

LIFIN WORLD INTELLECTUAL PROPERTY DAY CONFERENCE 2026

INTELLECTUAL PROPERTY IN SPORTS: FOSTERING INNOVATION, CREATIVITY, AND GLOBAL EXCELLENCE

Ready, Set, Innovate!

PRESENTED BY:

ADEYEMI O. OWOADE

Senior Associate, Advocat Law Practice



BRIEF HISTORY OF IP IN SPORT

The First Patent: Engineering the Game (1841)

The journey began not with a brand, but with the equipment itself. While many think of sports tech as a modern phenomenon, the first major 'sports patent' dates back to January 21, 1841.

An inventor named Edwin Chaffee received U.S. Patent No. 1,939 for a 'Method of manufacturing balls.' Before this, balls were often made of unpredictable animal bladders or stitched leather. Chaffee's use of 'caoutchouc' (natural rubber) gave birth to the consistent bounce we now take for granted in basketball, tennis, and football. It was the first time the law stepped in to protect the science of play.

The First Trademark: Building the Identity (1876/1890s)

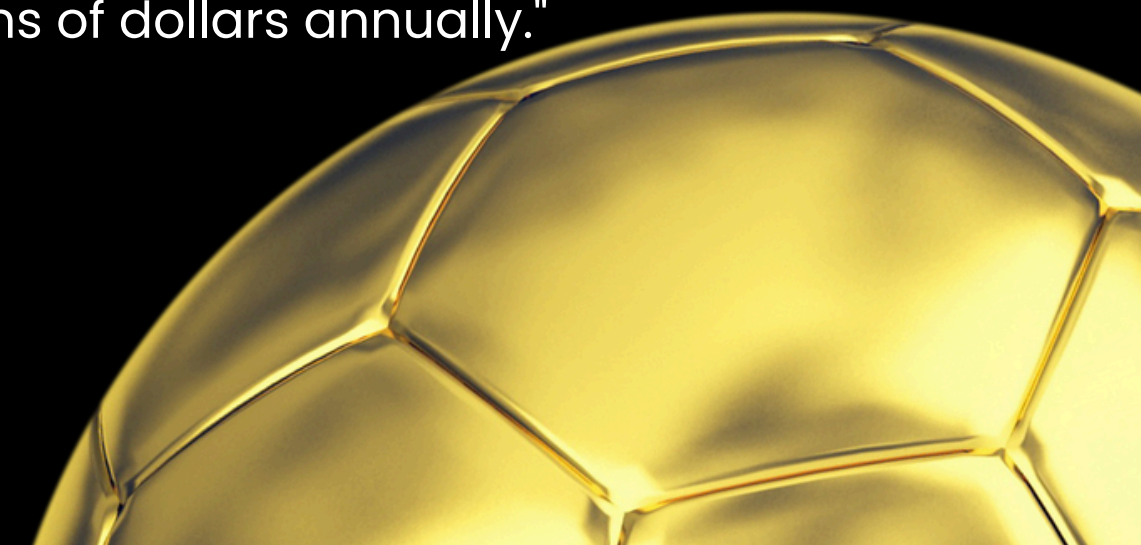
Next came the identity. While the Bass Ale 'Red Triangle' became the world's first registered trademark in 1876, the sports world followed closely to protect club loyalty.

In the late 19th century, as professional leagues formed, the first 'marks' were filed to prevent counterfeiters from selling 'official' gear. While individual club registrations vary by country, the PGA (Professional Golfers' Association) holds one of the oldest sporting service marks, with a 'first use' dating back to 1916. These filings transformed a local team's crest into a global symbol of trust and quality.

The First Copyright: Capturing the Story

Finally, we look at Copyright. For decades, courts struggled with this. Even today, many jurisdictions, including the European Court of Justice, maintain that a live sports match itself is not 'creative' enough for copyright because it follows fixed rules.

However, the turning point was the Broadcast. The first copyrighted 'sports content' wasn't the game, but the recorded story of the game. From the first televised baseball game in 1939 to the first Olympic broadcasts, IP law evolved to protect the angles, the commentary, and the production. Today, these rights are the 'Crown Jewels,' with broadcasting deals now worth billions of dollars annually."



