
INTELLECTUAL PROPERTY RIGHTS IN SPORTS INDUSTRY

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ABSTRACT

Rights to intellectual property (IP) foster creativity in almost every facet of human behavior, and sports are no exception. Every sport has plenty of innovative tools. Yet without intellectual property rights and the associated incentives, sports cannot develop into a profitable enterprise. Since their inception, all of today's sports have experienced tremendous evolution and quick change. Intellectual property rights have, for the most part, given sportsmen the motivation they need to keep moving forward. Different forms of intellectual property rights have varying effects on the expansion of the sports sector. This study looks at the ways that intellectual property rights are used in the sports industry to safeguard resources, create value, and promote expansion.

Keywords: Goti Lagori, Gatta Gusthi, Sports Bill 2011,

I. INTRODUCTION

Sports have become ingrained in people's lives. They have become an integral element of human life because they are so ingrained in our daily existence. This has always been a field of great significance and importance, from ancient times to the current period of research and commerce. Its nature has seen a shift from being viewed as a recreational pastime to one that supports global economies and provides income for individuals. Nowadays, sports are seen as a multibillion-dollar global sector that brings in money for infrastructure, employs millions of people worldwide, and provides entertainment for many more. Over the past century, the sports business, a global industry of immense proportions, has played a significant role in fostering economic and cultural harmony. The recent instance of North and South Korea competing as a single team in the Olympics is what ultimately contributed to their significant and long-lasting reconciliation. Professional sports teams have a more significant role and are financially viable thanks to marketing, promotion, franchising, merchandising, and brand creation. As a result, they have only attempted to partner with international corporations to expand their reach and influence.

The most popular sports, including basketball, tennis, cricket, football, auto racing, and so forth, have developed into massive worldwide competitions. These have now developed into popular domestic sporting competitions, like the Spanish La Liga, Major League Soccer (MLS), English Premier League (EPL), Indian Premium League (IPL), and many more. The international sports event organisers have made enormous financial gains by, among other things, capitalising on aggressive marketing campaigns that capitalise on the marketable potential inherent in these sports.

The commercialisation of sports appears to be highly encouraging and reassuring because it will aid in achieving success both nationally and at the individual level, which will ultimately strengthen the sports industry. Through the use of various intellectual property rights in sports, including patents, trademarks, copyrights, merchandise, and more, people all around the world have been able to make money. The sporting world greatly values and benefits from intellectual property rights. Nearly every part of the sports sector is protected by intellectual property rights. The sports industry is powered by intellectual property.

Through a fair and efficient intellectual property system, the World Intellectual Property Organization (WIPO), a specialised agency of the United Nations with its headquarters in Geneva, encourages innovation and creativity for the economic, social, and cultural development of all

nations. Sports teams and organisations can profit from intellectual property, which includes a variety of intangible assets protected by copyright, trademarks, and designs. Copyrights, trademarks, and designs are examples of intellectual property rights that have grown to be extremely valuable to the sports industry. In addition to facilitating intellectual property protection globally, WIPO strives to guarantee that the advantages of the sports sector are widely and thoroughly distributed. Sports teams and organisations can profit from intellectual property, which includes a variety of intangible assets protected by copyright, trademarks, and designs. Sports equipment could be protected by trade mark, patent, design, and copyright laws.

Because the technology utilised in swimwear is innovative, it may be eligible for patent registration; additionally, the logo printed on the clothing may be eligible for trade mark registration; the designer may be granted copyright; and the actual design may be eligible for industrial design registration¹. These registrations aid in safeguarding the athletic goods' distinctive design and marketing potential. A basic sports shoe is another example that might be covered by multiple intellectual property rights: Patents safeguard the technology utilised in the development of the shoe; designs guard the shoe's appearance; trademarks set the shoe apart from competing goods and safeguard its reputation; copyright safeguards any artwork and audiovisual works employed in the shoe to promote the sneaker. Additionally, a wide range of other aspects of the sports industry, including sponsorship agreements, event marketing, athletes, and merchandise, are linked to intellectual property rights.

