



M2 Marketing and Events Management

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Master's Degree dissertation :

Is the IOC watching you in its sponsors' services ?

Exploring the dark side of Event Specific Ambush Marketing Legislation, toward the end of the Orwellian atmosphere for Paris 2024 Olympic Games.

Issue: Does the Event Specific Ambush Marketing legislation set up in relations to Paris 2024 convey the awareness of the IOC that the fear of ambush marketing might be worse than ambush marketing itself?

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Abstract:

This paper examines the emerging trend around ambush marketing, clearing it and claiming that stakeholders might go too far in their fight against ambush marketing, passing too aggressive special legislation, thus possibly engendering counterproductive effect on the protection of their brand and their partners. After a brief review of literature on the issue of ambush marketing and on the apparition of Event Specific Ambush Marketing Legislation (ESAML), this paper will focus on the evolution of ESAML inside the Olympic environment. Thanks to an analyze of the special legislation enacted for 2012 London Olympic Games particularly, its aftermaths on the Olympic brand and partners image and on a general review of the literature that led the change of direction, the aim of this paper is to lay the groundwork for the Paris 2024 Olympic Games and to understand how the special legislation passed in France in 2018 has been conceived. Event Specific Ambush Marketing Legislation raised many issues from both legal and business perspectives which will be discussed with French experts and different stakeholders of the Olympic environment, in order to foresee whether or not the International Olympic Committee and Paris 2024 Organisational Committee for the Olympic Games might be compared to Big Brother.

Keywords : Ambush marketing, activation, event specific ambush marketing legislation, Olympic Games, Paris 2024, Big Brother, International Olympic Committee

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Prelude:

« Sponsoring, the Olympic Games' bug »¹, “In London, the International Olympic Committee plays at Big Brother in its sponsors' service”², these titles, chosen by respectively the newspapers Slate on August 13th, 2012 and Le Monde on August 23rd 2012 symbolized the global mindset about Olympic sponsoring after the 2012 London Olympic Games and affected the fifteen years and oblivious teenagers that I was at that time. During this edition of the summer Olympic games, the number of polemics and scandals on the commercial exchequer sometimes seemed to push the sportive achievement of Mo Farah, Usain Bolt and the british track cycling team on the background. These polemics that brought the media to wonder whether the Olympic Games had lost their soul when they forced an old British pub based in London to change its name because the term « Olympic » was present in its former designation, or when they forbid every food spot on the Olympic perimeter to sell chips because McDonalds was an official partner of the IOC and paid for the exclusivity on “chips selling” -which seems quite paradoxical in the country of fish & chips - awaken my curiosity. A curiosity that quickly turned into a need to know and to understand what are the reasons that forced Sebastian Coe, the London Organizational Committee for Olympic Games's (OCOG) president to declare in the media that fans “probably could not enter the Olympic site with Pepsi T-shirt”³ as Coca-Cola is one of the International Olympic Committee's official sponsors. If Tony Estanguet, the President of Paris 2024 OCOG, is today far away from giving such a speech, one can find a consensus inside the sport business industry that these stakes of visibility will be present around Paris 2024.

Regarding its title and what has been said below, the lector might have grasp that this paper will once again speak about ambush marketing. I confess that much have been written on this topic during the last decades. However, as Napoleon Bonaparte's legacy which has been the source of more than one book per day since the Emperor's death, I deeply think that some topics earn to get concerned from every conceivable angle, and according to my opinion, ambush marketing is one of them.

Indeed, the concept of ambush marketing –or guerilla marketing- take some elements in many dimensions, from law to business, passing by ethics and is transformed years after years, events after events, cases after cases. What persuaded me to do my paper on ambush marketing is the

¹MONOD Olivier, Le sponsoring bug des JO, *Slate*, 13 Aout 2012, disponible sur <http://www.slate.fr/life/60437/sponsoring-jo>

² GOLDBAUM Maxime, A Londres, le CIO joue à Big Brother au service de ses sponsors, *Le Monde*, 24 Juillet 2012, disponible en ligne sur : https://www.lemonde.fr/jeux-olympiques/article/2012/07/24/a-londres-le-cio-joue-a-big-brother-au-service-de-ses-sponsors_1735959_1616891.html

³ GOLDBAUM Maxime, A Londres, le CIO joue à Big Brother au service de ses sponsors, *Le Monde*, 24 Juillet 2012, disponible en ligne sur : https://www.lemonde.fr/jeux-olympiques/article/2012/07/24/a-londres-le-cio-joue-a-big-brother-au-service-de-ses-sponsors_1735959_1616891.html

ambivalent approach of Lagardère Sports, an international sports marketing agency where I am currently doing my sandwich courses, on the issue of ambush marketing. Actually, if Lagardère Sports strongly blame ambush marketing and ambushers, the agency recommends to its clients and prospects, regarding their budget and objectives, both official sponsorship and what one calls “alternative strategies”. However, one can see that the border between ambush marketing and alternative strategies is vague and confused as define ambush marketing is subjective and tricky. Therefore, regarding the difficulties faced by Paris 2024 OCOG to attract official partners and reach their initial objective of 1,3 billion euros of revenues from their sponsoring program, I decided to focus this paper on ambush marketing and particularly on the methods used to prevent and fight ambush marketing. The law has always been the major method in the action against ambushers. Nevertheless, as I think you too remember, the IOC has been the center of many polemics during and after London 2012 Olympic Games regarding the legislation and the “Orwellian” methods used to face ambush marketing and what sometimes seemed to be unintentional ambushers. That’s why, regarding this matter, this paper aims to understand how the IOC came to be compared to Big Brother and to warn spectators, announcers, sponsors, athletes and federations who somehow will be concerned by Paris 2024 Olympic Games whether or not Big Brother – the IOC and Paris 2024 OCOG- will be watching them.

Introduction:

2.1 – Context of research

“Studies led on the previous editions show that a brand identified as Olympic Games’s partner is perceived as a leader in its sector of activity”⁴. These are the terms used by Marlène Masure, the head of Paris 2024 Organizing Committee for the Olympic Games (OCOG) Sponsorship department, on January the 1st 2020 in the French sport daily newspaper *L’Equipe*, presenting the attractive effect of becoming an Olympic Games official partner. Looking at the full coverage of Paris 2024 in the press, one can see that the sporting side has often been relegated behind the commercial aspect so far, symbolizing the global trend in the world of sport where the predominance of business issues is not a taboo topic anymore. Indeed, when media first mentioned the possibility of cancelling or postponing the Tokyo 2020 Olympic Games due to the Covid-19 pandemic in March 2020, the major issues the media raised wasn’t the physical conditions and trainings of athletes but the economic repercussions of such a decision on Japan’s Gross Domestic Product (GDP) – which would decrease of 1,5%⁵ – and the sponsors’ concerns about their possible postponement or canceling⁶. This fact constitutes a perfect example of the predominance of business concerns in the sport environment nowadays, a predominance that one can find in the speeches of most stakeholders of the Olympic environment, far from the wishes of Pierre de Coubertin the founding father of the Olympic Games. Actually, the organizers of Paris 2024 do not hide that beyond the sporting success of the Olympic games, economic success is the main concern in the organization of the Olympic Games, and, as one will see throughout this paper, sponsoring is is one, if not the most important, of the key factors of economic success. When Sebastian Coe claims that sponsors are largely the one paying for the Games⁷, it is because sponsoring is an essential source of revenue for the IOC and the different OCOGs. This being said, one of the main stakes for the 2024 Paris OCOG is then to guaranty the success of its sponsoring program. Regarding the words of Marlene Masure, it means that it has to reassure its

⁴ PRETTI Rachel, Marlène Masure « Être partenaire change la vision du public », *L’Equipe*, 1^{er} Janvier 2020

⁵ AFP, Economie, PIB ; quel impact pour le Japon en cas d’annulation des Jeux Olympiques de Tokyo ?, Eurosport (en ligne), 11 Mars 2020, disponible sur https://www.eurosport.fr/jeux-olympiques/tokyo-2020/2020/economie-pib-quel-impact-pour-le-japon-en-cas-d-annulation-des-jeux-olympiques-de-tokyo_sto7700760/story.shtml

⁶ Sportbusiness Staff, Tokyo 2020 sponsors « preparing » for Games postponement, Sportbusiness, 12 Mars 2020 ; disponible sur <https://www.sportbusiness.com/news/tokyo-2020-sponsors-preparing-for-games-postponement/>

⁷ GOLDBAUM Maxime, A Londres, le CIO joue à Big Brother au service de ses sponsors, Le Monde, 24 Juillet 2012 , disponible en ligne sur : https://www.lemonde.fr/jeux-olympiques/article/2012/07/24/a-londres-le-cio-joue-a-big-brother-au-service-de-ses-sponsors_1735959_1616891.html

partners, or its prospects, that they will be the ones correctly identified by consumers and spectators. Indeed, in a field where ambush marketing, which Cambridge defines as “a situation in which a company tries to advertise its products in connection with a big public event, without paying any fee, although they are not the official sponsor”⁸, has been represented as a dangerous threat since 40 years and where researches has shown the gullibility of consumers and spectators, reassuring sponsors that they will entirely benefit from their costly partnership has been a huge a task for sport properties these past decades. This mission involved the need to establish measures and legal packages - known as event specific ambush marketing legislation- , which became quickly the source of polemics.

The extreme cases lived during London 2012 Olympics, where the London Organisation Committee for Olympic Games (LOCOG) set up a really aggressive polity in order to protect its sponsors, symbolized how far the Event Specific Ambush Marketing Legislation (ESAML) can go and how strong reactions from the society and even from unattended stakeholders can happen. Indeed, during London 2012, even some volunteers published an opinion column to complain about the commercialization of the Olympic village, glorifying the official partners of the IOC⁹. This excess of carefulness granted to the official partners that lead to a repressive mindset has been justified by the London OCOG’s president, Sebastian Coe, who said that “It is important to protect the sponsors, because it is largely them who pay for the Games”¹⁰.

When Sebastian Coe claims that sponsors are largely the one paying for the Games¹¹, it is because sponsoring is an essential source of revenue for the IOC and the different OCOGs. Indeed, according to the Paris 2024 Olympic Games provisional budget, revenues from sponsoring represents more than 50% of the €6.8 billions total budget. Indeed, the OCOG plans to get €1,1 billion from its own local sponsors¹² on its €3,8 billions budget when the IOC expects to get more than €2,5 billions from the brands members of its TOP program to finance the €3 billions remaining¹³.

⁸ <https://dictionary.cambridge.org/fr/dictionnaire/anglais/ambush-marketing>

⁹ MONOD Olivier, Le sponsoring bug des JO, *Slate*, 13 Aout 2012, url : <http://www.slate.fr/life/60437/sponsoring-jo>

¹⁰ LEFILLIATRE Jérôme, « Aux JO, mieux vaut ne pas porter un T-shirt Pepsi » Challenges (online) , 24/07/2012, url : https://www.challenges.fr/sport/aux-jo-mieux-vaut-ne-pas-porter-un-t-shirt-pepsi_5095

¹¹ GOLDBAUM Maxime, A Londres, le CIO joue à Big Brother au service de ses sponsors, *Le Monde*, 24 Juillet 2012 , disponible en ligne sur : https://www.lemonde.fr/jeux-olympiques/article/2012/07/24/a-londres-le-cio-joue-a-big-brother-au-service-de-ses-sponsors_1735959_1616891.html

¹² PARIS 2024, “Les jeux financent les Jeux”; Paris 2024, online, url : <https://www.paris2024.org/fr/concept-budget-paris2024/>

¹³ <https://international.franceolympique.com/international/actus/5208-cot.html>

Thus, one can see the importance of sponsors for the durability of Olympic Games and for the growth of the Olympic movement as sponsors are present in every step of the process of organizing Olympic games, from the bidding announce to the closing ceremony of the Paralympics, and especially as sponsors accompany IOC and OCOGs longer and longer. Indeed, as we have recently seen with the announcement of the partnership between Delta Airlines and the Los Angeles 2028 Olympic Games Organisation Committee, this partnership was made nine years before the beginning of the event¹⁴: sponsoring contracts in the Olympic environment are moving and upsetting the whole Olympic ecosystem, skyrocketing even more the Olympic marketing.

