

WIPO Magazine

SPORTS SPECIAL

2026



Tracking innovation in sports:
**IP analytics on and off
the field**

Football derbies:
**Who owns trademarks
like “El Clásico” or “Fla-Flu”?**

Winning well:
**Manchester United vs.
Grand Stade Hassan II**

WIPO



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Editor's note

**Throughout these pages,
we highlight just some of
the ways that the IP around
sport is evolving**

Dear reader,

The topic of sports could not be more dynamic. Nor could the intellectual property (IP) associated with it. From the Winter Olympic and Paralympic Games to the FIFA World Cup, Esports World Cup and lesser-known but no less spectacular World Nomad Games, 2026 has been a year rich in sporting highlights.

Off the field, patents, trademarks and designs form a vast dataset that reveals the breadth and depth of innovation in sports, as WIPO's Patent Analytics demonstrate on p. 20. Between 2016 and 2025, more than 65,700 sports technology inventions were disclosed in published patent families worldwide. Over the same period, the sports sector generated more than 1.25 million trademark registrations and about 70,000 design filings.

Among these, the fitness and gym market is one of the most active IP fields, especially when it comes to industrial design filings, a sector that increased by more than 8 percent over the past decade. A dumbbell is not just a dumbbell after all – flip to p. 26 to find out why.

Technology moves quickly in the world of sports, at both amateur and professional level. It's up to trademark law to keep the pace. Some of sport's biggest stars, including Kylian Mbappé and Usain Bolt, have sought to protect their signature poses from unauthorized reproduction (p. 34). The success of the Indian women's cricket team in 2025 spawned viral imagery, created using generative artificial intelligence (genAI), that embodies deeper issues in the country (p. 40). In esports, the digital environments that players navigate come with their own legal challenges – and yet exceptional protection has emerged, led by both industry and the Republic of Korea (p. 46).

Ownership in sports goes much further than figurative marks and athletes' likenesses. For example, who owns the names of iconic soccer matches such as El Clásico and Fla-Flu? Is it the clubs, the league or the fans? The answer may surprise you (p. 4). Meanwhile, in China, the rising star of the amateur Su Super League brings with it a host of new IP opportunities, from iconography to merchandising (p. 52).

In analyzing IP rights relating to “Dai Dai”, the official song for the FIFA World Cup 2026, by Shakira and Burna Boy, we find a charitable twist in how the royalties are used (p. 10). Elsewhere, ClicknClear obtains music licenses for Olympic and grassroots athletes across major sports. Its approach to licensing and disability-inclusive cheerleading is equally fascinating (p. 64).

A living theater of traditional knowledge and traditional cultural expressions and one of the most spirited forms of heritage in world sports and beyond, the World Nomad Games returns this year for its sixth edition. We explore the relationship between those expressions and IP on p. 58.

Looking ahead to the Brisbane 2032 Olympic and Paralympic Games, on p. 76 we speak to Fiona de Jong, a lawyer and former athlete who has been instrumental in shaping Australia's nation branding.

Sport, in all its unifying and global potential, continues to push the boundaries of athletic performance and audience experience. Throughout the following pages, we highlight just some of the ways that the law around sport is evolving too.

We hope you enjoy reading – and that, wherever you are, the grass is green. **M**

Nora Manthey
Editor, WIPO Magazine
Email wipomagazine@wipo.int



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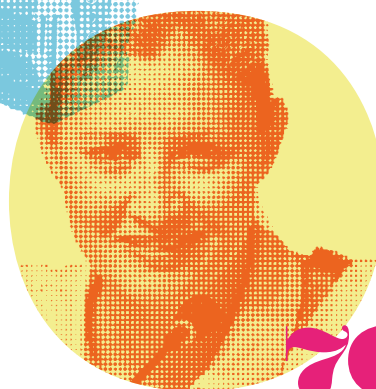
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The name of the game

Who owns trademarks for the titles of classic matches such as “El Clásico” and “Fla-Flu”?

| By Ana Clara Ribeiro, intellectual property attorney and partner, Baril Advogados, Curitiba, Brazil

Soccer matches between rival teams from the same city, region or country are often called “derbies”. But that term alone is not always enough to reflect the history and hostility between two opposing sides. Sometimes they need a name of their own. And sometimes that name becomes a brand.

In Spain, Real Madrid vs. Barcelona clashes are known as “El Clásico”. In Italy, you might attend the “Derby della Madonnina”, or AC Milan vs. Internazionale (Inter). And Brazil is home to “Fla-Flu”, or Flamengo vs. Fluminense. Over time, such monikers transcend the action on the pitch and enter popular culture, repeated by countless fans, media and sponsors around the world. In many ways, the great derbies are brands unto themselves, acknowledged by clubs and written about extensively by sports journalists.

When it comes to intellectual property (IP), ownership of a brand that involves assets shared by two or more entities can be complicated, especially if there is antagonism between them. So, who might own the trademark rights to a classic derby name: the clubs, the league or another entity entirely?

The Spanish derby between Barcelona and Madrid is one of the most watched sporting events in the world, with the October 2025 edition drawing an estimated 650 million viewers. But classics are rarely born as such; their status is achieved over time. The first match between FC Barcelona and Real Madrid CF took place in 1902 and the myth has been building ever since. The rivalry intensified through historic results and dramatic encounters, such as the Copa del Rey game of 1943, when Real Madrid scored 11 goals against Barcelona.

More recently, the battle was amplified by the competition between Lionel Messi and Cristiano Ronaldo, the faces of Barça and Real, respectively, with each vying to be known as the greatest player in the world.

Unsurprisingly, the historic rivalry has stirred much commercial interest. In May 2023, La Liga, the premier division in which Barça and Real play, sought trademark protection for “El Clásico” from the Spanish Patent and Trademark Office. When the news became public, the clubs attempted to register the trademark themselves. They were successful – at first. But the league appealed this decision. And, in January 2025, the Spanish courts

The first match between FC Barcelona and Real Madrid CF took place in 1902 and the myth has been building ever since

sided with La Liga, rejecting the clubs’ application and confirming the league’s earlier trademark registration.

Trademark protection primarily gives the owner the exclusive right to prevent all unauthorised third parties from using it for similar goods and services. This affects commercial exploitation such as merchandising, sponsorship or branded media content.

However, La Liga having commercial control over the term “El Clásico” does not prevent a fan from purchasing merchandise (such as a scarf) and wearing it. Similarly, journalists may refer to it in written content without this being considered trademark use. By contrast, if a club

markets or sells goods or services under a trademark registered to a third party – in this case, La Liga – such use would be unauthorized and could be prohibited.

The “El Clásico” case illustrates how the organizer of a competition may claim ownership over the commercial branding of its flagship events, even where those events depend on rivalries between specific teams. It is just one example of how such rivalries can come under trademark law; there are many others.

In Brazil, games involving any combination of Rio de Janeiro’s “big four” clubs – Flamengo, Fluminense, Vasco and Botafogo – are considered classic derbies. The clash between Clube de Regatas do Flamengo and Fluminense Football Club, however, may be the most iconic. The name “Fla-Flu” was coined by journalist Mário Filho in the 1930s. Brazilian novelist Nelson Rodrigues once described “Fla-Flu” as “the Karamazov brothers of soccer”, likening the intensity, drama and emotional depth of the rivalry to Dostoevsky’s classic novel *The Brothers Karamazov*. However, fierce competition does not mean that clubs cannot cooperate off the pitch.

In 2019, Flamengo and Fluminense – together known as the Fla-Flu Consortium – teamed up to co-manage Maracanã Stadium, the shared arena in which their rivalry plays out. Five years later, they won the right to

oversee the stadium until 2044. This kind of arrangement offers a useful analogy for IP law. In many jurisdictions, trademarks can have more than one owner, through what is commonly known as co-ownership, in which two or more people or entities can share legal rights over the same trademark. In 2024, for example, Grêmio FBPA and SC Internacional, rivals from the Brazilian state of Rio Grande do Sul, filed a joint trademark application for the name of their rivalry, “Grenal”, before the National Institute of Industrial Property (INPI) in Brazil (trademark application No. 937366293, in class 41). At the time of writing, the application is still pending.

In principle, then, rival clubs can register a classic match name together, especially when it clearly refers to the encounter between them and derives its identity from both sides of the skirmish. A jointly owned trademark could then be used to license merchandise, media products or promotional campaigns connected to the fixture. But co-ownership has its challenges too.

Trademark law ideally recommends clear agreements between co-owners regarding issues such as licensing, revenue sharing and enforcement against infringement. Without well-defined rules, joint ownership can lead to uncertainty about who is authorized to exploit or defend the mark. So, while co-ownership is legally

Fans cheer during a 2026 Superclásico match between River Plate and Boca Juniors in Buenos Aires, Argentina.



Photo: Getty Images/Marcelo Endelli



Photo: Getty Images/Alex Caparros - UEFA

FC Barcelona vs. Real Madrid CF in a 2026 UEFA Women's Champions League fixture at the Nou Camp, Barcelona, Spain

possible, classic match names are often registered by a league, federation or other entity responsible for organizing the competition, as in Spain, rather than by the rival clubs themselves.

Third-party filings

Other parties may also become involved and complexities can arise when the derby name incorporates club names. In such cases, the proposed trademark may collide with the clubs' pre-existing trademark registrations or other rights.

In 2009, Brazilian marketing company Banana Mark Assessoria de Marketing LTDA tried to trademark "Fla-Flu" (trademark application No. 901848093). INPI rejected the application on the grounds that it reproduced or imitated Flamengo's trademarks "FLA" and "FLA-TV", and Fluminense's trademarks "FLU" and "FLU EDUCAÇÃO ESPORTIVA".

Also in Brazil, in 2012, an individual attempted to trademark the name "Superclásico" (trademark application No. 904548333), used for many derbies, most notably Boca Juniors vs. River Plate in Argentina. INPI rejected the application, ruling that the term is generic, necessary, common, vulgar or simply descriptive (Article 124, VI, of the Industrial Property Act of Brazil).

In countries that apply a first-to-file trademark system, it may be easier for third parties to file applications for derby names. In Italy, 3R Sport SRL, a company specializing in the production and sale of official sporting goods, registered "Derby della Madonnina", otherwise known as the Derby di Milano, the clash between AC Milan and Inter (registration No. 2017000031338).

Applications may be challenged as having been made in bad faith, and registered trademarks may be cancelled if the legitimate right-holders can establish that the registration was obtained in bad faith.

Establishing distinctiveness

Moreover, not every sign used as a trademark may be registered or protected. Even the names of classic derbies that carry historical and cultural weight may not meet the legal requirements for trademark registration, which include distinctiveness and availability. Trademark offices may therefore reject terms that are considered generic, purely descriptive or lacking distinctiveness.

La Liga registered the composite mark "ELCLÁSICO" internationally in 2021, using the WIPO Madrid System (IRN No. 1619821), but Brazil initially rejected the application. The Brazilian trademark office concluded that "ELCLÁSICO" is a commonly used expression without

sufficiently distinctive form, and thus unable to be registered (IRN No. 1619821, Brazilian trademark application No. 501619821). La Liga was later successful in trademarking “LALIGA ELCLÁSICO” (IRN No. 1777017, Brazilian trademark application No. 501777017).

So, who owns a derby name?

From a legal standpoint, ownership of a classic derby name is not determined by sporting regulations. International federations such as FIFA do not regulate the naming or trademark ownership of such names. Rather, the matter is governed by regular trademark law. The question of who owns a “classic” is less about any pre-existing right to the name and more about who brings that name into the trademark system.

In the end, then, great rivalries extend far beyond the beautiful game itself. Rather than straightforward administrative decisions, disputes over derby names can become protracted legal battles that are every bit as thrilling as the matches themselves. **M**

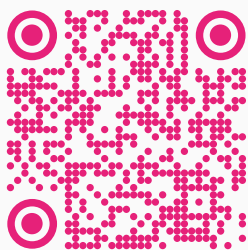
Ana Clara Ribeiro is a writer, judicial expert and researcher. She is an IP attorney and partner at Baril Advogados, Curitiba, Brazil, and a Master's student in Intellectual Property and Innovation at INPI.

Fluminense vs. Flamengo during a 2026 league game at the Maracanã Stadium in Rio de Janeiro, Brazil



Where more sports meet intellectual property

WIPO Magazine's dedicated web page explores the diverse IP issues that affect the world of sports and recovers earlier key essays from industry leaders and conversations with lawyers, creators, and federations shaping the field.



Focus | Sports

WIPO



Come on, come on

Revenue, royalties and the 2026 World Cup song

| By Nora Manthey, Editor, WIPO Magazine



“Dai Dai”, Shakira and Burna Boy’s official song for the 2026 FIFA World Cup, is protected by IP rights that reflect its global reach. This year, though, royalties and fees aren’t going where you might expect.

Grammy Award-winning singer-songwriter Shakira returned to the global stage with “Dai Dai”, the official song of the FIFA World Cup 2026. It is the second time the “World Cup Queen” has written for the football tournament. Her first track, “Waka Waka (This Time for Africa)”, for the 2010 competition in South Africa, is among the most streamed World Cup songs ever. While not without controversy – more on that later – it has garnered more than 1 billion streams on Spotify alone.

“Dai Dai”, the official song for the 2026 tournament, hosted by the United States, Mexico and Canada, borrows its title from Italian. The phrase means “come on, come on” and is typically used to urge someone to give their best. The lyrics to “Dai Dai” switch between English, Italian, Spanish, French and Japanese, and are along the same lines.

International in scope, “Dai Dai” illustrates the multilayered intellectual property (IP) rights held by an official World Cup song as it reaches audiences in stadiums and at home.

Copyright in “Dai Dai”

The first right that applies to “Dai Dai” is the copyright in the composition, or underlying music and lyrics, that belongs to the songwriters. For a track this prominent, you might expect the credits to be settled and clear. But a quick search online reveals just how tricky music metadata can be, even at the very top.

Shakira and Nigerian singer-songwriter Burna Boy are listed by Spotify as performers on “Dai Dai”, and are also credited alongside a range of co-writers and producers.

According to information delivered to Sony Music Publishing (SMP), Burna Boy is also listed as a 5 percent co-writer under his full name, Damini Ebunoluwa Ogulu. SMP lists the writers as Shakira Mebarak, Ed Sheeran and Jon Bellion. Songwriting credits also go to Ahmed Saghir and Alexander “A.C.” Castillo Vasquez. Shakira and A.C. also doubled as producers.

Aside from writers’ credits, there is the sound or master recording, which is typically owned or controlled by the record label that financed it. “Dai Dai” was released by Sony Music Latin and Ace Entertainment on May 15, 2026. The listing reads “2026 Ace Entertainment SARL, under exclusive license to Sony Music Entertainment US Latin LLC”, meaning Sony acts as distributor.

The song has hit all major streaming platforms, which are covered by the making-available right, also known as the digital performance right, for the public performance of the work via streaming.

The master recording right also applies here, to the use of the recorded track itself, and the publishing right covers the underlying composition. All translate into royalties for the right-holders. However, in this case things are a little different.

Online, user-generated content adds a further dimension. When fans incorporate the song into their own videos, platforms manage this through what are known as secondary exploitation rights. Content identification and licensing systems can detect the use of a protected recording or composition and route the resulting revenue back to the right-holders, rather than removing the content outright. It is a mechanism intended to turn informal uses into managed revenue.

The numbers from past FIFA World Cup tournaments demonstrate why this matters. “Waka Waka (This Time for Africa)” holds the Guinness World Record for the most streamed FIFA World Cup song on Spotify and has garnered more than 4 billion views on YouTube. This success, however, came not without controversy.

When FIFA selected Colombian pop star Shakira to record the song for the African continent’s first-ever World Cup, the decision drew protests, with residents demanding African representation at the opening ceremony. In response, FIFA and Shakira’s team brought South African band Freshly Ground on to the track and added local artists to the ceremonies.

“Waka Waka” also faced plagiarism claims, alleging that its chorus was lifted from “Zangaléwa”, a 1986 hit by Cameroonian group Golden Sounds. Facing public outcry and a potential copyright dispute, Sony Music and Shakira’s management negotiated an out-of-court settlement with the writers of “Zangaléwa”, who were then credited as co-writers on “Waka Waka”.

Performing “Dai Dai” at the tournament

Live performances trigger performers’ rights. They give artists the right to control whether and how a performance is recorded, broadcast or otherwise communicated to the public. Shakira has performed at World Cup closing ceremonies twice, singing “La La La (Brazil 2014)” for the 2014 tournament in Brazil, and “Hips Don’t Lie” in 2006 in Germany.

For an event of this kind, performance rights (and all related rights) are usually managed through an agreement between the artists and the organizer, in this case FIFA. Such an agreement sets out what FIFA may do with the song and the performance, and governs the compensation afforded to the songwriters, performers and their representatives. It is the contractual layer and the foundation of the permissions that an organizer needs in order to stage and exploit a show on this scale.

Shakira is slated to perform “Dai Dai” at the first-ever FIFA World Cup final half-time show, on July 19 at the New York New Jersey (MetLife) Stadium. She will perform alongside Madonna and BTS. While such a show could easily command a substantial fee, Shakira and the other stars will perform for charity. Speaking to the



Burna Boy on stage in Toronto, Canada, 2025

Photo: Getty Images/Robert Okine



Shakira performs during the Opening Ceremony of the FIFA World Cup 2026 in Mexico City, Mexico.

A 2021 study estimated that USD28 billion is lost to global sports piracy every year

New York Times, sources from Global Citizen, an international education and advocacy organization, said that neither Shakira, Madonna nor the seven members of BTS would receive a performance fee. Instead, they will donate their fee to the FIFA Global Citizen Education Fund. FIFA has yet to disclose how much these donated performances will contribute to its Global Citizen Education Fund, which aims to raise USD100 million to help children access education and football.

Broadcasting and exploitation

When the performance goes out live on television during the final's half-time show, broadcasting and media rights will come into play. For musical performances, this engages the rights of several parties at once: the songwriters and publishers in the composition, the owner of any recording used, and the performers themselves.

