

Rule 40 (formerly 41)

Please find below the rules which will apply to the use of images of a competitor, coach, trainer or official (hereinafter jointly referred to as “Participants”) during the period of the Games of the XXX Olympiad in London in 2012 (hereinafter the “Olympic Games”), which, for the purpose of Rule 40, is the period starting from and including nine days prior to the Opening Ceremony and ending on the end of the third day after the Closing Ceremony, i.e. 18 July 2012 until 15 August 2012.

The *Olympic Charter* (Rule 40, Bye-law paragraph 3) states that *“Except as permitted by the IOC Executive Board, no competitor, coach, trainer or official who participates in the Olympic Games may allow his person, name, picture or sports performances to be used for advertising purposes during the Olympic Games.”*

The IOC has agreed to the following exceptions and conditions:

1. Olympic Sponsors and Broadcasting Rights Holders

1.1 Subject to the approval of the National Olympic Committee (NOC), NOC sponsors may use, for Authorised Communications only (as further detailed under Section 2. below), the image of a Participant or of the NOC Olympic Team, within the territory of the NOC in which it is a sponsor.

In the host territory of the Olympic Games, the London Organising Committee of the Olympic Games and Paralympic Games Limited (“LOCOG”) shall act as NOC for the purposes of this letter.

1.2 Subject to the approval of the IOC, TOP Partners, as Partners of the Olympic Team of each NOC, may use, for Authorised Communications only (as further detailed under Section 2 below), the image of a Participant or of the NOC Olympic Team on a multi-territory basis.

1.3 Subject to the approval of the IOC, Broadcasting Rights Holders, may use, for Authorised Communications only (as further detailed under Section 2 below), the image of a Participant in the Territory for which such Broadcasting Rights Holder has been granted rights

2. Authorized Communications

2.1 Authorised Communications include (i) supporting messages expressing the encouragement to a Participant or the NOC Olympic Team in view of their participation in the Olympic Games, (ii) congratulatory messages praising the athlete or the NOC Olympic Team for their achievement at the Olympic Games and (iii) any other Olympic-related advertising subject to the cumulative conditions outlined below.

2.2 Communications may not under any circumstances:

2.2.1 make textual or visual references to direct use of any product or service that enhances performance in practicing or competing in sport. This includes textual references such as “official product” of the athlete or the Team, nor

2.2.2 be in relation to the Participant’s performance at the Olympic Games or at other Olympic Games except in the case of congratulatory messages.

2.3 Participant’s Olympic biographical references may only be used in a factual manner (e.g., 2008 Olympic Gold Medallist) provided that any such references appear in an ancillary manner and not in a manner so as to bring special attention to such reference.

2.4 Participants must appear dressed in either (i) their National Olympic team uniform, (ii) past Games National Olympic team uniforms, (iii) in generic, unbranded clothing, or (iv) in clothing branded in accordance with Rule 50 of the Olympic Charter and the corresponding IOC guidelines.

2.5 The NOCs shall be responsible for the communication and implementation of the applicable conditions in respect of their NOC sponsors as outlined in this letter.

In addition, compliance with Rule 40 by Participants in association with entities not listed in Paragraph 1 above, including sporting goods manufacturers, shall be monitored and enforced accordingly by the NOCs.

In this respect, the NOCs shall abide and comply, to the extent necessary, with applicable laws and regulations in their territory.

3. Participant's Individual Rights

In all cases, use of a Participant's image, name, likeness or other resemblance must respect the Participant's individual rights including the need to obtain the Participant's express prior written approval.

Thank you for taking due note of the above-mentioned guidelines and advising the Participants that will be members of your National Olympic Team, as well as your NOC sponsors.