



R. Singh & Associates

Advocates

WITHOUT PREJUDICE

January 7, 2025

Ref: RSA/IOA/ I6527/1577

To
Prabhat Kumar Sharma,
Hari Gopal Mazumdar Road,
Purana Bazar, Near Telephone Exchange,
Dhanbad, Jharkhand - 826001

EW135160062IN IVR:6987135160062
SP KOLKATA GPD <700001>
Counter No:9,07/01/2025,17:51
To:PRABHAT KUMAR SHARMA..
PIN:826001, Dhanbad HQ
From:R SINGH & ASSOCIATES,ADV
Wt:30gms
Amt:41.30,Tax:6.30,Amt.Paid:41.00(Cash)
<Track on www.indiapost.gov.in>
10002666888 <Wear Masks. Stay Safe>

Re: Legal Notice regarding the unauthorized and incorrect use of the **Name** and **Affiliation Status** of **Indian Olympic Association**

Our Client: Indian Olympic Association of Olympic Bhawan, B-29, Qutab Institutional Area, New Delhi-110 016 (hereinafter referred to as "**IOA**").

Sir,

We write to you on behalf of and under the instructions of our client abovenamed. Any reference to our client shall hereinafter refer to and include its predecessors, subsidiaries, affiliates, licensees. We serve upon you this legal notice as follows:

1. Our client is in receipt of various letters issued by you, addressed to Dr. P.T. Usha in her capacity of the Hon'ble President of the IOA (hereinafter referred to as the "said letters"), whereby, *inter alia*, you have claimed your faction of the Taekwondo Federation of India (hereinafter referred to as "TFI") to be an affiliated body of IOA.
2. At the outset, we deny each and every allegation, contention and submission made in the said letters which is contrary to and/or inconsistent with what is stated hereunder as if set out in seriatim and specifically traversed, and nothing contained in the said letters shall be deemed to have been admitted by our client for want of non-traverse or specific denial.
3. Our client, as you are well aware, is an organization registered under Indian Societies Registration Act, 1860. It operates as a non-profit organization and

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7C, Kiran Shankar Roy Road, Kolkata - 700 001
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has jurisdiction all over India. It is also acknowledged as the Ultimate and Supreme Authority for Olympic related games in India. In line with the International Olympic Committee's Olympic Charter (hereinafter referred to as the "**Olympic Charter**"), the IOA cultivates, advances, and defends the Olympic movement in India. Our client is an affiliated member of The Olympic Council of Asia (hereinafter referred to as "**OCA**"), the Association of National Olympic Committees (hereinafter referred to as "**ANOC**"), the Commonwealth Games Federation (hereinafter referred to as "**CGF**"), and the International Olympic Committee (hereinafter referred to as "**IOC**").

4. Our client, as the sole authority for Olympic related games in India, has been involved with a variety of National Sports Federations, State Olympic Associations, IOC Members, and other multi-sport organizations, as well as the Winter Olympic Games, Asian Games, and Commonwealth Games since their incorporation in 1927. Throughout their business and non-business activities, our client has sincerely developed and created their unique status which has become to be affiliated with only such organisations which uphold the high standards which have come to be synonymous with the name of our client.
5. In accordance with the responsibilities entrusted to our client, our client is the ultimate authority to grant **AFFILIATION STATUS** and/or **RECOGNITION** to any Sport Federation, in cooperation and collaboration with the applicable International Sport Federations. Our client is the flag bearer of the country for all Olympic Games, being active all over the world and as such is a well-known organisation. Furthermore, the "**Affiliation**" status with our client instantly results in an immediate assumption of association with Indian Olympic Association and the high value image of our client.
6. Indian Olympic Association administers various aspects of sports governance and athletes' welfare in the country. In this regard, our client oversees the representation of athletes or teams participating in the Olympic Games, Commonwealth Games, Asian Games and other international multi-sport competitions of the above named IOC, CGF, OCA and ANOC and is recognized by the Ministry of Youth Affairs and Sports.
7. The affiliation status is granted to such Sport Federations who have duly complied with the international and national sports codes and whose sport

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is included in the programme of the summer and winter Olympic Games. Such affiliation is granted after due scrutiny of such compliance and after deliberate consideration.