Television and media organizations secure these rights through FIFA as the original owner of all rights emanating from the FIFA World Cup, often paying substantial sums for the exclusive right to broadcast top sporting events live. For this year's tournament, we counted 101 broadcasters on FIFA's official list, ranging from New Zealand to Norway to Mexico.

Sports organizations rely heavily on the revenue from these broadcasting and media rights, reinvesting it in programs that support athletes and grassroots development. Illegal streaming, therefore, cheats not only the rights-owners but also the athletes and fans that the revenue is supposed to serve. A 2021 study by media analytics firm Ampere Analysis estimated that USD28 billion is lost to global sports piracy every year.

Beyond broadcasting, official tournament songs become commercial assets. This is where sponsorship activation comes into play. Sponsorship activation is the way event organizers license their assets to commercial partners – the official sponsors – so that they can build marketing campaigns around the tournament. Here, tournament anthems cease to be standalone musical works and instead become part of a wider branding ecosystem.

For its promotional anthem for the 2010 FIFA World Cup in South Africa, Coca-Cola used “Wavin’ Flag (Celebration Mix)” by Somali-Canadian artist K’naan. It’s a textbook example of music being licensed for global advertising. The song was used throughout the tournament and throughout Coca-Cola’s global campaigns. In a sense, it became an unofficial World Cup anthem.

For official songs such as “Dai Dai”, FIFA secures the necessary clearances and controls the licensing chain, enabling partners to use the track in their own campaigns. For the right-holders, this is another license and another royalty stream; for the sponsor, it is a way to benefit from the tournament’s emotional charge. The same two underlying copyrights – those of composition and recording – are what make each of these sponsor licenses possible.

“Dai Dai” doesn’t just appear during World Cup broadcasts. It is also featured on the official tournament album, which collects songs from artists from across the host nations. Reproducing a composition on a recording engages mechanical rights, such as the right to reproduce and distribute a musical work in physical or digital form.

“I’ve spent my life making songs and building schools. At the FIFA World Cup, those paths come together”

A mechanical license, as well as a corresponding royalty to the publisher and songwriters, is required each time the composition is reproduced this way, whether the album is sold, streamed or given away. The album’s branding is notable too. The trademark symbol in its title, *Official FIFA World Cup 2026™ Album*, signals that FIFA is asserting trademark rights over the designation.

Royalties and charity

There are many points in the life of a song that trigger royalties. This time, though, the destination is different. Alongside her performance fee for the World Cup final’s half-time show, Shakira’s royalties from “Dai Dai” are being directed to the FIFA Global Citizen Education Fund too. Additionally, for every ticket sold to her upcoming “Las Mujeres Ya No Lloran” tour, the singer plans to donate USD1 to the charity.

In a May 2026 press release, FIFA also announced that Sony Music would “match the first USD250,000 raised with a donation”. The initiative aims to collect USD100 million throughout the 2026 World Cup to support FIFA’s Football for Schools program across more than 200 countries.

“I’ve spent my life doing two things: making songs and building schools,” Shakira said in the official announcement. “At the FIFA World Cup, those two paths come together. Standing alongside Madonna and BTS, I’ll be performing “Dai Dai”, the song I created for this World Cup and for the kids around the world we will reach with the FIFA Global Citizen Education Fund. My hope is that on the world’s biggest stage, the importance of investing in children’s education steals the show!” **M**



Shakira at the May 2026 announcement of the FIFA World Cup final half-time show in New York City, US

Wimbledon grass

The secret protected by
plant variety rights

By Nora Manthey, Editor, WIPO Magazine



Innovation in plant breeding is deeply rooted in IP, with new varieties bred to be more resilient and consistent for use around the world. For tournaments such as Wimbledon and the FIFA World Cup, the grass can even be tested years in advance.

Every summer, the world's best tennis players gather at the All England Lawn Tennis Club to compete on a surface that is almost as famous as they are. Wimbledon's grass is a closely guarded part of the tournament's identity, and a part of the intellectual property (IP) system that most sports fans will never encounter.

"The exact grass varieties used at Wimbledon aren't publicly disclosed," Stig Oddershede tells UPOV, the International Union for the Protection of New Varieties of Plants. "You can't just pop down to the garden center and ask for the 'Djokovic mix'."

Oddershede is communications manager at DLF, a Danish company that supplies seed to more than 100 countries. High-performance turfgrass of this kind, he notes, is typically protected by plant breeders' rights, with the focus on perennial ryegrass – the kind used at Wimbledon – selected for strong wear tolerance, rapid recovery, density and visual consistency. "Wimbledon courts go through a bit of a transformation during the tournament, especially around the baselines, where players more or less try to dig their way to Australia over the course of two weeks."

Genetics, Oddershede adds, is only half the story; consistency year after year depends equally on specialized turf management. That combination – a protected variety developed over many years paired with on-site care – describes much of the turf used in top-level sports.

The IP right that underwrites this is plant variety protection (PVP), a system tailored to new plant varieties and governed internationally by the framework administered by UPOV. The UPOV 1991 Act states that, in order to qualify, varieties must be new, distinct, uniform and stable. According to UPOV's database, nearly 7,000 varieties suitable for use as turfgrass are currently

protected across UPOV members, covering tennis courts, football pitches, cricket grounds and golf courses, as well as multi-use surfaces.

The timelines involved are long. "Behind the scenes, breeders work with thousands of tiny trial plots, testing and comparing different candidates under all sorts of conditions," Oddershede tells UPOV. Breeders assess the grass's wear, recovery, density, uniformity and climate resilience. "From the first cross to a finished variety, the process typically takes more than 10 years."

"Developing new varieties is extremely expensive, often costing millions of dollars, and many may not meet expectations"

The testing is exacting. Varieties are trialled across multiple locations and exposed to cold winters, hot dry summers and a range of diseases. "When it comes to wear tolerance, it gets quite literal: heavy rollers with steel knobs are dragged across trial plots to mimic the impact of football players."

Crystal Fricker, a US-based plant breeder who has developed nearly 400 varieties across four decades, describes a similar timeline stateside. "Developing a turfgrass variety for global sports field use requires at least 10 years of research, crossbreeding, and testing across multiple locations," she tells UPOV. "For the World Cup in Qatar, we began testing our varieties eight years ahead of the event."



Photo: Getty Images/Andrew Redington

Lush grass at the 2026 US Open at Shinnecock Hills Golf Club in Southampton, New York.

PVP in practice

Plant variety protection grants the breeder of a new variety an exclusive right, for a defined period, to control its production, reproduction, conditioning, sale and the export of propagating material. Under the UPOV 1991 Act, the minimum term of protection is 20 years for most species and 25 years for trees and vines. In return, the breeder discloses the variety and submits it for technical examination.

Fricker describes the process from the breeder's side. "Plant variety protection is a legal method for safeguarding breeders' rights, acknowledging those who invest years and often significant funds to develop new varieties," she says. When an application is filed, morphological data must be submitted within the first year of selling the seed, and a comparison with standard and existing varieties confirms that the new variety is distinct. "This process helps protect breeders from imitation varieties or those that are simply renamed."

The system has an international dimension too. "International plant breeders' rights allow you to protect your variety in several countries," Fricker adds. Applications can also be filed on a country-by-country basis. This route, Fricker acknowledges, is "time consuming and costly", but worthwhile for safeguarding

the genetics behind high-value varieties. Without that legal scaffolding, the economics of breeding are difficult to sustain. "Developing new varieties is extremely expensive, often costing millions of dollars, and many may not meet expectations – 90 percent are discarded," Fricker tells UPOV.

In markets without protection, products may be sold as "variety not stated" (VNS), with no guarantees as to performance or genetics. PVP, says Oddershede, is what makes all this effort worthwhile. "It gives breeders a fair chance to earn back their costs," he tells UPOV. "Without it, the incentive to invest drops and so does the pace of innovation." In markets where protection is weak, he adds, fewer new varieties enter the pipeline and progress is slowed.

The link between IP and sports turf research is direct. Oddershede says that, ahead of the 2026 FIFA World Cup, a range of varieties were tested alongside research at institutions including the University of Tennessee and Michigan State University. FIFA sets the standards and each stadium selects the variety that performs best under its specific conditions. "That level of long-term, multi-location research depends on plant variety protection. It provides the financial foundation that makes it all possible."

“Climate change is making turf management more complex, with more frequent drought, heat, rainfall and disease pressure”

Wimbledon and the FIFA World Cup are the most visible cases but turfgrass research is rooted throughout professional sport. “Turfgrass innovation has quietly changed the game in a lot of sports,” Oddershede says. Modern varieties offer better wear tolerance, disease resistance, density and consistency than their predecessors. Close work with groundskeepers and sports organisations, he adds, ensures that new varieties meet the different requirements for each sport. “In practice, this means smoother putting greens in golf, more stable footing in rugby scrums, and football pitches that don’t turn into mud halfway through the match.”

Climate pressure

Integral to the world of turfgrass for global sports is breeding for different climates. Fricker highlights Pure Dynasty, a new species that performs in hot climates, endures heavy foot traffic and tolerates poor-quality water and soils. Other recent work has focused on shade tolerance and traffic resilience, both relevant in stadium environments where light levels can be low.

“Climate change is making turf management more complex, with more frequent drought, heat, heavy rainfall and disease pressure,” says Oddershede. Breeders are responding by developing varieties tested under controlled stress and across different environments, with the aim of producing grasses that require fewer inputs while maintaining consistent performance. “This kind of research is resource-intensive,” he adds, “and plant variety protection plays a key role by ensuring that breeders can continue investing in solutions for future conditions.”

Fricker points to specific traits being bred into the next generation of varieties too. “Plant breeders are working tirelessly to develop grasses that use less water and still maintain acceptable green color and growth.” Heat-stress tolerance is also being introduced into certain species. “IP rights encourage these environmental advances by supporting investment in new varieties,” she says.

“According to Oddershede, tetraploid 4turf® perennial ryegrass varieties illustrate just what has been made possible through PVP. Instead of the usual two sets of chromosomes, they carry four. The result, in sports turf, is faster establishment, stronger root systems and improved stress and disease tolerance. “Breakthroughs

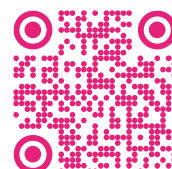
like this are the result of long-term breeding efforts,” he says. “Plant variety protection is what makes that kind of innovation possible.

Oddershede and Fricker agree that successful turf tends to go unremarked upon. “If you don’t notice the grass, it’s doing its job,” says Oddershede. Most of the time, he notes, a pitch only attracts attention when it underperforms and, even then, the issue is often related to construction or maintenance rather than the variety.

For Fricker, the long view is also a personal one. She traces the foundation of her family’s research company, Pure-Seed Testing, to the enactment of the Plant Variety Protection Act in the United States in 1970. “Over the past 50 years, we have invested millions of dollars to create varieties that have an impact in places like Qatar, Japan, Europe, the World Cup, the Ryder Cup and other renowned venues across the globe.”

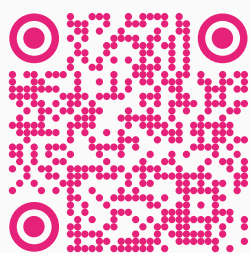
The nearly 7,000 protected varieties suitable for use as turfgrass recorded in UPOV’s database sit behind a significant share of the playing surfaces used in professional sport, from the baselines at Wimbledon to the stadiums of the 2026 World Cup in Canada, Mexico and the US. Each one is the result of a decade or more of work, conducted within an IP framework that most viewers will never see. **M**

The article has been adapted from two interviews published in UPOV in April 2026. Scan the QR code to visit upov.int



Where more sports meet intellectual property

WIPO Magazine's dedicated web page explores the diverse IP issues that affect the world of sports and recovers earlier key essays from industry leaders and conversations with lawyers, creators, and federations shaping the field.



Focus | Sports

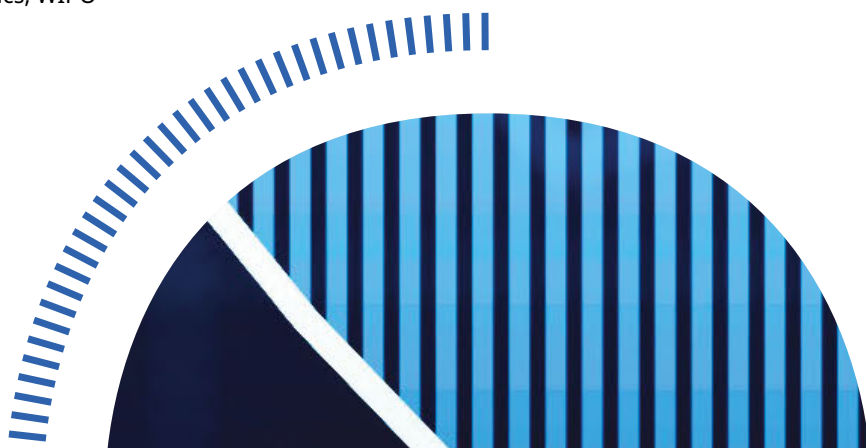
WIPO



IP on and off the field

Tracking innovation in sports

| By Christopher Harrison, Head of IP Analytics, WIPO





Just as performance analytics helps teams better understand their game, IP analytics helps policymakers, companies and researchers understand how technology evolves. WIPO's Head of IP Analytics, Christopher Harrison, tackles the trends from the 2026 WIPO Technology SPARK Report on Sports Technology.

Sport makes us think of competition, athletic achievement and global spectacle. But behind every record-breaking performance, contentious referee decision or new fan experience lies something less visible: innovation.

From advanced materials in sports gear to wearable sensors that monitor athletes' physiology, technology is increasingly shaping how sport is played, governed and experienced. And data analytics, digital platforms and assistive technologies sit alongside physical skill as key drivers of performance.

Sport is evolving. Patents, trademarks and designs do more than protect inventions, brands and product designs. Together, these intellectual property (IP) rights form a vast dataset that reveals where innovation is happening, who is driving it and how technologies are developing over time.

From intuition to data

Not long ago, many decisions in professional sport were guided largely by intuition. Talent scouts trusted their instincts, coaches relied on experience and players were valued as much for their perceived potential as for their measurable performance.

Over the past quarter of a century, however, the ways that sports data can challenge convention, uncover hidden opportunities and change decision-making have become increasingly clear.

In 2002, Billy Beane, the coach of the Major League Baseball team Oakland Athletics, used statistical analysis to build a competitive squad on a limited budget. Instead

of relying only on traditional scouting judgments, he focused on overlooked performance metrics to identify players whose true value was underestimated by others.

The "Moneyball" story – which became a bestselling book in 2003 and a feature film starring Brad Pitt in 2011 – demonstrated that performance, value and competitive advantage can be measured rigorously and uncover insights that contradict long-held assumptions.

**Between 2016 and 2025,
the sports sector generated
more than 1.25 million
trademark registrations**

Today, data analytics is embedded throughout the sports ecosystem: teams adjust tactics using real-time performance data; athletes monitor training load, recovery and injury risk through wearables; and fans engage through advanced statistics, fantasy leagues and increasingly data-rich broadcasts.

In sports, data has become something of a strategic asset. Innovation can be understood in much the same way. IP records can spotlight innovation and tell us how technologies are moving from concept to market. Analyzed systematically, IP data becomes a powerful tool for tracking innovation itself.

What the data reveals

Between 2016 and 2025, more than 65,700 sports technology inventions were disclosed in published patent families worldwide. Over the same period, the sports sector generated more than 1.25 million trademark registrations and about 70,000 design filings.

The growth rates are even more telling. Sports technology patents increased at a compound annual growth rate of 7.6 percent, compared with 4.4 percent for patents globally. Commercial activity shows a similar pattern. Sports-related trademarks grew by 6.1 percent annually, nearly double the 3.4 percent growth rate across all trademarks.

The strongest relative growth appears in design filings, where sports-related designs increased by 8.3 percent annually, compared with 4 percent across all sectors. Put together, these trends suggest that sport is not merely keeping pace with global innovation but, across invention, commercialization and product design, it is actually outpacing it.

The IP data also reveals that innovation differs from sport to sport. Golf, for example, leads sports technology patenting, with nearly 19,000 inventions published since 2016. It is followed by swimming, racket sports, basketball and soccer.

