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Legal Alerts

Five Super Bowl Marketing Tips to Keep Your Brand in the Game

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With Super Bowl LXI coming up on February 14, 2027 at SoFi Stadium in Inglewood, California, it is important for brands looking to capitalize on football-themed promotions to remember that the terms "Super Bowl" and "Super Sunday" are registered trademarks guarded by the National Football League (NFL) more closely than a shutdown corner on a wide receiver. Because this year's game falls on Valentine's Day, food, beverage, candy, gift, apparel and other consumer products companies planning combined holiday and football promotions should apply the same caution to those campaigns. "Big Game" and Valentine's Day copy may be fine, but "Super Bowl" should not appear in a consumer-facing promotion, product name or packaging unless the brand has the necessary rights.

Because there is a fine line between permissible fair uses of the phrases "Super Bowl" and "Super Sunday" (*e.g.*, in on-air banter and news and sports reports) and impermissible promotional uses that may infringe the NFL's trademarks, here are some reminders to keep you from going "offside":

1. **Avoid promotional association**. Do not mention the Super Bowl or use the Super Bowl logo in your advertisements, social media posts, labeling or packaging in such a way that the viewer, listener or consumer may infer a relationship between your food or beverage brand or products and the NFL that does not exist. Unless you secure a license from the NFL, you cannot use any advertisement of that nature. For example, you cannot say, "Your go-to beverage for the Super Bowl," or even "We have all your Super Bowl party needs."
2. **Steer clear of other prohibited terms, logos and images**. In addition to "Super Bowl" and "Super Sunday," do not mention or use the logo of the NFL, the American Football Conference (AFC), the National Football Conference (NFC) or any of the league's teams, including a mascot. Moreover, avoid using the names or pictures of specific players, as this may trigger enforcement action from both the NFL and the players themselves. The concern isn't limited to ads and social media posts; brands selling apparel, merchandise or print-on-demand products should be especially careful not to put NFL team names, logos, mascots, player names, player images or championship-related terms on the goods themselves.
3. **Educate advertisers and marketing partners**. Your advertisers or marketing vendors may want to organize tie-in promotional events with the Super Bowl, like "XYZ Super Sunday Sweepstakes." Inform your vendors that the NFL is likely to send both you and them a nastygram (at a minimum) if they associate your brand or products commercially with the big game.

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4. **Be careful with event branding**. Don't use the "Super Bowl" or "Super Sunday" name in sponsoring or promoting gameday-related events, such as "XYZ's Super Bowl Party."
5. **Apply the same caution to team references**. All NFL team names (*e.g.*, "Seahawks," "Broncos," *etc.*) and nicknames (and logos), like "Super Bowl," are registered trademarks, so the same considerations of avoiding promotional association apply. Even using team colors could draw the ire of the NFL.

Some creative ways that brands have tried to keep both feet in bounds in their promotions include using statements such as "The Big Game," "The Big One," "The Big Matchup" or "Football's Favorite Day"; referencing the date of the game (*e.g.*, "The Valentine's Day Football Finale"), the names of the cities/states of the teams competing in the Super Bowl (*e.g.*, "[City/State A]" or "[City/State B]"); or making fun of the fact that they are prohibited from mentioning "Super Bowl" (*e.g.*, by bleeping it out or by saying "the game that shall not be mentioned").

Remember, advertisers literally pay millions of dollars to be associated with the Super Bowl. Thirty-second spots for Super Bowl LXI reportedly sold for approximately $8 million to $9 million, with some reports putting the going rate between $8.5 million and $9 million, and Disney sold out its Super Bowl LXI advertising inventory in August 2026, earlier than any prior network sellout. That willingness to pay reflects the substantial commercial goodwill that the NFL has developed in the game. The NFL tenaciously protects its investment by policing unauthorized use of its trademarks, so take caution in how you reference the Super Bowl in your marketing campaigns to avoid getting blindsided.

For questions about Super Bowl marketing or how to protect your brand when developing advertising and promotional campaigns, please contact our Consumer Brands & Goods team.

The information above involves complex legal considerations and is provided for general informational purposes only. It does not constitute legal advice. For guidance on specific legal matters, you should consult with an attorney. Foster Garvey requires engagement letters to establish the attorney-client relationship for new (or returning) clients and requires written confirmation to expand the scope of representation for existing clients.

Authored by

Joshua A. Bloomgarden

Principal|New York

212.965.4529 josh.bloomgarden@foster.com

Hillary H. Hughes

Principal|New York

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212.965.4527 hillary.hughes@foster.com

Jake Riggs

Associate|Seattle

206.447.8982 jake.riggs@foster.com

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