THE MODERN CONFLICTS

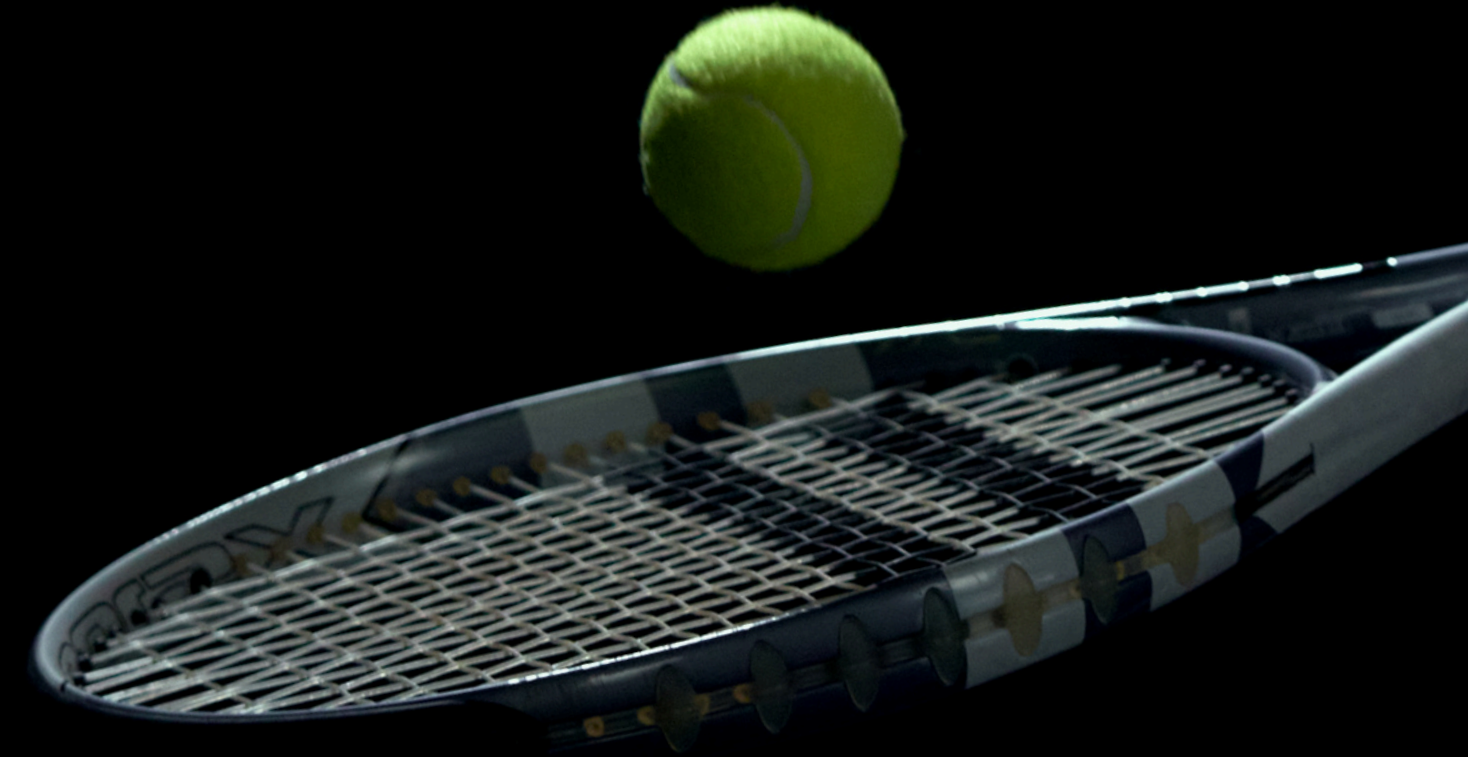
But as we celebrate these milestones, we must address the friction. The conflicts of 2026 are no longer just about fake jerseys; they are about Digital Sovereignty.

- **The AI Dilemma:** We are currently seeing legal battles over 'Digital Twins.' Does a league own the AI-generated likeness of an athlete for a video game, or does that right belong solely to the player?
- **Data as IP:** In an era of 'Smart Stadiums,' who owns the biometric data of a player? Is a player's heart rate during a penalty kick a 'trade secret' of the team, or the private property of the individual?
- **The Streaming War:** With the rise of decentralized 'restreaming,' piracy has become a real-time battle, threatening the very broadcasting rights that fund our grassroots academies.

WHERE WE CLASH IN 2026

As we dive into today's webinar, remember: IP is not just for lawyers in boardrooms. It is the fuel that allows a kid in Lagos, London, or New York to believe that their creativity, their innovation, and their brand can change the world.

Let's explore how we can protect the next century of sporting excellence.





NEW TRENDS IN IP & SPORTS

But the most striking evolution isn't happening in a lab or a broadcast booth, it's happening in the emotions of the game. We are entering the era of Trademarked Human Movement.

Consider this: In 2026, a player's celebration is no longer just an outburst of joy; it is a 'Motion Mark.'

- Kylian Mbappé has successfully filed with the EU Intellectual Property Office (EUIPO) to protect his iconic 'crossed-arms' pose.
- Cole Palmer (the 'Cold Palmer' shiver) and Jude Bellingham (the 'Open Arms' gaze) have followed suit, registering their celebrations across categories ranging from clothing to video games.

Beyond the physical movements of the athletes, we are witnessing a tectonic shift in how the 'stadium experience' itself is owned and protected. In 2026, the trend has moved toward Mixed Reality (MR) IP and Synthetic Environments. Leading clubs are no longer just selling tickets to a physical seat; they are trademarking and copyrighting 'Digital Twin' stadiums in the Metaverse, allowing fans from Lagos to London to experience a match in a hyper-realistic virtual environment.

Furthermore, we are seeing the rise of Synthetic Media Rights. This involves the licensing of an athlete's 'Digital Persona'—a sophisticated IP asset that allows an athlete to 'appear' in ten different global advertising campaigns simultaneously through AI-driven video synthesis. This creates a new legal battleground: if an AI can generate a perfect, licensed 'digital performance' of an athlete, we must ask—where does the human labour end and the intellectual property begin? We are no longer just protecting what an athlete does; we are protecting the very essence of their Digital Existence.