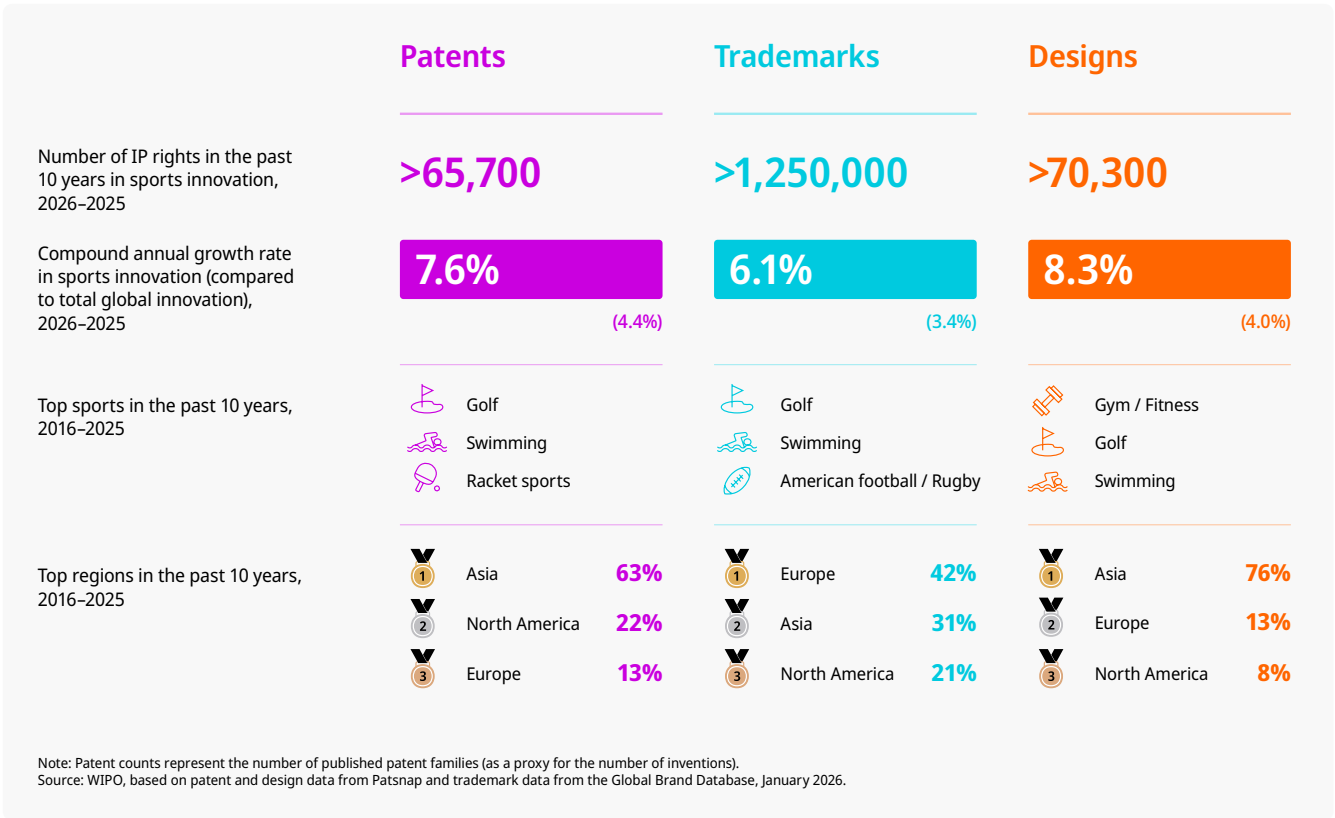
Golf has a strong presence among patent owners in sports technology. Major golf brands such as Titleist, Srixon and Ping appear alongside global sportswear companies including Nike and Adidas.

Design data tells another story. Here, the gym and fitness sector dominates filings, reflecting the role of product aesthetics, ergonomics and consumer appeal in fitness equipment and apparel. (Read more about innovation in the gym and fitness sector on p. 26.)

Technology companies, media platforms and entertainment brands are shaping the ways sport is commercialized

As participation in recreational sport and personal fitness expands globally, design has become an increasingly important competitive differentiator.

Swimming is another notable case. It ranks second in patents and trademarks, and third in designs, making it one of the strongest sports across all major forms of IP.





Gengee Technology's smart ball system is capable of capturing detailed motion and positioning data

This reflects a diverse innovation ecosystem that extends beyond elite competition, spanning performance apparel, goggles, pool equipment, training aids and recreational products. In swimming, as in fitness, technical performance, brand strength and product design shape competition in the market.

Global sports innovation

The geography of sports innovation mirrors broader global patterns in IP activity. Asia leads the world in sports-related patents and designs, reflecting the region's strong manufacturing base and growing investment in technology development.

Europe, by contrast, stands out in trademark activity. This likely reflects the region's dense ecosystem of sports clubs, brands and commercial actors, as well as its many smaller but highly active jurisdictions.

At national level, different sports dominate different innovation landscapes. Golf-related patents, for example, are particularly prominent in the United States, Japan and the Republic of Korea.

Racket-sports technologies are especially active in China, driven by patents for badminton and table tennis. Meanwhile, soccer-related patents feature strongly in Germany, home of Adidas and one of the strongest soccer nations in the world.

Trademark data also reflects the global commercial reach of sport. Because brands often register trademarks in multiple jurisdictions and across a wide range of goods and services, large international companies appear

prominently among sports-related trademark owners. Some of the most prominent names may seem unexpected. Alongside sports organizations such as the NBA (National Basketball Association), WWE (World Wrestling Entertainment) and sporting goods retailer Decathlon are the likes of Disney, Apple and Amazon.

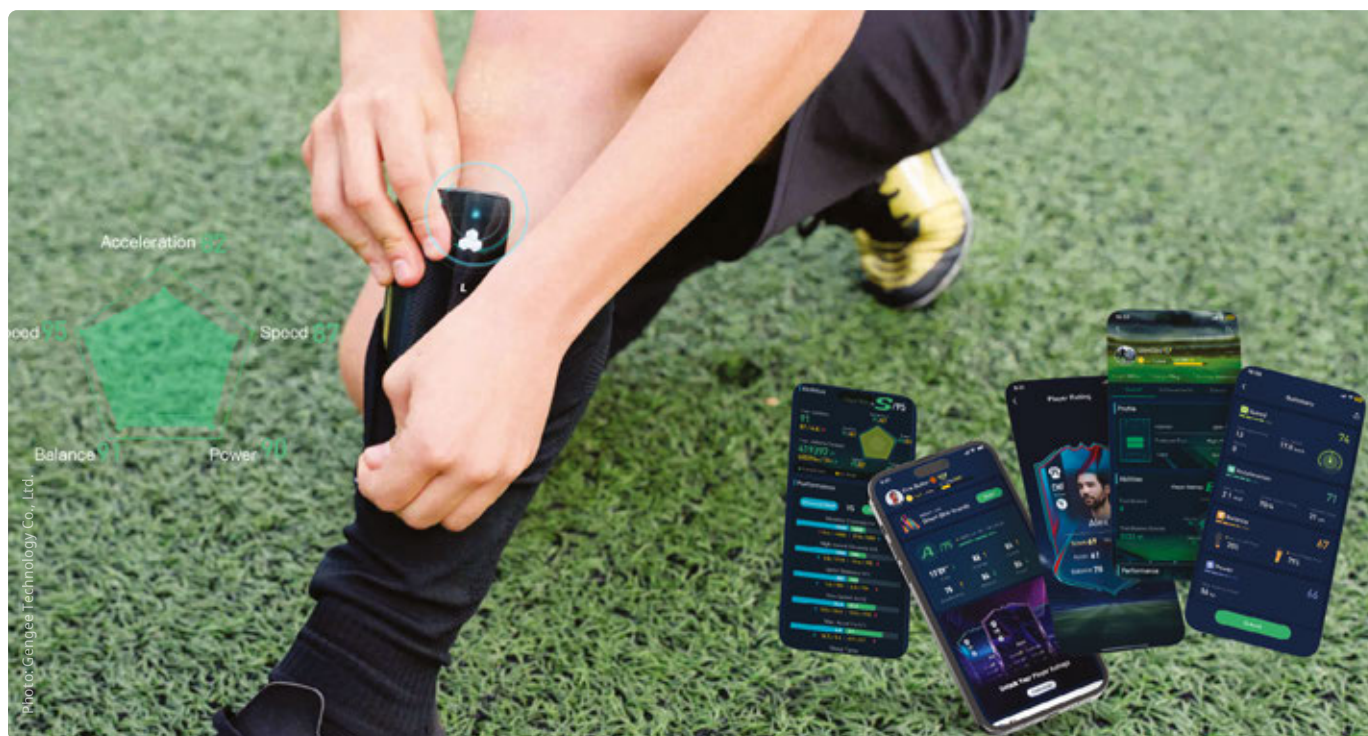
The presence of technology and entertainment companies underlines just how far the sports economy has expanded beyond competition itself. Whether through Disney's sports broadcasting activities, Apple's digital fitness ecosystem or Amazon's investment in live sports streaming, the sports economy now encompasses media, streaming, digital services, merchandising, fan engagement and more.

In other words, technology companies, media platforms and entertainment brands are increasingly shaping the ways sport is consumed and commercialized.

Data and smart equipment

One of the clearest signals in the IP data is the rise of smart sports equipment. Sensors, connectivity and embedded analytics are transforming traditional equipment into intelligent systems that are capable of capturing detailed performance data.

In soccer, basketball, rugby and cricket, equipment embedded with inertial sensors can measure the speed, spin, trajectory and impact characteristics of the ball. These technologies can support athlete training, enable more detailed performance analysis and even assist in officiating decisions.



Gengee Technology has also developed sensor-enabled shin guards

Chinese company Gengee Technology has developed a patented smart ball system designed to capture detailed motion and positioning data during play. As Weidan Chen, chairman and CEO of Gengee Technology, puts it: “In sports, victory is decided by milliseconds; in technology, breakthroughs are defined by patents. At Gengee, we protect our core innovations to transform every touch and every run on the field into a data-driven language that empowers the sports industry.”

One of Gengee’s patents is a ball equipped with a six-axis inertial sensor, micro-control unit, wireless communication module and onboard data storage. The system collects motion-related data and timestamps each movement before transmitting the information to mobile devices or cloud servers for analysis.

By combining sensor data with wireless positioning systems, the technology can reconstruct the ball’s trajectory and movement patterns with high precision. The results can be used to analyze technique, measure performance and support more data-driven training methods. Technologies such as these are unlikely to be confined to elite sports. As sensors become smaller, cheaper and more integrated into everyday equipment, connected sports technologies are increasingly moving towards grassroots participation.

Young players training at local clubs may soon use smart balls, sensor-enabled shin guards or connected rackets that track key statistics and provide feedback through mobile apps.

By looking at patterns in patents, trademarks and designs, we can track how industries evolve over time

In many ways, this mirrors what we have already seen in consumer fitness. Over the past decade, wearable devices that track distance, heart rate, sleep and other metrics have become a routine part of activities such as running, cycling and recreational training.

IP data is also useful for spotting innovation in more specialized areas, such as parasports. Here, the role of academic research institutions is particularly visible. About 26 percent of patents related to parasports originate from universities or research institutions, compared with 17 percent across sports technologies overall. This points to a more research-intensive innovation ecosystem, reflecting both the technical complexity of assistive technologies and the importance of public research in supporting inclusive sport.

Assistive sports equipment, prosthetics, adaptive wheelchairs and rehabilitation technologies often emerge from collaborations between researchers, engineers and athletes. These innovations can significantly expand participation in sport while generating broader benefits for healthcare and mobility technologies.

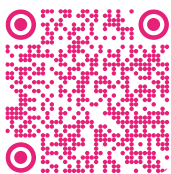
We experience sport through dramatic moments: a last-minute goal, a world-record sprint, a championship-winning shot. These flashes of brilliance make up the visible surface of a much larger system of technological progress. IP analytics help us see that system more clearly.

By looking at patterns in patents, trademarks and designs, we can track how ideas emerge, how technologies converge, how industries evolve over time and how innovation diffuses from elite performance environments into broader commercial and consumer applications.

It also uncovers the connections that are easy to miss when we focus only on performance data; for example, how advances in materials science, sensor technology or digital platforms move across sports and into adjacent sectors such as health, fitness and entertainment.

Seen through this lens, sport is far more than competition and entertainment. It is also a dynamic laboratory for technological innovation, shaped not only on the field of play but also in research labs, engineering workshops and design studios around the world. **M**

To explore these trends in more detail – including sport-by-sport patent analysis for golf, soccer, racket sports, cricket and swimming, as well as case studies on smart equipment, wearables and ball-tracking systems – see the WIPO Technology SPARK Report on Sports Technology.





Heavy lifting

How the design of fitness equipment can shape an athlete's performance

| By Louis Meunier, Consultant, Hague Information and Promotion Section, WIPO

A dumbbell is a dumbbell – until it isn't. For Colorado-based REP Fitness, the geometry of a grip and the locking mechanism of an adjustable weight are not just design choices. They are protectable assets.

In a busy gym, athletes move quickly between racks, benches and cable machines, adjusting weights and preparing for their next set. Performance is measured in kilograms and repetitions. But long before a barbell is lifted, performance begins elsewhere: in the angle of a bench, the contour of a handle and the stability of a frame.

This growing focus on design is reflected in intellectual property (IP) trends. According to recent WIPO research, sports-related industrial design filings grew at an annual rate of 8.3 percent between 2016 and 2025, compared to 4 percent across all sectors, with strong momentum in fitness and gym equipment. The rise highlights the increasing importance of product form, ergonomics and user-facing differentiation in a rapidly expanding market.

For REP Fitness, a Colorado-based strength equipment company, industrial design is not an afterthought. It is integral to the business's every operation. Brothers Ryan and Shane McGrotty began

by selling equipment for the CrossFit community from a humble garage in 2012. Now they manage a company of more than 200 employees.

Today, REP designs racks, benches, dumbbells and cable systems used in home gyms, boutique studios and institutional facilities such as schools, police and fire departments, and military training centers.

As the company expands into the United Kingdom and Europe, it is also building a portfolio through WIPO's Hague System for the International Registration of Industrial Designs, protecting the visible shapes and functional arrangements of key products.

"To an outsider, a dumbbell is a dumbbell," says Brad Hattenbach, a US patent attorney and REP's in-house IP counsel. "But for someone who trains seriously, the details matter. How it balances, how compact it is, how safely and quickly you can adjust it – that's design, and that directly affects performance."

Design as performance

In fitness equipment and training tools, industrial design governs ergonomics, adjustability, stability and spatial efficiency. Equipment must accommodate human biomechanics, withstand repeated stress and support heavy loads safely. A poorly placed adjustment pin or unstable seat can compromise training outcomes and user safety.

REP has institutionalized this thinking. In 2025, the company created a dedicated team that regularly reviews the entire product portfolio. Each reassessment includes identifying improvements to the visible features that could be protected as industrial designs. The questions are practical: Can the grip geometry be better? Is the knurling optimal? Are users reporting friction points?

Feedback flows in from fitness enthusiasts within the company, competitive athletes, professional reviewers and a vocal online community. Prototypes are tested internally by employees who are themselves serious lifters. “Many of our staff are competitive athletes or long-time weightlifters,” Hattenbach says. “We’ll put a prototype in the gym and ask: What do you think? What feels off? What could be better?”

REP also regularly collects feedback from gyms and training facilities where multiple athletes train simultaneously and sessions are physically intense.

At KNGDM Sports Performance in Colorado, coaches train athletes ranging from young prospects to professionals. For them, equipment design directly shapes how training sessions are organized. “Design dictates how

we program,” says Joe Parker, co-founder of KNGDM. “It affects how many exercises we can run, how many athletes we can train at once and how efficiently we can move through a workout.”

Multifunctional systems, in particular, can dramatically increase training efficiency. Parker points to rack systems that integrate cable functionality as an example. “If an athlete can’t do pull-ups yet, we can immediately

“We get knocked off a lot. If you release something that resonates, it can be copied very quickly”

move them to a lat pull-down on the same station,” he says. “That keeps the session flowing and lets us work with athletes of different strength levels without constantly moving them around the gym.” The result is equipment that combines multiple exercises in one unit, with handles and adjustments that are easy to use and a structure that withstands repeated heavy use – features that competitors can notice and copy.

REP’s adjustable Pepin Dumbbell (pictured below) illustrates how design can become a performance differentiator as well as a protectable asset. The product,



REP's Pepin Dumbbell is a modular weight system in a compact form



REP's modular home gym systems can accommodate various add-ons

registered internationally under WIPO's Hague System (DM/240 993), condenses a full range of weights into a compact, modular form.

Rather than lining a wall with dozens of fixed dumbbells, users can incrementally adjust a single pair from light to extremely heavy loads. The higher-weight versions reach up to 56 kilograms per dumbbell in a footprint roughly the size of a yoga mat – a typical dumbbell rack can take up an entire corner of a gym.

"The compactness is critical," says Shane Percival, REP's outside counsel. "It's designed for serious lifters who train heavy but may be working out in a garage or spare room. The form factor gives them functionality without taking over the entire space."

Design decisions underpin that compactness: the geometry of the plates, the alignment and locking mechanism, the balance of the handle and the docking system that supports safe loading and unloading. These are visible feature. They also shape how the product performs.

Even traditional fixed dumbbells can reveal the importance of subtle design features. At KNGDM, Parker and his colleagues use REP's urethane dumbbells. "The flat sides are great," says Parker. "You can use them for elevated push-ups or other movements, which gives you more versatility from a simple piece of equipment."

Such versatility creates risk. "We get knocked off a lot," Hattenbach says, plainly. "If you release something that resonates, it can be copied very quickly." Imitations may appear on online platforms or be imported by third-party distributors. "We've had to send notices to some retailers and online sellers," he adds. "Industrial design registration gives us a concrete basis to demand that they stop selling copies of our unique shapes and mechanisms. Without it, enforcement is much harder." In this case, the company focuses on protecting the distinctive shapes, plate geometry and adjustment mechanisms that make the Pepin Dumbbell unique.



Another example is REP's flat pull-down Pegasus seat attachment, protected under international design registration DM/237 368. What makes it stand out from a standard bench is how quickly the seat and leg rollers can be adjusted for different users and exercises, letting one station serve multiple functions without the need for additional equipment.

REP's Hague registration protects these distinctive design elements – the shapes, angles and mechanisms that make the seat versatile and safe – so that others can't copy the look directly and subsequently its functionality. For REP, these experiences reinforced the need to file early and broadly. Hague registrations allow the company to seek protection in multiple markets through

In markets where new fitness products appear frequently, consistent design elements do more than signal quality: they create protectable features that can be registered internationally, giving REP a clear framework to defend its products.

The rapid growth in industrial design filings in the fitness sector reflects a wider shift: equipment is no longer defined solely by function, but by how efficiently it integrates into space and adapts to users and their training needs.

Unlike apparel or purely decorative consumer goods, strength equipment operates under heavy load and repeated stress. Small differences in form can alter load paths, joint alignment or user positioning. In this context,

“Hague filings are an operational tool for us. They allow REP Fitness to move quickly, protect early and launch globally with more confidence. Compared to a patchwork of national filings, the system offers cost and timing advantages and clearer portfolio management”

a single international application, supporting rapid product cycles and coordinated global launches.

Peak design inspiration

Beyond individual products, REP Fitness has also invested in building a recognizable visual vocabulary across its range. The goal is to signal that its equipment is designed as a coherent system rather than assembled from off-the-shelf parts.

Some elements draw inspiration from the Colorado landscape, including angular profiles that are reminiscent of local mountain formations such as the Flatirons and Longs Peak. Other motifs include hexagonal “hive” patterns and circular “turbine” cues in structural or decorative components.

