

Messeforum Baden-Württemberg
on 16 June 2008 in Friedrichshafen

**Joint declaration by trade fair companies
at the Messeforum Baden-Württemberg on 16 June 2008
to fight product piracy at trade fairs**

Trade fairs are successful as a marketing instrument also, and especially, because they show an industry's most recent products. At trade fairs, exhibitors want to make their new products known. Visitors want to see the most recent developments and learn about new trends. Because trade fairs always offer innovations in the particular fields, forgers have discovered trade fairs as the medium they need, and this in two respects: product pirates take advantage of trade fairs to find originals to copy, but at the same time make an appearance as exhibitors of their own imitations.

The trade fair companies of Freiburg, Friedrichshafen, Karlsruhe, Mannheim, Offenburg, Sinsheim, Stuttgart, Ulm, Villingen-Schwenningen, Hinte and Schall, which have teamed up in the Messeforum Baden-Württemberg, met on 16 June 2008 in Friedrichshafen under the chairmanship of Baden-Württemberg's Economics Minister Ernst Pfister, and agreed to join forces in tackling the problem of product piracy at trade fairs. The trade fair companies offer support to their exhibitors specifically in their fight against product piracy.

The following package of measures was jointly resolved and comprises the following points:

- Affected exhibitors are given comprehensive information concerning their legal options when their industrial property rights are infringed
- Affected exhibitors are put in touch with lawyers
- Possible exclusion of exhibitors on account of infringements of industrial property rights pursuant to the terms and conditions of participation at trade fairs
- Application to the federal Ministry of Justice for the temporary protection of unregistered samples and trademarks shown at any of the trade fairs in question.

Details:

If an illicit copy of a product is discovered at a trade fair, the trade fair companies of Baden-Württemberg will support the affected holder of an industrial property right. The trade fair companies have prepared material to inform small and foreign exhibitors who are not familiar with the legal situation, telling them what options they have for taking action and which are the most important state authorities for them to get in touch with. Trade fair managements will also draw exhibitors' attention to infringements of industrial property rights so that illicit copies will be removed from the fair stand. The trade fair companies will also be of assistance in finding a suitable attorney to permit the holder of an industrial property right to assert its rights by way of summary proceedings.

If the court establishes that an infringement of an industrial property right has taken place, it may exclude the exhibitor from future trade fairs as well as from the current fair - if necessary by issuing an injunction. The trade fair companies thus make it clear that they do not consider the exhibition of pirated copies a trifling misdemeanour, and that delinquents risk being prohibited from having access to trade fairs in future.

Moreover, Baden-Württemberg's trade fair companies support their exhibitors in protecting their intellectual property before this is formally registered as a sample or trademark. For this purpose, pursuant to the *Gebrauchsmustergesetz*, the *Geschmacksmustergesetz* and the *Markengesetz* (three German laws regulating the protection of industrial property), trade fair companies apply to the federal Ministry of Justice for the temporary protection of samples and trademarks at all events exhibiting innovations which are not yet registered as samples or trademarks. By issuing a certificate of priority upon application by the exhibitor, at the latest during the exhibition, trade fair companies give exhibitors the proof they need in a later patent application that they had already presented the products at this event.

By cooperating in the fight against product piracy, Baden-Württemberg's trade fair companies make a major contribution to protecting intellectual property, and make it clear that as a trade-fair location Baden-Württemberg acts fully in keeping with its motto as the place "where ideas work"!

Friedrichshafen, 16 June 2008

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Dr. Bernd Dallmann

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Klaus W. Seilnacht

Managing Directors of Freiburg Wirtschaft Touristik und Messe GmbH & Co. KG

(Signature)
Klaus Wellmann
Managing Director of Messe Friedrichshafen GmbH

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Christoph Hinte
Managing Director of HINTE Messe- und Ausstellungs-GmbH

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(Signature)
Werner Bock
Managing Director of Messe Offenburg-Ortenau GmbH

(Signature)
Andreas Wittur
Holder of a general power of attorney (*Prokurist*) for Messe Sinsheim GmbH
and P.E. Schall GmbH & Co. KG

(Signature)
Ulrich Kromer von Baerle
Managing Director of Landesmesse Stuttgart GmbH

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