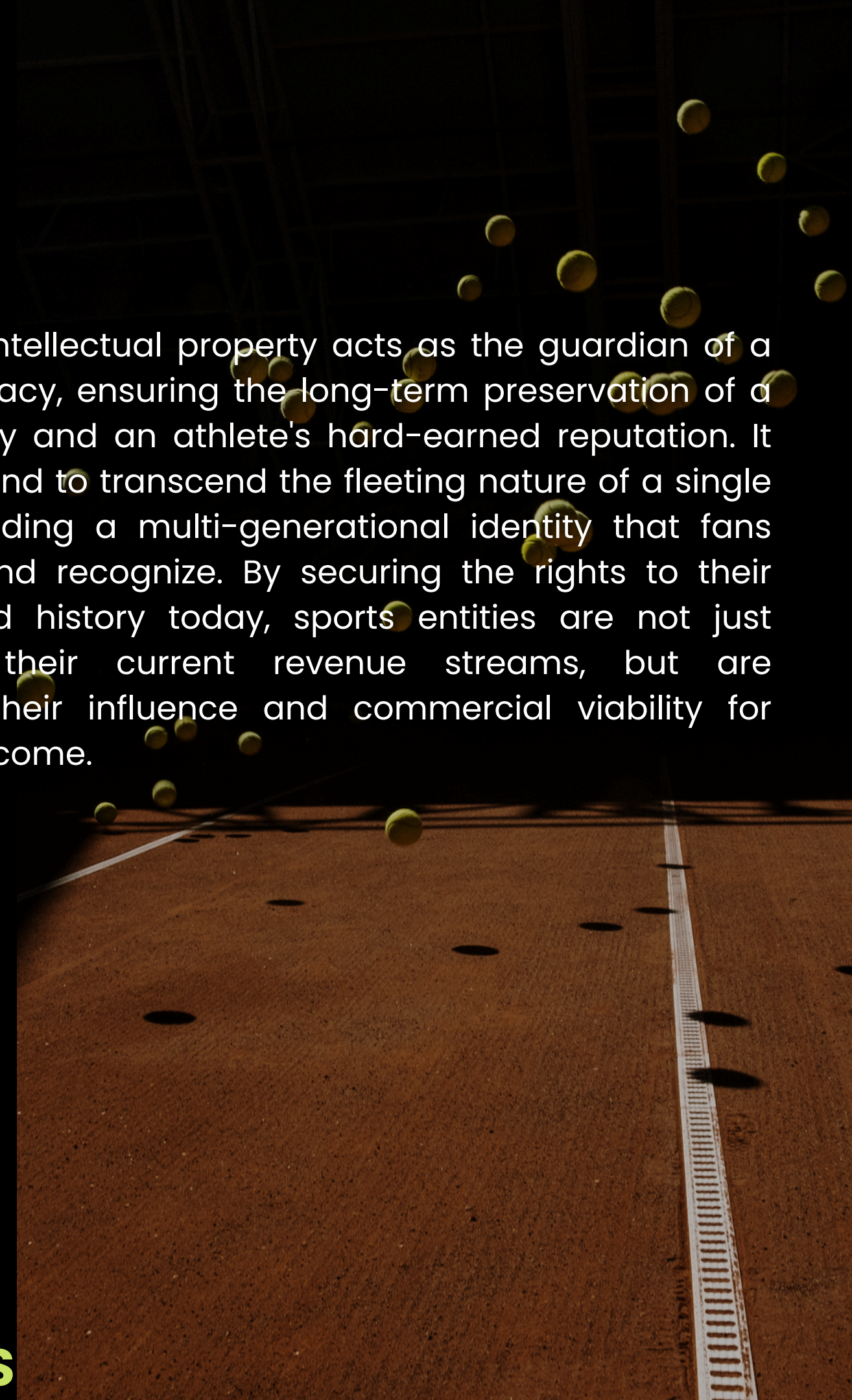
WHAT EXACTLY IS INTELLECTUAL PROPERTY (IP) DOING IN SPORTS

At its core, intellectual property in sports represents the legal architecture that grants creators and organizations exclusive rights over their intangible assets. By establishing a robust framework of patents, trademarks, and copyrights, it prevents unauthorized third parties from exploiting the unique innovations and identities that define the game. This legal "moat" ensures that whether it is a proprietary training algorithm, a storied club crest, or a groundbreaking equipment design, the originators retain total control over how their mental labour is utilised in a hyper-competitive global market.

The primary value of these protections lies in the strategic "legal monopoly" they provide, allowing owners to dictate the terms of engagement for their creations. Beyond mere protection, IP serves as a powerful tool for financial capitalisation, effectively transforming abstract skills and creative ideas into tangible, bankable assets. In the modern sports economy, these rights are frequently leveraged as collateral for significant loans and multi-million dollar investments, proving that the intellectual "property" on a balance sheet is often just as valuable as the physical stadium or the players on the pitch.

Ultimately, intellectual property acts as the guardian of a sporting legacy, ensuring the long-term preservation of a club's history and an athlete's hard-earned reputation. It allows a brand to transcend the fleeting nature of a single season, building a multi-generational identity that fans can trust and recognize. By securing the rights to their likeness and history today, sports entities are not just protecting their current revenue streams, but are anchoring their influence and commercial viability for decades to come.