These features create consistency and brand recognition, as well as communicating intent. “We’re not just buying generic products and putting our name on them,” Hattenbach says. “We’re building a design system.”

industrial design becomes intertwined with safety and effectiveness. Yet precisely because many performance-relevant features are visible – adjustment levers, plate shapes, seat contours, frame geometries – they can be readily copied. Even more so as product cycles accelerate, which means new designs are able to gain traction quickly and can be imitated just as fast.

“Hague filings are an operational tool for us,” Percival says. “They allow REP to move quickly, protect early and launch globally with more confidence. Compared to a patchwork of national filings, the system offers cost and timing advantages and clearer portfolio management.”

The story of REP Fitness underscores a broader lesson for the sports and fitness sector. Innovation does not reside only in technical mechanisms or advanced materials. It is also embedded in the creative choices that shape how equipment looks, feels and functions under strain. When those choices improve stability, ergonomics or spatial efficiency, they can enhance performance. When

they become commercially successful, they can attract imitation. And when they are registered and managed strategically, they can become IP assets.

For athletes in a garage gym, the difference between one dumbbell and another may be measured simply in comfort, balance and usable space. For a growing company entering global markets, that same difference can define brand identity – and justify international protection. It is not just about safeguarding products, but about supporting long-term innovation and brand identity across markets.

In strength training, the weight may be visible. But the design work that makes lifting safer, more efficient and more adaptable often carries the greater load. **M**

Louis Meunier is a consultant with 20 years of experience working at the intersection of international cooperation, strategic communication and media. He serves as a Senior Information Officer at WIPO, working on data-driven communication and outreach strategies to increase awareness and effective use of the Hague System.

REP's Pegasus seat attachment allows for multiple exercises



Sports and intellectual property



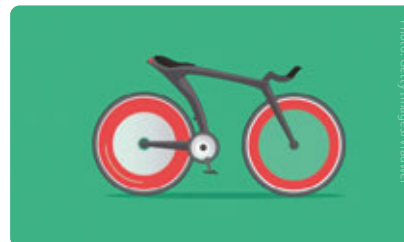
Patents

From trainers to swimsuits and tennis rackets or footballs, sports technologists continually use their ingenuity, creativity and expertise to develop better and safer equipment. To protect their inventions, manufacturers can file patent applications. Patents prevent the unauthorized use of a sport technology invention for the life of the patent – usually 20 years.



Trademarks

Strong brands command customer loyalty and premium prices, constituting valuable assets that drive company revenue and growth. A trademark is a badge of origin. Depending on domestic law and practice, it could be a word or name, such as Wilson, a symbol, such as Nike's swoosh or Adidas' three stripes as well as a number, color, shape, sound or smell.



Designs

Product designs that enhance athletic performance while being visually appealing build critical brand value. Sports manufacturers invest money and expertise into developing cutting-edge equipment. By registering their sports product designs for industrial design protection, companies can defend themselves against imitators and counterfeiters.

From soccer and tennis to ice skating and esports, creators and inventors continually push the boundaries of athletic performance, improving the audience experience and helping to bring sports into homes around the world.

Sport also shows intellectual property (IP) in action. IP rights and the legal protection they provide are key to securing sports as a business and pushing the industry forward. In turn, sports contribute to the global economy, creating jobs and developing public infrastructure.

Photo: Unsplash/James Glas

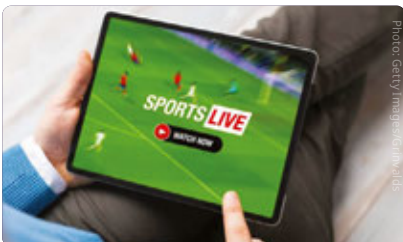


Photo: Getty Images Plus/Joeyd anupho



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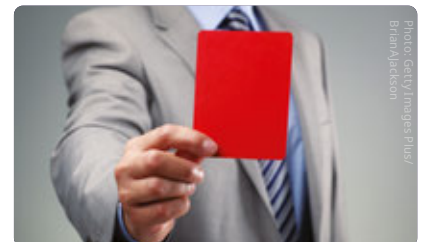


Photo: Getty Images Plus/Brian Jackson

Copyright and broadcasting

Copyright and related rights underpin the relationship between sports and television and other media. Broadcasting organizations pay huge sums of money for the exclusive right to broadcast top sporting events live, and the sale of broadcasting and media rights is now the biggest source of revenue for most sports organizations.

Sponsorships

By acquiring IP rights and using them strategically, sports organizations and other rights-owners can protect and increase their income. Companies often team up with a sporting organization or associate themselves closely with a sporting event to benefit from the massive exposure. In sports, brands can sponsor a team, league, athlete, venue or tournament, depending on their marketing strategy.

Alternative Dispute Resolution

Alternative dispute resolution (ADR) can help parties resolve disputes without the need for court litigation. ADR allows parties to choose a mediator, arbitrator or expert in sports law to resolve disputes around trademarks, industrial designs, copyright and related rights, and patented technologies. These can also relate to sports broadcasting, licensing and merchandising rights, and even the commercial exploitation of the image rights of athletes.



For a more detailed breakdown, visit WIPO's dedicated sports page

Owning the celebration

Signature moves in the age of synthetic media

By Nedim Malovic, Trademark/IP Counsel at ASSA ABLOY, Sweden

Savvy athletes are increasingly registering their signature poses as figurative marks. But with AI able to replicate and commercialise individuals' movements, does trademark law need an update?



Jamaican athlete Usain Bolt strikes his signature pose at the World Athletics Championships in London, 2017

For decades, athletes such as Kylian Mbappé, Michael Jordan and Usain Bolt have transcended their respective sports to become global icons. Mbappé crossing his arms and tucking his hands beneath his armpits. Bolt striking his “lightning-bolt” celebration pose after yet another world-record win. Jordan soaring through the air for a decisive dunk. Each has created a recognizable signature move that functions as an iconic expression closely associated with their identity.

Athletes, often positioned as cultural brands unto themselves, are quick to capture these moments and capitalize on their commercial value. Here, trademark law has assumed an increasingly prominent role. Applicants are now proactively seeking protection not just for their names and logos, but for signature movements and sequences of motion too. But in an era when artificial intelligence (AI) is being used to replicate, manipulate and commercialize individuals’ movements, and possibly likenesses, is trademark law still fit for purpose?

Turning movements into trademark signs

When examining “motion marks” within trademark law, it is useful to distinguish them from figurative marks, since each protects movement in a fundamentally different way.

Motion marks preserve a defined sequence of frames that depict movement over time. This approach is reflected in the practice of the European Union Intellectual Property Office (EUIPO), which recognizes marks such as “Super Simon”, a short, animated video that combines image and sound, as well as other multimedia and motion marks represented through audiovisual files that depict moving elements or changing positions. In such cases, protection does not extend to a single image but to the sequence of movement itself – the choreography of motion as it unfolds over time – provided that the sign is capable of indicating commercial origin.

Figurative marks, however, abstract movement into a single, fixed representation. Rather than protecting

the movement itself, they secure a stylized, visual expression that is derived from it – an expression that can embody an athlete’s persona. Consider the silhouettes associated with Jordan’s “Jumpman” trademark, Bolt’s “lightning bolt” celebration move and Mbappé’s cross-armed pose. In each case, what is protected is not the movement as a sequence, but a single, stylized moment extracted from it.

Despite their differences, both types of mark share the same essential function: to indicate origin. In doing so, they reflect the recognition that movement in sport can operate as a commercial identifier. This development is a natural response to the evolution of sports branding, as trademark protection has expanded beyond traditional logos to include embodied movement and identity, alongside other non-traditional marks. Its significance is particularly evident in a digital landscape in which an athlete’s image constitutes a key commercial asset.

The sportsmen have thus leveraged trademark law not only to license branded merchandise, but also to reinforce personality-based protection

Embodying athletics

Jordan was one of the first to transform athletic movement into a commercial sign. The “Jumpman” trademark, owned by Nike, Inc., was registered in the United States in 1989 for footwear and apparel. The mark represents not only the basketball legend’s legacy but also a broader association with excellence in sport. Here, the sporting act – a mid-air dunk – was abstracted into a minimalist silhouette.

What started as an athlete’s move became a reproducible commercial signifier associated with Jordan’s sporting persona. It continues to underpin his commercial legacy today, most notably through its use in Nike’s Air Jordan product line.

Usain Bolt’s “lightning bolt” victory celebration, with his hands angled diagonally towards the sky, quickly became widely recognized as the Jamaican athlete hit his stride in the late 2000s – and he sought protection for his signature move early. Bolt first registered his stylized pose as a trademark in 2009. After the registration expired due to non-use in 2017, he filed a new application in 2022 for its use in a broad range of goods, such as clothing, bags, jewelry and sunglasses. The victory pose, once a gesture for the crowd, is now a licensed commercial identifier.

The same logic underpins Kylian Mbappé’s cross-armed goal celebration, registered as a trademark in

the European Union in 2018 and used in a broad range of goods that includes clothing, footwear and textiles. By registering a stylized version of his pose as a trademark, the French footballer ensured that a gesture born in competitive play can operate as part of his broader commercial portfolio.

Bolt’s celebration move, Jordan’s airborne silhouette and Mbappé’s folded-arms pose are trademarks that, aside from their primary use as a source identifier

With generative AI systems, third parties can recreate poses or celebratory moves without permission

for the branding and sale of merchandise – especially jerseys, shoes and other apparel – now encapsulate iconic moments of embodied expression.

The sportsmen have thus leveraged trademark law not only to license branded merchandise, but also to reinforce personality-based protection by securing control over distinctive signature movements that have become inseparable from personal identity.

A basketball player wears socks and sneakers featuring Michael Jordan’s iconic “Jumpman” logo





Photo: Getty Images/Jean Catuffe

Kylian Mbappé celebrates after scoring for his club, Paris Saint-Germain, in 2017

In a digital environment shaped by synthetic media, the framework of trademark law has become increasingly unstable. With generative AI systems capable of simulating distinctive human motion, third parties can recreate, or closely approximate, recognizable poses or celebratory moves without permission.

Unlike traditional counterfeiting, AI reproduction does not require the copying of a fixed logo or recording. A generative system trained on audiovisual data can simulate a signature celebration move without duplicating specific footage.

For example, a generative system trained on widely available footage could produce a clip of Bolt striking his signature victory pose in a new context, without reproducing any specific original recording. The resulting output may be recognizable to viewers as associated with the athlete, although it is synthetically generated and not directly copied from existing footage.

The commercial force of such synthetic media lies in recognizability rather than identity. Yet trademark doctrine remains structured around concepts such as “use in the course of trade” and the “likelihood of confusion”. Those concepts become more difficult to apply when synthetic gestures circulate virally, often in seemingly non-commercial environments, before

being indirectly monetized through advertising revenue, brand association or platform visibility.

This diffusion makes it even more difficult to identify when and by whom the sign is used “in the course of trade”, even where clear economic value is ultimately derived. Naturally, this poses fundamental questions. Beyond questions of use in the course of trade, synthetic media also complicate the assessment of similarity between trademarks. The resulting output may reproduce the signature celebration move without replicating it frame by frame.

For example, a third party could use AI technology trained on footage of Jordan’s movements to approximate his split-leg silhouette, producing an output that is functionally the same as the Jumpman trademark but not an exact replica.

This raises the fundamental question: should trademark infringement be assessed through technical comparison, through the overall impression conveyed by the gesture, or both? The line between inspiration and appropriation is increasingly difficult to draw.

The question is not new. Infringement arising from signs that are not identical, but which convey a similar overall impression, was recognized under trademark law before AI. For instance, a hand-drawn silhouette

approximating the Jumpman logo associated with Michael Jordan could, depending on the circumstances, give rise to a likelihood of confusion or association.

However, synthetic media intensify the issue by enabling the rapid generation of multiple, slightly varied iterations of a gesture, making it more difficult to define the relevant “sign” and to apply traditional comparison frameworks consistently.

Synthetic media also highlight the limits of trademark law when it is deployed to protect elements of personality. Although the unauthorized digital replication of a signature gesture such as Mbappé’s may inspire claims of trademark infringement, unfair competition and image or publicity rights concurrently, the underlying rationale for those claims would differ. Trademark protection is confined to safeguarding signs that indicate commercial origin; it was not conceived as a general regime for maintaining control over one’s own identity.

The implications of this extend beyond questions of commercial exclusivity. When AI-generated content places a signature gesture within a fake endorsement, for instance, the issue shifts from dilution to one of misrepresentation of the athlete.

The evolution of motion marks reflects a broader transformation in sports branding: movement itself has become a commercial asset. Gestures born in competition can be parleyed into proprietary signs that can then be licensed and enforced across global markets



For example, a synthetic clip showing Bolt's victory pose or Jordan's Jumpman silhouette in an advertisement could suggest a commercial link that does not exist, damaging their existing sponsorship arrangements and exposing them to reputational risk in markets where such associations are sensitive. In a digital environment where such content can be created and shared at scale, motion marks illustrate both the flexibility of trademark law and its limits when used to control how a person's identity is reproduced.

In situations such as this, trademark law alone may prove insufficient. Its focus on source identification does not fully capture the harm that can arise from the unauthorized exploitation of personae.

Personality-based rights, where recognized, are better suited to addressing this issue. They protect the commercial value of identity itself, rather than merely its function as a badge of origin. Used in conjunction with trademark protection, personality-based rights offer a more coherent response to synthetic uses that appropriate not just signs, but also the persona of the individuals behind them.

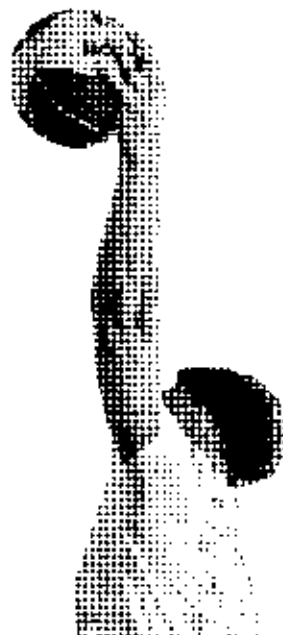
The evolution of motion marks reflects a broader transformation in sports branding: movement itself

has become a commercial asset. As the examples of Bolt, Jordan and Mbappé demonstrate, gestures born in competition can be parleyed into proprietary signs that can then be licensed and enforced across global markets. Trademark law has accommodated this development, extending protection beyond names and logos to embodied expressions of identity.

Yet the rise of synthetic media is testing the boundaries of that expansion. When recognizable human movement can be generated, manipulated and monetized without the athlete's participation, the distinction between sign and persona becomes increasingly blurred. Trademark law offers important tools, but it was not conceived as a comprehensive regime for governing digital identity.

The challenge lies in calibration. Protection must remain sufficiently robust to safeguard distinctive signature movements, while avoiding an overextension that converts expressive human conduct into an expansive private monopoly.

In the digital era, the future of motion marks will depend not only on flexibility, but on a clearer articulation of where trademark protection ends and personality-based interests begin. **M**



Nedim Malovic is Trademark/IP Counsel at ASSA ABLOY and serves on the board of the Swedish Anti-Counterfeiting Group (SACG). He is a skilled IP commentator, having contributed several years to the IPKat blog, where he covered developments in copyright and trademark law. He has also published academically, including in the *Journal of Intellectual Property Law and Practice* (Oxford University Press) and is active as a speaker, for example during the 2024 EUIPO Case Law Conference and WIPO AI Conversation on synthetic media.



Lessons from India

Safeguarding women athletes' personality rights in the age of synthetic media

By Tania Sebastian, Assistant Professor, School of Law, Vellore Institute of Technology, Chennai, India; and
Saraswathy Vaidyanathan, Assistant Professor, School of Law, BML Munjal University, Gurgaon, India

When ‘illegal’ AI images were created of the Indian women’s cricket team, it raised serious questions around the intersection between IP and personality and publicity rights. So what can we do to address the vulnerabilities in current legal frameworks?

The maiden victory of the Indian women’s cricket team at the International Cricket Council (ICC) Women’s World Cup 2025 was more than a mere breakthrough for the sport; it was a triumph of culture that echoed from the DY Patil Stadium in Navi Mumbai, where the final was held. As the team was crowned the new world champions, a parallel phenomenon began to unfold on social media: brands and corporate entities eager to ride the wave of national pride turned this victory into “moment marketing” by using generative artificial intelligence (genAI) tools to create celebratory posts.

Moment marketing is a strategy whereby brands capitalize on real-time events and spontaneous fan energy to create culturally relevant content. Following India’s ICC World Cup victory, several images went viral, including one of the team captain, Harmanpreet Kaur, seemingly sleeping with the trophy next to her (pictured, overleaf). While this was a moment of authentic marketing, the image was inauthentic – it was AI generated.

According to a 2024 report by McAfee, there has been a surge in deepfakes in India, whereby bad actors impersonate consumers and public figures across spheres such as business, politics, entertainment and sport. In today’s digitally connected world, many people are highly susceptible to such scams, and unknowingly forward deep-fake content on social media without verifying its origin.

While the posts concerning the Indian women’s cricket team appeared patriotic, they exposed a legal vulnerability: the commercial and personal fragility of the female athletes’ personae in the age of synthetic media.

When a brand or company uses genAI to produce high-fidelity images of a player, it is not merely engaging in creative expression; it is appropriating without consent that player’s personality rights and the exclusivity that they have contracted to sell to their legitimate sponsors.

This practice represents a leap from traditional ambush, or moment marketing, which has become a strategy for brands and companies seeking to bypass the substantial licensing fees required for official sports

The use of genAI tools disrupts athletes’ rights to embody what is real

sponsorships. By hijacking a viral event, brands and companies create an immediate and powerful association with a team’s success without having to pay for individual endorsements.

Today, the moment is captured through a prompt and fed into a genAI model that allows for the instant creation of synthetic material that is indistinguishable from reality. This can capture the audience’s attention before officially licensed campaigns even reach the market. In short, the speed that can make moment marketing so effective is the same mechanism that deprives athletes of their rightful monetization.



