



## **IAAPA Supports Members and Industry Associations in Issues Regarding Patent, Trademark, Copyright and other Intellectual Property Rights Infringements.**

IAAPA wishes to inform members and exhibitors that any company displaying any materials, photographs or products which are not their legal property, or which they have not obtained appropriate permission to display, at IAAPA tradeshows may be subject to legal action by the rightful owners of these materials, photographs, or products.

IAAPA has taken the following steps to demonstrate IAAPA's support for the protection of intellectual property rights on behalf of our members and exhibitors.

1) IAAPA requires its members to observe a code of conduct outlining responsibilities, which includes the following.

*“To foster and maintain a spirit of cooperation and fair dealing for buyers and sellers, maintaining the principles of confidentiality, intellectual property protection, and agreed contractual terms.”*

Members who do not follow this code of conduct\* are disqualified for membership.

2) IAAPA included the following paragraph in all Exhibit Space Contracts for the trade shows produced by IAAPA worldwide. These shows include the IAAPA Attractions Expo, the Asian Attractions Expo and the Euro Attractions Show.

*“Exhibitor warrants and represents that the Exhibit and all related materials, including but not limited to photographs, written materials, and display models (collectively, the "Exhibit"), does not violate any proprietary or personal rights of others (including, without limitation, any copyrights, patents or privacy rights); that the Exhibit constitutes the Exhibitor's own original work or property, or that the Exhibitor has permission from the rightful owner to use such work or property....”*

3) IAAPA provides the following guidelines for all Exhibitors, exhibiting at trade shows produced by IAAPA worldwide.

IAAPA cannot and will not take direct legal action against companies that violate the intellectual property rights of others. However, IAAPA can enforce legal decisions rendered in a court of law, where IAAPA is legally able to do so. After such legal decisions, companies found to be violating the intellectual property rights of others by a court of law will not be allowed to exhibit the product that violates intellectual property rights in future IAAPA trade shows.

Following are some procedures that companies should consider in order to better protect their intellectual property rights.

A) Obtain legal protection for products through copyrights, trademarks and patents in all countries where their products are sold, so that violators may be fully prosecuted when such issues arise. It is also recommended that exhibitors have copies of all legal documents indicating ownership of items within their exhibit space at trade shows, in order to facilitate enforcement of ownership rights.

To the extent available, legal protection in the form of copyrights, trademarks and patents should be obtained in all countries where you wish to protect your Intellectual Property Rights.

B) Take legal action against violators. If successful in such action, be sure to have a clause included in the applicable court ruling which prohibits the offending company from exhibiting your intellectual property at trade shows, and specifically at IAAPA trade shows.

C) Provide copies of court documents following court's decision to IAAPA for review. IAAPA will uphold court decisions to the extent permitted by law.

D) Report offenders to legal authorities for action. Again you should have all legal documentation available for review.

E) If your company is exhibiting at a trade show, you should identify a legal firm in advance in that city, so that you may contact them and take action immediately, if necessary.

The information contained in this document has been compiled by IAAPA as a service to its members and exhibitors and is not intended to constitute legal advice or the rendering of legal services of any kind. Users of this document should not in any manner rely upon or construe the information or resource materials in this document as legal or other professional advice and should not act or fail to act based upon the information in this document without seeking the

services of a competent legal professional. If you have questions regarding these issues, you should contact a legal firm that is familiar with patent, trademark and copyright law for professional advice. On request IAAPA will provide you with a list of legal firms offering advice in the city, where the trade show takes place. IAAPA will provide this list solely as a service to its members and exhibitors; such list is not intended to convey IAAPA's approval, endorsement, certification, acceptance, or referral of any particular firm, or its services. IAAPA also shall not be responsible for the obligations of the legal firms listed to the members and exhibitors utilizing the firms' services.

4) On request IAAPA can offer exhibitors, whom exhibit at trade shows produced by IAAPA worldwide, a Certificate of Exhibition, documenting that a certain product has been displayed at a given show. This Certificate shall not in any way convey IAAPA's certification or warranty of the exhibitor's rightful ownership in the materials, and the exhibitor is subject to the terms set forth on the Certificate.

\*Pursuant to section 3.03 of the association bylaws, it is the policy of the association that any member who fails to comply with the code of conduct may, by a two-thirds vote of the board of directors, be sanctioned or removed from membership. A member from whom membership is proposed to be withdrawn, or is proposed to be sanctioned, is provided: (a) written notice of the proposed action and the reasons for it, (b) an opportunity to respond in a period of at least thirty (30) days from receipt of notice, and (c) final written notice of the Board of Directors' vote on withdrawal or sanction within ten (10) days of such decision.

The nominating committee, which serves as the association's governance committee, will review all cases of non-compliance reported and make the recommendation to the board for action. Reports of non-compliance must be submitted in writing. The report may come from a member or non-member company or individual. The report must be reasonable and objective and must be substantiated. If the nominating committee determines that the report does not contain sufficient information to determine whether the report has merit, then the committee may request that the reporting company or individual provide additional information, supplement the report with publicly available information, or dismiss the report upon written notice to the reporting company or individual.

The committee will not consider any report that is deemed to be an attempt by a company or individual to gain competitive advantage. Additionally, the association does not permit retaliation of any kind against individuals for good faith reports of potential violations of the Code. Any member who retaliates against another member for reporting known or suspected violations of the Code will be in violation of the Code.