WHY IP MATTERS IN SPORTS





Trademarks serve as the visual and emotional shorthand of the sporting world, protecting the unique symbols, color palettes, and slogans—such as the iconic "Nike Swoosh" or the "Manchester United" crest—that define a brand. By securing these marks, organizations prevent consumer confusion and ensure that fans can distinguish authentic merchandise and services from unauthorized imitations.



Copyright provides the essential legal shield for sports content, granting exclusive rights over the broadcast of live matches, post-game analysis, and even the proprietary code of mobile fan apps. This framework ensures that the creative production behind the game, from the specific camera angles used in a telecast to the music played in the stadium, remains a controlled, high-value asset for media partners and leagues.



Patents protect the "hidden" engineering that drives athletic performance, covering technical inventions that provide a competitive edge. This includes the high-performance science found in carbon-fiber plating for running shoes or the aerodynamic stitching of a professional football, incentivizing manufacturers to invest in R&D by guaranteeing they are the sole beneficiaries of their breakthroughs.



Image Rights represent the commercialization of the individual, granting athletes the power to control and profit from their personal brand, including their name, likeness, and signature. These rights allow players to treat their persona as a business asset, ensuring they are fairly compensated whenever their "digital twin" or physical image is used in advertisements, video games, or endorsements.

KEY IP ASSETS IN SPORTS





Broadcasting Rights stand as the "Crown Jewels" of the sports economy, representing the multi-billion dollar deals that grant networks the exclusive privilege to film and transmit live events. This revenue stream is the financial lifeblood of major leagues, as it transforms the physical game into a high-stakes media product sold to global audiences.



Sponsorship and Endorsement represent the two distinct paths of brand association: while sponsorship involves brands paying for a direct partnership with a team or league to gain collective visibility, endorsement focuses on the individual athlete's influence. Both rely on the transfer of IP value, where the prestige of the sporting entity is used to enhance the commercial appeal of the corporate partner.

IP & COMMERCIALISATION OF SPORTS



Licensing and Merchandising allow sports organisations to scale their reach by permitting third parties, such as EA Sports or Adidas, to utilise club intellectual property in exchange for significant royalties. This model turns a team's logo and identity into a lifestyle brand, enabling fans to purchase everything from official jerseys to digital avatars in video games.



Digital Distribution marks the modern shift toward Over-the-Top (OTT) platforms, allowing leagues to bypass traditional television and sell content directly to their global fan base. By owning the distribution channel, sports entities can capture valuable fan data and offer personalised viewing experiences, fundamentally changing how sports IP is consumed in a digital-first world.



THE ATHLETE AS A MULTINATIONAL CORPORATION

Case Studies in elite branding, such as those of Cristiano Ronaldo (CR7) and LeBron James, demonstrate how high-profile athletes utilise IP to build personal empires that transcend their time on the field. By treating their names and logos as global trademarks, these athletes ensure their commercial relevance and revenue streams continue to thrive long after their physical playing prime has concluded.

The Ownership Conflict has become a central legal debate in the digital age, questioning whether a player's social media content belongs to the individual or the club they represent. As teams increasingly seek to control the digital output of their stars for sponsorship purposes, clear contractual frameworks are essential to determine who truly owns the "online voice" and the valuable data generated by fan engagement.



Ambush Marketing represents a sophisticated legal battleground where non-sponsor brands attempt to "associate" themselves with major sporting events without paying official fees. These disputes often arise when a brand uses an athlete's image or clever wordplay to capitalize on the excitement of events like the Olympics or the World Cup, forcing IP owners to aggressively protect the exclusivity promised to their official partners.

Asset Protection through the establishment of Image Rights Companies (IRCs) has become a standard strategy for top-tier athletes seeking tax efficiency and robust legal security. By transferring their image rights to a corporate entity, athletes can manage their commercial endorsements as a business, protecting their intellectual property and maximising global earnings.

