Winter Games PyeongChang 2018 for the U.S. territory aligns with the principles set forth in the IOC 2018 guidance and the principals set forth in our USOC guidance for the Olympic Games Rio 2016.

The USOC process is designed to fairly and consistently institute an equitable Rule 40 waiver process to benefit athletes and protect Olympic sponsors’ rights. This process allows for:

- The fact that PyeongChang Games participants qualify for nomination to the U.S. Olympic Team at various points leading up to the official Rule 40 period. All potential participants will be able to apply for a Rule 40 waiver.
- Balanced athlete biographical references in advertising that follow the USOC’s longstanding athlete endorsement policy.
- Additional lead time for advertising materials to be submitted to the USOC, both by Olympic sponsors and by non-Olympic commercial partners, so that such materials can be reviewed by the USOC in a timely matter.

Key Provisions of the USOC Rule 40.3 Guidance:

- To qualify as “generic advertising” non-Olympic partners must comply with the following rules:

- No direct or indirect association with PyeongChang Games, Olympic IP or terms generally associated with the Olympic Games.
 - Initial campaign submissions (which may be in conceptual form) must be submitted to the USOC website **by August 1, 2017**, to ensure the USOC has time to review and respond, manage resubmissions and allow for advertiser production schedules.
 - Initial submissions need not include all proposed tactics; however, each and every final tactic will require a Rule 40 waiver.
 - Submissions must include a media schedule demonstrating that the campaign will be in market and run continuously starting no later than four months (by **October 1, 2017**) in advance of the Rule 40 period for the PyeongChang Games.
 - For campaigns featuring a non-U.S. participant, the participant's NOC must also approve the athlete use.
 - Should a U.S. participant wish to appear in any advertising outside of the U.S., the USOC will provide approval to the relevant NOC(s).
- The Rule 40 waiver process will be managed online and include an archive system to enable the USOC to manage the volume of approvals needed in a timely manner.
 - The IOC will launch a global monitoring process for all athletes worldwide to track advertising activity. ***Note: this is not an approval process as only the USOC can grant the Rule 40 waivers for our territory.***

As with the leadup to the Rio Games, the USOC will conduct a comprehensive stakeholder education process to ensure that we appropriately inform all athletes, NGBs, agents, and advertisers of the USOC's Rule 40.3 guidance.

Any questions related to Rule 40.3 should be directed to: athleteadreview@usoc.org

Please note the International Paralympic Committee has not yet issued its analogous guidance for the Paralympic Winter Games PyeongChang 2018.