

My Beijing Trip I: Olympic Impressions

LingLing Wei

In October, I went back to Beijing to collect the data for my research. After staging the Olympic Games Beijing, the city I used to be very familiar with, revealed something new to me. The Birds Nest and the Water Cube have become new landmarks of Beijing and people are charged 5 pounds to enter into either of them. The public transportation has been improved. The underground system stretches to most parts of the city and there are staff members to maintain order at every stop.

My research, the Legal Regulation of Ambush Marketing, relates to the Beijing Olympic Games. Ambush marketing control has always been a problematic part of delivering the games. For China ambush marketing was an unknown concept before the staging of the Beijing Olympics and the Beijing Organising Committee of the Olympic Games (BOCOG) is the first one to introduce the Chinese translation of the term. So it is interesting to find out how the BOCOG dealt with this problem. I did some research before landing in Beijing but I need the first hand information from the BOCOG. With some effort and luck, I got the chance of interviewing Mr Liu, Deputy Director of Legal Department of the BOCOG.

Mr Liu helped me outline an innovative feature of ambush marketing control in the Beijing Olympics. Ambush marketing control always has a significant overlap with intellectual property protection. Infringement of the Games' intellectual property has often been taken as a way of conducting ambush marketing. The BOCOG, however, separated IP infringement from ambush marketing. The BOCOG severely combated IP infringement but took a softer approach towards ambush marketing. This strategy is so different from the ones employed in past Games. The BOCOG thinks it worked well but I don't think the strategy will work that well in the future games including London 2012. My reason is that although there were not effective legal remedies for ambush marketing, China has a very powerful non-legal system to support the BOCOG's ambush marketing control, which other countries don't have.

My presumption was later confirmed through my interviews with some officials from the Trade Mark Office under the State Administration for Industry and Commerce (SAIC), and China Central Television (CCTV). SAIC is an administrative department but plays a role as the economic police in China. It efficiently dealt with a lot of ambush marketing incidents before they reached the courts. Ambush marketing could occur through sponsoring the broadcasting of games. CCTV, as the official broadcaster of the Beijing Games, closely cooperated with the BOCOG in preventing ambush marketing even at the cost of its own commercial interest simply because CCTV is the state owned TV station. Support of ambush marketing control as such might only be possible in China.