Several AI-generated images of India's captain, Harmanpreet Kaur, were posted across X and Instagram, including by @crex.social

The harm directed at women frequently includes the creation of deepfake content that places them in compromising scenarios

The struggle to protect athletes' personas in India is not new, but its fundamental nature has undergone a radical transformation as a result of the use of genAI. In the past, the challenge for Olympic medallists such as PV Sindhu (Badminton) or Manu Bhaker (Shooting) was primarily rooted in the unauthorized use of their likeness on social media, where the harm is often not just a lost endorsement fee but a violation of their dignity and autonomy.

Protecting women against deepfakes

Brands cannot use anyone's name, imagery or likeness without their consent, Yashwanth Biyyala, Director of Talent and Partnerships at Baseline Ventures, a sports marketing, entertainment and brand-licensing company, told the Hindu Business Line in 2021. "Some of these brands have disregarded potential brand association discussions in the past but suddenly now they are trying to get a piece of Sindhu's glory through social media posts in the garb of congratulating her," he added.

While this matter fizzled out from media attention, most likely due to a settlement between the parties, it was the first time that top female athletes had taken legal recourse to protect the use of their images without consent. The use of genAI tools disrupts athletes' rights to stay authentic and to embody what is real.

For an athlete whose professional standing is built on the authenticity and verifiability of their physical performance, the circulation of synthetic replicas is a threat to their integrity. When AI is used to create a digital version of cricketers, it distorts their right to control their own physical reality.

This shift is particularly acute for female athletes. While male athletes often face infringement of their intellectual property (IP) in the form of commercial counterfeiting, the harm directed at women frequently includes AI-driven beautification that alters their actual appearance, non-consensual sexualization, or the creation of deepfake content that places them in unprofessional or compromising scenarios.

The Indian courts are beginning to bridge this gap by linking IP to Article 21 of the Constitution of India on the right to live with dignity. A February 2026 order by the Delhi High Court in the case of Bollywood actress Kajol Vishal Devgan provides a vital precedent. The court ruled that genAI deepfakes violate not just personality rights but also the fundamental right to live with dignity. This case involved everything from unauthorized merchandise to vulgar AI chatbots that impersonated the actress.

In the absence of a *sui generis* mode of protection for personality rights in India, it is important to remember that Indian courts have typically protected the personality rights of individuals. Protection has emerged through a mix of legal resources, ranging from constitutional remedies to common law principles. Indian scholarly writings highlight the need for “extensive deliberations and consultations” for understanding the scope of protection and its limitations. And that’s to say nothing of the patchwork of legal approaches to these issues that exists or is emerging around the world.



Left: India celebrate following their ICC World Cup final win.
Right: Harmanpreet Kaur during the post-match press conference



This economic disparity makes female athletes vulnerable – for many, their brand value is their most significant long-term asset

The relevancy of these legal protections is underscored by the explosive economic growth of women's cricket in India. The Women's Premier League (WPL) franchise rights were sold for a record sum of INR 4,669.99 crores (USD 485 million) in 2023, making it one of the most valuable cricket properties globally. This included massive individual investments, such as the Adani Group's acquisition of the Gujarat Giants for INR 1,289 crores (USD 131 million) and Reliance Industries' purchase of the Mumbai Indians for INR 912.99 crores (USD 92 million).

However, a significant commercial chasm remains between these franchise valuations and the earnings of individual players. At the WPL 2026 mega auction, for example, Smriti Mandhana remained a record-holder at INR 3.4 crores (USD 346,791), while many domestic players were acquired for as little as INR 10 lakhs (USD 10,000). This economic disparity makes female athletes highly

vulnerable – for many, their brand value is their most significant long-term asset. When brands use genAI to exploit their likenesses for free, they are stripping away the equity these athletes need for a sustainable career.

That the incident following India's victory at the ICC Women's World Cup 2025 has not led to legal action may signal that there is an understanding among personalities that traditional personality rights have low economic impact, and that the sense of personal violation does not contain enough push for litigation. However, the rapid growth of genAI tools may be changing that calculation, and this incident is the first high-profile time that these tools have been used in India extensively, freely, quickly and with ease to create the synthetic images.

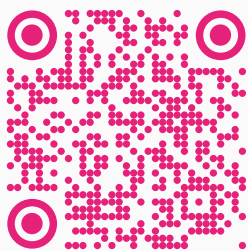
These developments create an opportunity for further deliberations and discussion not only around the use of genAI and personality rights but also collective rights. **M**

Dr Tania Sebastian is an Assistant Professor of Law at the School of Law, Vellore Institute of Technology. She has 17 years of legal experience across academia, research and practice. She has been exploring the intersection of law and innovation through the lens of advancing public health benefits, especially for the Global South. Her current research traces the role of Indian women in innovative and creative spaces across historical and contemporary settings.

Saraswathy Vaidyanathan is an Assistant Professor of Law at BML Munjal University, India, exploring how intellectual property and artificial intelligence shape modern society. She teaches interdisciplinary courses on technology policy and writes for major international commentary outlets on deepfakes and digital rights. Holding advanced legal degrees from India and the UK, her research focuses on how disruptive innovations impact privacy, healthcare, and gender justice across the developing world.

Talking about frontier technologies and intellectual property

To learn more about the impact of emerging technologies on the IP system, tune in to the WIPO Conversation, featuring topics such as synthetic media, AI or the metaverse.



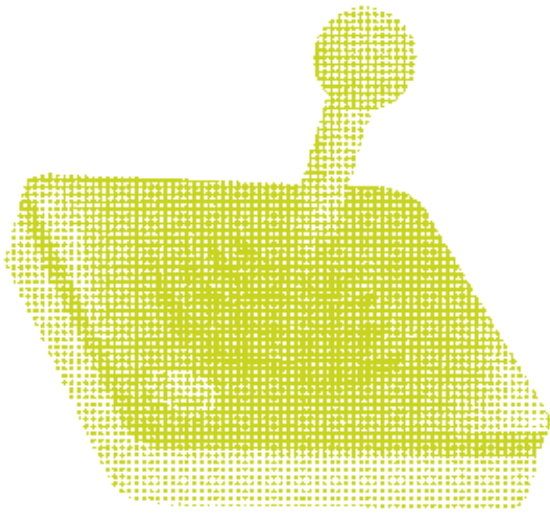
Powering to the players

The Republic of Korea is redefining the identity and rights of esports players. Here's how

By Juan Sebastián Raigoso, MSc Intellectual Property & Development Policy, KDI School, Republic of Korea



In the Republic of Korea and around the world, esports is big business. And this billion-dollar industry is underpinned by a complex web of identity and IP rights, involving the players, their management teams and the publishers of the games they play.



In 1990, Nintendo organized the Nintendo World Championships, a 29-city tour across the United States searching for the country's best *Super Mario Bros*, *Rad Racer* and *Tetris* players. The event, a pre-internet way of connecting gamers, drew thousands of young participants. And, in a sense, it foreshadowed what we now know as esports (electronic sports), a global scene made up of sold-out stadiums, star players on million-dollar contracts, and a business model designed to exploit the intangible assets of a creative industry saturated with intellectual property (IP).

Esports work much like traditional sports, with fans tuning in typically to watch teams compete in commercial video games such as *League of Legends*, *Counter-Strike* and *Rocket League*. Pundits, commentators and live editors ensure the action is as engaging as possible. The Esports World Cup, the industry's flagship tournament, reportedly drew more than 500 million online viewers and 2.6 million in-person attendees in 2024. Its 2026 edition carries a record USD75 million prize pool.

Players are contracted to professional organizations such as T1, Gen.G and DRX, which manage rosters, secure sponsorships and control rights over player likenesses for example. Underpinning all this is a complex ecosystem that video game publishers have historically governed through IP and contract law, often acting as tournament organizers directly or indirectly as well, with considerable control over how competitions are structured, rights allocated and revenues distributed.

The Republic of Korea is an esports industry leader, with video games and their competitive ecosystem representing the country's largest cultural export. According to data from the Korea Creative Content Agency (KOCCA), game exports reached approximately USD8.67 billion in recent years, outpacing other "K-wave" industries such as Korean cinema and K-pop. This economic reality has shifted the way gaming is perceived, moving it from the fringes of hobbyist culture to the center of national economic policy and international legal discourse. And its central figure is the player.

The Korean esports industry does not merely train professional players. It creates K-pop-style stars by adopting principles from the idol system. The production process can involve casting, intensive coaching – not just in high-dexterity gameplay skills but also in media and international etiquette – and global promotion.

However, this is far from a universal rule. The stars of major organizations such as T1, Gen.G and DRX may undergo professional grooming, but many players learn the ropes playing in online servers and informally through their own daily livestreams and fan interactions. There is also a question of priorities: in K-pop, training for artists from day one comes as a complete package – singing, dancing, media training and foreign language skills. In esports, winning comes first. The players' media development, managed by their teams and the publishers of the games they play, comes second to their ability to act quickly and decisively in-game.

Setting standards for player protection

Made up of 10 teams, League of Legends Champions Korea (LCK) is the country's top professional league and perhaps the most influential esports circuit in the world. The league leaves nothing to chance, treating players as a business priority. LCK does this by using standardized contracts and risk-sharing systems to balance the massive commercial interests of the teams with the legal protection of their players. It was not always this way.

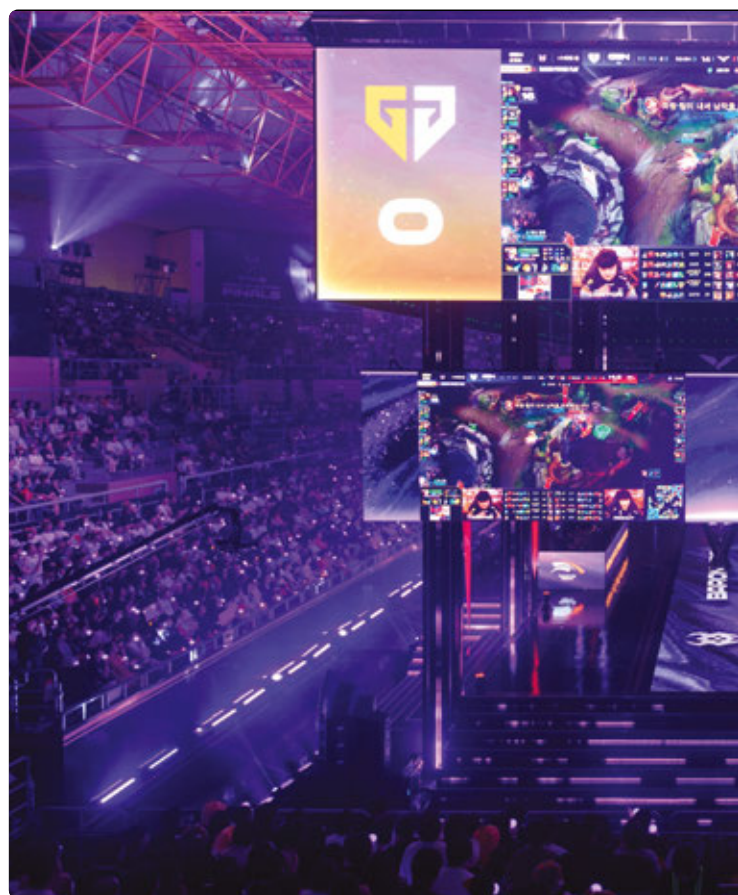
The Griffin incident was the breaking point, proving that the industry lacked a safety net

In 2019, an investigation by *League of Legends* publisher Riot Games and the Korean eSports Association (KeSPA) uncovered a story that would have far-reaching legal and political implications for the industry. Griffin, then a relatively new top-tier team, was found to have locked a player, Seo “Kanavi” Jin-hyeok, then a minor, into a potentially exploitative contract. Further similar reports led to a public outcry to which the LCK reacted. Griffin's head coach and director were then suspended

indefinitely, while the team was fined 100 million Korean won (KRW).

The controversy also caught the attention of the Korean government, leading to an institutional overhaul. Until then, trainee players had lived in uncertainty. Teams used “lion's share” clauses, for example, to trade players or extend terms, sometimes without the latter's consent. The Griffin incident was the breaking point, proving that the industry lacked a safety net.

After months of discussions with players, teams and experts, the Ministry of Culture, Sports and Tourism introduced new draft contracts: the Esports Player Standard Contract, the Esports Trainee Standard Contract and the Teenage Esports Player Standard Affiliated Agreement. The new rules set out in the standard contract put an end to the legal limbo for players in the Republic of Korea.



The LCK Summer Final drew 30,000 visitors to Gyeongju, Republic of Korea, in 2024

Based on the LCK official framework, teams can no longer so easily lock players into long-term deals; there is now a three-year cap on most contracts. Teams also lost the power to extend a player's stay or trade them away. Now, if a team wants to transfer a player to another organization, it needs the player's written consent first. In 2022, the LCK also introduced the Rookie Development Clause to balance player protection with team interests.

Dispute resolution in esports

The 2019 Griffin incident set a precedent. The indefinite suspensions that the Committee issued to the team's head coach and director established its authority to defend players. It may impose administrative sanctions or professional bans that can effectively end a career or a team's license. It is a fast-track justice system designed

specifically for the pace of the professional gaming world. One of the most significant changes concerns dispute resolutions, with the LCK moving from ordinary litigation or team discretion to a specialized arbitration process managed by the KeSPA Sports Fairness Committee.

The Committee is the industry's specialized court. In the Republic of Korea, if a player and a team fall out over a contract, for example, they do not usually start with a lawsuit in a regular court, which could take years and involve traditional judges with a limited understanding of esports.

Instead, the Committee (which runs its own transparency portal) steps in to resolve the conflict, starting with formal mediation. If that fails, it moves to binding arbitration.

The measures are not limited to the Republic of Korea. The following year, the World Intellectual Property Organization (WIPO) and the Esports Integrity Commission (ESIC) established the International Games and Esports Tribunal (IGET), a specialized alternative dispute resolution (ADR) system for video games and esports. Its foundation represents a major step towards professionalizing the sector, providing a roadmap for resolving cross-border conflicts that traditional national courts are often ill-equipped to handle.

In 2026, WIPO has also released three further guidelines, addressing questions around esports and IP generally, plus esports players and tournament organizers specifically. [M](#)



This article has been shortened. Read more about the personality right of esports players and their protection online



Juan Sebastián Raigoso is an IP lawyer working on technology governance and cultural and public policy. His advanced training includes a Master in Intellectual Property and Development Policy (MIPD), which he obtained at KDI School in the Republic of Korea in a program supported by WIPO.



IP insights

Recommendations that every esports player should know

- **Be cautious to prevent claims**
Review your content. Infringement could lead to your online profile being blocked or claims brought to court.
- **Manage your IP**
Elements you use can be protected by IP. Register them to protect your rights in the territories that are commercially relevant.
- **Personalize your work**
Watermarks or branding can help identify your work and prevent unauthorized use.
- **Define ownership for work created by your team**
Reflect in writing who owns the outcome of a project when more than one person is involved.
- **Authorize the use of your content**
Make sure everybody understands how your content can be used and for how long, preferably in the form of a licensing agreement.
- **Monitor and enforce unauthorized use of your content**
Regularly monitor the internet for unauthorized use of your content. If you find unauthorized use that you would like to stop, take appropriate and immediate action.
- **Seek legal advice**
The safest solution is to consult a legal professional to understand your rights and the best ways to protect your content.
- **Be a team player**
If you are asked to join a team, make sure you understand the agreement with the team to avoid unpleasant surprises.



Going for goal

IP in the Chinese Su Super League

| By Ying Ye, IP attorney, Beijing Huicheng Law Firm (Chengdu), China

The 2025 Su Super League final between Taizhou and Nantong in Nanjing, Jiangsu Province, China



From the province of Jiangsu and throughout China, the popularity of grassroots soccer has hit fever pitch. As the Su Super League matures, the importance of good strategy extends from the field to IP.

The Jiangsu Football City League (JSCL), also known as the Su Super League or “Su Chao” in Chinese, has gained astonishing popularity. What began as a modest provincial competition played by amateur players in small venues now sells out stadiums across East China. Posts about Su Chao matches reportedly rack up millions of views on Weibo and billions on China’s major short-video platform, Douyin.

One key factor behind its popularity is broad public participation, the Vice-President of the Jiangsu Football Association, Wang Xiaowan, told Xinhua News Agency. This participation happens both on and off the field. The grassroots soccer competition features 13 teams, each named after their respective cities in the province of Jiangsu, located in the prosperous Yangtze River Delta region and bordering Shanghai to the south. More than 60 percent of the league’s players are amateurs from everyday professions. Students, delivery workers and teachers take to the pitch before returning to their regular jobs for the rest of the week.

Tourism departments and creators in Jiangsu have picked up on the thrall and promote the league through short videos, animation and AI-generated content, blending dialects, food traditions and local heritage into their storytelling. The Su Super League has adopted a relatively open approach to user-generated content and AI-generated content, allowing memes, remixes, commentary and locally inspired narratives created by fans to circulate widely online.

Media reports note that the league has been quick to capture public attention with user-generated content and humor related to the city playing a central role in its popularity. Live interventions such as a horde of dinosaurs entertaining spectators during half-time further increase both the pull to stadiums and the viral hype. Yet as the league’s appeal spreads beyond the province, strengthening Jiangsu’s urban identity and building commercial potential, new questions arise in relation to intellectual property (IP).

The IP issues surrounding the Su Super League highlight both opportunities and challenges. They show how quickly sporting events can generate brand value, but also why a coherent IP strategy is necessary to turn short-term popularity into lasting assets

Protecting Jiangsu Football City League

What started as a regional, non-professional soccer competition is quickly accumulating brand value, commercial opportunities and cultural influence. At the same time, the Su Super League IP framework has yet to keep pace. The surge in attention has brought a rapid influx of businesses and market actors. In light of this, in May 2025, the Jiangsu Football Association filed 20 trademark applications covering core categories such as the competition name, event identifiers and mascot. The following month, it submitted a second batch of applications, extending protection beyond the competition name to include potential derivative products.