Therefore, one can understand the importance of the topic of Olympic marketing, whose stakes are now overwhelming the simple economics issues to generate political and geopolitical questions. As we have seen last year with the role played by Anne Hidalgo and Paris administration in order to prevent the company Total to become a 2024 Olympic sponsor on behalf of its non-ecological activities, politics meddle more and more often in the process. Even if it is not the first time that politics disturbs the sponsors' quest from an OCOG, one can see in the Total affair the new challenges faced by the Paris 2024 OCOG. Moreover, if companies used to fight to become Olympic partners until the beginning of our millenary, it is nowadays not that simple for the OCOGs to find new sponsors up to their expectations. Indeed, as entrance tickets are more and more expensive, even if Paris 2024 OCOG claims that they do not present themselves with a entry ticket prices¹⁵, and the results of sponsorships strategies more and more intangible for companies, it raises problems in a society where return on investment (ROI) is erected as king. These new challenges can be seen as an explanation for the relative delay of the Paris 2024 OCOG's agenda. Indeed, only three brands (EDF, FDJ, BPCE) have been announced as main partners until January 2020, joined in March 2020 by a fourth brand in the second-tier partnership, Le Coq Sportif¹⁶.

Thus, regarding all these new challenges ahead for Paris 2024 OCOG around the quest for sponsors until July 2024 and the aftermaths that the postponing of Tokyo 2020 entail, one must not forget the stake of ambush marketing: dealing with this will be a huge concern for every

¹⁴ WOLF Elisabeth, Delta launches eight-year commitment to Olympic and Paralympic Games Los Angeles 2028 as inaugural founding partner of LA28, March 02, 2020, available at : <https://news.delta.com/delta-launches-eight-year-commitment-olympic-and-paralympic-games-los-angeles-2028-inaugural>

¹⁵ News Tank Sport, Paris 2024 "On ne vend pas du sponsoring mais l'élan du plus grand événement sportif", Sporsora available at : <https://sporsora.com/membres/item/4805-news-tank-sport-paris-2024-on-ne-vend-pas-du-sponsoring-mais-l-elan-du-plus-grand-evenement-sportif>

¹⁶ CARBUCCIA Karen, Paris 2024 ; Les bleus, aux couleurs du coq sportif !, Sport strategies, 11 Mars 2020, available at : <https://www.sportstrategies.com/paris-2024-les-bleus-aux-couleurs-du-coq-sportif/>

stakeholders, particularly since the London 2012 Olympic Games, where the ESAML designed, known as “Olympic Games Act”, has been so much criticized. Therefore, studying ambush marketing around Paris 2024 Olympic Games seems relevant regarding the context described above.

2.2- Previous researches on the issue of ambush marketing

For the past decades, ambush marketing has been a fertile field of research in the sport business industry. As one will see during this paper, most of the first researches focuses on the definition and the enlightenment of this new phenomena. This exercise of definition triggered a great number of scientific and academic articles, creating a debate as it contains a part of subjectivity and depends, as Stephen Mc Kelvey realised, on “which side of the fence you’re on”¹⁷. This means that ambush marketing is defined differently whether you are a sponsor or an ambusher. Presenting the ins and outs of this debate will take part in the work of definition of this paper, using the previous researches recalled above. Nevertheless, as Dana Ellis claims:

“most part of the previous literature around ambush marketing has been descriptive and can be classified in five central areas : a) describing the practice and developing a definitional construct, b) looking at concerns around consumer perception, c) judicial precedent and description of legalities, d) examining ethical issues and e) strategies for fighting and preventing ambush marketing.”¹⁸

Regarding the purpose of this paper, one has to look at the last area of research and particularly on the use of law as a tool to fight and prevent ambush marketing. This topic has been much written about as well, especially since 2012 and the London Olympic Games in which the ESAML and the action took by the IOC made the headlines and created polemics. As one will see later during this paper, the researches on this topic focuses on a description of the practice from a legal point of view, without questioning empirically or theoretically its efficiency. Moreover, one can find in the previous researches a lack in the analysis of ESAML’s limits, as the dark side of such legislations has been a sore point for many years.

2.3- Problematic and question of researches:

Taking into account these previous initial and further researches evoked, this paper will aim to fulfill the gap existing concerning the examination of the impacts perceived by various

¹⁷ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

¹⁸ ELLIS Dana, SCASSA Teresa, SEGUIN Benoit, “Framing ambush marketing as a legal issue: an Olympic perspective”, Sport Management Review 14, 2011, 297-308

stakeholders of the Olympic environment due to the legal restrictions around ambush marketing, as advised by Dana Ellis, Teresa Scassa and Benoit Séguin¹⁹. Without questioning the utility of ESAML, one wants here to put things into perspective by studying the potential negative effects of ESAML perceived by the stakeholders and to. Thanks to the network of Lagardère Sports and its central place inside this ecosystem, this paper will mainly focus on these perceived impacts in order to survey the market about their opinions on the Olympic Law enacted in relations of Paris 2024 Olympic Games.

Therefore, the main lines of research will concentrate around evaluating the dark side of ESAML and its limits, aiming at placing the cursor to find the optimized equilibrium – like the Pareto equilibrium – to satisfy every stakeholder and over all to reach the final goal of event specific ambush marketing legislation : the protection of the Olympic brand. This goal seems somehow to have been forgotten by IOC and OCOGs, as their past policies had counterproductive effects and damaged the Olympic brand and the Olympic rings' image.

Moreover, the exchanges around ESAML and its perceived impact will help us to provide some elements on the potential conflicts between IOC, OCOGs and their respective sponsors as ESAML seems to be designed by and for the IOC. Thus, these issues around ambush marketing inside the Olympic environment raise questions such as: should the Olympic stakeholders fear ambush marketing? How far should the IOC go in its fight against ambush marketing? Is the phobia of ambush marketing even more a threat than the ambush marketing itself?

To find answers to these questions, one will first have to study and analyze the previous editions of the Olympic games and what has been implemented by each of the London 2012, the Rio 2016 and Tokyo 2020 OCOGs to protect their sponsors from ambush marketing. With Paris 2024 in mind, this paper will focus on collecting information from different stakeholders of this huge event, from members of the Paris 2024 OCOG partnership program to head partnership program of Paris 2024 sponsors, passing by members of parliament in charge of this subject to Lagardère Sports Olympic office members.

¹⁹ ELLIS Dana, SCASSA Teresa, SEGUIN Benoit, "Framing ambush marketing as a legal issue: an Olympic perspective", *Sport Management Review* 14, 2011, 297-308

1st part; Literature review

Chapter 1: Where does the phobia of ambush marketing come from?

Without coming back in details about the sports sponsoring history, this chapter aims to understand the origin of ambush marketing and its evolution, becoming a threat and a possible nightmare for sports properties. If we need first to analyze how ambush marketing was meant to exist in the shadow of sponsorship system, one can see that shortly after its birth in the 1980s, the concept of ambush marketing knew several definitions depending on the bias of their designers, whether they were ambushed (victims of ambush marketing) or ambushers (announcers using ambush marketing). However, one will see that the pejorative way of describing ambush marketing became the standard quite quickly.

1.1 Sponsors vs ambushers; a bound to happen confrontation

Unquestionably, the arrival in the new millennium twenty years ago constituted an upheaval for the sport business industry. Indeed, especially in France where the 1998 World Cup seemed to end the “prehistory” of sports marketing, the end of 1990s and the beginning of 2000s have seen the birth of huge literature researches in the sport business industry²⁰. Since then, sponsoring expenses increased by more than 10% each year²¹, and one can see regularly in the daily newspaper companies spending outsized amount of money to become sport properties’ official partners. For examples, the brand Accor associated itself with the Paris Saint Germain Football Club in 2019 for more than €50 millions per year to launch its fidelity program ALL

²⁰ DESBORDES Michel, RICHELIEU André, Néo-marketing du sport ; regards croisés entre Europe et Amérique du Nord, De Boeck, Management & Sport, 186 p

²¹ DESBORDES Michel, RICHELIEU André, Néo-marketing du sport ; regards croisés entre Europe et Amérique du Nord, De Boeck, Management & Sport, 186 p

(« Accor Live Limitless »)²², and the company Chevrolet spent €75 millions during four years to display its brand on the shirt of the Manchester United players²³.

If big companies, like Accor, Chevrolet or BPCE, or smaller companies at their scale, decide to invest so much money on sports sponsoring, it is because this communication medium and the emotional power of sport offer many advantages that more classical means of communication would not grant. As Cliffe and Motion explained, sports sponsoring offer to companies an opportunity to enhance their brand in a sports context²⁴. Therefore, sports sponsoring became a “more effective way of building brand equity than more traditional forms of marketing communications”²⁵ and a relevant support to implement a brand strategy to reach fundamental objectives, such as increasing brand notoriety and awareness, improving brand image, increasing sales and market shares, developing an intern communication or even networking thanks to the public relations and hospitalities programs included. All these objectives have been well-documented and proved by previous empirical researches during the past thirty years and therefore brought many companies to the sport business industry.

Furthermore, as many sports marketing agencies witness, like Lagardère Sports, sponsoring is one of the favorite ways of communication and advertising and is generally well-accepted by citizens. Indeed, as one can see in the infography below, 80% of the French population accept the sport sponsorship, that contributing to make sport sponsorship the French

²² UGOLINI Sarah, « Accor casse sa tirelire et devient sponsor du PSG, *Capital* (En ligne), publié le 21/02/2019, available at : <https://www.capital.fr/economie-politique/accor-casse-sa-tirelire-et-devient-sponsor-principal-du-psg-1328568>

²³ William J. Rowe and James E. Zemanek (2014). Chevrolet and Manchester United: a transformational sponsorship in a traditional industry. *Innovative Marketing* , 10(1)

²⁴ Cliffe, S and Motion,J (2005), « Building contemporary brands; a sponsorship-based strategy » *Journal of Business Research*.

²⁵ MAZODIER Marc, QUESTER Pascale, “Ambush Marketing disclosure impact on attitudes toward the ambusher’s brand”, *Recherches et applications en Marketing*, vol 25, n°2, 2010



Figure n°1 : French people and sports sponsorship, Opinionway survey, commanded by Lagardère Sports and released in Februar 2020.

Thus, all these advantages have not gone unnoticed and brought more and more companies to opt for sponsoring, creating a common market with supply and offer. The supply has quickly overtaken the offer, and prices began to rise tremendously, opening the way to ambush marketing as we know it. Indeed, as prices increased, many companies wishing to become official partner of sport properties could not afford anymore the fees requested. Therefore, they had to develop strategies to get around this issue. Moreover, one can see in the foundations of sports sponsoring the seeds of ambush marketing strategies. In fact, as sponsoring is based on exclusivity rights, meaning that only one company from each sector – like the banking sector – can be partner of a sport event like the Olympic Games, it constitutes the ground for competition between companies, a competition in which no one want to be left aside. If official sponsors rights are unavailable or too expensive, one company has to find alternatives in order to associate itself with the values of sport properties. Thus, as you can see, the presence of parasitic activities alongside the official sponsorship programs seems quite natural due to many factors, from the price explosion to the exclusivity principle. In the Olympic movement particularly, one will see now that the management of the Olympic brand by the IOC makes way to ambush marketing activities.

1.2- The management of the Olympic brand, a fertile ground for ambush marketing activities

To have a better understanding of the origins of ambush marketing among the Olympic movement, one has to study the management of the Olympic brand by the IOC and its particularities, such as the famous rule 40, to understand where the grey areas are and why ambush marketing is so significant in the Olympic environment.

The Olympic Games quickly became a global icon in terms of sport and attracts every two years, thanks to the alternation between Winter Games and Summer Games, thousands of athletes, hundred-thousands of fans and billions of viewers worldwide²⁶. Such attractiveness does not escape to the interests of companies wishing to be associated with one of the more powerful brands in the world, the five Olympic rings, as Jean-Noël Kapferer, consultant for international brands, asserts²⁷. However, one must know that the Olympic brand is definitely not a brand like the others and owns several particularities. From an economic point of view particularly, the IOC tried for decades to combine the respect of the values established by Pierre de Coubertin and the commercial stakes, vital for the sustainability of the Olympic Games. That is why one can find in the Olympic environment some rules that cannot be found anywhere else. For the purpose of this paper, it seems relevant to describe briefly some of these rules as they constitute the fertile ground for ambush marketing activities.