ATHLETE BRANDING & IMAGE RIGHTS

WHERE SCIENCE MEETS THE FIELD

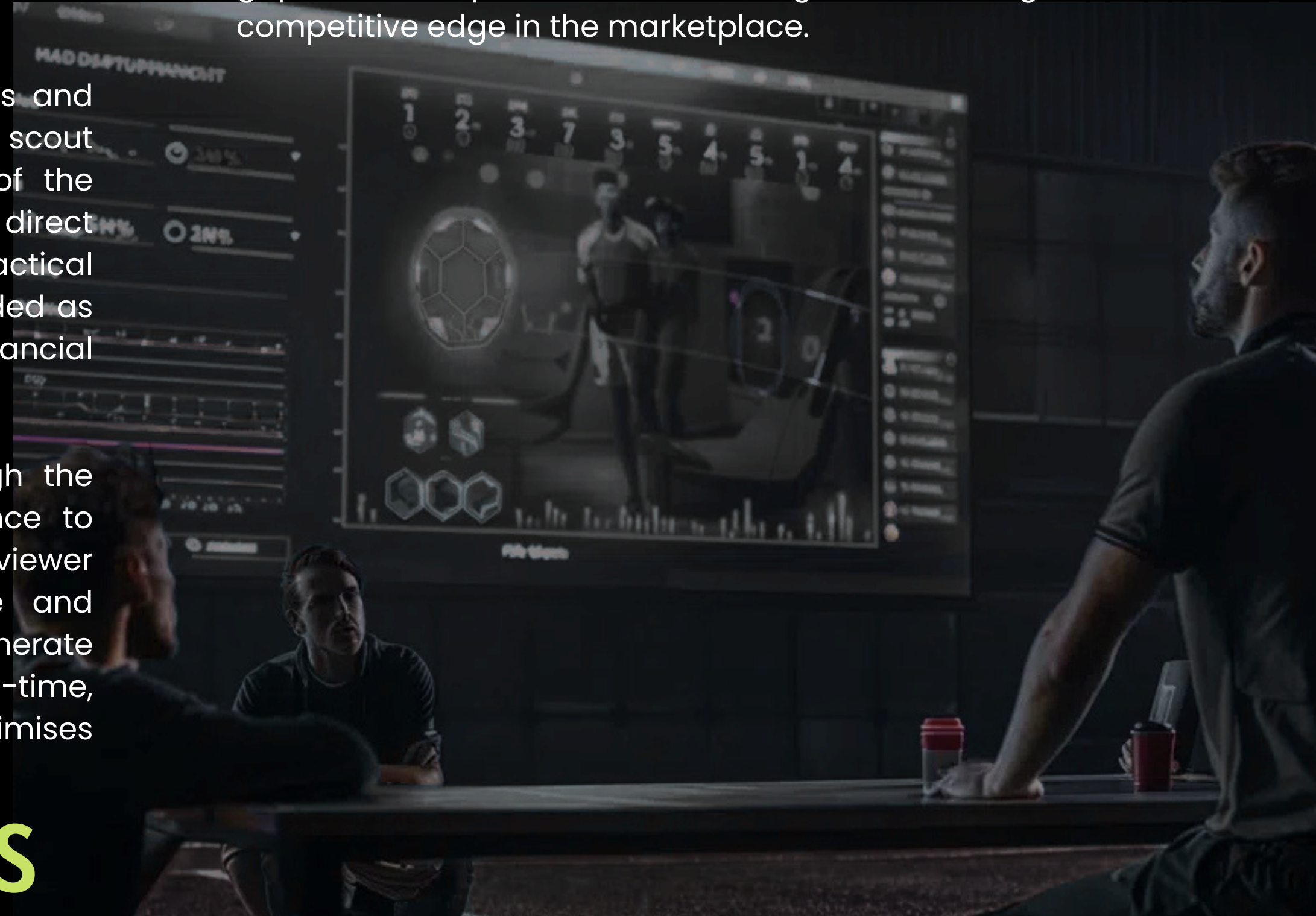
Officiating Tech, including VAR, Goal-Line Technology, and the 2026 standard for Semi-Automated Offside, relies on a combination of hardware patents and software copyrights to ensure high-precision decision-making. By legally protecting these automated systems, technology providers can license their high-fidelity tracking algorithms to global leagues, ensuring that the "source of truth" in a match remains a protected commercial asset.

Data Analytics has moved into the realm of trade secrets and proprietary algorithms, as teams deploy custom software to scout "undervalued" players—a modern, data-driven evolution of the Moneyball effect. Because these analytical models provide a direct competitive advantage in player recruitment and tactical planning, their underlying code and methodology are guarded as critical intellectual property that can determine a team's financial and athletic success.



AI Integration is transforming the fan experience through the creation of "smart highlights" that use artificial intelligence to curate personalised content based on individual viewer preferences. By leveraging copyrighted match footage and applying AI-driven editing layers, broadcasters can generate thousands of unique versions of the same game in real-time, creating a new category of derivative IP that maximises engagement across global digital platforms.

Performance Tech is being revolutionised by the rise of wearable IoT (Internet of Things) devices, which allow for the real-time tracking of biometric data such as heart rate, explosive speed, and physiological fatigue. These devices are protected by a complex layer of patents covering both the physical hardware and the proprietary sensors, ensuring that the innovators who bridge the gap between sports science and digital monitoring maintain their competitive edge in the marketplace.