At the time of writing, according to the trademark database of the China National Intellectual Property Administration (CNIPA), key competition names such as “江苏省城市足球联赛 JIANGSU FOOTBALL CITY LEAGUE” and “JSCL” have been filed for trademark registration by the Jiangsu Football Association.

Public records indicate that the earliest application for the “JSCL” trademark was submitted in May 2025, with the applicant listed as the “Jiangsu Football Association”. Applications for other related trademarks are pending.

Meanwhile, more than 300 trademark applications related to the keyword “Su Super League” have been submitted, reflecting the ongoing abundance of trademark filing activity surrounding the league, which has encouraged many companies to develop associated merchandise and cultural products.

One example is the Purple Dream of Football, a product launched in Wuxi that combines Yixing purple clay craftsmanship with soccer imagery in the form of a purple clay trophy meant to symbolize the pursuit of dreams. With the support of the Yixing Intellectual Property Rapid Protection Center, the design patent was granted by CNIPA in just five working days.

More than 62,000 fans attended the 2025 Su Super League final in Nanjing





Photo: Getty Images/MCG

The 2025 Su Super League conclusion at Nanjing Olympic Sports Center, China.

As China's "capital of plush toy gifts", Yangzhou has also demonstrated strong capabilities in monetizing IP amid the surge of the Su Super League. Some enterprises, after producing initial designs of Su Super League-themed toys, have promptly secured copyright registrations to build their own IP portfolios. The Yangzhou municipal government has supported this industrial upgrading through various policies. Measures introduced as early as April 2025 explicitly promote the incubation of original IP, encourage the integration of intangible cultural heritage elements into design and foster convergence with the culture and tourism sectors. This is also generating coordinated momentum across policy support, innovation and market expansion.

The IP issues surrounding the Su Super League therefore highlight both opportunities and challenges. They show how quickly sporting events can generate brand value, but also why a coherent IP strategy is necessary to turn short-term popularity into lasting assets – even for grassroots sports. So, if the Su Super League is to evolve from a trending competition into a lasting urban sports and cultural brand, what IP pillars will it need?

For any sporting event, names, logos and slogans form the core of its brand identity. In the case of the Su Super League, the league name, competition logo, team names and crests are among the most important assets to protect. Some slogans that have spread widely during the rise in popularity, such as the playful phrase "competition first, friendship fourteenth", have also become part of the emerging culture of the league.

If these expressions continue to gain public recognition, they may develop trademark potential and become valuable elements of the league's brand. In the future, they could also support licensing partnerships and merchandising opportunities.

Much of the appeal of the Su Super League stems from the distinctive identities of the cities in Jiangsu. Products such as Nanjing salted duck, Yangcheng Lake hairy crab of Suzhou and Zhenjiang vinegar are not only well-known regional specialties but also symbols of local culture. Linking these products with geographical indications with the league's promotion and merchandising could strengthen its cultural identity while creating new market opportunities for regional brands.

As the League becomes increasingly commercialized, innovations surrounding merchandise design, smart ticketing systems, stadium management and broadcasting technologies may involve design patents or other forms of technical protection. In an era in which digital dissemination and immersive viewing experiences are increasingly important, IP relating to technology and design is leading to another dimension of competitiveness for sporting events.

The influence of the Su Super League extends beyond the matches themselves. A wide range of creative content has emerged around the tournament, including city-themed posters, promotional videos, short-form social media clips, live broadcast footage and photography.

If the Su Super League is to evolve from a trending competition into a lasting sports and cultural brand, what IP pillars will it need?

At the same time, local media and official accounts have amplified engagement through mascots, cartoon characters and creative videos. As the scale of content production and distribution expands, questions of copyright, licensing, content sharing and revenue allocation will become more significant.

For a city-based soccer league like Su Chao, an effective IP strategy does not rest solely in managing trademarks, copyrights and patents in isolation. Rather, it requires integrating these different forms of protection into a mutual system that allows a local sporting event to evolve from a short-lived viral phenomenon into a long-term brand. **M**

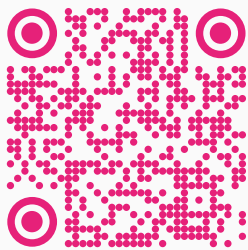


The Su Super League demonstrated the power of grassroots support and its potential effect on IP

Ying Ye holds a PhD from Durham Law School, United Kingdom. Her research interests lie in AI and IP law, as well as technology law and policy. Dr. Ye is an IP attorney in China and practices at Beijing Huicheng Law Firm (Chengdu). She is often in Nanjing, thanks to long-standing connections, and has experienced the excitement of the Su Super League firsthand as a regular spectator.

Where more sports meet intellectual property

WIPO Magazine's dedicated web page explores the diverse IP issues that affect the world of sports and recovers earlier key essays from industry leaders and conversations with lawyers, creators, and federations shaping the field.



Focus | Sports

WIPO

A close-up photograph of a Mongol archer in a red robe, wearing a brown leather glove with metal studs, drawing a bow. The bow is made of wood and has a red fletching. The background is blurred, showing a green field and a wooden fence.

Modern traditions

Traditional cultural expressions
and the World Nomad Games

| By Daphne Zografos Johnsson, Senior Legal Officer, Traditional Knowledge Division, WIPO

A Mongol archer draws his bow at the 2016 World Nomad Games in Kyrgyzstan



The World Nomad Games are more than a sporting competition – they are a theater for dynamic cultural expressions that show how traditions are anything but frozen in time. However, those expressions also pose new questions in terms of intellectual property.

The World Nomad Games are a celebration of nomadic cultures with roots in Central Asian traditions. The biennial event, dedicated to traditional sports and traditions practiced by nomadic peoples, invites participants to test not only their brawn but also their brains. In this context, the term “nomadic” refers to a traditional lifestyle in which people move seasonally with their herds from place to place rather than living in permanent settlements, usually to find fresh pasture for their livestock.

From Kyrgyz belt wrestling and Hungarian horseback archery to intellectual board games such as mangala and oware, the Games are a sporting competition as well as a celebration of living cultural heritage.

First held in Kyrgyzstan in 2014, the inaugural Games featured fewer than 600 participants from 19 countries competing across 10 disciplines.

Now in their sixth edition, the Games feature thousands of competitors from about 100 countries and are recognized by the United Nations General Assembly as a valuable platform for promoting intercultural dialogue, social cohesion, peace and development. In 2021, UNESCO included the Games in one of its registers under the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, acknowledging them as an effective model for safeguarding traditional sports and driving sustainable development.



A Tatar archer stretches before competing at the 2016 World Nomad Games in Kyrgyzstan.



Opening ceremony of 2024 World Nomad Games in Astana, Kazakhstan

Photo: Getty Images/Anadolu

Following editions held in Türkiye (2022) and Kazakhstan (2024), the 2026 Games are returning to their birthplace, Kyrgyzstan, from 31 August to 6 September.

For one week, the competitions will be the epicenter of a global cultural dialogue, showcasing traditional sports alongside music, crafts, storytelling, traditional dress and other forms of traditional cultural expression practiced by nomadic communities.

What are traditional cultural expressions?

Traditional cultural expressions, also known as “expressions of folklore”, are tangible or intangible forms through which traditional culture is expressed. Traditional dances, songs, handicrafts, designs, symbols, ceremonies, tales and more may be considered such.

They are integral to the cultural and social identities and heritage of Indigenous Peoples and local communities, reflecting their core values and beliefs.

It is a common misconception that, because these cultural expressions are described as “traditional”, they must be ancient or somehow frozen in time. On the contrary, they are passed from one generation to another and are continually maintained, used and developed by their holders.

What makes knowledge or cultural expressions “traditional” is not their antiquity. Much traditional knowledge, such as know-how, skills and practices, is developed and maintained by a community, and many traditional cultural expressions are neither ancient nor inert, but

rather a vital and dynamic part of the lives of many communities today.

The Games’ opening and closing ceremonies show this by combining traditional cultural elements – including nomadic history, oral epics, traditional dress, design, and music and dance – with modern staging, choreography and large-scale theatrical production for contemporary international audiences.

The many games featured during the event are traditional cultural expressions in themselves. For example, Kok-Boru (dead goat polo) is an intense equestrian game where two teams on horseback compete to score by carrying a goat carcass and placing it in the opposing team’s kazan (goal cauldron). Kok-Boru is believed to reflect the historical need to defend livestock on the Central Asian steppes. According to tradition, when wolves attacked their herds, nomadic horsemen would pursue them, pick up the carcasses, and toss them between riders while returning from the hunt. Over time, this practice is said to have evolved into a competitive sport that tested the agility, courage, strength and horsemanship essential for survival in the harsh steppe environment.

The growing visibility of traditional cultural expressions can contribute to their promotion and preservation, but also to their commercialization by third parties. Where cultural symbols, designs or performances are reproduced without the consent or involvement of the communities from which they originate, those communities may raise claims of misappropriation.

IP and the World Nomad Games

The World Nomad Games rely on familiar intellectual property (IP) mechanisms commonly associated with international sporting competitions. The name and logo of the Games, for instance, are protected as trademarks, helping to distinguish the event and its official merchandise.

Similarly, the Games' opening and closing ceremonies, musical and dance performances, photographs and audio-visual productions may benefit from copyright protection.

As regards the many traditional cultural expressions practiced and showcased in the Games, some can be protected by conventional IP rights. Original contemporary expressions with identifiable authors, for example, may qualify for copyright protection, and communities may register signs and symbols used in the course of trade as trademarks.

Others, however, fall outside of the scope of conventional IP rights, which are generally designed for individual ownership, with limited protection periods and identifiable creators.

This highlights certain limitations of the existing IP system, which was not designed with the policy objective of protecting traditional cultural expressions.

Those limitations are a source of concern for Indigenous Peoples and local communities seeking to prevent the unauthorized use of their traditional cultural expressions.

For example, traditional textile patterns may be reproduced in global fashion collections; sacred symbols could be used in branding; or traditional performances might be recorded and distributed online without the permission of or benefit-sharing with the communities concerned.

In response to the limitations in the conventional IP system, some countries have adapted their IP laws or established IP-like *sui generis* systems to protect traditional cultural expressions. Examples can be found in the WIPO database of laws, treaties and regulations on the protection of traditional knowledge, traditional cultural expressions and genetic resources.

Member States of WIPO are conducting text-based negotiations in the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) to finalize an agreement on an international legal instrument (or instruments) to protect traditional knowledge and traditional cultural expressions.

Amid all the wrestling, falconry and folk competitions, the 2026 World Nomad Games will once again help to ensure that these traditions are practiced as part of a dynamic cultural heritage. **M**

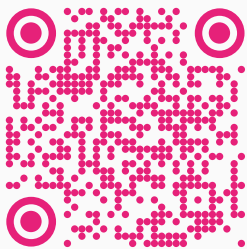


Teams vie for a goat carcass during a Kok-Boru game at the 5th World Nomad Games in Astana, Kazakhstan.

Daphne Zografos Johnsson is a Senior Legal Officer in the Traditional Knowledge Division at WIPO. She has spent more than two decades working at the intersection of IP, traditional knowledge and traditional cultural expressions. She has held academic positions at the University of Reading, King's College London and Queen Mary University of London, and holds advanced degrees in IP law from University College London (UCL) and Queen Mary. At WIPO, she works on emerging issues relating to traditional cultural expressions and IP.

Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions

Learn more about WIPO's work at the nexus of IP and biodiversity, cultural heritage, agriculture, trade, life sciences, human rights, health, climate change and sustainable development.





Leading the cheers

Music licensing in sports with ClicknClear

| By Nora Manthey, Editor, WIPO Magazine

Team US competing at the World Aquatics Artistic Swimming World Cup 2026 in Toronto, Canada



When Sony Music Entertainment sued multiple cheerleading music companies in 2014, world champion cheerleader Chantal Epp saw an opportunity. Her startup, ClicknClear, obtains music licenses for Olympic and grassroots athletes across major sports, tapping into a billion dollar market.



Athletes in figure skating, gymnastics and other choreographed sports routinely perform to music without securing the necessary rights to use it in connection with their routine. Founded in 2016 by British two-time world champion cheerleader Chantal Epp, ClicknClear is tapping into an estimated USD2.4 billion annual revenue opportunity amid legal challenges.

In February 2026, Spanish figure skater Tomàs-Llorenç Guarino Sabaté kicked up a mini media storm when he almost had to scrap his popular Minions-themed routine just days before competition began at the Milano Cortina Winter Olympic Games.

While the issue centered on Guarino Sabaté's license request being denied rather than music copyright infringement, because ClicknClear is the recommended rights-clearance provider for figure skating (among other sports) Epp found herself fielding questions. "After staying up for most of the night last night, making a lot of calls and sending a lot of emails, we received approval on [Tomàs's] remaining track," Epp posted on LinkedIn. "I'm unbelievably proud of making this happen."

ClicknClear was involved in the majority of rights clearances for athletes ahead of the Games. Its founder says Guarino Sabaté's case spotlights the need for

greater awareness and education, and points to a structural issue that her business is designed to address: the 100 billion dollar annual monetization gap in the music industry compared with video games and film. This gap exists because there is no global music ownership database or universal licensing system to connect music owners with users. Solving this problem, starting with sports, is Epp's focus.

Any sport that uses music as part of its routine typically requires licensing

ClicknClear offers athletes more than 3.6 million tracks to choose from. The company also works with event organizers and federations by offering license-verification technology. “We’ve cleared all of the rights, from what the athletes need all the way through to the event organizers, so that athletes can instantly license music from our platform,” Epp says. In her experience, “big organizations in general want to ensure that things are done legally”.

Indeed, the International Olympic Committee (IOC) has always required athletes to obtain the necessary authorisations and consent to use music in their Olympic routines. Still, athletes face licensing questions, and the story involving Guarino Sabaté was not the first of its kind to make headlines. In fact, it was two legal developments, in 2014 and 2022, that helped Epp to crystallize her business case.

Sony’s legal inspiration

In 2014, Sony Music Entertainment sued several music-editing companies in the United States for selling unauthorized remixes to cheerleading squads. At this time, Epp was working in music licensing while pursuing competitive cheerleading. She had also started her first music production company for sports at university. When the Sony lawsuit emerged, she recognized an opportunity to apply her professional expertise to her sport. “I can solve that problem,” she thought. “I’ll just put everything I know about music licensing into cheerleading.”

Epp says that Sony settling the lawsuit changed how music was used in the sport and led her to create ClicknClear. She worked with lawyers close to the case to develop the licensing agreement that the industry needed, and which remains the core of her business.

Today, the ClicknClear catalogue is growing through its deals with record labels and music publishers in more than 100 countries. Sony Music was the first major label to sign up, says Epp, followed by majors and large independents such as Warner Music, Universal Music, Concord and BMG, as well as thousands of smaller publishers. Moreover, in the wake of the Sabaté case, ClicknClear announced that it has signed a global recorded music deal with Universal Music Group (UMG), while the Winter Olympics were still running. The company works with these right-holders directly to clear a unique set of rights applicable to musical accompaniment for sports, and the license-verification technology helps event organisers and sports federations to check compliance with music licensing across all sports competitions.

“We’ve cleared all of the rights, from what the athletes need all the way through to the event organizers, so that athletes can instantly license music from our platform”

Chantal Epp performing
at the Tokyo Paralympic Games
flame lighting ceremony in 2021



The rights to use music needed by athletes differ from those sought by event organizers, who, for example, may want to distribute or broadcast filmed routines.

Another lawsuit that propelled ClicknClear along came in 2022. Following the 2022 Beijing Olympic Games, composers Aron and Robert Mardo – who operate under the name Heavy Young Heathens – sued US pair skaters Alexa Knierim and Brandon Frazier, along with NBC Universal, for unauthorized use of their “House of the Rising Sun” cover. The case – which was settled for an undisclosed amount estimated at about USD1.4 million – underlines how such developments have become more high-profile in recent years, and may have contributed to event organizers looking ever more closely at the rules.

The IOC updated its guidelines for music in sports in 2025. They make clear just how complex rights clearances can be if athletes attempt to secure them alone. In the guidelines, the IOC warns about cases such as Guarino Sabaté’s, reminding athletes that they “wouldn’t want to have worked hard on a routine to a particular piece

of music, only to discover later on that [they] can’t use it”. The guidance outlines that, when using a piece of music for a routine, athletes “should be aware that the music is like a piece of property with multiple ‘owners’”. They might include the composer, the producer who recorded it and the writer of the lyrics, each of whom may hold copyright, as well as the music’s performers, who may hold performers’ rights. Epp takes the example of a figure skater who choreographs a routine set to a mash-up of several songs. Each song featured would likely require permission from artists, composers and/or music right-holders.

Failure to license can have major consequences. Canadian ice dancers Marie-Jade Lauriault and Romain Le Gac had to change their 1990s-themed routine just before the 2026 Winter Olympic Games because they reportedly could not secure licensing for their preferred Prince songs in time. ClicknClear could not have helped directly in this case, but could have assisted the athletes in detecting the issue sooner.



Searching ClicknClear's website for Prince yields the following notification: "The music of Prince is restricted by right-holders, so may not be available instantly. Requests can be made; however, they are unlikely to be approved. We would recommend searching for an alternative artist."

The company also offers help with clearing rights for tracks not already in its catalog, but that requires a customized quote. For most cases, however, ClicknClear is a one-stop shop for athletes and performers. And, according to Epp, using it is advantageous for all involved. She stresses that, in cases where an individual seeks to obtain music rights outside the ClicknClear platform, music owners may decide how their work is used and set license fees that reflect the manual overheads involved. Moreover, they may not always approve the use of their music in routines.