First of all, it is impossible to discuss the management of the Olympic brand without mentioning the fact that the sponsoring program is organized hierarchically with the “The Olympic Program (TOP)” members at the top. This program has been created in 1985 in order to reassure the long-term partners and to organize a process that became really quickly a huge mess after the internationalization of sport and the advent of the “sport business” as one knows it nowadays, one year before during the 1984 Los Angeles Olympic Games²⁸. As one can see on the official website of the IOC, the Olympic Program “constitutes the highest level of Olympic sponsorship by granting a selected group of global partners exclusive marketing rights, in a given category, to the Summer and Winter Olympics and at the Youth Olympic Games”²⁹. This program was created to restore order in a system that Robert K.Barney called “organizationally

²⁶ Ferrand Alain, Chappelet Jean-Loup, Séguin Benoît, *Le marketing olympique. Co-crédation de valeur entre acteurs*. Louvain-la-Neuve, De Boeck Supérieur, « Management & Sport », 2012, p. 21-36

²⁷ Olympic Committee, « The Power of the rings », The Olympic Committee (onlign), released the 08/04/2015, URL : <https://www.olympic.org/fr/news/le-pouvoir-des-anneaux>

²⁸ Ferrand Alain, Chappelet Jean-Loup, Séguin Benoît , *Le marketing olympique. Co-crédation de valeur entre acteurs*. Louvain-la-Neuve, De Boeck Supérieur, « Management & Sport », 2012, p. 21-36

²⁹ Olympic Committee, « Partners », The Olympic Committee (onlign), URL : <https://www.olympic.org/fr/partenaires>

chaotic”³⁰. Indeed, previously the IOC had its sponsors and the various OCOGs had the possibility of having their own sponsors as well, a system which could create conflict situations between the various stakeholders, and in particular the partners regarding the sectors of exclusivity. In addition, announcers and brands could only become partners in one edition of the Olympic Games and therefore had no long-term vision, which was detrimental for both the advertisers and the IOC, as this represented a shortfall in the IOC’s budget. To remedy this, the IOC has set up the Olympic Program which allows advertisers to be long-term partners and to have exclusive sectors, but not at any cost. Thus, companies like Coca-Cola, Protect & Gamble, Toyota, Samsung or Visa became TOP members for a long period and for significant fees. If one looks at the example of Coca-Cola, which is the oldest partner of the IOC as the American brand is member of the IOC partners program since 1986 but has been partner of the IOC already in 1928, one will understand how Coca-Cola kept the exclusivity on the sector of non-alcoholic drinks for more than 40 years thanks to the creation of the TOP program, as they recently prolonged their partnership until 2032³¹.

This pyramidal organization that seems relatively simple in theory is however tricky for anyone which is not enlightened by these issues, specially spectators and consumers. Therefore, this system of partnership might be one more element that enhances the confusion among spectators and gives up seat to ambushers.

Differently, the famous rule 40 is another distinctive feature that might foster the ambush marketing activities inside the Olympic environment. The goal of this rule is to preserve the exposure of the real partners of the International Olympic Committee³² by cl³³osing and forbidding all commercial communication to Olympic athletes. Nevertheless, over the years, this rule shown up to be very difficult to apply. Actually, one will remember Usain Bolt celebrating its world record with its Nike shoes when Adidas was the official partner of the Olympic Games. Thus, if this rule seems in theory to be a powerful weapon against ambush marketing activities, its strictness damaged the Olympic movement and forced the IOC to show some common sense

³⁰ Robert K. Barney, Stephen R. Wenn, and Scott G. Martyn , *Selling the Five Rings: The International Olympic Committee and the Rise of Olympic Commercialism*, *Sport History Review*, 2002, 33, 147-149

³¹Olympic Committee, « Olympic sponsorship , Coca-Cola », The Olympic Committee (onlign), URL:<https://www.olympic.org/fr/parrainage-olympique/coca-cola>

³² Sport Business.Club, « Pas encore 20 sur 20 pour la règle 40 », Sportbusinnes.clu, Février 2020, vu le 13 Mars 2020, URL: <http://sportbusiness.club/jeux-olympiques-la-regle-40-assouplie/>

³³ PARK Kathryn, “Ambush Marketing : when sponsors cry”foul “ Strategic Trademark Consulting, April 2019, URL : https://www.wipo.int/wipo_magazine/en/2019/02/article_0004.html

and accept some exceptions, which are technically legal ambush marketing activities. That's why, in 2019, the IOC decided to make this rule 40 more flexible, which is a good step forward according to Frédéric Quénet, Senior Vice President of Lagardère Sports and Entertainment, in charge of the Olympic activities³⁴. With this relaxing of the rule 40, ambushers will find more grey-areas where they will be able to operate and the IOC will have to counterbalance its effects to official partners, as Paul-Edmond Betromieux claimed³⁵.

Finally, unlike all the other sports events, the IOC has always forbidden to its sponsors any in-stadia displaying during the Olympic Games according to the "clean venue" principle, meaning that sponsors can't display their logo or commercial messages in any sportive infrastructures during the Games, whether on the walls or on the athletes. The IOC decided to maintain this old principle, even if in-stadia display has been demonstrated as one of the most effective way for sponsors to get the attention of spectators and consumers by Windy Dees, Colin Gay, Nels Popp and Jonathan Jensen³⁶.

Thus, the stadia outskirts become the preserve zone of the partners brands³⁷. As sponsors are not present in-stadia, they catch up with their 500 meters-reserved area. That is why a spectator will only be able to drink Coca-Cola or Heineken drinks or eat only McDonald's' food and withdraw money at Visa distributors. This reserved area can also be seen as a kind of compensation toward sponsors regarding the fact that they are not allowed to display any commercial messages in-stadia.

This brief presentation of some particularities inside the management of the Olympic brand by the IOC emphasis the importance of unicity and coordination between every stakeholder in the fight against ambush marketing as the plenty grey-areas give seats to ambushers. Therefore, as one will discover now, the birth of what will be called ambush marketing was not so much a surprise in 1984.

1.3- The origins of Ambush Marketing and its first cases

1.3.1 - 1984; the birth of Ambush Marketing and of IOC as Big Brother.

³⁴ Sport Business.Club, « Pas encore 20 sur 20 pour la règle 40 », Sportbusinnes.clu, Février 2020, vu le 13 Mars 2020, URL: <http://sportbusiness.club/jeux-olympiques-la-regle-40-assouplie/>

³⁵ Interview de Paul betromieux, voir annexe

³⁶ DEES Windy, GAY Colin, POPP Nels, JENSEN Jonathan, « Assesing the impact of sponsor asset selction, intangible rights, and activation on sponsorship effectiveness ». Sport Marketing Quanterly, June 2019, Vol 28, Issue , p 91-101, 11p

³⁷ MONOD Olivier, Le sponsoring bug des JO, *Slate*, 13 Aout 2012, Url : <http://www.slate.fr/life/60437/sponsoring-jo>

If George Orwell was indeed wrong when he depicted the year 1984 as the advent of the society being victim of mass surveillance, government over-reach and totalitarianism, this year 1984 has nevertheless been a turning point for one field of study: sport business. Indeed, it is during the summer of 1984 that the 23rd edition of the modern era Olympic Games took place in Los Angeles. These 1984 Olympic Games will be forever in the history books not only thanks to the sports records and achievement (Carl Lewis' 4 gold medals,...) and due to the diplomatic context that led to the boycott of 14 countries, but in an sport business point of view as well. If the Los Angeles 1984 Olympic Games are considered by all experts as the “first corporate sponsored, revenue generating Games”³⁸, these Olympic Games have also been considered as the birthplace of ambush marketing. This concept was a concept named in 1994 by Tony Meenhagan³⁹, which has been described previously by Sandler & Shani during the 1980's as a “planned effort (campaign) by an organization to associate itself indirectly with an event in order to gain at least some of the recognition and benefits that are associated with being an official sponsor”⁴⁰, and whose definition has evolved a lot during the past 30 years as we will see later in this paper.

Thus, alongside the confrontation between Carl Lewis and Sam Graddy on the track, the clash between the Eastern Bloc and the Western Bloc on the geopolitical exchequer, the battle between Kodak and Fuji Photo Film on the marketing stage took part in the construction of the legend of L.A. 1984 Olympic Games. Even if one cannot confirm the man behind the first use of the term ambush marketing, the marketing activities put in place by the company Kodak to “blunt” the official sponsorship rights of Fuji Photo Film have been identified as the source of this neologism⁴¹. Since then, the ambush marketing term has been largely accepted in the sport sponsorship lexicon, has been exported to other field of business and has now some derivatives such as “parasitive marketing” or “guerrilla marketing”. On the sports pitch, ambush marketing has been the core of major legal cases that built up a solid case law on the topic of ambush marketing. Without going into details of each of them, it seemed interesting to mention the big ones as they took a big role in the shaping of the definition of ambush marketing during the past decades and on the advent of a case law of ambush marketing.

³⁸ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

³⁹ DESBORDES Michel, RICHELIEU André, Néo-marketing du sport ; regards croisés entre Europe et Amérique du Nord, De Boeck, Management & Sport, 186 p

⁴⁰ ELLIS Dana, SCASSA Teresa, SEGUIN Benoit, “Framing ambush marketing as a legal issue: an Olympic perspective”, Sport Management Review 14, 2011, 297-308

⁴¹ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

1.3.2- The first cases, the advent of a case law of ambush marketing

Even if the concept was still fuzzy and blurred for many people, justice helped to define and lay the outlines of ambush marketing strategies. Indeed, in 1991, a Canadian court held the case of *National Hockey League, Inc v. Pepsi-Cola Canada*, which was the first fully litigated case to specifically address ambush marketing⁴² and prepared the ground for the first analyze of Mc Kelvey which was the first ambush marketing related article published in a law journal. This case “demonstrated that the likelihood of confusion required for a finding of passing off sets a threshold that is too high to capture some ambush marketing activities”⁴³. If one comes back on the facts of this case, one can see that the event organizer (the National Hockey League or NHL) sued Pepsi, a competitor of one of its major sponsor Coca-Cola Ltd (Coke) who payed 2,9 billions \$ in 1989⁴⁴, as it claimed that, by running an advertising campaign around the broadcasting of the Play-Offs, Pepsi will create a confusion and an impression among spectators that they are an official partner of the event . However, the court disagreed with the NHL asserting that “the confusion that is actionable in passing off is as to the source of the wares or services”⁴⁵ and rejected the request of the NHL. Furthermore, this case allowed the court to assert that the presence of a “prominent disclaimer”⁴⁶ would be sufficient and relevant to diminish the risk of confusion on spectators. With this decision, the Canadian Court defined the fundamental concept of “passing-off”, the ancestor of ambush marketing, as “a false representation tending to induce buyers to believe that the defendant's product is that of the plaintiff, usually but not always because the plaintiff's product is better known or has a better reputation”⁴⁷, and established five elements necessary to condemn a passing-off activity:

⁴² MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

⁴³ SCASSA Teresa, “Ambush marketing and the right of association: clamping down on references to that big event with all the athletes in a couple of years”; Journal of Sport management, 2011, 354-370, 17p Url : https://www.teresascassa.ca/Files/publications/06Scassa_jsm_2009_0053_354-370.pdf

⁴⁴ Robert N. Davis, *Ambushing the Olympic Games*, 3 Jeffrey S. Moorad Sports L.J. 423 (1996). Available at: <https://digitalcommons.law.villanova.edu/mslj/vol3/iss2/5>

⁴⁵ SCASSA Teresa, “Ambush marketing and the right of association: clamping down on references to that big event with all the athletes in a couple of years”; Journal of Sport management, 2011, 354-370, 17p Url : https://www.teresascassa.ca/Files/publications/06Scassa_jsm_2009_0053_354-370.pdf

⁴⁶ SCASSA Teresa, “Ambush marketing and the right of association: clamping down on references to that big event with all the athletes in a couple of years”; Journal of Sport management, 2011, 354-370, 17p Url : https://www.teresascassa.ca/Files/publications/06Scassa_jsm_2009_0053_354-370.pdf

⁴⁷ . PAGE KEE- TON ET AL., PROSSER AND KEETON ON THE LAW OF TORTS § 130, at 1015 (5th ed. 1984)

“(1) a misrepresentation, (2) made by a trader in the course of trade, (3) to prospective customers of his or ultimate consumers of goods or services supplied by him, (4) which is calculated to injure the business or goodwill of another trader ... and (5) which causes actual damage to a business or goodwill of the trader by whom the action is brought or ... will probably do so.”⁴⁸

As the first legal case to specifically address ambush marketing⁴⁹, it marks the beginning of a case law around ambush marketing and led the way to numerous others famous cases which supplemented the ambush marketing case law.

