

LA RULE 40 DELLA CARTA OLIMPICA: UN EFFICACE STRUMENTO CONTRO L'AMBUSH MARKETING

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ABSTRACT: This article examines the impact the of Rule 40 of Olympic Charter on the struggle of the International Olympic Committee-IOC to protect the sporting sponsors against practices of ambush marketing.

This phenomenon has plagued, for years, the market of sports sponsoring, becoming an intractable problem and so threatening the safety and the profitability of the investments of Olympic Commercial Partners.

Rule 40 of Olympic Charter targets the abusive practices by unauthorized competitors, which could put in danger even the sostenibility of world sports movement.

The scope of such a rule covers the acceptable activities of the Non-Olympic Commercial Partners during the Olympic event, and defines those activities that the Olympic Commercial Partners can do on the basis of their sponsorship agreements with IOC.

Keywords: Ambush marketing – Olympic Charter – Rule 40 – Olympic Commercial Partner – Rule 50 – Advertising-Propaganda

SOMMARIO: 1. Introduzione – 2. Cenni sull'*ambush marketing* – 3. La Rule 40 della Carta Olimpica – 3.1 Genesi e *ratio* giuridica della norma – 3.2 Lettera della norma e regolamento di attuazione (*Bye-law*) – 3.3 Profili procedurali – 3.4 Profili applicativi per i Non-Olympic Commercial Partners – 3.5 Profili applicativi per gli Olympic Commercial Partners – 3.6 La disciplina prevista in caso di violazione della Rule 40 – 4. La Rule 50 della Carta Olimpica – 5. Conclusioni

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