INNOVATION IN SPORTS




GOVERNANCE & REGULATION: THE RULES OF THE GAME OFF THE FIELD




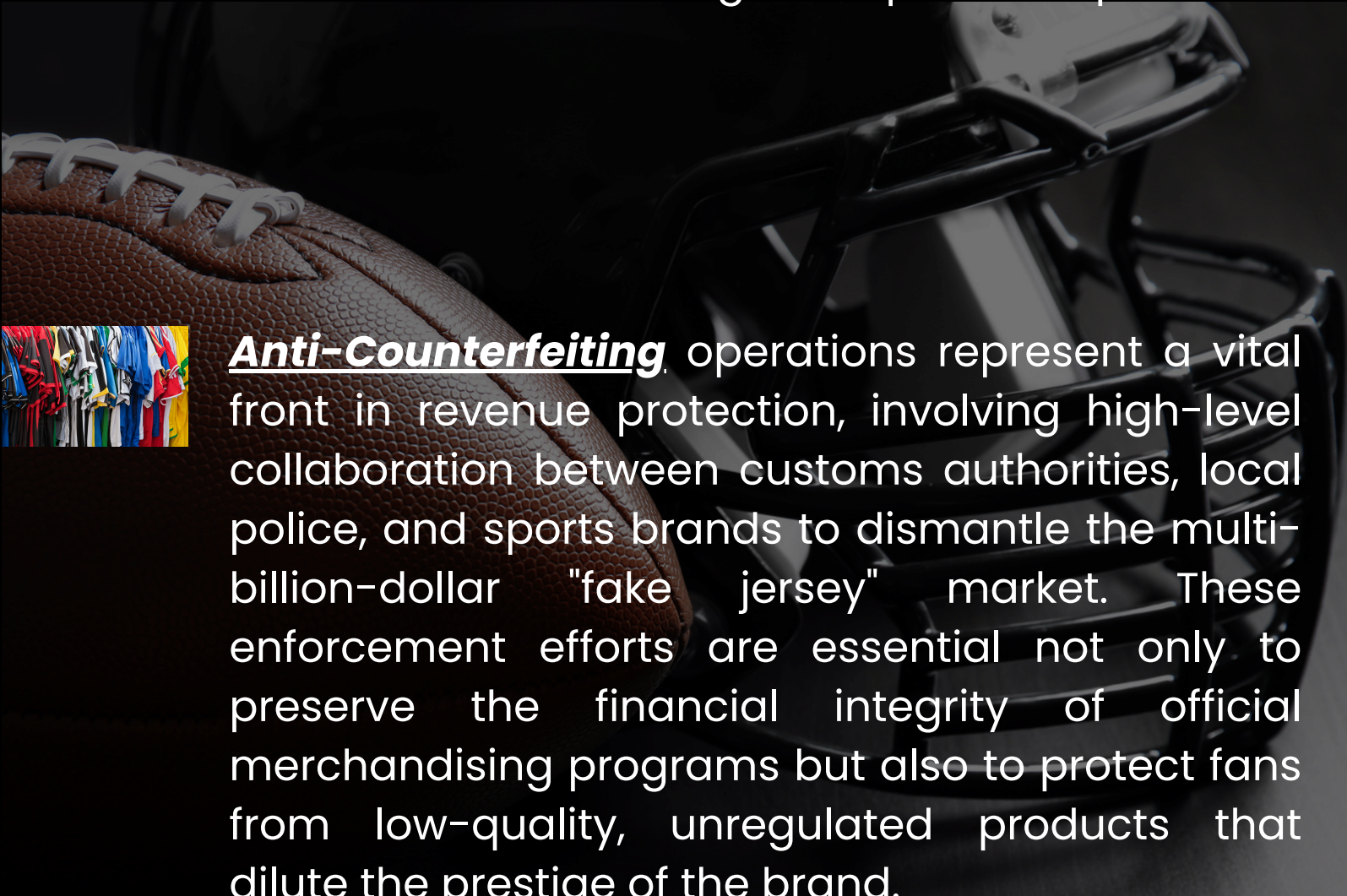
Global Bodies such as FIFA, the IOC, and the NBA act as the primary regulators of the sports ecosystem, establishing harmonised standards for how intellectual property is licensed and protected across international borders. By creating unified rules for event branding and media rights, these organisations ensure that sports IP retains its value and legal consistency, regardless of the jurisdiction in which a tournament is held.



The Role of WIPO is critical in maintaining the pace of the industry, as it provides specialised arbitration and mediation services tailored to international sports disputes. By offering a neutral forum to resolve conflicts over trademarks or broadcasting rights, WIPO allows stakeholders to avoid the prohibitive costs and time delays of traditional litigation, keeping the focus on the field rather than the courtroom.



Collective Bargaining Agreements (CBAs) serve as the essential contractual bridge between players and leagues, specifically defining how IP-related revenues—such as jersey sales and video game licensing—are shared. These negotiations ensure that athletes receive a fair percentage of the commercial "pie" while providing leagues with the necessary legal certainty to bundle player likenesses for massive global sponsorship deals.



Anti-Counterfeiting operations represent a vital front in revenue protection, involving high-level collaboration between customs authorities, local police, and sports brands to dismantle the multi-billion-dollar "fake jersey" market. These enforcement efforts are essential not only to preserve the financial integrity of official merchandising programs but also to protect fans from low-quality, unregulated products that dilute the prestige of the brand.

CHALLENGES IN SPORTS IP



Real-Time Piracy remains the most immediate threat to the sports economy, as illegal "restreaming" on social media platforms directly devalues multi-billion dollar exclusive broadcast contracts. Because live sports rely on the "urgency of the moment," these unauthorised transmissions drain viewership and advertising revenue in real-time, forcing rights holders to deploy sophisticated automated takedown technologies.

NFTs and Tokenization present a volatile landscape for fan engagement, where the promise of digital collectables is often undermined by market instability and the risk of "rug pulls." While these technologies offer new ways to monetise sports IP, the lack of robust regulation can lead to significant financial losses for supporters, potentially damaging long-term fan trust and the club's brand reputation.

Data Privacy has emerged as a critical frontier as teams collect vast amounts of sensitive health and biometric data from their athletes. Protecting this "biological IP" from hackers and betting syndicates is paramount, as the unauthorised disclosure of a player's injury status or physiological fatigue can not only violate privacy rights but also compromise the competitive integrity and betting markets of the sport.