Licenses acquired through ClicknClear include such rights and cost USD10 to USD25 per track for one year of

"It's never a straight road but a case of being adaptable to every situation and open-minded to keep pushing your path forward"



Marie-Jade Lauriault and Romain Le Gac
at the 2026 Winter Olympic Games

use in one country. In contrast, in the Sony case, defendants charged cheer teams USD75 to USD1,500 per mix of unlicensed music, and Sony sought statutory damages of up to USD150,000 per song for willful infringement. The case was settled out of court.

Licensing for the future of music in sports

Event organizers and large sporting organizations often use ClicknClear's compliance technology, says Epp. World championships and big competitions encourage athletes to use ClicknClear to submit their music and receive proof of license in return, leaving "an auditable trail of licensing". ClicknClear also works with sports federations, such as World Gymnastics and World Aquatics, to help "demythify music copyright", she says. "Largely, we're working with the governance structures of each of the sports."

Epp attributes her success in securing multiple major partnerships to her ability to address an unmet need. "We're solving a problem that no one else is solving,"

she says, noting that she approached major sports organizers directly once the scope of the licensing challenges became apparent.

Epp knows both sides of the game. As a two-time world champion in disability-inclusive cheerleading, she and her husband have helped pioneer the sport in 18 countries. Together, they created the first Paralympic-eligible cheerleading team, and more recently performed at the 2026 World Championships, marking the 10-year anniversary of inclusive cheerleading.

Epp also hopes to showcase the team at the Los Angeles Summer Olympic Games in 2028, to help the International Federation gain Paralympic recognition and build a pathway for the sport. She notes that as ever when raising awareness of new issues, the process takes time. Her advice to other founders reflects this experience: "It's never a straight road but a case of being adaptable to every situation and open-minded to keep pushing your path forward."

Such adaptability extends to protecting her own innovations. Epp uses trade secrets, copyright protection for her code, and trademarks, which in future she plans to register internationally through the World Intellectual Property Organization (WIPO) Madrid System. "I learnt about this in a workshop," she says, which she attended as a WIPO Global Awards winner in 2025.

ClicknClear is launching the world's first blanket music license based on proprietary technology. It is made for Video-on-Demand channels that show choreographed sports, and the company expects the market to reach a similar scale as the one for athlete licenses. **M**



Photo: Getty Images/Jared C. Tilton

ClicknClear was among the finalists of the WIPO Global Awards 2025. Selected from a record 780 applications across 95 countries, the 10 winners exemplify how IP can be used strategically to scale up solutions to some of the world's greatest challenges.



Photo: Getty Images/Mattia Ozbol

Ice-cool innovation

The technology and patents behind
the Paralympic Winter Games

| By James Nurton, freelance writer, United Kingdom

Team Canada celebrating Gold in the Wheelchair Curling competition at the 2026 Winter Paralympic Games

The Paralympic Games have always driven innovation. But the technologies behind them do not stop at the finish line. Here is what it means for the more than 2.5 billion people worldwide who need assistive technology.

The 14th Paralympic Winter Games, held in Milano and Cortina, Italy, from March 6 to 15, were the biggest ever. More than 600 athletes represented 55 National Paralympic Committees. Organizers reported record crowds for the para ice hockey tournament, as well as more than 400 million views on the Paralympics YouTube channel.

This success demonstrates the enormous growth of the Paralympic Winter Games since they were first held in Örnsköldvik, Sweden, in 1976. The number of participating athletes has more than trebled over the past 50 years, and in 2026 there were 160 female competitors, an increase of 18 percent since 2022.

At Milano Cortina, there were 79 medal events in six parasports: alpine skiing, biathlon, cross-country skiing, ice hockey, snowboarding and wheelchair curling. The expansion of the Games reflects greater interest in paralympic sports, more opportunities for participation and changing social attitudes. But it is also partly thanks to technological improvements that facilitate participation in paralympic sports generally. As a January 2026 post by Paralympics New Zealand put it: “Innovation on ice and snow sits at the heart of the growth of the Paralympic Movement.”

While innovation in parasports can help deliver exciting competition and record-breaking achievements, it can also have a positive impact beyond the Games and participating athletes.

For example, Adaptive Winter Sport is a project supported by Milano Cortina 2026’s Education Gen26 program. It aims to help Italian sports federations develop winter Paralympic sports, including through a donation of para ice hockey equipment by Olympic and Paralympic partner P&G.

The visibility of major parasports events can also raise awareness about assistive technology worldwide. At the Paris 2024 Paralympic Games, the World Health Organization and the International Paralympic Committee launched the “Equipped for equity” campaign, highlighting “the crucial role of assistive technology for Paralympic athletes to advocate for concerted global action to improve access to these essential health products”.

“Measures to make assistive technology more accessible and affordable are essential for driving broader societal and economic development”

The campaign found that more than 2.5 billion people worldwide need assistive technology such as wheelchairs and hearing aids. It called on countries to integrate such assistive technology into primary healthcare and universal health coverage, stating: “Measures to make assistive technology more accessible and affordable are essential not only for empowering individuals to participate fully in life but also for driving broader societal and economic development. Expanding access to quality-assured, safe and affordable assistive technology reduces health and welfare costs such as recurrent hospital admissions, and promotes a more productive labor force, indirectly stimulating economic growth.”

Each Paralympic Winter Games brings innovations that push what is possible for athletes to achieve. As the Paralympics New Zealand blog post points out, during the 1980s and 1990s these included early sit-skis and improved prosthetic limbs.

The early 21st century saw lightweight carbon-fiber mono-skis, advanced shock absorbers and high-performance prosthetics, while the past decade has brought real-time tracking and more advanced communication systems for visually impaired skiers.

The Summer Paralympics have also seen much innovation. The Tokyo 2020 Paralympic Games, for example, saw the introduction of specially designed badminton chairs, modified track racing bikes and 3D-printed customized gloves for wheelchair athletes.

Patents play an important role in the development, improvement and dissemination of such assistive technologies. They enable inventors to commercialize their innovations, which, in turn, facilitates further research and development. The Patent Cooperation Treaty (PCT), administered by WIPO, provides a means to seek patent protection for inventions in more than 150 countries and has been widely used in the parasports field.

Academic researchers to the fore

According to the latest WIPO Technology SPARK Report on sports technology, between 2016 and 2025 sports-related patent filings grew at a compound annual growth rate of 7.6 percent, compared with 4.4 percent across all patents.

The report also noted that there was a “distinct pathway” for innovation in parasports: “With 26 percent of parasport patents originating from academic institutions, compared with 17 percent across sports technologies overall, the data point to a more research-intensive and collaborative innovation model. This reflects both the technical complexity of assistive technologies and more limited commercialization opportunities, underscoring the critical role of public research and inclusive innovation systems in expanding participation in sport.”

One interesting example is a PCT application for a modvable sports wheelchair, which was published in 2017 naming inventors at the University of Bergamo in Italy. The chair comprises a supporting frame, a front wheel, a pair of rear wheels and a sitting cage.

The published application states: “The frame structure has at least two longitudinal sides oriented in the movement direction of the wheelchair and two transverse sides spaced and oriented in the other direction such to form the cage, that therefore takes the shape of a compartment free from internal structural elements intended to receive an athlete with an optimal position for propelling the wheelchair depending on the level and type of disability of the athlete.”

Right: Christoph Gloetzner of Team Germany competes during the Para Alpine Skiing Slalom in Cortina d'Ampezzo, Italy. Below: the Chinese ice hockey team celebrate their bronze medal win at the Milano Cortina 2026 Winter Paralympic Games. Bottom: Patent drawing for a modvable sports wheelchair



Photo: Getty Images/James Fearn

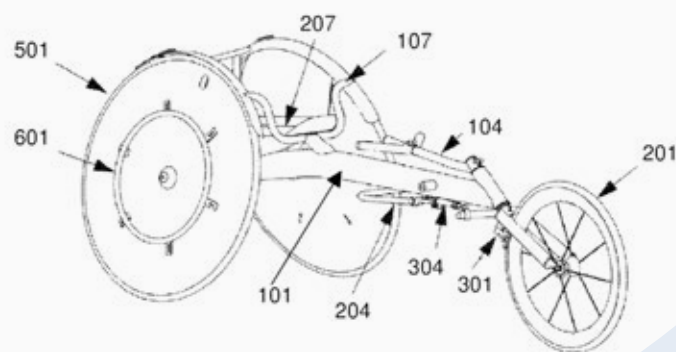


Fig. 1



In Milano Cortina, Ukrainian biathlon medalist Maksym Murashkovskyi attributed his success to ChatGPT, saying he used the generative AI tool “as a psychologist, coach and, sometimes, as a doctor”

Another example of university-led innovation is a published PCT application for an asymmetrical wheel kit for manual wheelchair and wheelchair fitted with said wheel kit to facilitate the practice of a throwing sport. This patent application, originating from the University of Toulon, France, was published in 2014.

Patents also reveal some surprising uses of technology. For instance, a team of researchers in Canada filed a patent application for an audible hockey puck for the visually impaired, published in 2023. The puck gives players with visual disabilities information regarding its position and trajectory based on configurable alarms. It can generate one, two or multiple alarms associated with the orientation and/or speed of the puck.

Commercialization and the future

Although universities lead the way, there are a growing number of businesses that focus on research in assistive technology, including prosthetics. For example, *WIPO Magazine* has previously featured Ottobock, based in Duderstadt, Germany, a company that specializes in orthopedic technology.

Meanwhile, a BBC Sounds short published in March 2026 featured an interview with Mike Schultz, a US Paralympic snowboarder who founded BioDapt Inc, which designs, manufactures and distributes high-performance lower-limb prosthetic components for action sports and similar activities.

Also in this field, Japanese company Bridgestone Corporation was named as the applicant on a PCT application for a sole for sports prosthetics, published in 2021. The invention comprises a sole for mounting on a ground-contacting section of a sports prosthetic with a number of grooves.

The next Paralympic Games is set to take place in Los Angeles in 2028, with the next Paralympic Winter Games in the French Alps in 2030. The pace of innovation means we will likely see new technologies that further enhance performance at both events.

While it is too early to predict what these technologies will be, it is likely that artificial intelligence (AI) will play a key role. In Milano Cortina, one medalist in the biathlon, Maksym Murashkovskyi of Ukraine, attributed his success to ChatGPT, saying he used the generative AI tool “as a psychologist, coach and, sometimes, as a doctor”.

“The app will make sports classifications more trustworthy and will improve access for athletes in rural and remote areas or developing countries”

There are other ways AI could facilitate innovation in parasports. One that is being explored in Australia by three University of Queensland professors concerns how athletes are classified to ensure there is a level playing field and that no one is gaining an unfair advantage.

“We will use computer vision of para athletes performing a wide array of movements over time to train the system and develop an app,” they wrote in a 2024 blog post. “The app will allow athletes anywhere in the world to video themselves performing sports-related tasks, submit the video and receive an accurate, objective sports class. This will make classifications more trustworthy and will improve access for athletes in rural and remote areas or developing countries.”

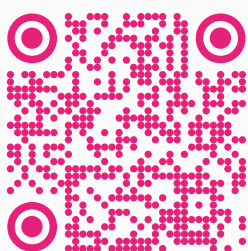
Current research in fields such as AI, new communications technologies, sensors and materials has the potential to lead to further game-changing innovation for parasports and beyond. It will be exciting to see how this manifests in future parasports events. **M**



Italian para cross-country skier Giuseppe Romele celebrates his bronze medal win at the Milano Cortina 2026 Winter Paralympic Games

Where more sports meet intellectual property

WIPO Magazine's dedicated web page explores the diverse IP issues that affect the world of sports and recovers earlier key essays from industry leaders and conversations with lawyers, creators, and federations shaping the field.



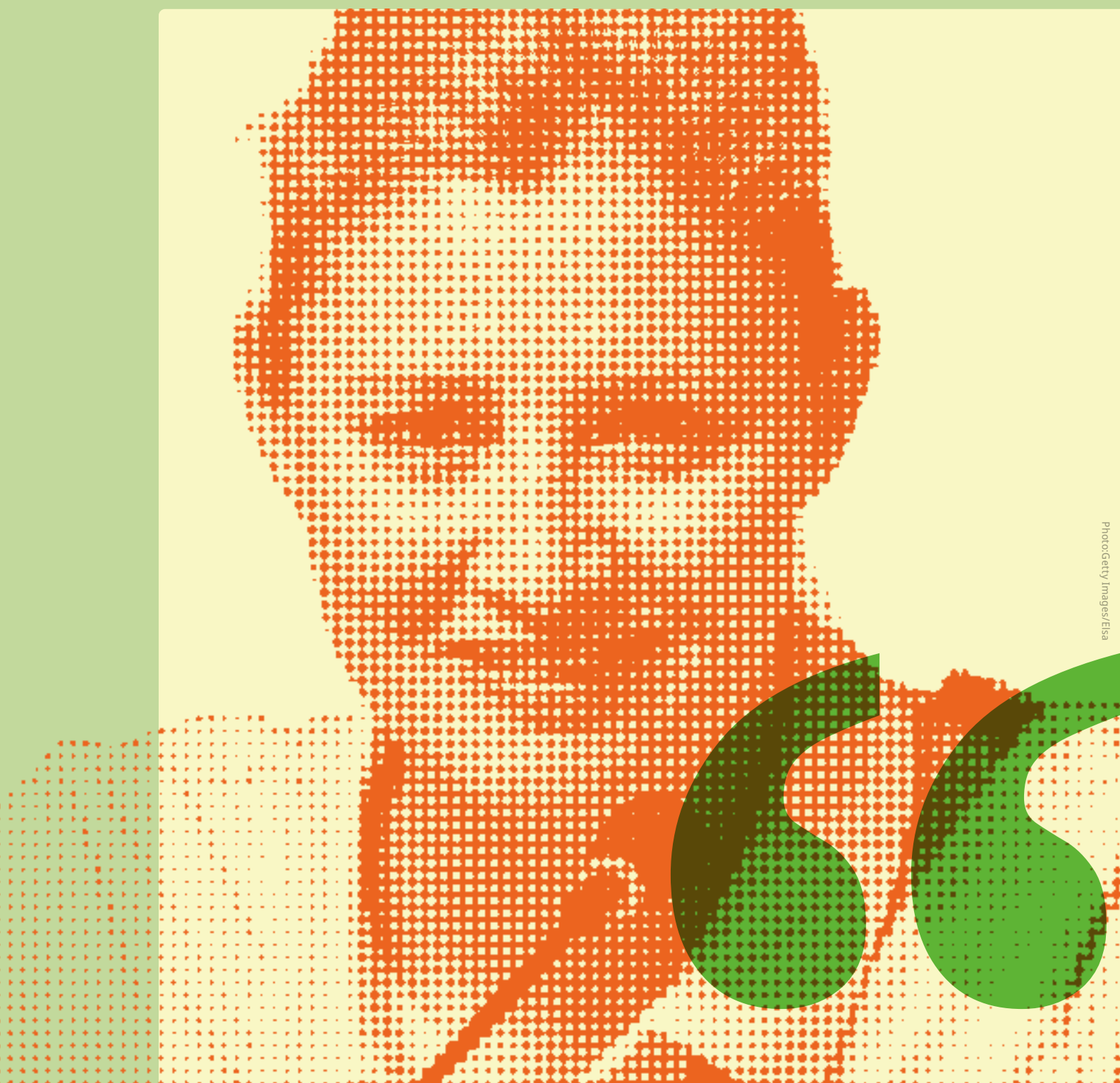
Focus | Sports

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Winning well

How sport and IP strengthen Australia's nation brand, with Fiona de Jong

| By José Filipe Torres, CEO and Founder, Bloom Consulting



Fiona de Jong leads the Australian Institute of Sport's European training center and is a former CEO of the Australian Olympic Committee and former head of Australia's Nation Brand. She discusses sports governance, nation branding, IP and how Australia is preparing for the 2032 Olympic and Paralympic Games in Brisbane.



Fiona de Jong was instrumental in helping Australia secure the Brisbane 2032 Olympic and Paralympic Games. As Director of Sport and Chief Executive of the Australian Olympic Committee (AOC) from 2004 to 2016, she successfully delivered 10 Australian campaigns in nine countries. Now she is helping the nation prepare for its next challenge by leading the Australian Institute of Sport's European operations.

Madrid-based Bloom Consulting worked with the Australian Trade and Investment Commission on Australia's nation-brand strategy in 2019. Its CEO, José Filipe Torres, talks to de Jong about storytelling on the global stage, the relationship between intellectual property (IP) strategy and nation branding, and how Australia is approaching the 2032 Olympic and Paralympic Games. Its performance philosophy? "Win Well".

You began your career in law before moving into sports leadership and nation branding.

I was at law school when I discovered triathlon and began juggling the demands of life as a student and as an athlete for Australia. After a number of years practicing law as an IP lawyer in the IT sector, I wondered whether I could combine my love of law and sport to bring those worlds together.

Fundamentally, sport is about rules. So my background turned out to be important. I volunteered at my local triathlon club and quickly established that I was able to add a lot of value through governance and project management skills.

That led me to a role at the AOC in 2004, where I worked for 12 years – nine of those as Director of Sport organizing Australian Olympic teams, and three leading the organization as CEO.

During my time in 10 Olympic Villages, I rubbed shoulders with the rest of the world, which meant I was well placed to understand how the world views Australia.

Combined with rebranding the Australian Olympic movement in my time as CEO, that led to my work on nation branding for Australia.

What did your legal experience allow you to see in sport that others may have overlooked?

A large part of organizing an Olympic team is project management and governance. A critical step in the process is selecting the teams. One of the fundamental aspects of my role as Director of Sport was developing selection policies for our Olympic teams that were clear, fair and transparent, so that any athlete could understand what they had to do in order to be selected for an Australian Olympic team.

Legal precedents are all based on telling stories, and the ability to tell the right story to the right audience is very important in nation branding.

One of the things I am most proud of is the work we did to evolve, clarify and document those processes. It was also important that there was a legal process, so that athletes could appeal decisions they did not agree with. The person on the starting line at the Olympic Games has to be the person who deserves to be there. So, from a legal perspective, what I perhaps saw more clearly was the need to ensure a sense of justice and fairness was brought to the Olympic selection process.

