

Be Sure Your Church's Super Bowl® Party Is Legal (updated 1/28/13)

With the “Big Football Game” coming up, many churches are gearing up to hold viewing parties. You may have heard in past years that the National Football League (NFL) cracked down on church parties showing the football championship game on large screen TVs. After a national outcry and threatened Congressional action, the NFL backed down and decided to allow the viewing parties, but only under certain conditions.

Fortunately, the NFL has agreed that it will permit churches to show the Super Bowl® game at church parties, but only under the following conditions:

(1) Churches may only show the game on equipment that they regularly use for worship, at permanent (not rented) church facilities. They may not bring in additional rented audio-visual equipment.

(2) Churches may not charge admission. They are, however, allowed to take donations to defray party expenses.

The NFL has the right to put restrictions on how churches and other establishments may show the game because the broadcast, like all televised programs, are protected by copyright. The U.S. Copyright Act specifically restricts public establishments from transmitting broadcasts on TV screens larger than 55” without paying license fees to the copyright owner.

Also, because the Super Bowl® name is a registered trademark of the NFL, the NFL strictly enforces commercial advertisers from using the name in any way without an official license. This is why there are so many advertisements using alternative names like “the Big Game” and other creative (or not-so-creative) phrases. However, the NFL has reportedly stated that it will allow churches to advertise its parties as “Super Bowl” parties, so long as they do not use the official Super Bowl logo, the NFL Shield, or the logos of any NFL team.

Note that the NFL’s granting of permission to churches to hold viewing parties and to use the “Super Bowl” name is a voluntary exception to copyright and trademark law. Because this NFL “agreement” is merely a voluntary decision not to enforce its rights and is and not binding, the NFL could change its mind on these exceptions at any time in the future

For more information on your church or nonprofit’s use of third party copyrighted materials and trademarks, contact [Ken Liu](mailto:kel@gg-law.com) at kel@gg-law.com.

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