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COMMITTEE

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Mr. Daniel Lee  
Assistant U.S. Trade Representative for  
Innovation and Intellectual Property  
(Acting)  
Office of the United States Trade  
Representative

Lausanne, 28 January 2021

### **Submission by the International Olympic Committee 2021 Special 301 Review**

Dear Mr. Lee,

The International Olympic Committee (“IOC”) appreciates the opportunity to provide our perspective to the Office of the United States Trade Representative (“USTR”) regarding territories where significant concerns exist with respect to the protection and enforcement of intellectual property rights, specifically in this case in relation to media rights.

As brief background, the IOC’s media policy is fundamentally based on the Olympic Charter, which states in its Rule 48: “The IOC takes all necessary steps in order to ensure the fullest coverage by the different media and the widest possible audience in the world for the Olympic Games”. Broadcast coverage is one of the primary means by which the IOC fulfils its mission of promoting Olympism throughout the world, but also for people around the world to experience the magic of the Olympic Games. The IOC is the owner of the global media rights for the Olympic Games – including broadcasts on television, radio, mobile and internet platforms – and is responsible for allocating rights to media companies throughout the world through the negotiation of media rights agreements. The IOC generates substantial revenue from the sale of these rights and this revenue constitutes a material proportion of the funding required to support the Olympic Movement. As reported in the IOC’s Annual Report (which is available from the Olympic.org website), the IOC distributes over 90 per cent of its income to the Olympic Movement, helping to support sports development objectives. Payments are made to (amongst others) the various International Federations and National Olympic Committees to support their athletes, including athletes from the United States.

As part of the media rights licensing programme, the IOC has licensed exclusive media rights for the 2018-2024 Olympic Games to beIN Media Group LLC (“beIN”) on a territorial basis for the Middle East and North Africa (“MENA”) region. Saudi Arabia is one of the countries included in the MENA region.

Such broadcasting partnerships are the most important source of funding for the staging of the Olympic Games and for the promotion of the IOC’s mission to develop sports around the world. Robust enforcement efforts by Saudi Arabia against piracy are therefore essential to protect the exclusive rights of beIN in the region, support athletes and safeguard the goals of the Olympic movement.

The IOC notes the positive step taken by Saudi Arabia’s Ministry of Commerce and Investment to establish the Saudi Authority for Intellectual Property Rights (SAIPR) in 2017. With this initiative, which is part of the National Transformation Program 2020, SAIPR has worked to consolidate IP protection competence and coordinate online enforcement. However, we note the significant difficulties sports rightsholders have experienced in protecting their intellectual property rights despite the establishment of the SAIPR (many of which were set out in our submission dated 6 February 2020) and stakeholders report that there are ongoing, significant challenges in Saudi Arabia with respect to IP protection and enforcement.

We are extremely concerned of the impact that online piracy could create during the next 12 months, which will include extensive broadcast coverage of not only the Olympic and Paralympic Games Tokyo 2020, but also the 2022 Winter Olympics in Beijing. An effective IP protection system will be essential to ensure an environment which enables these Olympic Games editions to reach the broadest possible audiences in MENA, via our broadcasting partnerships, while protecting the long-term funding of the Olympic Movement by ensuring concerted action to curb satellite and online piracy of sports content.

In this context, the IOC respectfully requests that the USTR maintains Saudi Arabia’s position on the Priority Watch List, engages with the Kingdom to protect and enforce the intellectual property rights of rightsholders and considers taking further appropriate steps in order to address the ongoing harm caused to rightsholders and broadcasters from copyright infringements and piracy activities.

Yours sincerely,



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Chief Operating Officer



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