Thus, starting at 1992 with the Barcelona Olympic Games, two matters completed the ambush marketing case law and led to the awareness of sport properties that ambush marketing and passing-off would be an essential issue for them for the next decades. First, the *Visa vs American Express* case in which Visa, who paid \$20 millions to be an official partner of the Barcelona Summer Olympic Games in 1992 and the Albertville Winter Olympic Games the same year, designed an aggressive campaign to be the official credit card of the 1992 Olympic games, spreading that the “Olympics don’t take American Express”. They faced an as much aggressive campaign from American Express, which displayed athletes saying that “to enjoy the 'fun and games' they 'don't need a Visa’”⁵⁰. Secondly, the 1992 Olympic Games have been the playground of a marketing fight between Nike and Reebok. In the *Nike, Inc. and Reebok International, Ltd* case, one can see another form of ambush marketing as Nike, which created a huge campaign of advertising displaying Michael Jordan on lots of Barcelona’s buildings without paying a penny in Olympic Sponsoring fees and thus putting the official partnership of Reebok in the shadow.

One can see that the number of cases concerning ambush marketing skyrocketed and it is impossible to explain every one of them. What is interesting to see is that the ambush marketing case law has been constructed little by little, with 1991 and the *National Hockey League, Inc v. Pepsi-Cola Canada* case as starting point. Since then, the case law moved a lot, depending on the trends and the evolution of the sport market. However, these precedents helped in the exercise of defining this concept which still knows today several names as ambush marketing, parasite marketing or guerrilla marketing. As one will see now, this exercise became particularly difficult.

1.4- The difficulty to find a universal definition of Ambush Marketing

⁴⁸ Robert N. Davis, *Ambushing the Olympic Games*, 3 Jeffrey S. Moorad Sports L.J. 423 (1996). Available at: <https://digitalcommons.law.villanova.edu/mslj/vol3/iss2/5>

⁴⁹ MCKELVEY Steven, *NHL V Pepsi-Cola Canada, Uh-huh ! Legal Parameters of sports ambush marketing*, *The Entertainment and Sports Lawyer* ; 10(3), 397-445.

⁵⁰ DECKELMAN Paul, “VISA, American Express battle with Olympic ads”, UPI Archives, Feb 7 1992, (online) url : <https://www.upi.com/Archives/1992/02/07/VISA-American-Express-battle-with-Olympic-ads/877697438800/j>

By doing a review of literature on ambush marketing, one will see that ambush marketing is a field of activity that is difficult to define as Marc Massodier and Pascale Quester suggested⁵¹. As one can comprehend from the table hereinbelow that they constructed, the definition of ambush marketing knew several dimensions during the lastest decades :

| Authors (year) | Proposed definitions |
|---|---|
| Sandler and Shani (1989) | Ambush marketing is a « planned effort by an organization to associate itself indirectly with an event in order to gain at least some of the recognition and benefits that are associated with being an official sponsor » |
| Meenaghan (1994) | Ambush marketing is « the practice whereby another company, often a competitor, intrudes upon public attention surrounding the event, thereby deflecting attention toward themselves and away from the sponsor » |
| McKelvey(1994) cited in Meenaghan (1998) | Ambush marketing is a « company's intentional effort to weaken or ambush its competitor's official sponsorship. It does this by engaging in promotions or advertising (...) to confuse the buying public as to which company really holds the official sponsorship rights » |
| Fuchs (2003) | Ambush marketing is « a technique where an advertiser - not accredited by the organizers of an event - tries to deflect public attention surrounding an event to his advantage, using marketing techniques, in order to gain some of the benefits associated with sponsorship » |
| Farrelly, Quester and Greyser (2005) | Olympic ambushers are « direct competitors striving to catch an illicit ride on the Olympic wave by deceiving or confusing consumers into believing they too are official sponsors » |
| CNOSF (French Olympic Committee, 2006) | Ambush marketing is a « set of behaviors by which an economic agent lurks in the wake of another in order to take advantage, free of charge, of his efforts and skills » |
| Walliser (2006) | Ambush marketing « can be defined as a technique where an advertiser who does not hold official sponsorship rights, notably for an event, tries to make the public believe the contrary » |
| VANOC (Vancouver Organizing Committee, 2009) | Ambush marketing « capitalizes on the goodwill of the Olympic Movement by creating a false, unauthorized association with the Olympic movement, the Olympic Games or Olympic athletes » |
| | |
| Chadwick & Burton 2011 | Ambush marketing is « designed by an organization to capitalize on the awareness, attention, goodwill, and other benefits generated by having an association with an event or property, without the organization having an official or direct connection to that event or property ». |

Table 1 - Definitions of ambush marketing issued from MAZODIER Marc, QUESTER Pascale, "Ambush Marketing disclosure impact on attitudes toward the ambusher's brand", Recherches et applications en Marketing, vol 25, n°2, 2010

⁵¹ MAZODIER Marc, QUESTER Pascale, "Ambush Marketing disclosure impact on attitudes toward the ambusher's brand", Recherches et applications en Marketing, vol 25, n°2, 2010

Indeed, when some definitions insist on the notion of dishonesty and trickery (McKelvey, Farrelly Quester and Greyser and Walliser), others put the emphasis on the illegality of such strategy or on the money stake. However, if divergences exist between the authors, one can see that some angles are unanimously present in these definitions: intentionality of the strategy, will of misleading the public, ... Nevertheless, if this table enlightens both the evolution of the midpoints chosen to characterize ambush marketing and the difficulty met by authors to find a universal and strict definition of ambush marketing, it does not represent the subjectivity inferred by the double-side of ambush marketing.

1.4.1- Ambush marketing; a double-sided concept long diabolized

As Mc Kelvey explained, defining and describing ambush marketing “depends on which side of the fence you’re on”⁵². With these words, McKelvey refers to Meenaghan who stated that the answer whether it is an immoral practice or not may lie in the eye of the beholder⁵³. Indeed, whether one is doing ambush strategies and is an ambusher, or one is a victim of ambush activities, one’s vision of ambush marketing will be biased and translated in its subjective definition of ambush marketing. That’s why McKelvey, thanks to its fifteen years of experiences on the front line of sport sponsorship and its work experiences on both sides of the fences, arrives at the conclusion that ambush marketing needs to be defined in the more neutral way possible.

Thus, one can see in the words below from McKelvey & Dr Grady a description with quite a neutral tone toward the practice of ambush marketing:

“Corporations devote significant marketing and advertising budgets to be official sponsors of the Olympic Games in order to gain exclusive axes to the high profile and positive image of the Olympic movement. These companies desire the exclusivity and prestige associated with official sponsorship because without this exclusivity and prestige, the total value of the sponsorship package is ultimately diminished. At the same time, however, companies without official rights remain active in their attempt to associate themselves with the goodwill of the Olympic Games through a variety of ambush marketing activities than can often circumvent legal attempts to control non-sponsor marketing activities. This, in turn, had led the Olympic organizers to seek greater protection of Olympic-related marketing opportunities through legislation, internal rules and comprehensive education and enforcement strategies to combat ambush marketing. Despite these admirable efforts, however, it can be concluded that wile Olympic athletes will continue to

⁵² MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

⁵³ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

compete on the field to win gold, the ongoing competition off the field will also continue as ambush marketers strive to « take » Olympic gold”⁵⁴

This description of ambush marketing gets back on every element around these activities without using the pejorative tone that one can find in the majority of researches on this topic. Indeed, as one will see later during this paper, most authors used a derogative tone to describe ambush marketing activities in order to educate consumers. A consensus emerged among researches, claiming that consumers didn't understand much of sports marketing backstage and ambush marketing and had an ambivalent opinion on the subject. Thus, a normative speech quickly developed itself among researchers and sports properties members, condemning ambushers and ambush marketing.

1.4.2- The characterization of ambush marketing as a threat

Since 1984, the tone used to describe ambush marketing has changed and one can find nowadays a trend that pledge toward the use of a neutral pitch. However, this was not really the case thirty years ago, when one can see that ambush marketing was unanimously considered as the devil, for several reasons.

First of all, one can see in the literature the first source of demonization of ambush marketing. Indeed, beyond the fact that pejorative terms - ambush, guerrilla or parasitic - have been chosen by authors to concept this phenomenon, Tony Meenaghan published in 1996 an article entitled “Ambush marketing - A threat to corporate sponsorship”. Since then, as Meenaghan wrote, the aim of literature was to “warn sponsors of the potential threat to their sponsorship investments, ... and discuss the ethical perspectives related to ambush marketing”⁵⁵ and the debate spin to ethical questions. As it is not the aim of this paper, one will not find here a review of the literature on this debate but it is nevertheless essential to take into account the fact that ethical issues have legitimately been the focus of ambush marketing research for a long time.

This warning pitch has since been largely taken back by the media and led to the development of a general negative perception of ambush marketing among spectators and consumers. Actually, one can see that this result was one of the main objectives of sport properties. Indeed, researches have shown that the public does not have generally a good knowledge, or even worse are indifferent, to these issues and are often not even aware of the

⁵⁴ MCKELVEY Stephen and Grady J, “An analysis of the ongoing global efforts to combat ambush marketing: will corporate marketers take the gold in Greece?”, *Journal of Legal Aspects of Sports*, 2004, 14(2), 190-220.

⁵⁵ MEENAGHAN Tony, “Ambush Marketing - a threat to corporate sponsorship”, *Sloan Management Review*, Fall 1996, 103-113, 10p

existence of ambush marketing⁵⁶. Therefore, aiming to raise awareness among the public and the consumers, some sports properties like the IOC launched advertising campaigns against ambush marketing and researches to understand if raising awareness among ambush marketing issues brings significant results on their perception of these activities. In 1996, one of the surveys commanded by the IOC demonstrated that 68% of the respondents agreed with the statement “I think it is wrong for companies to deliberately avoid paying for Olympic rights”⁵⁷. Following this realization that criticizing ambush marketing helped to raise awareness among consumers and that ambushers are ill-perceived by informed consumers, a large trend of denunciation began in the sports universe, aspiring to gain the attention of the public opinion and influence them toward a negative perception of ambush strategies.

In the meantime, on a more judicial point of view, sport properties conducted a large witch hunt toward ambushers. Following the cases described previously in this paper, many ambush marketing cases made the headlines of newspapers with a Manichean tonality associating the ambushers as the black, and the official sponsors as the white. All these elements contributed to stimulate the negative climate around ambush marketing and encouraged the pursuance of negative definition of ambush marketing for many years.

Nevertheless, as explained previously, a new trend has developed during the past few years, toward a more neutral way of describing ambush marketing as one can see in the definition McKelvey and Grady presented above. This new mindset proved itself to be really helpful in the construction of a typology of ambush marketing activities which revealed itself to be a huge step forward in the area of ambush marketing.

1.4.3 - Toward a complete typology of ambush marketing taking into account its « grey-zone »

Relatively soon, the literature laid the foundations for the conceptualization of ambush marketing by classifying ambushing activities. Thus, one can find a first typology in the 1996 work of Tony Meenaghan where he used five categories : 1- Sponsor media coverage of an event; 2- Sponsor a subcategory within an event and exploit the investment aggressively; 3- Make a sponsorship-related contribution to the « Players’pool »; 4- Plan advertising that coincides with the sponsored event; 5-Develop imaginative ambush strategies⁵⁸. This classification has been afterwards adapted and extended by many authors to match the new strategies developed by

⁵⁶ MAZODIER Marc, QUESTER Pascale, “Ambush Marketing disclosure impact on attitudes toward the ambusher’s brand”, *Recherches et applications en Marketing*, vol 25, n°2, 2010

⁵⁷ International Olympic Committee, *Marketing fact file 1996*, Lausanne, 1996, IOC.

