

Official Interpretation of the Legislation Committee Regarding 202.1.1D and 202.2.1D – Pertaining to the Use of the Word “Olympic”

The Chair of the Legislation Committee was asked to weigh in on Senior Olympic events that were still being sanctioned and/or recognized in certain LMSCs. The official interpretation of the provisions regarding sanctions and recognitions is that sanctions chairs should not issue sanctions or recognitions to events that use the term "Olympic" unless they can show written confirmation that the event has permission to use the term.

Additional context:

After some discussion, it was concluded that in all likelihood the USPOC has not given permission for USMS to use the term "Olympic" in these types of events. While some places have been using it for years and many people think that somehow permission was granted some years ago (i.e., permission was "grandfathered"). However, absent some paper trail or evidence that shows current permission exists, that is likely not the case. It is more likely that these meets just are not big enough for anyone to notice and the USOPC has not taken any action on violation of this trademarked term.

We also received the following communications from the United States Olympics & Paralympic Committee

“None of the member organizations or local games committees of the NSGA (National Senior Games Assn) have been granted rights to use the term OLYMPIC in reference to any Senior Games event. The NSGA is an Affiliate Organization (AO) member of the USOPC, however no rights have been granted to NSGA to use the mark SENIOR OLYMPICS, and they have been directed by USOPC to contact their members to request the change from Senior Olympics to Senior Games, as no NSGA member has the right to use the word OLYMPIC.”

From: Legislation Committee Chair
Sent: January 26, 2023
To: LMSC Sanctions Chairs and Top Ten Recorders
CC: LMSC Chairs and Vice Chairs
Subject: Use of the Word “Olympic” and “Paralympic” with Masters Swim Meets

This email is sent on behalf of the USMS Legislation Committee

Dear Sanctions Chairs and Top Ten Recorders:

Over the last year, questions have been raised about the use of the word “Olympic” with Masters swim meets in regards to sanctions or recognition. I hope this email will help to clarify the requirements of our code.

While restrictions on the use of “Olympic” are similar for both sanctioned and recognized events, the issue most frequently comes up in determining whether swim meets associated with state Senior Games can be recognized. Here is the relevant USMS code:

202.2.1 Recognition—*Recognition shall be issued, withheld, or withdrawn in accordance with the following:*

D *No recognition of any event shall be granted with the word “Olympic” or the word “Paralympic” or any derivative thereof used in any manner in connection with said event unless consent is obtained from the USOPC.*

The first point to highlight is that consent of the USOPC is required to recognize an event. The fact that an event might be ‘grandfathered’ or legally permitted to use a term like “Senior Olympics” is not the same as obtaining consent. If the event hosts cannot produce a letter from the USOPC providing consent, our code dictates *the event shall not be recognized*.

The second item to highlight is the phrase “used in any manner in connection with said event.” In some cases, a recognition application is submitted for a “Senior Games” swim meet, but the event is promoted, and entry is offered on, a website that uses the words “Senior Olympics.” This practice demonstrates that although the swim meet may not use the word “Olympic,” the term is clearly used in connection with the event. Our code dictates *recognition shall not be granted*.

Finally, there are Senior Games events that make no use of the word “Olympic” in association with their swimming events or multi-sport festival. There is no issue in recognizing these events so long as they are conducted according to our swim rules.

Thank you for your service to USMS.

Sincerely,

Stephanie Gauzens
Chair, USMS Legislation Committee

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This message was sent to LMSC Sanctions Chairs, Top Ten Recorders, Chairs and Vice Chairs.