Intellectual property rights are employed as marketing instruments for the purpose of branding sports teams, events, broadcasting and media partnerships, celebrity status, and other related aspects. Global football teams like Barcelona, Real Madrid, Manchester United, and Liverpool are prime examples of how to capitalise on an intellectual property brand. Intellectual property promotes the expansion of the sports sector, makes it possible for athletic associations to fund competitions, and aids in the advancement of sports.²

II. INTELLECTUAL PROPERTY RIGHTS AND SPORTS IN INDIA

Sports and intellectual property protection in India: Sports are expected to be the country's next

¹ http://www.jamaicaobserver.com/business/Sports-and-intellectual-property_8715018

² <https://sportandrecreation.nsw.gov.au/clubs/ryc/legal/intellectualproperty>

great business, with some sports enjoying unthinkable advantages over others owing to investment interest and commercialisation. chances for sponsorship, broadcasting, and other forms of advertising have arisen as the sports business has grown, but the field of branding and its abuse have the potential to eliminate these chances. Trademarks, broadcasting rights, sponsorship, licensing, and other intellectual property issues need to be addressed as the Indian economy grows and the country becomes more involved in international sports. The Indian government introduced the Sports Bill, 2011, which the cabinet rejected, in an attempt to streamline the sports sector by considering the interests of teams, sponsors, and the general public. Early in 2016, the National Sports Ethics Commission Bill, 2016, was presented in the parliament with the goal of enacting legislative reform to enhance the integrity of sports in India. Should this bill become law, it will have some degree of control over how sports are managed.³

The Formula One Race, which was successfully held in India, demonstrated the corporate world's financial interest in event management and branding. For the first time ever, an international race of this caliber was organised and executed flawlessly in India, catapulting the country into a select league and drawing attention to sports laws and intellectual property rights, which can be leveraged to build brands and generate enormous value.

In the past, cricket was almost always associated with sports in India. Today, it is a commercial sport that draws significant financial investments and earnings. The T20–20 format initiative, the Indian Premier League, the Hockey India League, the Indian Badminton League, Pro–Kabaddi, the Indian Super League, and heritage sports like Goti, Lagori, and Gatta Gusthi have all proudly declared that business is now the driving force behind sports, and that protection of intellectual property rights in athletic events is becoming increasingly necessary.

III. ROLE OF INTELLECTUAL PROPERTY RIGHTS IN SPORTS

The primary purpose of an intellectual property right is to grant the right of an individual or any legal body to protect their creative work for a predetermined amount of time. In the world of sports, athletes, teams, organisations associated with the sport, or those in charge of organising events put in a great deal of hard work and dedication. Sports are now viewed as a significant financial opportunity, not only a vocation or a passion for athletes and sports associations alike. When a

³<http://www.mondaq.com/india/x/164974/TrademarkIntellectual+Property+Rights+In+SportsIndian+Perspective>

sports team is formed, it is commonly identified by its name. Different imaginative and original logos and elegant taglines are made for identifying purposes. Sportsmen engage in endorsements and commercials off the field, while sports associations engage in branding, licensing, merchandising, sponsorship, and other related activities. All these unique components need to be protected once they are designed and brought to market. Intangible assets, like the names of teams like Manchester United and Kolkata Knight Riders, or events like the US Open, Olympics, or the Indian Premier League, have enormous commercial worth and require legal protection to prevent infringement by third parties. However, few legal regulations are also involved in licensing and sponsorships, broadcasting rights, and many other significant revenue streams in order to protect the rights.