⁵⁸ MEENAGHAN Tony, “Ambush Marketing - a threat to corporate sponsorship”, *Sloan Management Review*, Fall 1996, 103-113, 10p

ambushers. However, for a long time, the target of classification was only to describe and pull each ambush activities in one compartment, without any touch of analysis or sensitivity. This classification is a testimony of the desire to denounce ambush marketing at all costs and symbolizes this negative climate against ambush marketing.

One has to wait for a long time to see the first questioning and re-assessment of this orthodoxy. Actually, adopting a neutral perception of ambush marketing and taking into considerations its grey-zones⁵⁹ inferred in the term ambush marketing, defined by Andre M Loow as the area of conduct within many cases of ambushing might not be susceptible to be pinned down by black letter law⁶⁰, the first relevant new typology of ambush marketing activities has been suggested in 2011 by Chadwick and Burton. They divided the eleven types of activities described previously in the literature in three big categories: direct ambush activities, indirect or associative ambushing and unintentional ambush activities⁶¹. This classification allows to distinguish illegal ambush activities from the legal ones, thus admitting that some ambushers act legally which can be considered as another step forward in the way of overtaking the first fully negative perception of ambush marketing, in addition to the more neutral definition of ambush marketing in the literature. Chadwick & Burton updated their classification in 2017 to adapt to the new ambushing definition⁶². This new classification divides ambush marketing strategies in three types: incursion, obstruction and association and confirms that the literature has taken into account the dynamic and evolutionary characters of ambush marketing⁶³.

The goal of this chapter was to understand where the sport properties' phobia of ambush marketing comes from and has been spread through all the sport business industry and the public opinion in a voluntary way to demonized ambushers. As Benoit Séguin claims, sport sponsoring

⁵⁹ Wei, L., and [Kretschmer, M.](#) "Ambush Marketing: a study of strategies and legal responses", *International Sports Law Review*, 5(3), pp456-468.

⁶⁰ LOUW Andre, *Ambush Marketing & the Mega-Event Monopoly: How Laws are Abused to Protect Commercial Rights to Major Sporting Events*, Springer Science & Business Media, 2012, 764p

⁶¹ CHADWICK Simon, BURTON Nicholas, « The evolving sophistication of ambush marketing ; a typology of strategy », *Thunderbird International Business Review*, 28 October 2011, Volume 53, Issue 6, 709-719.

⁶² BURTON Nicholas, CHADWICK Simon, « Ambush marketing is dead, long live ambush marketing ; a re-definition and typology of an increasing prevalent phenomenon », 2018, available at <http://usir.salford.ac.uk/id/eprint/41208/>

⁶³ BURTON Nicholas, CHADWICK Simon, « Ambush marketing is dead, long live ambush marketing ; a re-definition and typology of an increasing prevalent phenomenon », 2018, available at <http://usir.salford.ac.uk/id/eprint/41208/>

is “a fierce competition, but not a sportive competition; one that is played inside the commercial arena”⁶⁴. In this competition, all shots are not allowed and when non-official sponsors enjoyed the loopholes and weak spots of sponsoring systems to develop strategies in order to counteract official partnership, they get caught. As ambushers elaborated more and more strategies, sport properties had to catch up and elaborate mechanism in order to prevent ambush activities and to punish illegal ambushers. Judging by its renown and its symbolic, the Olympic Games became a symbol of the conflict between sport properties, official sponsors and ambushers, as more and more cases emerged at each editions of the Olympic Games. Therefore, the IOC developed a real phobia of ambush marketing, a phobia that can be materialized in the way the IOC and all the Olympic institutions manage the Olympic brand and built mechanisms, such as the special legislations, to face this phobia.

Chap 2: How is the fear of ambush marketing materialized and how to face it ?

“The IOC and its sponsors are creating an an autarkic system in which an exceptional law is imposed, for a fixed period, like anti-terrorist laws”⁶⁵. Those are the words of Patrick Clastres, historian of the Olympic Games, to describe the situation around 2012 London Olympic Games. The exceptional law mentioned by the historian refers to the “London Olympic Games and Paralympic Games Act”, voted by the British legislator in 2006, which has been the source of many scandals and is the symbol of what McKelvey named the Event specific ambush marketing

⁶⁴ <http://www.cyberpresse.ca/le-soleil/dossiers/vancouver-2010/201002/13/01-949322-les-jeux-olympiques-tous-droits-reserves.php>

⁶⁵ GOLDBAUM Maxime, A Londres, le CIO joue à Big Brother au service de ses sponsors, Le Monde, 24 Juillet 2012, disponible en ligne sur : https://www.lemonde.fr/jeux-olympiques/article/2012/07/24/a-londres-le-cio-joue-a-big-brother-au-service-de-ses-sponsors_1735959_1616891.html

legislation (ESAML)⁶⁶. As he wrote, ESAML has been “designed and implemented to the purpose of protecting the intellectual property interests of the private sport organization and its official sponsors”⁶⁷, which according to the IOC are necessary to the smooth running of the worldwide biggest sports events thanks to their support⁶⁸. The aim of this chapter is to understand how a legitimate way of preventing ambush marketing activities had turned into what McKelvey calls “an uneven road ahead”⁶⁹ and André Louw a “monopoly on language” in its book *Ambush Marketing & The Mega-Event Monopoly*, subtitled “how laws are abused to protect commercial rights in major sporting events”⁷⁰.

To do so, this chapter will first analyze the need for a proper weapon for the IOC and its sponsors to fight ambush marketing activities. One will see that legal arsenals quickly became the main ammunition on this confrontation and led to the institutionalization of ESAML and its broadening Games after Games, toward its fall during 2012 London Olympic Games.

2.1 - The institutionalization of the law as official weapon against ambush marketing

As one has seen on the first chapter of this paper and as it has been largely reminded by the interviews made during this paper, protecting the Olympic brand is vital for the financial sustainability of the Olympic Games and the Olympic environment. Indeed, it's not necessary to come back on the fact that the power and the values associated with the Olympic brand attracts many announcers and brands, and the famous adage goes “If I can get it, use it or do it for free, why would I pay for it?”. With this in mind, it is perfectly logical that the sports properties implemented a proper mechanism in order to prevent ambush marketing, as these activities can led to the non-renewal of sponsors victims of ambushers. As Leroux-Sostenes, Rezenthel and Rouvrais-Charron demonstrated, the threat of ambush marketing is not to be taken lightly as the growth of ambush marketing activities is really strong and ambushers compete with ingenuity⁷¹. That is why this communication practice, at the borders of legality, has been one of the main issues of sports properties and is fully integrated in their risk's management. Forced to protect

⁶⁶ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

⁶⁷ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

⁶⁸ Olympic Committee, « Partners », The Olympic Committee (onlign),
URL : <https://www.olympic.org/fr/partenaires>

⁶⁹ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

⁷⁰ LOUW Andre, *Ambush Marketing & the Mega-Event Monopoly: How Laws are Abused to Protect Commercial Rights to Major Sporting Events*, Springer Science & Business Media, 2012, 764p

⁷¹ LEROUX-SOSTENES Marie-Josèphe, REZENTHEL Sarah, ROUVRAIS-CHARRON Chantal « Face au développement de l'ambush marketing, la réponse marketing comme complément à l'approche juridique ? » ; *Revue Française du marketing*, Juin 2013, N°242.

their sponsors' rights under penalty of losing their main financial source, sports properties found quickly in the laws the weapon they were looking for. Using law to fight ambush marketing seems quite natural as ambushers are exploiting the shortfalls of legal protection of partner's advantages. Indeed, one might already have understood that, when speaking about ambush marketing, the legal aspect is never far away.

The judicial answers brought to ambush marketing have already been largely studied by the literature and, as Leroux-Sostenes and al found, this literature is based, on the first hand, on intellectual property right, on the right to competition, on the contract law and on honest practices in commercial matters and on the other hand on the event specific ambush marketing legislations and their measures to protect Olympic Games sponsors⁷². For the purpose of this paper, coming back on this literature is essential, first to understand how the permanent legal protection is built around the concept of "right of association", then, to analyze the evolution of ESAML, from its birth to its fall, to understand that finally the interest of the judicial protection is to talk announcers out of doing ambushing activities.

2.2- The IOC building of its own anti-ambush program : toward the notion of "Right of Association"⁷³

As one has seen previously, 1984 was a turmoil in the Olympic environment because the IOC, to build its "cutting-edge anti-ambush program", introduced measures to protect its position⁷⁴. The first measures implemented by the IOC were designed to dissuade and prevent ambushing activities to do publicity around the Olympic Games and completing the creation of the TOP, which centralized all the marketing rights of the Olympics into one central exclusive package. However, the sophistication of the ambusher's strategies pushed the IOC to develop its

⁷² LEROUX-SOSTENES Marie-Josèphe, REZENTHEL Sarah, ROUVRAIS-CHARRON Chantal « Face au développement de l'ambush marketing, la réponse marketing comme complément à l'approche juridique ? » ; Revue Française du marketing, Juin 2013, N°242.

⁷³ London Olympic Games and Paralympic Games Act 2006

⁷⁴ MEENAGHAN Tony, "Ambush Marketing - a threat to corporate sponsorship", Sloan Management Review, Fall 1996, 103-113, 10p

anti-ambush program by implementing essential judicial notions around the intellectual property right, such as the right of association.

Since the first edition of the modern Olympic Games in 1894, the International Olympic Committee established several Olympic properties, which are at the foundations of the whole Olympic marketing system. Indeed, a large part of the importance of the Olympic system and almost all of its revenues result from the control and the commercialization of a certain number of the intellectual property's elements, which belongs to the IOC⁷⁵. One can have a look to the books *Olympic Image from Wei* to get a panorama of these Olympic properties which go from the Olympic anthem to the Olympic mascot, passing by Olympic medals and obviously the Olympic rings. Today, the IOC owns of more than eighty trademarks⁷⁶. The right of association has been set up by the IOC in order to protect the exclusivity right of exploitation, which is the core of the value in marketing and sponsoring. Aware of the importance of these tricky issues for both sponsors and announcers, the IOC made a big work of pedagogy and education, symbolized in the booklet "The Olympic Symbols", released in 2007. All the management principles of the Olympic properties and rights can be found in an application text of the rules 7 to 14 of the Olympic Chart, which recaps how to manage all the Olympic properties, also known as "Games Marks"⁷⁷.

Thus, as the laws protecting registered trademarks and intellectual properties are generally not helpful in ambush marketing cases⁷⁸, the traditional protection afforded by intellectual property rights had to be supplemented by legislation which further help to control use of the Olympic Games brand. Therefore, the IOC established the "Right of Association", which has been clearly defined by the 2006 London Olympic Games and Paralympic Games Act⁷⁹(see **Annexe n°..**). As David Bond claimed, this notion "seeks to prevent brand owners from "associating" themselves with the Olympic Games unless they have been authorized to do so and grants LOCOG (London Organizational Committee Olympic Games) an exclusive right to determine who is and who is not allowed to create an association between their brand and the

⁷⁵ Ferrand Alain, Chappelet Jean-Loup, Séguin Benoît , *Le marketing olympique. Co-crédation de valeur entre acteurs*. Louvain-la-Neuve, De Boeck Supérieur, « Management & Sport », 2012, p. 21-36

⁷⁶ Ferrand Alain, Chappelet Jean-Loup, Séguin Benoît , *Le marketing olympique. Co-crédation de valeur entre acteurs*. Louvain-la-Neuve, De Boeck Supérieur, « Management & Sport », 2012, p. 21-36

⁷⁷ <https://www.fieldfisher.com/en/insights/the-olympic-games-and-your-brand>

⁷⁸ ELLIS Dana, SCASSA Teresa, SEGUIN Benoît, "Framing ambush marketing as a legal issue: an Olympic perspective", *Sport Management Review* 14, 2011, 297-308

⁷⁹ <https://www.legislation.gov.uk/ukpga/2006/12/schedule/3/crossheading/olympics-association-right-limitations>

2012 London Games”⁸⁰. This “Right of Association” is a perfect lengthening of the 1995 Olympic Symbol Protection Act, and extends the range of possible unlawful cases above the listed expressions (“Olympic Games”, “Olympics”, “Games”, “Rings”, ..) and the listed Olympics properties. It aims to oppose any improper association between announcers’ products and Olympics or Paralympics Games.