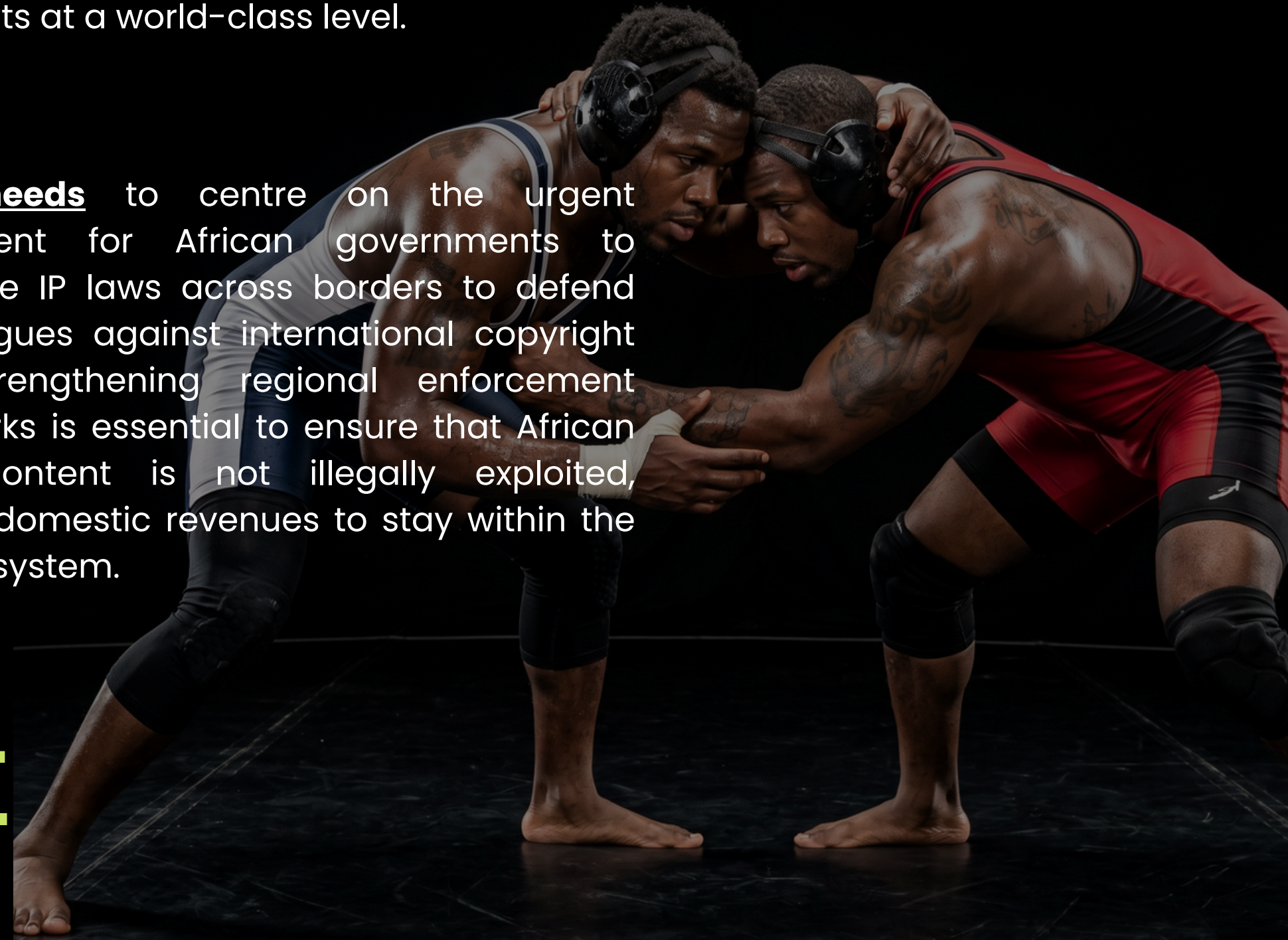
The AI Dilemma introduces complex questions regarding the ownership of AI-generated content and "digital twins." As artificial intelligence gains the ability to create hyper-realistic images and performances of athletes, the legal system must determine whether these synthetic assets require the player's explicit consent and how to protect their likeness from unauthorised commercial use in video games and media.

Institutionalising the Industry involves transitioning African sports from a traditional "recreation" mindset to a formalised "commercial sector." By treating sports as a professional asset class, the continent can attract institutional investment and build sustainable business models where intellectual property is the primary driver of economic value.

Talent Export 2.0 marks a shift from merely sending athletes abroad to exporting African-produced content and narratives to the global diaspora. By owning the stories and media rights associated with its stars, Africa can retain the commercial value of its talent through copyrighted documentaries, digital media, and broadcast products.

The Basketball Africa League (BAL) Model serves as a strategic blueprint for the continent, demonstrating how sports entities can be structured with global IP standards from their inception. This model prioritizes centralized branding and rigorous licensing, proving that African leagues can compete internationally when they protect and monetize their assets at a world-class level.

Policy needs to centre on the urgent requirement for African governments to harmonise IP laws across borders to defend local leagues against international copyright theft. Strengthening regional enforcement frameworks is essential to ensure that African sports content is not illegally exploited, allowing domestic revenues to stay within the local ecosystem.



THE NEXT FRONTIER OF THE SPORTS ECONOMY

For Athletes, the mantra is "register your name." By treating their personal brand like real estate, securing the "deed" through trademark registration before third parties can squat on their identity, players protect their long-term earning potential and ensure they remain the primary beneficiaries of their own fame and likeness.