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IV. COPYRIGHTS IN SPORTS

From ancient times to the magnificent long eras of Caesar to the present-day lucrative games industry, the sports business has continuously been a monstrous division around the globe, integrating entertainment, games, culture, and financial company. Rulers, governments, individual citizens, and those interested in both the games themselves and the financial enterprise that sports entail have long encouraged the wearing of games. The sporting events have ceased to be the sporting events of the past. Money has become a major factor in every game played globally. Sports collaboration has improved dramatically. Advertising by diversifying, in the same way that athletes and the event have become increasingly important components of the games' brands,

⁴ <http://www.legalservicesindia.com/article/article/sports-and-ipr-2109-1.html>

surpassing all other noteworthy aspects of the competition. Money has become a major factor in every game played globally. Sports collaboration has improved dramatically. Advertising by diversifying, in the same way that athletes and the event have become increasingly important components of the games' brands, surpassing all other noteworthy aspects of the competition.⁵

Sports as a business are constantly expanding, and this has led to the exploitation and promotion of the sluggish intellectual property rights (IPRs) that are vested in almost every aspect of the gaming industry. IPRs are important assets that are used as marketing tools to promote wearing games and related events, sports clubs, groups, VIP status, and other things. Promotional techniques are used in the development, preservation, promotion, and provision of certain marks, logos, and characters, and copyrights pertaining to the production of brands, images, and other intellectual property are guaranteed to be awarded based on specific criteria that take into consideration the fundamental concept of competition in sports. Similar to other countries, India's sports sector is growing and improving with time, with some games enjoying unimaginable success over others due to venture capital interest and commercialisation. Long considered a game for polite people, cricket has developed into a major corporate venture that generates significant profits, speculation, and cash. The Indian Premier League (IPL) and the most recent T20 format have lifted the curtain to reveal that this is a company that is at the forefront of the game right now. Due to high financial stakes, fixing, wagering, doping, and betting concerns, the money involved in the games has historically led to massive tricks. The Indian government is also making an effort to streamline the industry while keeping in mind the interests of all stakeholders, including players, organisations, supporters, and the general public worldwide. This is being done through the introduction of the Sports (Development) Bill 2011, which is likely to become law and, ideally, will provide some degree of control over how sports are administered.⁶

Wrapping up the event as a prime-time event and assigning certain city-based teams a specific name for the franchise have been two major factors in driving sports viewership in India, which has resulted in a massive fan base. Several businesses have also engaged in media/ad expenditure and franchisee ownership, capitalising on the close viewing. The enormous audience reach was further reinforced by the excellent participation of viewers of all ages and genders as well as the

⁵ <http://www.shiac.com/files/arablexportiva-presentations/004003.pdf>

⁶ Hutchins, *Sport Beyond Television*, 2012.

proactive actions taken by broadcasters to include regionally localised sports channels. Another goal has been to create spin-offs in other state-specific cricket competitions, such the Tamil Nadu Premier League and the Mumbai Premier League, which open up possibilities for future growth. Sports broadcasting rights are currently only at the tip of the iceberg, with the most significant development still to come due to the primary component of a large and diversified population already in existence and a multitude of games being played.⁷

In the case of *Star Sports India Pvt. Ltd. v. Prasara Bharati & Ors.*⁸, the Supreme Court of India rendered a decision holding that broadcaster of "sports events of which are of national importance" are required to split the show's feed with Prasara Bharati and keep it free of any digitally viable inserts, including sponsor logos, advertisements, and credits.⁹

The sportsman spirit within the game can be elevated and preserved overall because media and broadcasting rights revenues consistently provide most of the funding for sports organisations, which they need to construct stadiums, hold sporting events, and engage in community outreach to maintain high standards of importance.⁷⁷ millions of fans now have the opportunity to share in the excitement of a major athletic event by watching it live or on television from anywhere in the globe.¹⁰

Sports IP violation results in significant financial losses that can have an impact on the whole sports industry as well as the country's economy, whether through significant counterfeiting of goods or live broadcast piracy. This industry looks at two sides of an issue: on the one hand, it estimates the financial losses and indirect effects that sports intellectual property rights violations have on the public; on the other hand, it looks at the economies that stand to gain from having enough protection for these rights.¹¹

⁷ *Ibid*, note 70

⁸ 2016 SCC OnLine SC 572.