The Right of Association is only one aspect of the anti-ambush program of the IOC, alongside the national laws dedicated to their national Olympic committee (Article L.141-5 from the sport Code in France)⁸¹, the contracts laws, the copyrights or the traditional trademarks. However, it was essential to come back to this notion, as the exclusivity of the right of association is the core of the TOP program, before pursuing with an analyze of specific legislations passed by host country governments, which constitute the core of this paper and are known as event specific ambush marketing legislations.

2.3- ESAML, from its birth to its fall, a short journey of the 21st century

If the 1976 Montreal Olympic Games have been the first Games to display a specific law to protect the Olympic properties, the birth of what has been called ESAML can be found at the dawn of the new millennium, with the 2000 Sydney Olympic Games⁸². The Olympic Law passed by the French national Assembly on 2018, which will be analyzed deeply later on this paper, is the empirical translation of the new active role played by governments, asked by the IOC, in protecting its commercial interests by passing event-specific legislation⁸³. Indeed, since 2000 Olympic Games in Sydney, passing what has been called later “Event specific ambush marketing legislation” by McShelvey, has been a strong recommendation from all major sport properties to host country governments. However, twelve years have been enough for this mechanism to display its limits to the entire world, and especially to the public opinion.

2.3.1- Sydney 2000: The birth of ESAML

As mentioned previously, the first traces of specific legislations enacted in host countries to protect Olympic properties can be found in Canada for the 1976 Olympic Games of Montreal. However, this way of protecting Olympic properties was at the time a blow in the water as

⁸⁰ <https://www.fieldfisher.com/en/insights/the-olympic-games-and-your-brand>

⁸¹ Ferrand Alain, Chappelet Jean-Loup, Séguin Benoît, *Le marketing olympique. Co-crédation de valeur entre acteurs*. Louvain-la-Neuve, De Boeck Supérieur, « Management & Sport », 2012, p. 21-36

⁸² Ferrand Alain, Chappelet Jean-Loup, Séguin Benoît, *Le marketing olympique. Co-crédation de valeur entre acteurs*. Louvain-la-Neuve, De Boeck Supérieur, « Management & Sport », 2012, p. 21-36

⁸³ ELLIS Dana, SCASSA Teresa, SEGUIN Benoit, “Framing ambush marketing as a legal issue: an Olympic perspective”, *Sport Management Review* 14, 2011, 297-308

ambush activities were only at their beginnings and fell quickly in disuse. Following the ramp-up of ambush marketing, ESAML came back on the front of the scene for Sydney 2000 Olympic Games. By dressing an extended list of expressions gathered in the term “common Sydney 2000 Games indicia”, whose commercial usage is strictly forbidden, the Sydney 2000 Games (Indicia and Images) Protection Act 1996 materializes its objectives⁸⁴:

“1)The objects of this Act are: (a) to protect, and to further, the position of Australia as a participant in, and a supporter of, the world Olympic and Paralympic movements; and (b) to the extent that it is within the power of the Parliament, to assist in protecting the relations, and in ensuring the performance of the obligations, of the Sydney 2000 Games bodies with and to the world Olympic and Paralympic movements; in relation to the holding of the Sydney 2000 Games.

2) Those objects are to be achieved by facilitating the raising of licensing revenue in relation to the Sydney 2000 Games through the regulation of the use for commercial purposes of the indicia and images associated with the Games”

This Sydney 2000 Games Protection Act, enacted in 1996, created a precedent. Since then, specific legislations have been passed by every host countries of Olympic Games in order to have a better protection of the Olympic properties and to fight against more sophisticated ambush marketing activities. Nevertheless, according to McKelvey, the true emergence of ESAML can be seen in the 2004 Athens Summer Games.

2.3.2 The reign of ESAML

Games after Games, enacting a specific legislation toward ambush marketing issues became a warranty required by the IOC to obtain an Olympic competition, whether it its the Olympic Games, the Winter Games or the Youth Olympic Games. Thus, from Australia (2000) to Brazil (2016), passing by Greece (2004), Italy (2006), China (2008), Canada (2010), United-Kingdom (2012) and Russia (2014), the number of specific legislations passed by host countries’ governments exploded and constituted an astounding base of researches for the literature. Indeed, as ambush marketing became a subject from a legal scholarship perspective⁸⁵, studying these specific legislations, their contents and theirs impacts on every stakeholder have been a blessing for scholars. Thus, Kendall and Curthoys in 2001, Bhattacharjee and Rao in 2006 and McKelvey and Grady in 2004 and 2008 have made an attempt to look back and evaluate the success of early legislative measures to address ambush marketing legislation⁸⁶. Likewise, Dana Elis used the Canada’s Olympic and Paralympic Mark’s act, enacted in prevision of the 2010 Vancouver

⁸⁴ <https://www.legislation.gov.au/Details/C2004A05042>

⁸⁵ ELLIS Dana, SCASSA Teresa, SEGUIN Benoit, “Framing ambush marketing as a legal issue: an Olympic perspective”, *Sport Management Review* 14, 2011, 297-308

⁸⁶ ELLIS Dana, SCASSA Teresa, SEGUIN Benoit, “Framing ambush marketing as a legal issue: an Olympic perspective”, *Sport Management Review* 14, 2011, 297-308

Olympic and Paralympic Winter Games, to examine the consequences of placing ambush marketing into a legal context, as opposed to the business context. The use of the term “success” is anything but a coincidence. Actually, it demonstrates the fact that for more than a decade, event specific ambush marketing legislations enacted to protect the Olympic properties have been concerned with a relatively positive lens by scholars, without being really questioned.

For at least a decade, the Olympic environment has seen the reign of ESAML becoming the norm as a way of preventing ambush marketing. Scholars focused on decrypting this new way of protecting the IOC intellectual properties and its official sponsors from ambushers. As ambush marketing was growing and threatening the sport business industry, ESAML was seen as a magic remedy by many. That is how a specific legislation, such as the one made for the London Olympic Games and Paralympic Games, was able to be promulgated by the British Parliament in 2006, without facing any staunch opposition. As Blackshaw demonstrated three years later, this law has been considered as too draconian by the advisement sector and as threat to the freedom of expression⁸⁷. The LOCOG Act thus constituted an upheaval in the way of assessing event specific ambush marketing legislations as its aftermaths sent the IOC under the spotlights.

2.3.3 - The fall of ESAML ; London 2012 ; the final Straw

“In London, the IOC is playing at Big Brother at the service of its sponsors”⁸⁸. Such are the words chosen by a famous French newspaper, whose tonality is generally more neutral, to depict the situation in London and the general mindset that emerged around the Olympic movement during the London 2012 Games. From the volunteers who launched a petition to the negative feedbacks of both the spectators and the local residents, many complains have been addressed to the IOC and the LOCOG regarding their management of the Olympic brand and the repressive policies they put in place. Some cases made the headlines and corroborated the mindset of the Olympic institutions symbolized by the words of Sebastian Coe mentioned previously. Days after days, new scandals created a polemic on the omnipotence of the sponsors during the Games⁸⁹. One can mention the mandatory name change of a British Pub from

⁸⁷ Ferrand Alain, Chappellet Jean-Loup, Séguin Benoît, *Le marketing olympique. Co-création de valeur entre acteurs*. Louvain-la-Neuve, De Boeck Supérieur, « Management & Sport », 2012, p. 21-36

⁸⁸ GOLDBAUM Maxime, A Londres, le CIO joue à Big Brother au service de ses sponsors, *Le Monde*, 24 Juillet 2012, disponible en ligne sur : https://www.lemonde.fr/jeux-olympiques/article/2012/07/24/a-londres-le-cio-joue-a-big-brother-au-service-de-ses-sponsors_1735959_1616891.html

⁸⁹ LEFILLIATRE Jérôme, « Au JO de Londres ; les sponsors (Coca-Cola, McDonald's, Mastercard, ...) font plus que jamais la loi », *Challenges* (online), 01/08/2012, url : https://www.challenges.fr/sport/u-jo-de-londres-les-sponsors-coca-mcdonald-s-masterdard-font-plus-que-jamais-la-loi_5093

“Olympic Pub” to “Lympic Pub”. Another example can be found in the interdiction and fine received by a butcher for displaying its sausages in the form of the Olympic rings⁹⁰. This type of cases already existed in the previous editions of the Olympic Games and are the side effects of the event specific legislations.

However, the fatal blow for such an aggressive policy can be found in the presence of what can be called “anti-ambush squad”. Indeed, from the athletes to the spectators, passing by the local storekeepers, everyone inside the Olympic perimeter was monitored by the IOC and LOCOG’s members, looking for any form of ambush marketing activities, direct or indirect. This foretaste of an Orwellian system has been assimilated by many scholars as the final straw in the acceptance of ESAML. As Gary Tribou confirms, these XXXth edition of the Modern Games constitutes a shift in the paradigm. A turn in the corner that can be seen in the literature ...

The purpose of this chapter was to analyze the evolution of the protection of the Olympic brands and its sponsors by the IOC and the different OCOGs. If ESAML quickly appeared to be a needed solution and lived nice days for at least a decade, the tomorrow and the aftermaths of London 2012 demonstrated the limits of such an aggressive legal arsenal. Therefore, one had to rethink this issue of ambush marketing and the literature seemed to review its perspective on ambush marketing as it tried to deconstruct the threat of ambush marketing by exploring potential ways of using ambushing rather than fighting it.

Chap 3: Going beyond the fight against ambush marketing to find a way to cohabitate, even cowork with it.

Completely visible after the 2012 London Olympic Games, but initiated since 2010 Vancouver Olympic Games, a major turnaround on the issue of ambush marketing can be seen in the literature. Indeed, because of the numerous polemics raised during the XXXth edition of the Games, scholars started to question the doctrine characterizing ambush marketing as a threat and the ambushers as the evil. This new trend can be symbolized in the words of McKelvey, claiming

⁹⁰MONOD Olivier, Le sponsoring bug des JO, *Slate*, 13 Aout 2012, disponible sur <http://www.slate.fr/life/60437/sponsoring-jo>

that the academicians' neutrality took a decided turn⁹¹ and led to the awareness of ESAML potential dark sides.

Concurrently with this U-Turn on the issue of ambush marketing, ESAML and their legitimacy began to be more and more challenged by scholars: many factors raise questions such as the potential manipulation of host countries governments by the IOC or the exceeding functions practiced by these host countries to answer to the requirement of the IOC. Moreover, inside this U-Turn, scholars began to explore potential benefits of ambush marketing for official sponsors and for sport properties. As contradictory as it can seem, this theory reaches a global success and leads to significant empirical results. Therefore, one can observe a shift in media speeches around ambush marketing and the advent of a new literature on the subject, trying to find solutions in order to avoid the use of a too aggressive and draconian ESAML and its potential negative aftermaths.

3.1- The awareness of ESAML potential dark sides

As mentioned previously, this paper does not aim to question the viable marketing and economic rational for ESAML. Indeed, one can find a consensus in every stakeholders of the Olympic environment from the athletes to the members of the Paris 2024 OCOG, passing by members of federations or Lagardère Sports executives, asserting that sports properties – and especially the International Olympic Committee – have to protect the commercial value of their sponsorship programs. Furthermore, the regularly framework is always mentioned by both the academics and the stakeholders interviewed as necessary, thus confirming the legitimacy of ESAML. However, some issues and topics, like the requirement for host countries to enact such extraordinary legislations, provided an entirely new debate stream for practitioners and academicians alike. Indeed, if ambush marketing is still seen as contentious, so too are the efforts to counter it⁹².

