

THE ZURICH COMMERCIAL COURT UPHOLDS FIFA'S INJUNCTION CLAIM AGAINST PUMA

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With Judgment of 6 April 2022, the Federal Supreme Court upheld **FIFA's** claim that the marks "PUMA WORLD CUP QATAR 2022" and "PUMA WORLD CUP 2022" were misleading, ordered these marks to be removed from the register and referred the case back to the Zurich Commercial Court to decide on the question of injunctive relief. Now, the Commercial Court has decided, with Judgment of 28 June 2022, that also the use of the marks "PUMA WORLD CUP 2022" and "PUMA WORLD CUP QATAR 2022" is prohibited.

The Commercial Court of Zurich refers exclusively to the statements of the Federal Supreme Court in support of the injunction. It is understood that the trade marks "PUMA WORLD CUP QATAR 2022" and "PUMA WORLD CUP 2022" create the misleading impression that Puma is the main sponsor of the Football World Cup and consequently the provision of misleading services for the consumer according to the Swiss Unfair Competition Act (UWG). For this reason, not only must the trade marks 'PUMA WORLD CUP QATAR 2022' and 'PUMA WORLD CUP 2022' be removed from the register, but Puma is also prohibited from using them in connection with the wide range of sporting goods, clothing and accessories for which both trade marks were applied for. Since Puma expressly stated during the proceedings that it also intended to use the marks for its goods in connection with the 2022 World Cup, they themselves created the basis for the "risk of infringement" which is a prerequisite for injunctive relief.

Therefore, trademarks such as "PUMA WORLD CUP QATAR 2022" and "PUMA WORLD CUP 2022" are unlawful and third parties not related to or associated with FIFA may not create the misleading impression that they are official sponsors of the FIFA World Cup tournaments.

[MLL Legal](#)'s IP partner **Peter Schramm** (pictured left) has represented FIFA in all instances of these proceedings. He is supported in his work for FIFA by **Andrea Schaffler** (pictured right).