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THE WORLD CUP AND AMBUSH MARKETING



A recent amendment to the Federal Law for the Protection of Industrial Property ("LFPPI"), introduced a new ground for administrative infringement aimed at sanctioning conduct related to so-called *ambush marketing* or parasitic marketing. This takes on special relevance in light of the 2026 FIFA World Cup, as it directly impacts the way in which companies can develop advertising campaigns and marketing strategies linked to the tournament.

What is ambush marketing and what does the LFPPI sanction?

Ambush marketing consists of attempts by non-sponsoring companies to benefit from the prestige, reputation, and commercial value of an event without having acquired official sponsorship rights[1]. Article 386, Section II, Subsection e) of the LFPPI sanctions acts that lead consumers to believe or assume, without basis, that an official relationship exists between a brand and a mass-gathering event. The key is to avoid generating a false association with the International Federation of Association Football ("FIFA") or with its official sponsors. Therefore, we share below practical examples of what can and cannot be done:

What can be done	What cannot be done
· Use generic terms such as "soccer game," "soccer season," or similar phrases that do not constitute a trademark or commercial notice registered by a third party. · Use generic soccer balls, goals, or soccer-related items that do not reproduce official designs of FIFA and/or national teams. · Use colors representative of the national team, avoiding replication of the official visual identity of the World Cup. · Run promotions during the tournament without making direct reference to the World Cup or implying an official relationship with FIFA. · Decorate establishments with generic soccer themes without using official logos, trophies, or mascots of FIFA and/or national teams.	· Use trademarks such as "FIFA World Cup 2026," "FIFA," "Copa Mundial de la FIFA," or "Mundial 2026". · Use official logos, typefaces, trophies, mascots, balls, or graphic elements of the World Cup[2]. · Claim, suggest, or imply a sponsorship relationship or official authorization with FIFA and/or national teams. · Use commercial notices, such as phrases, hashtags, or protected expressions that generate an association with the event (e.g., phrases such as Guinness' slogan "*the world's cup*"). · Replicate the World Cup's official visual identity or develop campaigns that seek to capitalize on the fame or recognition of its official sponsors.

[1]Pelanda, B. L. (2012). *Ambush marketing: Dissecting the discourse.* Hastings Communications and Entertainment Law Journal, 34(3), 341–376. https://repository.uclawsf.edu/cgi/viewcontent.cgi?article=1774&context=hastings_comm_ent_law_journal

[2]For further reference, see the *FIFA Intellectual Property Guidelines™*, published by FIFA in June 2024. https://www.fifadigitalarchive.com/welcome_old/markrequest/Common/documents/FIFA_World_Cup_26tm_IP_Guidelines_Spanish_version_2_0_June_2024.pdf

• Publish content related to soccer or matches, avoiding official elements registered by FIFA and/or national teams. • Carry out commercial activations related to soccer, provided they do not create a perception of official sponsorship by FIFA and/or national teams.	• Give away match tickets as a commercial incentive when doing so could create the perception of an official relationship with FIFA or with the World Cup. • Carry out commercial activations within *clean zones*[3], *fan zones*[4], or perimeters subject to official commercial restrictions.

Key Considerations

FIFA has implemented commercial protection measures such as *clean zones* and *fan zones*, as well as a strengthened trademark protection strategy for the 2026 World Cup. In April 2026, the Mexican Institute of Industrial Property granted "FIFA" and the "FIFA World Cup Trophy" the status of well-known trademarks; in addition, FIFA registered more than 340 distinctive signs linked to the tournament, including: (i) the official logo of the 2026 World Cup; (ii) the names "FIFA", "Mundial 2026", "2026 World Cup", "Copa Mundial de la FIFA", and "FIFA World Cup"; and (iii) images of the mascots and designs of the official match ball.

For more information feel free to contact our Intellectual Property Team:

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[3]An imaginary line on a map, not a physical barrier, around FIFA World Cup stadiums and other venues where events are held, restricting commercial activities of unauthorized companies during match days and the days prior to a match within the framework of a tournament.
[4]Free public spaces designed to allow fans to enjoy the FIFA World Cup experience outside the stadiums.