3.1.1 The manipulation of host countries governments by the IOC

The first element that raises questions around the enactment of event specific ambush marketing legislations is what has been criticized as a manipulation of the host countries governments by sports properties and specially by the IOC. In 2010, McKelvey and Grady co-authored an article that “raised numerous questions at the intersection of public policy and marketing and asked whether local governments are serving in their proper role and function by

⁹¹ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

⁹² Nufer, 2016; Ambush marketing in sports, an attack on sponsorships or innovative marketing ?

enacting such event-specific legislation”⁹³. Even if one can argue that one of the elemental function of government is to guarantee the commercial freedoms and do everything necessary to assure the success and economic benefits of hosting an international mega event such as the Olympic Games, McKelvey arrived at this conclusion : “it is neither the role nor responsibility of host city governments to seek to insure the financial assets of private sports properties’ official sponsorship programs through the compulsory enactment of extra-ordinary intellectual property rights”⁹⁴. Thus, one can see that sports properties force host countries governments to overtake their proper role in the name of the protection of their sponsors, as we can see with the title of *the Challenges*’ article “In London, sponsors are making more than ever the rules”⁹⁵. Little by little, enacting an extraordinary law to protect the IOC properties and its sponsors became a requirement for the countries bidding to host major sports events, and the countries chosen have to adapt their legislative system to the requirements of the IOC⁹⁶. This mandatory characteristic of ESAML has been emphasized by Elis, Scassa and Séguin:

“The IOC, as early as in the phase of bidding for the Olympic Games, requires a guarantee from Candidate cities confirming that, prior to the commencement of the Olympic Games, legislation will be passed in the Host Country which is necessary to effectively reduce and sanction ambush marketing, and to eliminate street vending and control advertising space (including air space) during the period of the Olympic Games.”⁹⁷

This issue raises public policies questions as it is in contradictory with the interests of citizens and with some of their fundamental rights such as the freedom of speech and expression. As D.Ellis, Scassa and Seguin claimed, the focus on the public policy dimension of legislation against ambush marketing is important⁹⁸. Therefore, ESAML engenders social costs, which can be qualified as the “cost of doing business” and laid the way to the questioning of ESAML foundations as it might unduly infringes upon protected rights of freedom. However, this issue of potential manipulation was not the only aspect to raise the awareness of potential darkness of such extraordinary legislations.

⁹³ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

⁹⁴ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

⁹⁵ LEFILLIATRE Jérôme, « Au JO de Londres ; les sponsors (Coca-Cola, McDonald’s, Mastercard, ...) font plus que jamais la loi », Challenges (online), 01/08/2012, url : https://www.challenges.fr/sport/u-jo-de-londres-les-sponsors-coca-mcdonald-s-masterdard-font-plus-que-jamais-la-loi_5093

⁹⁶ <https://medium.com/marketing-marques-innovation-lyon/les-jeux-olympiques-un-pouvoir-marketing-puissant-18b4416c2844>

⁹⁷ D;Ellis, Scassa and Seguin /

<https://corpus.ulaval.ca/jspui/bitstream/20.500.11794/28341/1/33891.pdf>

⁹⁸ ELLIS Dana, SCASSA Teresa, SEGUIN Benoit, “Framing ambush marketing as a legal issue: an Olympic perspective”, Sport Management Review 14, 2011, 297-308

3.1.2 Event specific legislation, a package effective against the wrong target.

As confirmed by many empirical researches, ESAML effectively put a stop and condemn small and local ambush activities, like the example of the butcher and its sausages displayed in the form of the rings and is less effective in preventing the ambush marketing activities of larger and more savvy corporations⁹⁹. Indeed, when larger companies can employ smart lawyers and creative marketing teams likely to bypass legislations and using the grey-areas as Wei and Kretschmer explained¹⁰⁰, small local businesses and craftswoman are not capable to imagine such tricky strategies in order to not be catch by the Olympic patrols.

Therefore, event specific legislations have been criticized by many as measures designed to fight against local indirect ambushers whether than huge international companies. A consequence that can problematic for the IOC, as it has been well-documented, is that small and local ambushing activities are positive for the IOC and the Olympic movement as it creates a global atmosphere around the Games and enhance the enthusiasm and fervor from the local population.

3.1.3- Creation of a “monopoly of language” on the public space

Another issue generated by event specific ambush marketing legislations is the creation of a “monopoly of language”, as Andre Louw explained in his book *Ambush Marketing and the Mega Event Monopoly, how laws are abused to protect commercial rights to major sporting event*. As he explained during an interview¹⁰¹, the aim of Andre Louw is to balance the debate around ambush marketing and specifically to question the legitimacy of event specific ambush marketing legislations by an “in-depth discussion of the legal principles”. Indeed, thanks to an overview and the scrutiny of around ten specific legislations in terms of anti-trust law and generally human rights law, the author is capable to condemn the justification and the existence of such legal protection. This book, published with a perfect timing in June 2012 as it was two months before the London Olympic Games, achieved great success among as it provided a wonderful material to understand what was going on around the Games.

Therefore, all these issues, associated with the numerous polemics and scandals, provoked the loss of impetus of event specific legislations among scholars, academics and practitioner of the Olympic environment as the dark sides of these measures led to its questioning. In this context, fresh researches have been made to tackle the issue of ambush marketing with new

⁹⁹ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

¹⁰⁰ <http://eprints.gla.ac.uk/71507/>

¹⁰¹ <https://lawnk.wordpress.com/2011/05/01/interview-with-dr-andre-m-louw-on-ambush-marketing-and-the-mega-event-monopoly/>

perspectives and one can see that these researches allowed to think ambush marketing differently, as some results demonstrated some potential positive effects for both the sports properties and their sponsors.

3.2- The awareness of Ambush Marketing potential positive effects for official sponsors

Since 2012, less researches have been conducted on the topic of ambush marketing, as the subject was seen to be almost fulfilled previously on every dimension, from the ethical perspective to the business and judicial ones. However, some scholars like Clinton Weeks, Peter O'Connor and Brett Martin opened an alternative perspective on this issue as they “propose that sponsors awareness objectives might benefit from the presence of ambusher communications within the event context, especially when sponsors can make strategic use of ambusher presence to distinctively highlight their own sponsor status”¹⁰². Thus, they opened a new trend on the fight sports properties vs ambushers, around the famous adage “it’s a case of the biter bit, now the biter is bit”, starting to claim that ambushers can be the biters.

Who would have thought twenty years ago that some academicians would dare to publish an article entitled “*When ambush marketing is beneficial to sponsorship awareness*”¹⁰³. Weeks, O'Connor and Martin’s research introduced really interesting results, such as the strategically use of ambusher presence by sponsors to enhance highlight their own official status.

3.2.1 - Using ambushers presence to strategically highlight official sponsors status.

As bold as it seems, the theory claiming that the presence of ambushers can be used by sponsors to enhance and create distinctiveness has been empirically proved by Weeks in 2017¹⁰⁴ and provoked an upheaval in the sport business industry. Indeed, these results constitute a total U-Turn on the vision of ambush marketing and ambushers, placing ambushing activities as an opportunity rather than a threat. Putting the notion of exclusivity under the spotlights, this study brings its lot of surprises as it goes even further away. Indeed, the authors “provide evidence revealing that the current practice of restricting ambusher presence within the context of sponsored events can actually be detrimental to sponsors awareness objectives as it will prevent

¹⁰² WEEKS Clinton.S, O'CONNOR Peter J, MARTIN Brett, “When Ambush marketing is beneficial to sponsorship awareness: creating sponsor distinctiveness using exclusivity and brand juxtaposition”, *Journal of marketing management*, 2017, Vol 33, NOS 15-16, 1256-1280.

¹⁰³ WEEKS Clinton.S, O'CONNOR Peter J, MARTIN Brett, “When Ambush marketing is beneficial to sponsorship awareness: creating sponsor distinctiveness using exclusivity and brand juxtaposition”, *Journal of marketing management*, 2017, Vol 33, NOS 15-16, 1256-1280.

¹⁰⁴ WEEKS Clinton.S, O'CONNOR Peter J, MARTIN Brett, “When Ambush marketing is beneficial to sponsorship awareness: creating sponsor distinctiveness using exclusivity and brand juxtaposition”, *Journal of marketing management*, 2017, Vol 33, NOS 15-16, 1256-1280.

any juxtaposition and its benefits”¹⁰⁵. Their work suggests that most of the special legislations largely described above in this paper may be unnecessary and even counter-productive, as it prevents sponsors to use ambushers to highlight their own unique status as sponsor thanks to the notion of exclusivity.

This new mindset around ambush marketing can be found in many scientific researches since then. For example, Eric Brownlee, Christopher Greenwell and Anita Moorman released in 2018 an article entitled “*An experimental approach to assessing the effectiveness of Official sponsor designations in an ambush marketing scenario*” where they demonstrate the effectiveness of juxtaposing the term “official sponsor” alongside an ambush communication from a non-sponsor in a Major League Baseball context¹⁰⁶. This study shows some significant results in that matter as the relative value of official sponsors brand in comparison to the ambushers when their brands are juxtaposed. Consequently, ambush marketing might be a significant help for sponsors in order to highlight their own status of official sponsors as it helps consumers and spectators to make the distinction between official and legitimate sponsors and ambushers. Nevertheless, if all these studies constitute a major step forward on the change of direction around ambush marketing, all points out to the necessity of an educational work to both brands and consumers as one will see later.

Thus, since the beginning of this new school of thought on the topic of ambush marketing, one can observe a global shift on the way people speak around ambush marketing. Indeed, when ambush marketing was always depicted as a huge threat and presented in its worst aspects twenty years ago by both scholars and the media, one can see that ambush marketing activities are now dealt with a more neutral point of view, as in the cover of the biscuit brand “MM’s campaign”¹⁰⁷ or the Poulet Loué’s¹⁰⁸ during the 2018 FIFA World Cup. In some ways, one can see that ambush marketing has become fashionable and the best cases are often presented by the specialized press.

3.2.2 - The impact of disclosure of ambush marketing activities.

¹⁰⁵ WEEKS Clinton.S, O’CONNOR Peter J, MARTIN Brett, “When Ambush marketing is beneficial to sponsorship awareness: creating sponsor distinctiveness using exclusivity and brand juxtaposition”, *Journal of marketing management*, 2017, Vol 33, NOS 15-16, 1256-1280.

¹⁰⁶ BROWNLEE Eric, GREENWELL Christopher, MOORMAN Anita, “An experimental approach to assessing the effectiveness of official sponsor designations in an ambush marketing scenario”, *Sport Marketing Quarterly*, 2018, 27, 145-153.

¹⁰⁷ <https://www.sportbuzzbusiness.fr/ambush-marketing-skittles-et-mms-passent-en-mode-bleu-blanc-rouge-a-loccasion-de-la-coupe-du-monde-2018.html>

¹⁰⁸ <https://www.sportbuzzbusiness.fr/ambush-marketing-poulets-loue-soffre-un-sosie-de-didier-deschamps-a-loccasion-de-la-coupe-du-monde-2018.html>

In addition to what has been demonstrated above, Pascale Quester and Marc Mazodier investigated the impact of disclosure on ambushers and on official sponsors¹⁰⁹. Following empirical researches on ambushing revelation impacts on the ambushers perceptions and purchases intentions, their study demonstrated significant results on the negative perception engendered in consumers mindset by an ambushing revelation. Therefore, their experiment introduces the limits and hazards of such strategies for ambushers and brings a part of the solution in terms of defense strategies for both official sponsors and sports properties¹¹⁰. In the necessary protection of their sponsors, sports properties might benefit from disclosing press releases revealing ambush marketing practices and highlighting which company is its official sponsors. This strategy has been implemented by the French National Olympics Sport Committee in 2007 by releasing an official press release in many French newspapers (SEE ANNEXE N°..). Thus, this study suggests that it might be relevant for sports properties to adopt a laissez-faire strategy – directly inspired from the legacy of Adam Smith – if they succeed to correctly identify and disclose ambushers afterward.

Nevertheless, despite all these elements, ambush marketing might still represent a threat for sport properties in some dimensions. Therefore, keeping in mind that ESAML can reach some limits and can even prove itself to be counter-productive and as we have seen above, both scholars and sports properties have put lots of effort to find ways to avoid the use of such extreme legislations. Two elements emerged as effective substitutes of legislations to counter the threat of ambush marketing: educational speech and activation.