⁹ "Sports Broadcasting Signals: Ministry of Information and Broadcasting: Government of India" (Sports Broadcasting Signals, Ministry of Information and Broadcasting, Government of India) <https://mib.gov.in/sports-broadcasting-signals-0> accessed May 20, 2020.

"Star India and DD to Broadcast Some Matches of the IPL Together" (Hindustan Times April 6, 2018) <<https://www.hindustantimes.com/india-news/star-india-and-dd-to-broadcast-some-matches-of-the-ipl-together/story-qEEJsIcsWjrmJmgsa4EnvJ.html>> accessed May 17, 2020.

Section 4, The Sports Broadcasting Signals (Mandatory Sharing With Prasara Bharati) ACT, 2007.

¹⁰ S.L.P. (Civil) No. 8988 OF 2014.

¹¹ Mandatory Sharing of Sports Broadcast Signals in India: Part 1 – A review of STAR Sports v. Prasara Bharati by Roshan Gopalakrishna.

At this point in time, it is imperative to have a strict set of copyright laws that can aggressively defend the broadcasting rights of the audience, the broadcasting agencies, and the organisations that host sporting events. These laws can restrict or control the broadcasting of sports in public spaces like restaurants and bars in order to generate revenue and prevent the increasing online streaming of sports content.

VI. TRADEMARKS IN SPORTS

Trademarks in sports play an important role in the sports business. Brand value is produced in sporting teams, clubs, players, merchandise, etc. with the introduction of branding of sports events through the existence of features such a logo, captions, taglines, slogans, and team names, etc. (together referred to as trademarks). In the eyes of the general public and fan base, team names and emblems provide a level of association that boosts the popularity ratings of any particular team, club, player, etc. Because of their celebrity prominence, the players' names have even become trademarks. In the end, this fame and brand image translate into financial gain through sponsorships' goodwill and reputation, brand ambassadors, ads, etc.

Massive earnings can be repeated through live broadcasting and advertising once a brand is established. Trademark applications have occasionally been made using the players' names due to their notoriety and reputation. One such instance is the name of well-known football player "David Beckham," who has made millions of dollars from numerous sponsorship deals and endorsements and has filed for a trademark on his own name. Sports teams use trademarks to protect everything that might be connected to or have their trademark or logos on it, including the jerseys that each of their teams wears during games; For example, the Indian cricket team Kolkata Knight Riders uses their trademark, which is symbolised by their team insignia, to sell t-shirts, caps, and other items in addition to their cricket gear. A professional sports team, sports association, and/or event planner needs to demonstrate that they have a particular degree of goodwill or reputation that they have accumulated over time and that draws customers (TV broadcasters, spectators, etc.) back time and time again due to the high caliber of their brand.

The courts concluded, among other things, in *Elida Gibbs Ltd v. Colgate Palmolive Ltd* and *Stannard v. Reay* that a company may still rely on passing off even if it has only been in operation for a short while. A certain level of association with the public and supporters is created by symbols and team names (e.g., Barcelona, Real Madrid, Chennai Super Kings, etc.), which helps any given

team, club, and players gain popularity. Athletes' image rights are important because sports have grown to be a global industry.

Given the popularity of online gaming and the prospects in this genre, brand name protection has become crucial. Online gaming is thought to be one of the most effective platforms for making money. Many of these games have developed from real-world sports leagues that compete on a worldwide scale. For example, the most popular game, "FIFA," was created and inspired by the actual FIFA. Therefore, in order to prevent future intellectual property rights disputes, it becomes vitally imperative for the teams taking part in these sports leagues to seek for trademark protection. The football teams currently rely on online broadcasting rights and advertising as their main sources of income. Nonetheless, it would not be shocking to see enormous sums of money made from various sports leagues around the world via online gaming.

