§ 220506. Exclusive right to name, seals, emblems, and badges

(a) Exclusive Right of Corporation.— Except as provided in subsection (d) of this section, the corporation has the exclusive right to use—

(1) the name “United States Olympic Committee”;
(2) the symbol of the International Olympic Committee, consisting of 5 interlocking rings, the symbol of the International Paralympic Committee, consisting of 3 TaiGeus, or the symbol of the Pan-American Sports Organization, consisting of a torch surrounded by concentric rings;
(3) the emblem of the corporation, consisting of an escutcheon having a blue chief and vertically extending red and white bars on the base with 5 interlocking rings displayed on the chief; and
(4) the words “Olympic”, “Olympiad”, “Citius Altius Fortius”, “Paralympic”, “Paralympiad”, “Pan-American”, “America Espirito Sport Fraternite”, or any combination of those words.

(b) Contributors and Suppliers.— The corporation may authorize contributors and suppliers of goods or services to use the trade name of the corporation or any trademark, symbol, insignia, or emblem of the International Olympic Committee, International Paralympic Committee, the Pan-American Sports Organization, or of the corporation to advertise that the contributions, goods, or services were donated or supplied to, or approved, selected, or used by, the corporation, the United States Olympic team, the Paralympic team, the Pan-American team, or team members.

(c) Civil Action for Unauthorized Use.— Except as provided in subsection (d) of this section, the corporation may file a civil action against a person for the remedies provided in the Act of July 5, 1946 (15 U.S.C. 1051 et seq.) (popularly known as the Trademark Act of 1946) if the person, without the consent of the corporation, uses for the purpose of trade, to induce the sale of any goods or services, or to promote any theatrical exhibition, athletic performance, or competition—

(1) the symbol described in subsection (a)(2) of this section;
(2) the emblem described in subsection (a)(3) of this section;
(3) the words described in subsection (a)(4) of this section, or any combination or simulation of those words tending to cause confusion or mistake, to deceive, or to falsely suggest a connection with the corporation or any Olympic, Paralympic, or Pan-American Games activity; or
(4) any trademark, trade name, sign, symbol, or insignia falsely representing association with, or authorization by, the International Olympic Committee, the International Paralympic Committee, the Pan-American Sports Organization, or the corporation.

(d) Pre-Existing and Geographic Reference Rights.—

(1) A person who actually used the emblem described in subsection (a)(3) of this section, or the words or any combination of the words described in subsection (a)(4) of this section, for any lawful purpose before September 21, 1950, is not prohibited by this section from continuing the lawful use for the same purpose and for the same goods or services.
(2) A person who actually used, or whose assignor actually used, the words or any combination of the words described in subsection (a)(4) of this section, or a trademark, trade name, sign, symbol, or insignia described in subsection (c)(4) of this section, for any lawful purpose before September 21, 1950, is not prohibited by this section from continuing the lawful use for the same purpose and for the same goods or services.
(3) Use of the word “Olympic” to identify a business or goods or services is permitted by this section where—
(A) such use is not combined with any of the intellectual properties referenced in subsection (a) or (c) of this section;

(B) it is evident from the circumstances that such use of the word “Olympic” refers to the naturally occurring mountains or geographical region of the same name that were named prior to February 6, 1998, and not to the corporation or any Olympic activity; and

(C) such business, goods, or services are operated, sold, and marketed in the State of Washington west of the Cascade Mountain range and operations, sales, and marketing outside of this area are not substantial.


### Historical and Revision Notes

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Subsection (a)(2) and (3) is substituted for “the symbol described in subsection (a)(1) of this section; the emblem described in subsection (a)(2) of this section” because of the reorganization of the section.

In subsection (b), the words “or any trademark” are substituted for “as well as any trademark” to eliminate unnecessary words. The words “furnished . . . or for the use of” are omitted as unnecessary.

In subsection (c), the words “the corporation may file a civil action against a person” are substituted for “any person . . . shall be subject to suit in a civil action by the Corporation” for clarity.

In subsection (d)(2), the words “the words or any combination of the words described in subsection (a)(4) of this section, or a trademark, trade name, sign, symbol, or insignia described in subsection (c)(4) of this section” are substituted for “any other trademark, trade name, sign, symbol, or insignia described in subsections (a)(3) and (4) of this section” for clarity.

### References in Text

The Trademark Act of 1946, referred to in subsec. (c), is act July 5, 1946, ch. 540, 60 Stat. 427, as amended, also popularly known as the Lanham Act, which is classified generally to chapter 22 (§ 1051 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1051 of Title 15 and Tables.

### Amendments


1998—Subsec. (a)(2). Pub. L. 105–277, § 142(g)(1), substituted “rings, the symbol of the International Paralympic Committee, consisting of 3 TaiGeuks, or the symbol of the Pan-American Sports Organization, consisting of a torch surrounded by concentric rings;” for “rings;”.

Subsec. (b). Pub. L. 105–277, § 142(g)(3), (4), inserted “, International Paralympic Committee, the Pan-American Sports Organization,” after “International Olympic Committee” and “the Paralympic team,” before “the Pan-American team”.

Subsec. (c)(3). Pub. L. 105–277, § 142(g)(5), inserted “, Paralympic, or Pan-American Games” after “any Olympic”.

Subsec. (c)(4). Pub. L. 105–277, § 142(g)(6), inserted “, the International Paralympic Committee, the Pan-American Sport Organization,” after “International Olympic Committee”.
