

ARTICLE 1 - INDUSTRIAL AND INTELLECTUAL PROPERTY RIGHT DESK

1. Veronafiore has set up and coordinates a desk for the protection of industrial and intellectual property right and competition.
2. The industrial property rights protected are those as per Legislative Decree n. 30 dated 10 February 2005 (Industrial Property Code) as amended. Acts of unfair competition are those expressly indicated in Article 2598 and thereafter of the Civil Code such as, by way of example, slavish imitation of trademarks and products, denigrating behaviour, appropriation of benefits/advantages, misleading advertising and/or any other means not conforming with principles of professional correctness that may cause damage to the other company.
3. The desk and its related services are operational only during exhibition events.
4. The desk and its services operate on the basis of these regulations.

ARTICLE 2 - RECIPIENTS OF THE REGULATIONS

1. The regulations concerning the protection of industrial property rights are allocated to the exhibitors for the duration of the event in relation to the industrial and intellectual property rights (industrial designs, patents, trademarks or other industrial property rights) owned legitimately or held under exclusive license. They are, also, recipients of the regulation the non-exclusive licensees that expose if expressly authorized to submit the request referred to article 5.1 by the rightful owner even if, the latter, is not an exhibitor.
2. Exhibitors are bound to honour the regulations and adhere to the procedures which provide for the protection of industrial and intellectual property rights and competition.

ARTICLE 3 - PURPOSES OF THE DESK AND ITS SERVICES

1. The desk provides basic information concerning ways to safeguard inventions in relation to products, machinery, procedures, distinctive marks, etc. and the rights acknowledged to them by law, in particular through patents or registration.
2. The desk provides the necessary assistance for exhibitors in relation to possible infringements of their industrial and intellectual property rights and competition determined by the presence of products on show by other exhibitors at the exhibition.

ARTICLE 4 - CONDITIONS OF SERVICES

1. The desk avails itself of professional industrial and intellectual property right experts for the service it provides. For assessments of a technical-juridical nature concerning the effective existence of an infringement, the experts to whom such assessments are entrusted are selected from lawyers and consultants specialising in industrial and intellectual property rights and listed in specific professional registers.

ARTICLE 5 - FORWARDING A REQUEST FOR ACTION

1. The legitimate owner or the exclusive licensee or the non-exclusive licensee who are exhibitors (the latter - the non-exclusive licensee - expressly authorized to submit the request by the legitimate holder even if, these, not exhibitor) of the intellectual or industrial property right that believes that his intellectual / industrial property rights have been violated by a product displayed by another exhibitor must fill in the appropriate form and present his request for action to the desk so that the latter can: a) ascertain the existence of the products indicated as an infringement of rights, b) draw up a description of the elements that may constitute the claimed violation.

1.1 The desk, subject to the description and express request of the exhibitor (who is both legitimate owner or exclusive licensee and, in the case of non-exclusive licensee, subject to the express authorization of the legitimate holder even if not exhibitor) evaluates the existence or otherwise of the violation. To this end, the exhibitor must declare that to the best of his knowledge, the industrial property rights he believes have been infringed are still valid and applicable.

2. The experts on the desk examine the request and verify that the data provided in the form is complete in order to be able to identify precisely both the exhibitor where the description is to be carried out, as well as the specific elements and rights affirmed that may have been infringed.

3. In the event that the request is founded and supported by the necessary documentation, the experts on the desk will carry out a technical inspection of the stand where the products constituting presumed violation are displayed. The exhibitor will be notified as to the purpose of the technical inspection and the articles of this regulation which justify it.

4. The exhibitor or his substitute at the stand, is obliged to collaborate by providing the inspector with his identity document, allowing the inspection to take place as well as the examination of the product in alleged counterfeiting, the components and the internal structure and signing the report with a detailed description of the inspection. He may request to add his own remarks to the report.

5. The exhibitor will be issued a signed copy of the report and copies of any photographs that may have been taken.

6. A copy of the descriptive report will also be given to the exhibitor who made the initial request for action. The latter, after having examined the report, has the faculty to request an urgent assessment of the existence of the violation. To this end, the petitioner may integrate the application already presented with circumstantiated elements relating to the claimed infringement of his rights and enclose supporting documentation.

ARTICLE 6 - ASSESSMENT OF THE VIOLATION

1. The desk will promptly entrust one or more experts in industrial and intellectual property right chosen in the manner provided for in Article 4 to perform the assessment requested.

2. The expert or experts call a meeting with the exhibitor who submitted the request for ascertainment of the violation and the exhibitor displaying the products which presumably violate the industrial and intellectual property rights of the former before issuing the decision concerning the existence or non-existence of the infringement.

3. Copies of the duly motivated and signed decision excluding or ascertaining the existence of the violation are given to both parties. In the event that a violation has been ascertained, consignment of the decision obliges the exhibitor displaying the goods constituting the violation to remove them from the stand and hand them over to the desk or to VeronaFiere personnel as indicated.

If it is not materially possible to hand over the incriminated products, desk personnel will obscure them in a suitable way.

4. At the end of the event, the products will be returned to their owner.

5. If the exhibitor of the products constituting an infringement of property rights ascertained by the decision as per item 4, refuses to remove and/or consign and/or obscure them, the Exhibition Organiser shall arrange for its personnel to obscure and/or take into consignment these products, even by force, debiting the relative storage expenses to the perpetrator of the violation indicated.

ARTICLE 7 - INCOMPATIBILITY

1. When providing assistance for the protection of industrial and intellectual property rights, experts on the desk and experts appointed to assess a presumed infringement must declare that they are not subject to conflict of interest or incompatibility with regards to the products or the persons involved which may prevent them from acting on the request.

ARTICLE 8 - OBLIGATION OF PROFESSIONAL SECRECY

1. The experts on the desk and experts appointed to assess a presumed violation must ensure professional secrecy in relation to the activities and procedures in which they are involved. This obligation of secrecy is also extended to the persons and exhibitors involved in the aforementioned activities or procedures.

ARTICLE 9 - RESPONSIBILITIES OF VERONAFIERE

1. Veronafiore, the experts on the desk, the professionals appointed to describe and assess a presumed infringement and personnel involved for any reason whatsoever in the activities and procedures contemplated in these regulations are not responsible for negative or damaging consequences to exhibitors who make use of the service based on the above regulations, the sole purpose of which is to facilitate prompt respect for industrial and intellectual property rights within the exhibition.

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