VII. PERSONALITY RIGHTS IN SPORTS

Personality Sports rights are crucial to the development of a team's and individual athlete's brand. Being famous opens doors for many types of image development, brand endorsement, and money-making opportunities that capitalise on notoriety. To facilitate trademark protection in Indian courts, it is desirable that federations, organisers, team owners, and manufacturers of sports gear register their team names, logos, venues, captions, taglines, and slogans as trademarks under the Trademarks Act 1999 of India. It should also be standard procedure for players to take the effort to register their names, images, and parodies as trademarks or brands. The mere association of a team's name, logo, or player with the team could give the individual or organisation using the name or logo unheard-of benefits. The team, the team owner, and the player all lose out, while the company using the name or logo for its own commercial gain does so without getting consent, paying a license fee, or receiving any royalties. Unauthorised trademark use by a third party without the permission or license of the relevant trademark owners may also lead to unfair competition, unfair trade practices, and dilution of goodwill and reputation, as well as harm to the goodwill and reputation of the stakeholders.

Both civil and criminal remedies are concurrently available against infringement and passing off under the (Indian) Trade Marks Act, 1999. It is interesting to note that registration of a trademark is not required in order to seek protection under Indian law; therefore, even those without a registration can still assert their legal rights in court. It is interesting to note that in India, violating

a trademark is a crime for which the perpetrator may face criminal charges. It is anticipated that these enforcement measures will strengthen trademark protection in India and lessen trademark infringement and violation.

VIII. DESIGNS LAWS IN SPORTS

The sports industry in India is expanding quickly because of the increased popularity of various sports like badminton, tennis, cricket, hockey, football, and kabaddi. In India, sports have long been viewed as a form of recreation rather than something that should be treated seriously as a business. Globally, the sports industry has grown to be a significant industry by combining gaming, entertainment, culture, and business. It has only been recently that the potential for sport in India to generate revenue has started to be investigated and given careful consideration.

Due to significant backlogs at the Intellectual Property entries, the registration of patents, trademarks, designs, and copyright may take several months or even years in India when it comes to ownership of IPR in the sports industry. As a result, economic activities should plan their registration well in advance of entering the market.¹² The Designs Act of 2000 offers protection for garments, footwear, equipment, and goods.¹³

The sports sector is susceptible to a number of legal problems, such as copyright infringement, unauthorised use of designs, and using designs to advertise other products. These issues have the potential to undermine fair trade practices, goodwill, unfair competition, business disputes, and ultimately result in significant marketable losses that would undermine the primary goal of investigating the sports industry's sustainable phase.¹⁴

Patents and designs can only be enforced through civil litigation; however, trademarks and copyright can be enforced by criminal or civil litigation for the purpose of enforcing the IPR in India. Although the sports industry has a considerably smaller realm of designs than other intellectual property rights, there is still a great deal of potential for sports-related designs. The sports zone may face many obstacles in the future. To be ready for them, it is always preferable to

¹² Intellectual Property Risks in India” (UK India Business Council June 4, 2015), [https:// www.ukibc.com/india-guide/how-india/intellectual-property](https://www.ukibc.com/india-guide/how-india/intellectual-property).

¹³ “Sports and Intellectual Property in India: An Emerging Sector” (Financier Worldwide) <https://www.financierworldwide.com/sports-and-intellectual-property-in-india-an-emerging-sector>

¹⁴ “Impacts of IPR in Sports” (Lawyers in Chennai - Legal Consultants, Trademark Registration TM ®) <https://www.unimarkslegal.com/laws-rights/impacts-ipr-sports-industry>

plan rather than waiting for problems to arise before thinking through and solving them. Therefore, rather than waiting for the threat to take control of the current situation, there needs to be enough rules in the sports designs sector to deal with and prevent the impending threats.