8. It is pertinent to mention herein that in the said letters, you have explicitly stated that there exist no Federation for the game of Taekwondo affiliated to our client, yet, you have claimed yourself to be affiliated to our client in an official capacity, however, according to the records of our client, **TFI is not affiliated to IOA** in any manner whatsoever. Additionally, your use of the Indian Olympic Association's name and/or affiliation status on or any items and/or materials, in any manner whatsoever, constitutes an infringement of the Intellectual Property Rights of our client as it causes the consumer to establish a false relationship between our client and TFI. Such unauthorised and illegal use of the name and/or affiliation status of our client further compromises the operation of the affiliated organizations and impedes the efforts of our client towards the development of the athletes and the Olympic Sports. It is further pertinent to mention herein that in the said letters, you have also illegally and falsely claimed yourself to be the Secretary General of TFI, which is also contrary to any records available with our client.
9. You are hereby informed that the Indian Olympic Association's name and/or affiliation status is the exclusive property of the Indian Olympic Association or any bodies duly affiliated or authorised thereto. Pursuant to the fact that you are not affiliated with the Indian Olympic Association in any capacity, you are hereby prohibited from using the name of the Indian Olympic Association on any materials or other items, in any manner whatsoever, without prior written authorization from our client. Such blatantly illegal actions undertaken by you not only infringe the rights of our clients but also compromise the operation of the affiliated organizations and impede the efforts of our client towards the development of the athletes and the Olympic Sports.
10. Our client is the legitimate owner of all Intellectual Property and legal rights in and the Olympic Games and Olympic properties, including trademarks, copyrights, device mark of flame and torches, Olympic symbol and rings, flag, the motto, anthem, identifications, designations and emblems along with other such marks or name as registered by our client in India in compliance with and under the Olympic Charter and The Nairobi Treaty on the Protection of the Olympic Symbol, 1981(hereinafter referred to as the

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"Nairobi Treaty"). Our client has exclusive rights to use the said name in India and that nobody can use the same or any other identical name which is deceptively similar to the same either in the form of a trademark or in any other manner without the authorization and express consent of our client.

11. It has become apparent from the said letters issued by you that you, allegedly acting on behalf of TFI, are falsely using the name and/or affiliation status of our client without any due authorization. You have done so in order to benefit from its popularity and derive benefit from the same. Our client is concerned about this dishonest behavior of yours, which appears to exploit our client's rights.
12. Such actions undertaken by you regarding the name and status of affiliation from our client amounts to infringement of the exclusive Intellectual Property Rights of our client.
13. You are not linked, connected and/or affiliated to our client in any manner whatsoever and the inappropriate and false use of our client name clearly portrays your mala fide intention to get associated with our client resulting in the dilution of the rights of our client.
14. The unauthorized adoption and utilization of our client's reputed and well-known name without the express permission and authorisation from our client has led to a violation of their Legal Rights. As such, our client is highly concerned about the misuse of their name by you and is willing to take further legal action if there is any further unauthorized use of the name/mark in the future, including but not limited to, *inter alia*, seeking compensation for damages and costs for loss of goodwill, etc.
15. You are hereby instructed to immediately withdraw any and all communication made whereby such Intellectual Property Rights of our client have been infringed and further cease and desist from using the name and/or false affiliation status of our client, in any manner whatsoever.
16. That our client expects you to provide a written undertaking stating that you recognize our client's name and thus undertake not to use, sell, promote, or claim to be affiliated to our client in any other manner whatsoever which might cause confusion in the minds of the consumers in relation to your association with our client and / or their trademarks.

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17. Our client reserves the right to seek compensation for damages incurred because of the unauthorized use of the name of our client on correspondences issued by you. This may include legal costs, reputational damage, and any other losses suffered by my client.
18. In the event you fail to comply with the above **within 72 hours** from the receipt of this notice, our client will be constrained to initiate appropriate civil as well as criminal proceedings to protect their rights and interests and such proceedings will be at your sole risk, cost and consequence. The legal costs associated with this legal notice are an amount of Rs. 20,000/- (Rupees Twenty Thousand Only), which you are required to remit by way of a cheque / demand draft drawn in favour of the **"INDIAN OLYMPIC ASSOCIATION"**.
19. This notice is being issued without prejudice to the rights and remedies available to our client in law.

Thanks & Regards,

For **R. Singh & Associates**

Advocate

C.C To:

Indian Olympic Association,
Olympic Bhawan,
B-29, Qutab Institutional Area,
New Delhi-110 016.

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