

Navigating ambush marketing laws in Canada

November 04, 2025

As Canada prepares to co-host the 2026 FIFA World Cup, many businesses are eager to leverage the event's global visibility. However, while ambush marketing – where companies associate themselves with major events without official sponsorship – may seem attractive, it carries significant legal risks.

What is ambush marketing?

Ambush marketing can take two main forms:

- **Direct** ambush marketing involves unauthorized use of protected intellectual property (IP) such as trademarks or copyrighted images.
- **Indirect** ambush marketing uses suggestive imagery or language to imply a connection without IP infringement.

Both strategies can be damaging to IP rights holders, undermine the value of official sponsorship, and be deceptive to the public.

What is the legal framework for ambush marketing in Canada?

Unlike some jurisdictions, Canada does not have a broad legal ban on ambush marketing – except in relation to the Olympic and Paralympic Games. The Olympic and Paralympic Marks Act specifically prohibits unauthorized associations with these events.

That said, consumer protection and IP laws address misleading or infringing marketing practices. For example:

- The Competition Act prohibits false or misleading representations. Violations can result in substantial penalties, including administrative monetary penalties of the greater of \$10 million or 3 per cent of a corporation's annual global revenue.
- The Trademarks Act protects against unauthorized use of confusingly similar marks. For instance, both the FIFA World Cup trophy design and the phrase "FIFA World Cup" are registered trademarks in Canada. Infringement may lead to remedies such as injunctions, damages, and accounting of profits.

- The Copyright Act prohibits unauthorized use of artistic works, including logos, images, and sounds. Infringement is assessed on a case-by-case basis, with available remedies including injunctions, damages, and delivery up of infringing materials.

What does this mean for advertisers and event organizers?

Advertisers must evaluate their campaigns to avoid misleading consumers or violating IP rights, seeking legal guidance where necessary. Likewise, event organizers and **sponsors should proactively audit their IP, advertising, and promotional strategies** – ensuring contracts include robust anti-ambush marketing provisions. Taking these steps not only mitigates legal risk but also protects brand integrity and strengthens stakeholder confidence.

If you have questions or need assistance navigating the complex legal landscape of ambush marketing in Canada, please don't hesitate to reach out to our team.

By

[Candice Kloes](#), [Any Obando Ospina](#)

Expertise

[Advertising & Marketing](#), [Intellectual Property](#), [Retail & Hospitality](#)

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing unsubscribe@blg.com or manage your subscription preferences at blg.com/MyPreferences. If you feel you have received this message in error please contact communications@blg.com. BLG's privacy policy for publications may be found at blg.com/en/privacy.

© 2025 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.