KEY TAKEAWAYS

For Clubs, the priority is to conduct a comprehensive IP Audit to identify and secure overlooked assets. Beyond logos, clubs must evaluate whether their unique chants, proprietary training methodologies, or digital archives are adequately protected, as these intangible elements often represent significant untapped commercial value.

WHAT ALL STAKEHOLDERS SHOULD KNOW NOW!

For Policymakers, the goal is to leverage intellectual property as a strategic tool for "Soft Power" and economic diversification. By strengthening IP enforcement and fostering a secure legal environment, governments can transform the sports sector into a high-growth industry that attracts foreign investment and promotes national identity on the global stage.





FINALLY!!!

IP IS THE BRIDGE BETWEEN A PHYSICAL PERFORMANCE AND A GLOBAL LEGACY.

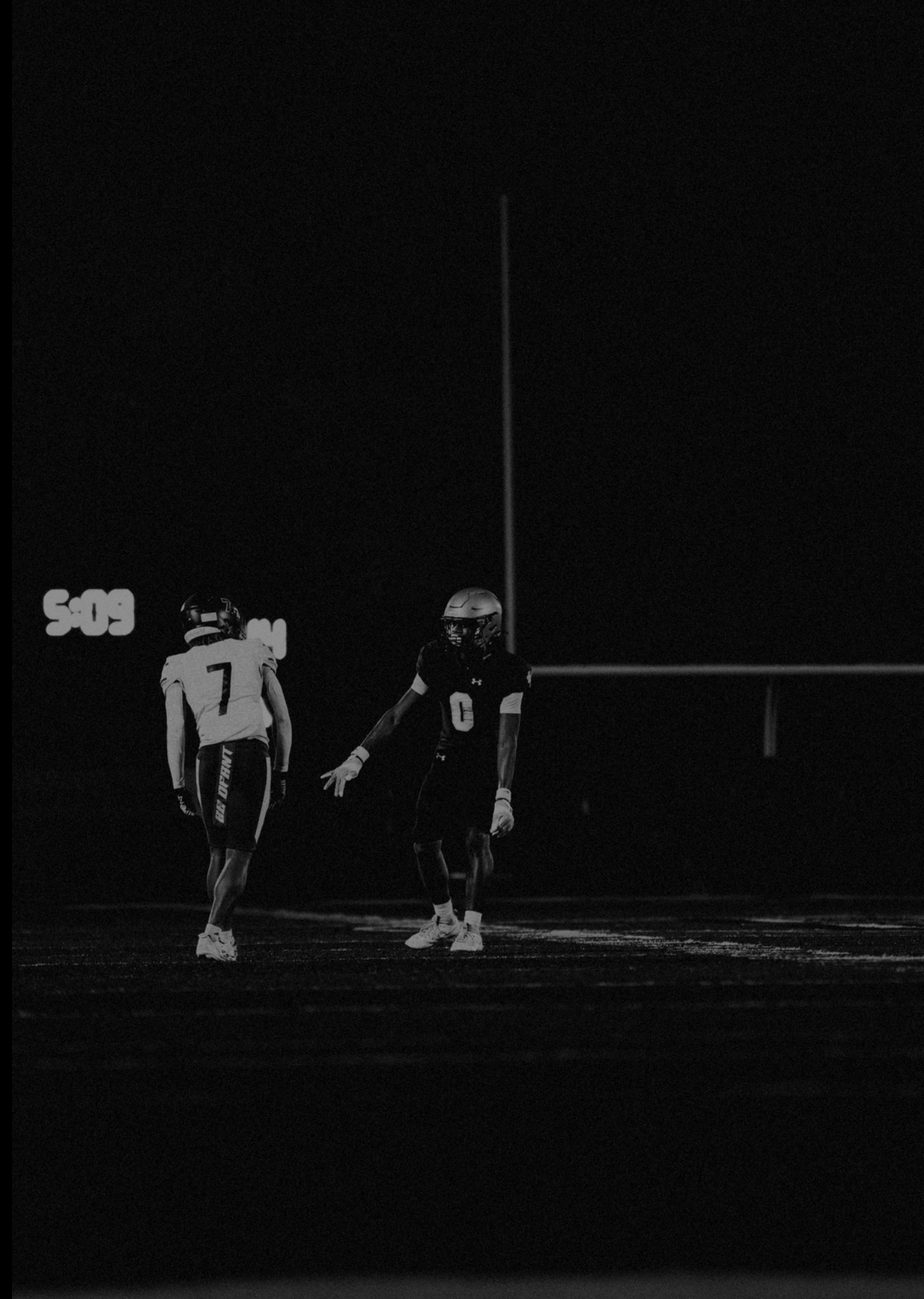
The Vision: A world where every goal scored and every record broken contributes to a sustainable economic ecosystem.

What about the African Continent? With the right IP frameworks, Africa can transform its immense athletic talent into unprecedented economic wealth.

In the modern world, you don't just play the game, you own the rights to it."

WHAT'S NEXT FOR SPORTS?

QUESTIONS AND ANSWERS. IF ANY!





F I N A L

**THANK
YOU!**

ADEYEMI O. OWOADE