IX. DOMAIN NAMES IN SPORTS

Domain names related to sports, which Indian courts also consider to be trademarks, are important for safeguarding the intellectual property rights related to sports. Massive amounts of information are shared online, and events—including online games related to sporting events—are broadcast. This has led to a significant increase in branding and value creation, but it has also created opportunities for cybersquatters to profit from confusion that may be caused by domain names alone. The websites are now a fantastic way to advertise and grow a brand and fan base. Since the internet is a cost-effective way to reach out to the public and raise awareness about a sporting event, team players, etc., various sponsor companies hold online competitions, online ticket sales for sporting events, online shopping portals for the sale of merchandise, etc. in an effort to reach out to the public and develop brand recognition. But a clumsy approach to domain names could undermine the potential advantages that could come from a sporting event. Search engine optimisation, portability, and associated brand image are all aided by domain names.¹⁵ It is now crucial to register several domain names in different permutations and combinations to safeguard sports fans, merchandisers, online gamers, and information seekers from making mistakes that could cause traffic to be diverted to dubious websites run by cyber squatters. Because fan-themed websites can occasionally serve as a breeding ground for cybersquatting, it is even more crucial to register domain names with caution. Registering domain names with popular gTLDs, such as .com .net .org .biz .info, .asia, .name, .in, .co.in, etc., and Registering low-cost ccTLDs such as .at .be .cc .eu .ch .co.uk .dk .it .nl .ru .tv .us .ws should be required in order to promote as well as protect against brand abuse and trademark dilution. Additional guidelines for registering domain names could include registering many trademark and slogan versions, including common and funny spelling errors.¹⁶

¹⁵ <http://www.wipo.int/ip-sport/en/branding.html>

¹⁶ *Supra*, note 5.

X. AMBUSH MARKETING IN SPORTS

The term "ambush marketing" describes a business's attempt to profit on the fame of a well-known asset or occasion without the required parties' knowledge or approval. Ambush marketing, according to Sandler and Shani, is an attempt by a third party to profit from a sporting event's success without the required parties' (owner/creator) prior consent and authority. But according to Michael Payne, a former International Olympic Committee marketing director, ambush marketing is cheating rather than effective marketing. The author believes that ambush marketing is just corporate free riding. For example, if Etisalat asserts that it is the official sponsor of the Nigerian Premier League, this would be the same as ambush marketing since the telecommunications company is attempting to profit from the league's popularity when Globacom Nigeria Ltd. is the league's legitimate sponsor. One of the most important features of intellectual property rights in sports is protection against ambush marketing. Ambush marketing, which describes businesses promoting their brands or products by linking them with a team, league, or event without paying for the opportunity, has taken up a lot of space at sporting events. A notable example of ambush marketing in India is the dispute between Pepsi and Coca-Cola in the case of Pepsi Co., Inc. and Ors. v. Hindustan Coca-Cola Ltd. 29, where the court granted the defendant a permanent injunction to prevent the defendant's advertising from being broadcast.¹⁷

XI. TRADE SECRETS IN SPORTS

Any knowledge that is not widely known or made available to the public and gives a person, business, or organisation an advantage over rivals is typically considered a trade secret. Trade secrets include commercial and manufacturing secrets as well as methods, formulas, processes, patterns, instruments, and compilations of data that are not generally known or easily ascertained by others.

In sports, information on opponents, game plays, coaching techniques, statistics, and other things give one team an advantage over the other. Furthermore, confidentiality on the tactics used to keep this advantage must be upheld. Any knowledge that is not widely known or made available to the

¹⁷ <http://blog.ip.com/2012/02/intellectual-property-rights-in-sports/>

public and gives a person, business, or organisation an advantage over rivals is typically considered a trade secret. Trade secrets include commercial and manufacturing secrets as well as methods, formulas, processes, patterns, instruments, and compilations of data that are not generally known or easily ascertained by others.¹⁸