"You need to digest what the world is thinking, saying and feeling, and then turn that into a coherent, well-articulated plan for the world to comprehend"

What about nation branding?

Nation branding is about using words wisely and articulating a vision in a compelling manner to a large extent. Lawyers are trained to do that – use words wisely, persuade, consume large amounts of information, synthesize it, and make decisions. That skill set is important in a nation-branding context, because you need to digest what the world is thinking, saying and feeling, and then turn that into a coherent, well-articulated plan for the world to comprehend.

The second part is storytelling. Legal precedents are all based on telling stories, and the ability to tell the right story to the right audience is very important in nation branding. Nation branding differs from classic IP rights. IP is based on finding a unique idea and protecting it from use by others for commercial outcomes. Nation branding is about identifying what differentiates your country from any other, then finding consistent ways to bring that to life with as many people as possible.

How do you prevent the national image of sport from becoming too narrow, or too defined by one sport or one personality? Can IP strategy help shape a more coherent national narrative?

I don't think you can separate the two – individuals and nations. The risk is that when an athlete does something inappropriate, it reflects poorly on the country's image. In Australia, for example, the 2018 cricket sandpaper scandal was damaging to our national image because it went against the values that Australians hold dear: sportsmanship, fairness, playing by the rules.

That is why clarity in IP matters. It is important to structure rights and contracts clearly so that national teams, athletes and commercial partners understand where they stand, what rights they have, and who can exploit what opportunities and when.

One major change I've witnessed in recent years is the unbundling of IP rights in sporting properties, especially with the rise of social media. It used to be that broadcasters bought access to everything associated with a major sporting event. Now, those rights can be broken apart: internet rights, TV broadcasting rights, live television rights and social media rights. That changes the IP landscape dramatically and gives organizations more tools to shape a coherent narrative across different audiences and platforms.

National teams and athletes are often perceived as public symbols. From an IP perspective, what constitutes the core assets of a national team?

It's a question we had to answer when I was CEO of the AOC and we undertook a rebranding of the Australian

Olympic properties. The challenge was to modernize the brand and make it relevant to young people. It's not something you mess with lightly – there is a lot of history in national Olympic teams. We had to be respectful of the past, but also to modernize, contemporize and simplify it. We asked: what does the Australian Olympic brand have to represent?

What are the attributes of our Olympic athletes that make them different from any other individual?

A few common attributes were highlighted by our research. First and foremost, there is what we call "mateship". Being part of an Olympic team is so much bigger than who you are as an individual or your individual performance. The spirit of mateship is fundamental to the Olympic Movement, as is excellence. Mediocrity does not cut it. As Olympians, you are the best of the best, and that exclusivity is part of what makes it so special.

Then there is respect – for the rules, for each other, for authority – and sportsmanship. Often, the moments of sportsmanship are what move audiences most emotionally. For example, an Ethiopian and Kenyan runner sharing water in the final kilometers of the marathon.

When rebranding the Australian Olympic properties, the challenge was to capture mateship, excellence and sportsmanship while respecting the past, modernizing the brand and making it relevant to young people growing up in Australia.

The result was a vibrant and strong branding architecture that stood the test of time. It was a proud moment to see the colors and symbols we reimagined more than a decade ago looking strong and vibrant at the 2026 Milano Cortina Olympic Games.

How did you bring a strategy mindset into sports governance in Australia?

People think of sport as highly competitive on the field, but off the field there is a lot of collaboration. I would look at systems from other sporting organizations, consider what we could learn from them and then adapt them to the Australian context.

“Did other countries copy our idea of a centralized center of excellence for sport? Yes. And have we copied concepts from other sporting nations over the years? Yes”

In 1981, in response to not winning any gold medals at the 1976 Montreal Olympic Games, Australia became one of the first nations to establish a centralized sports training facility, the Australian Institute of Sport. Australia went on to win a record 18 gold medals in the 2024 Paris Olympic Games.

Many countries have set up similar institutes since 1981. Did other countries copy our idea of a centralized center of excellence for sport? Yes. And have we copied concepts from other sporting nations over the years? Yes. The key is to adapt those ideas to account for the strengths and weaknesses of your own national sporting systems, policies and cultural practices. Inspiration and sharing ideas are important, but blindly copying the approach of another country is unlikely to work.

Can you give an example?

A practical example is how each nation prepares its Olympic teams. A new edition of the Games takes place every four years, with the same structure but in a different city, with different conditions and challenges. So, from a National Olympic Committee perspective, you need to adapt to every new Olympic Games environment.

For Milano Cortina 2026, for example, Australia's disadvantage was that it's summer in Australia when it's winter in Europe. So, our athletes had to spend many months away from home qualifying and competing prior to the Games. Our competitive advantage, however, came in creating a home away from home, at the Australian Institute of Sport (AIS) European base in Italy. Because we had local staff and native Italian speakers [in Italy]

all year, we were able to source accommodation and high-performance facilities close to the competition venues but outside of the Olympic Village. We had a base in Europe, we spoke the language, and we knew the region, so we were able to tailor a World Cup-style performance environment, rather than the typical high-pressure Olympic Games environment.

For the Olympic Games in the French Alps in 2030, we will need a different strategy. The key is to see what drives a competitive advantage: understanding our past decisions that worked and what needs to evolve. No two countries approach it the same way because no two countries start with the same problems to solve.

How do you protect team marks and athletes' image rights without eroding authenticity? Where do conflicts arise between personal image rights and national representation?

This was part of my role as CEO at the AOC. As a National Olympic Committee, we basically only sell the rights to the team for four weeks every two years, for the Summer and Winter Games. The only real opportunity to leverage our brand is during those short periods, so you need a strong IP framework and a strong brand to make the commercial model work.

The AOC and its sponsors have exclusive rights to use an athlete's image during the Games. For the rest of the year, the athlete has the opportunity to sell their own rights and manage their own image. That model has come under scrutiny in recent years, particularly with the rise of social media. However, because it is such a



Australian Paralympian James Turner celebrates his Men's 100m gold medal win at the Paris 2024 Paralympic Games

Photo: Getty Images/Efra Shav

short period, the legal construct says it is acceptable – you are not unreasonably restraining the trade of the individual. The athlete gets to tell a more personal story in the moments between Games, while the national team brings people together with a collective story.

I believe there is space for different brands in the market. Olympic team sponsors are often large multinationals looking to connect with international or national audiences, while individual athletes may have smaller, more nimble brands that want closer alignment with that athlete's personality and audience.

How have you been involved in Brisbane 2032?

I was born in Brisbane, it's my hometown. Welcoming the world to Brisbane for the Olympic Games will be a full-circle moment.

I have lived in Australia my whole life, but I moved to Italy in 2023 to lead the European Training Center of the Australian Institute of Sport. It has been a privilege to run the Center for the past three years, with two consecutive Olympic Games in Europe. It has also allowed me to learn more about high-performance sports systems in European countries and practice sports diplomacy every day, advocating the strengths of the Australian sports system.

Having lived in Europe, I now have a better understanding of how the rest of the world sees Australia and, as countries prepare for the Brisbane 2032 Olympic and Paralympic Games, I'm able to guide them on some of the fundamentals. For example, the 24-hour travel that Australians are used to is not usual for Europeans. I can help connect them with the right people in Australia to design important elements of their high-performance training and pre-Games camps.

Recently, the French team traveled to Australia for their first planning visit, looking for training facilities for their athletes. Being from Brisbane, I want their team to have a positive experience in Australia, starting now.

The other aspect of my work has been connecting companies that successfully delivered services for Paris in 2024 or Milano Cortina in 2026 and wish to use those learnings to support Brisbane 2032.

What is the Brisbane 2032 strategy?

We are two years into the 10-year 2032 strategy. At the core of this high-performance strategy is a philosophy: "Win Well". Yes, we want to win a lot of medals, but we want to do it well. We care about the wellbeing of our athletes. The philosophy is that, if we can deliver high performance in a sustainable way, the results will follow.

This logic may even extend to the role of IP, for instance, in how we approach the protection and strategic use of the "Win Well" slogan.



This philosophy has also shaped some deliberate policies and programs, including equal access for women to ensure their needs are met in a high-performance environment as well as guidance in areas such as personal branding and image rights.

Every country and every city is now more conscious of the long-term economic impact that major sporting events can bring. The International Olympic Committee (IOC) has also changed its host city model to reflect this more sustainable model. It is no longer about placing the burden on one city to build everything needed to host the Olympic Games.

The same is true for Brisbane: the 2032 Olympic Games represent an opportunity to accelerate infrastructure developments that southeast Queensland needs to sustain its positive migration over the coming decade. It is important that the Games leave Brisbane and Queensland in a better place beyond the 10-year lead-up. The economic effect of the Games will not be judged at the closing ceremony; it will be judged 10 years later.

When we worked together in 2019, Australia was one of the pioneering countries in employing the nation



The Brisbane sign, designed and installed for the G20 Leaders' Summit in 2014, became a permanent fixture of the city

brand as an asset that brings economic value. In 2023, the country took part in our research on the impact of nation and place brands. How do you think sports strategy contributes to a nation's brand and economy?

Sport is a vehicle through which the rest of the world encounters Australia. We are not well known internationally for many things, but we are recognized for our sporting success. This gives us an opportunity to tell stories about who we are beyond the field.

One of the most important things I learnt from our nation-branding work is that no two countries have the same problems to solve. Australia does not really have a likeability or favorability problem – most people think quite positively about Australia. What we have is a relevancy problem.

People tend to only think about Australia as a tourism destination. But if we want to grow our economy, we need more people around the world to buy our products and services. That means they need to know our strengths.

For us, sport is not just about being good on the field. It is also about telling stories about our sports technology, sports medicine, sports science, and the systems and expertise that sit behind our sports performance. Sport

becomes useful to nation branding by opening the door to wider economic and reputational value.

With Brisbane 2032 on the horizon, that opportunity becomes even greater. The world will have a reason to pay attention to Australia, and we can use that platform to tell stories not only about sports performance, but also about the technology behind it, the sustainability initiatives related to the venues, the governance structures and the standards around how the event is being delivered. The lead-up to the Games is every bit as important as what happens on the field. **M**

José Filipe Torres is a nation and city branding expert, consultant, and spokesperson. He is the CEO and founder of Bloom Consulting, a global firm specializing in nation and city branding, which he founded in 2003 and is based in Madrid, Spain.

An architectural rendering of the New Trafford Stadium, featuring a large, conical, translucent red mesh structure with a tall, thin spire. The stadium is surrounded by modern urban development, including multi-story buildings and green spaces. The scene is set during sunset or sunrise, with a warm, orange glow in the sky. The word "MANCHESTER" is visible on the side of the stadium's mesh structure.

Who owns an idea?

Architectural copyright, Grand Stade
Hassan II and the New Trafford Stadium

| By Mariam Aroian, Researcher, Maastricht University, Faculty of Law

Architect's render of the New Trafford Stadium



Similarities between Manchester United's new stadium and a mega-structure in Casablanca sparked much discussion online. But if two arenas look alike, what does that mean for architectural copyright?

It is not only athletes who compete in sport. Off the field, competition can emerge in professional places, even among architects, for example.

In August 2024, architecture firms Populous and Oualalou + Choi unveiled their joint design for Grand Stade Hassan II. The soccer stadium in Casablanca, Morocco, is set to be the largest football stadium in the world, with capacity for 115,000 people.

The following month, Foster + Partners was appointed by Manchester United to develop a masterplan for the Old Trafford Stadium District, in the north of England. When the British firm revealed its design in March 2025, online commentators rushed to their keyboards: Manchester United's new stadium, it seemed, had much in common with its counterpart in Casablanca.

Grand Stade Hassan II and the New (Old) Trafford Stadium, both initially slated for completion in about 2030, share a defining feature: a tent-like covering that stretches over their respective core structures.

Questions about copying and similarity were soon posed in the media. However, where copyright is concerned, substantial similarities between expressions are considered infringement – but conceptual similarities are not.

Architectural copyright and originality

Subject to a sufficient level of originality, stadiums are architectural works and, as such, included in Article 2 of the Berne Convention. Adopted in 1886, the convention deals with the protection of works and the rights of their creators, providing authors, musicians, poets, painters and more with the means to control how their works are used, as well as by whom and on what terms. The work of architects is listed as part of “literary and artistic works” protected under Berne.

Morocco and the United Kingdom are contracting parties to the Berne Convention, whose national treatment principle, set out in Article 5(1), requires that each member state afford authors from other member states the same copyright protection it grants to its own nationals.

Therefore, and since architectural works are also expressly protected under the national laws of each country – the Moroccan Law on Copyright and Related

Rights, and the Copyright, Designs and Patents Act of the UK – any architectural work considered an original copyrighted work in Morocco shall also be deemed so in the UK, and vice versa.

Architectural copyright protects only the original expression. Since architectural works are also functional in nature – stadiums are designed to gather fans and host games – it is important to note that copyright protects the form but not the function, which is similar for any architectural work or sports venue.

Similarities, therefore, may also arise from the range of technical specifications and structural constraints inherent to architecture, since even the most unique design must still be built according to architectural principles, such as foundation, walls, roof, doors and windows, etc.

In short, courts have taken into account that the originality or the artistic freedom of architectural works is limited due to the physics and functionalities of the building, restricting how original some works can be.



Photo: Populous



The New Trafford Stadium in Manchester, UK

The court noted that architects are often constrained in their design choices and that similarities between two buildings therefore carry no evidentiary weight

Between the aforementioned constraints and the budget restrictions imposed by clients and regulations, finding and giving form to a truly original expression of an architectural idea is no simple task.

For those reasons, the apparent repetition of architectural concepts in stadium design is more common than it might be in other industries. Or, rather, it is more difficult to establish originality and therefore avoid infringement.

Landmark rulings

This principle is illustrated by two landmark cases from the United Kingdom. In *Jones v. London Borough of Tower Hamlets*, the claimant architect sued for copyright infringement, alleging that his initial design had been copied without permission or payment.

The court found a critical difference between copying a style or idea and copying its actual expression, leading it to reject the claim. The key principle drawn upon was that architects are permitted to adapt an idea provided that the copyright-protected work itself is not copied. In other words, architectural concepts and ideas may be developed freely but the specific expression of those ideas is not allowed to be copied.



In *Pearce v. Ove Arup Partnership Ltd*, the claimant produced detailed drawings and plans for a town hall in the London Docklands area as part of his diploma at the city's Architectural Association.

The claimant alleged that Pritzker Prize-winning architect Rem Koolhaas had obtained copies of his plans and used them to inform the design of the Kunsthal museum in Rotterdam, built between 1990 and 1993. His case rested on two pillars: that the defendants had an opportunity to copy his plans and that there were remarkable similarities between these and the Kunsthal drawings.

The claim was dismissed. The court found that the Kunsthal was the independent and creative work of Koolhaas, and that the alleged similarities were insufficient.

The court also noted that architects are often constrained in their design choices and that similarities between two buildings therefore carry no evidentiary weight; shared architectural constraints will naturally produce comparable outcomes across works of entirely separate origin.

Tent-like but poles apart

With these cases in mind, it becomes easier to view Grand Stade Hassan II and the Old Trafford Stadium District through the prism of architectural copyright. When comparing the two stadiums, it is evident that, aside from features dictated by the purpose of these constructions as stadiums and the meeting of requirements imposed by their function, there are no elements of the creative structures that have been directly copied or are substantially similar.

With its vast footprint, Grand Stade Hassan II is designed to feel grand and deeply traditional. Inspired by low-slung Moroccan tents, its large roof is spread like fabric over the stadium, evoking the feeling of a monumental desert space. The New Trafford Stadium, by contrast, looks markedly more modern. Its enormous canopy roof covers the stadium like a tall tent, supported by masts that help the structure to feel light, high-tech and strikingly vertical.

A stadium is a vast canvas that can express both public and personal identity. Alongside facilitating sporting moments and fanning the flames of fandom, it can also exist as a public space removed from any sporting context. Some stadiums might even be called public art. Grand Stade Hassan II and the New Trafford Stadium are expressions of both architectural authorship and the cultural identity of a nation and club, and their designers are well aware of the meaning embedded in these structures.



While the specific original expression of an idea can be protected, the notion of evoking a tent through an architectural form cannot





Norman Foster, founder of Foster + Partners, was keen to stress that the New Trafford Stadium is “not a fortress surrounded by a sea of cars”, alluding to the design of many traditional soccer stadiums. Instead, he envisions it as an open environment sheltered beneath an umbrella. The three supporting masts reference the trident on Manchester United’s badge.

The Moroccan stadium carries an entirely different cultural weight. Grand Stade Hassan II is inspired by *moussem*, a traditional annual festival that takes place in Morocco and north-west Africa. As the lead architect, Oualalou + Choi’s Tarik Oualalou, explained, the stadium is rooted in “ancient and primordial figures: the *moussem*, the tent, and the garden, as well as the topography and landscapes of Morocco”.

These concepts are reflected in two distinctly different expressions. The idea-expression dichotomy applies here just as it does in any copyright context: while the specific original expression of an idea can be protected, the notion of evoking a tent through an architectural form cannot. The tent as a concept belongs to no one. **M**



Top left: interior of the Grand Stade Hassan II
 Left: walkways of the Grand Stade Hassan II
 Above: interior render of the New Trafford Stadium

Mariam Aroian is a researcher in intellectual property law and holds an LL.M. in Intellectual Property and Technology Law from the National University of Singapore. She has published on intellectual property, cultural rights, and art law, focusing on how these concepts evolve in response to modern technologies and the development of AI.

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Editor: Nora Manthey

Copy-editor: Sean McGeady

Photo editor: Fairouz El Tom

Design: Yona Lee

Contributors: Mariam Aroian, Christopher Harrison, Nedim Malovic, Nora Manthey, Louis Meunier, James Nurton, Juan Sebastián Raigoso, Ana Clara Ribeiro, Tania Sebastian, José Felipe Torres, Saraswathy Vaidyanathan, Ying Ye, Daphné Zografos-Johnsson

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