

Advertising Around the Women's World Cup

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US 2; Germany 0

It's only been a few hours since the US Women's National Team beat Germany to secure a spot in the FIFA Women's World Cup Finals, and we've already gotten questions from advertisers who want to capitalize on the victory. Is it OK to use soccer-related themes in our ads? Can we mention the World Cup? Is it OK to discuss or interact with players on our social media posts? The answers always depend on the context, but unless a company is an official sponsor, these strategies can often pose some risks.

Some companies pay a lot of money for the right to be associated with a team, sport, or event. If you advertise in a way that suggests a similar association — without having paid for that right — you could be accused of “ambush marketing.” The risks are particularly high if another company has paid for a sponsorship in a similar category. For example, during the 2010 Olympics, Subway ran a TV commercial in which Michael Phelps swam through the wall of a pool, across the country, and towards Vancouver, the site of that year's games. Neither the US Olympic Committee nor McDonald's (a top sponsor in the Quick Service Restaurant category) took kindly to the ad, and the Committee [lashed out](#) at Subway ambush marketing.

The analysis is similar when it comes to mentioning athletes. Again, some companies pay a lot of money for the right to use an athlete's name or image in ads. If you do that without permission, the athlete can argue that you've violated her right of publicity and sue for damages. (Click [here](#) for other posts on this topic.) Even a passing reference or image on a social media post can be enough to trigger a complaint.

As an individual, you should feel free to post and tweet about the team and your favorite players as much as you want. No one is going to complain. (In fact, we might think less of you if you weren't cheering the team on.) But remember that different rules apply to companies. Don't get so swept away in the excitement that you forget where the lines are drawn.