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XII. COUNTERFEIT

One significant threat has been counterfeiting. The obvious and immediate victims of counterfeits are the original artists or producers. They lose money on the selling of products that are illegally counterfeited. For instance, clothing and shoes can imitate key elements of the brand and its emblem, but the construction and materials are typically of lower quality. In addition, the low quality of counterfeit copies damages the authors' reputation with disgruntled customers who are not aware of the fake. This damages a brand's reputation and may cause significant revenue losses. In summary, owners of intellectual property face not just direct losses as a result of declining market share, but also expenses associated with defending their rights, harm to the brand's reputation, and dilution of the brand. For instance, fake auto parts are frequently of extremely low quality and result in malfunctions such as airbags that do not deploy or that release metal shrapnel when they do. Similarly, high concentrations of hazardous compounds may be found in fake clothing and cosmetics. False medications can be lethal or result in major health issues; they can also be made of hazardous or tainted ingredients or have no active component at all. The economic cost of deaths from counterfeit items is estimated to be over \$18 billion annually across the G20 economies. An additional \$125 million is spent on treating injuries connected to counterfeit products. Purchasing counterfeit goods also contributes to a shadow economy that follows almost no labor or environmental laws and is mainly unregulated.

With profit margins of up to 900%, counterfeiting provides organised crime with relatively quick

¹⁸ <http://www.mondaq.com/india/x/456442/Trademark/Intellectual+Property+Rights+IPR+For+Startups>

and cheap funding. Also, there is a growing correlation between terrorist organisations and counterfeiting. Records of seizures obtained by Interpol and the FBI indicate that terrorist groups like Hezbollah and Al-Qaeda may have received millions of dollars in revenue from the sale of counterfeit items.

XIII. CONCLUSION

The rivalry among sports clubs or associations is not just confined to the field; it has spread to include the creation of enormous profits from the commercialisation of sports. In addition to using their intellectual property for commercial purposes, most sports clubs operate online stores, retail stores, cafés, and other companies. Clubs must successfully safeguard their intellectual property because they are embarking on an adventure to make money from it. Sports' commercial value is safeguarded by intellectual property rights and the laws that protect them.

Different kinds of intellectual property protection, such as registrations and agreements with suitable terms and conditions, are available. Currently, one of the most lucrative industries in which sports teams own a larger share is merchandising. Merchandising involves numerous minors yet crucial matters, like intellectual property ownership, income sharing, confidentiality, and so forth. Celebrities today are highly aware of and watchful of safeguarding their personality rights due to the various ways in which these rights are violated worldwide. Therefore, the owners must also be mindful that they do not ultimately violate any athlete's right to privacy. It is usually preferable to have a solid understanding of the law about what can and cannot be used before launching a firm. Effective intellectual property management is essential for optimising financial gains. "If intellectual property has something to learn from the sports industry, it can conversely be considered that the sports industry may have something to gain from the assimilation of the key values of Intellectual property law," as Professor De Werra correctly points out in his book *Sports and Intellectual Property*.

The author believes that to advance moral behaviour in the sports business, there is a critical need for sports law specialists in India. To preserve the value of sports and sporting assets and to carefully guard intellectual property against infringement and misuse, it is imperative that proprietors or owners invest money in the appropriate permits, registration, and contracts. To

protect all parties involved and their financial interests, it is advised that formal contractual arrangements be in place to protect all types of intellectual property developed in sporting events, teams, individual players, etc. To preserve the reputation and stature of our nation's superstars, India should create legislation safeguarding personality rights and work to establish a profitable sponsorship industry.

Adopting alternative dispute resolution (ADR) procedures and methods is also advised when it comes to the enforcement of intellectual property rights in sports-related conflicts. India must pass legislation to protect private information, especially in the sports sector, as a growing nation with a sincere desire to draw in and keep foreign investment. This legislation would serve as a strong enough disincentive for future violators. Despite all the challenges, the Indian government must work to adopt the National Sports Ethics Commission Bill, 2016, which aims to raise the standard of sports in the country. Maintaining the financial viability of sporting events in India requires the protection and enforcement of intellectual property rights in the sports sector.