

Brazil Enacts New Ambush Marketing Laws In Advance Of Rio 2016 Olympic Games

June 22, 2016, New York – In preparation for the upcoming 2016 Olympic Games in Rio, Brazil recently amended its 2009 Olympic Act to protect official event sponsors from ambush marketers. The changes took effect on May 10, 2016.

“Brazil has enacted tough new legislation to protect the Games from ambush marketers,” said Valdir Rocha, Partner of Veirano Advogados in Rio de Janeiro, Brazil. “We expect that these new laws will be backed up with aggressive enforcement as well.”

The new law prohibits marketers from engaging in illegal ambush marketing activities. Specifically, the law prohibits:

- “Ambush marketing by association,” which are marketing activities that directly or indirectly associate advertisers with the Olympics without authorization; and
- “Ambush marketing by intrusion,” which are marketing activities that promote advertisers at the official Olympic sites without authorization.

Because of the law’s reach, it is expected to give broad protection to the Olympics and official sponsors during the Games. Because the official Olympics sites encompass almost all of the city of Rio de Janeiro, the law’s prohibition on “ambush marketing by intrusion” should prevent non-sponsors from marketing in the vicinity of the Games as well.

Marketers who violate Brazil’s ambush marketing restrictions may be subject to criminal penalties, including fines and jail time.

“As global marketers prepare to launch campaigns in Brazil during the Olympics, they should ensure that their advertising complies with Brazil’s tough new restrictions,” said Jeffrey A. Greenbaum, GALA’s Chairman and Managing Partner of Frankfurt Kurnit Klein & Selz in New York.