3.3 - Finding ways to avoid the use of ESAML – The role of teaching and activation

Enacting restrictive event specific ambush marketing legislations proved itself to be a dangerous subject to controversy. Indeed, as it concerns public policies and some fundamental freedoms, sports properties became aware of the hazardousness of this way of preventing ambush marketing and, accordingly with the literature, worked to find other ways to deal this issue. Thus, one can identify two dimensions that stand out from the crowd in the fight against ambushers: teaching and activation.

3.3.1 - Activate to contain ambush marketing.

¹⁰⁹ MAZODIER Marc, QUESTER Pascale, « Les effets de la révélation du pseudo-parrainage sur les attitudes envers la marque du pseudo-parrain », Recherche et applications en Marketing, vol 25, N°2, 2010.

¹¹⁰ MAZODIER Marc, QUESTER Pascale, « Les effets de la révélation du pseudo-parrainage sur les attitudes envers la marque du pseudo-parrain », Recherche et applications en Marketing, vol 25, N°2, 2010.

In the justification of ambush marketing, one can find a consensus on the fact that ambushers are always exploiting natural shortcomings of the law – which has been previously presented as the grey-areas – and the under exploitation of their advantages by official sponsors. Indeed, it has been well documented that ambushers always find their place in a lack of exploitation by sponsors. What one means by exploitation is the term sponsorship activation in the marketing field. This notion has been defined by Weeks and al as “communications that promote the engagement, involvement, or participation of the sponsorship audience with the sponsor.”¹¹¹.

Many studies have been conducted on the issue of sponsorship activation, and if all demonstrated the necessity of activation to both increase the effectivity of a sponsorship strategy and prevent any ambushing threats, Lagardère Sports agency in collaboration with the institute Sporsora got to the conclusion that each euro invested in a sponsorship fee should be doubled by an euro in sponsorship activation to get the full effectivity of a sponsoring strategy.

This leading role of activation have been suggested by Sostrenes, Rezenthel and Charron in 2013 who claim that activation can be the solution for the future against ambush marketing¹¹². This theory agrees with the conclusions from Crimmins and Horn¹¹³, who observed in 1996 already that ambushing is particularly effective when sponsors are under exploiting their commercial rights. The same year, Meenaghan asserted that chances of success of ambush marketing strategies are really thick when a sponsorship program is well-exploited¹¹⁴. This active role of activation, noted by Ellis as a vital strategy in the fight against ambush marketing¹¹⁵, has been emphasized by some stakeholders of the Olympic environment during the interviews realized for the purpose of this paper¹¹⁶, meaning that there is a global awareness inside the Olympic movement and on the market that activation is essential and should not be considered as a second-tier stake.

3.3.2 - Take a pedagogical approach on to sensitive the market about ambush marketing

¹¹¹ http://usir.salford.ac.uk/id/eprint/41218/1/PDF_Proof.pdf:public P5

¹¹² LEROUX-SOSTENES Marie-Josèphe, REZENTHEL Sarah, ROUVRAIS-CHARRON Chantal « Face au développement de l'ambush marketing, la réponse marketing comme complément à l'approche juridique ? » ; Revue Française du marketing, Juin 2013, N°242.

¹¹³ CRIMMINS J, HORN M, « Sponsorship : from management ego trip to marketing success », Journal of Advertising Research, p11-21

¹¹⁴ MEENAGHAN Tony, “Ambush Marketing - a threat to corporate sponsorship”, Sloan Management Review, Fall 1996, 103-113, 10p

¹¹⁵ ELLIS Dana, SCASSA Teresa, SEGUIN Benoit, “Framing ambush marketing as a legal issue: an Olympic perspective”, Sport Management Review 14, 2011, 297-308

¹¹⁶ See interview from P.E Betromieux and Amélie Guignabert

Another aspect that seems to be trendy right now among Olympic movement stakeholders to diminish the effectivity of ambush marketing is the pedagogical approach. Indeed, both Amélie Guignabert and Paul-Edmond Betromieux mentioned the lack of knowledge of the market (announcers and brands) and of the spectators about the issues of sponsoring and ambush marketing. To fill this lack, they pointed out the necessity of adopting a training speech. One can see that this suggestion has been put forward by scholars and academicians as well. Indeed, McKelvey claims that the clear shift observed around ambush marketing, toward more tolerance and acceptance of ambush marketing, forces sport properties to “re-double their efforts to better educate the national and local business communities through the dissemination of materials that provide clear-cut marketing and advertising “dos and don’ts””¹¹⁷. McKelvey even goes further away by insisting that “education-focused approach will better serve all stakeholders than an aggressive rights enforcement approach”¹¹⁸, meaning the event specific ambush marketing legislations described above.

Thus, this last statement of McKelvey is quite a good conclusion of our journey through the evolution of the perception of ambush marketing and event specific ambush marketing legislations and a perfect connection toward the empirical study of this paper. The aim of this first part was to understand and analyze the progressive shift of the collective consciousness of the issue of ambush marketing and on the mechanism to set up to prevent its effectivity and to protect the sport properties and their sponsors. As it is a tricky and multidimensional topic, this paper does not claim to cover completely this issue. However, this brief review of literature aims to give the lector the needed background to better understand the recent conceptions of event specific ambush marketing legislations. Indeed, looking forward to the preparation of Paris 2024 Olympic Games, the objective of the next part is to analyze if the change of direction around ambush marketing is translating on the recent event specific ambush marketing legislations enacted and thus, to see whether or not, the Paris 2024 Organizational Committee for Olympic Games can substitute the Canadian Olympic Committee as best in class in the mind of McKelvey.¹¹⁹

¹¹⁷ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

¹¹⁸ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

¹¹⁹ MCKELVEY Stephen, “From the front lines to the halls of Academia”, Sport & Entertainment Review, 2017, 3, 54-61.

2nd Part: Empirical Researches

Choice of problematics and foreseen hypotheses

Methodology of research

Looking at the issue raised by this paper, which is “Does the Event Specific Ambush Marketing legislation set up in relations to Paris 2024 convey the awareness of the IOC that the fear of ambush marketing might be worse than ambush marketing itself?” and its technical nature, one will understand that the best way to find answers to this problem was to ask experts and stakeholders of the Olympic environment. Therefore, this paper presents a qualitative analysis which is based on a collection of interviews with people directly in touch with the question of ambush marketing around Paris 2024, from members of Paris 2024 OCOG to athletes, passing by scholars and employees of Lagardère Sports. These interviews are based on the interview guidebook (see annexe) which is then adapted to each interviewee, depending on his answers and his position in the Olympic environment. Thanks to a deep analysis of the answers given during the interviews, one will be able to confirm or deny the foreseen hypotheses set previously.

Realization of interviews

Analyze of results

3rd Part : Discussion and management implications

Presentation of the results

Management implications

Conclusion

Ways for future researches

Bibliography

- Books :

-Ferrand Alain, Chappelet Jean-Loup, Séguin Benoît , *Le marketing olympique. Co-crédation de valeur entre acteurs*. Louvain-la-Neuve, De Boeck Supérieur, « Management & Sport », 2012, p. 21-36

- LOUW Andre, *Ambush Marketing & the Mega-Event Monopoly: How Laws are Abused to Protect Commercial Rights to Major Sporting Events*, Springer Science & Business Media, 2012, 764p
- DESBORDES Michel, RICHELIEU André, *Néo-marketing du sport ; regards croisés entre Europe et Amérique du Nord*, De Boeck, Management & Sport, 186 p

-Scientific articles:

- MCKELVEY Stephen, “From the front lines to the halls of Academia”, *Sport & Entertainment Review*, 2017, 3, 54-61.
- ELLIS Dana, SCASSA Teresa, SEGUIN Benoit, “Framing ambush marketing as a legal issue: an Olympic perspective”, *Sport Management Review* 14, 2011, 297-308
- MEENAGHAN Tony, “Ambush Marketing - a threat to corporate sponsorship”, *Sloan Management Review*, Fall 1996, 103-113, 10p
- CRIMMINS J, HORN M, « Sponsorship : from management ego trip to marketing success », *Journal of Advertising Research*, p11-21
- LEROUX-SOSTENES Marie-Josèphe, REZENTHEL Sarah, ROUVRAIS-CHARRON Chantal « Face au développement de l’ambush marketing, la réponse marketing comme complément à l’approche juridique ? » ; *Revue Française du marketing*, Juin 2013, N°242.
- MAZODIER Marc, QUESTER Pascale, « Les effets de la révélation du pseudo-parrainage sur les attitudes envers la marque du pseudo-parrain », *Recherche et applications en Marketing*, vol 25, N°2, 2010.
- BROWNLEE Eric, GREENWELL Christopher, MOORMAN Anita, “An experimental approach to assessing the effectiveness of official sponsor designations in an ambush marketing scenario”, *Sport Marketing Quarterly*, 2018, 27, 145-153.
- WEEKS Clinton.S, O’CONNOR Peter J, MARTIN Brett, “When Ambush marketing is beneficial to sponsorship awareness: creating sponsor distinctiveness using exclusivity and brand juxtaposition”, *Journal of marketing management*, 2017, Vol 33, NOS 15-16, 1256-1280.
- BURTON Nicholas, CHADWICK Simon, « Ambush marketing is dead, long live ambush marketing ; a re-definition and typology of an increasing prevalent phenomenon », 2018, available at <http://usir.salford.ac.uk/id/eprint/41208/>
- CHADWICK Simon, BURTON Nicholas, « The evolving sophistication of ambush marketing ; a typology of strategy », *Thunderbird International Business Review*, 28 October 2011, Volume 53, Issue 6, 709-719.
- Wei, L., and [Kretschmer, M.](#) “Ambush Marketing: a study of strategies and legal responses”, *International Sports Law Review*, 5(3), pp456-468.
- MCKELVEY Stephen and Grady J, “An analysis of the ongoing global efforts to combat ambush marketing: will corporate marketers take the gold in Greece?”, *Journal of Legal Aspects of Sports*, 2004, 14(2), 190-220.
- MCKELVEY Steven, *NHL V Pepsi-Cola Canada, Uh-huh ! Legal Parameters of sports ambush marketing*, *The Entertainment and Sports Lawyer* ; 10(3), 397-445.
- Robert N. Davis, *Ambushing the Olympic Games*, 3 Jeffrey S. Moorad *Sports L.J.* 423 (1996). Available at: <https://digitalcommons.law.villanova.edu/mslj/vol3/iss2/5>
- SCASSA Teresa, “Ambush marketing and the right of association: clamping down on references to that big event with all the athletes in a couple of years”; *Journal of Sport management*, 2011, 354-370, 17p Url : https://www.teresascassa.ca/Files/publications/06Scassa_jsm_2009_0053_354-370.pdf
- DEES Windy, GAY Colin, POPP Nels, JENSEN Jonathan, « Assessing the impact of sponsor asset selection, intangible rights, and activation on sponsorship effectiveness ». *Sport Marketing Quarterly*, June 2019, Vol 28, Issue , p 91-101, 11p
- Cliffe, S and Motion,J (2005), « Building contemporary brands; a sponsorship-based strategy » *Journal of Business Research*.

Press articles:

-MONOD Olivier, Le sponsoring bug des JO, *Slate*, 13 Aout 2012, disponible sur <http://www.slate.fr/life/60437/sponsoring-jo>

-GOLDBAUM Maxime, A Londres, le CIO joue à Big Brother au service de ses sponsors, *Le Monde*, 24 Juillet 2012 , disponible en ligne sur : https://www.lemonde.fr/jeux-olympiques/article/2012/07/24/a-londres-le-cio-joue-a-big-brother-au-service-de-ses-sponsors_1735959_1616891.html

-PRETTI Rachel, Marlène Masure « Être partenaire change la vision du public », *L'Equipe*, 1^{er} Janvier 2020

- AFP, Economie, PIB ; quel impact pour le Japon en cas d'annulation des Jeux Olympiques de Tokyo ?, *Eurosport* (en ligne), 11 Mars 2020, disponible sur https://www.eurosport.fr/jeux-olympiques/tokyo-2020/2020/economie-pib-quel-impact-pour-le-japon-en-cas-d-annulation-des-jeux-olympiques-de-tokyo_sto7700760/story.shtml

Annexes

List of abbreviations