

Specific Terms and Conditions Event Participation METSTRADE 2020

These Specific Terms and Conditions for Event Participation (the **Specific Event Terms**) apply to participation in **METSTRADE 2020** (the **Event**). In addition to these Specific Event Terms, the General Terms and Conditions of Event Participation (the **General Event Terms**) also apply. Terms in these Specific Event Terms with a capital letter have the same definition given to them in the General Event Terms.

Organisation

The Event is organised by RAI Amsterdam B.V. under the auspices of ICOMIA, the International Council of Marine Industry Associations.

Contact details:

RAI Amsterdam B.V.
Project Team METSTRADE 2020
P.O. Box 77777
1070 MS Amsterdam
The Netherlands
T: +31 (0)20 549 12 12
E: metstrade@rai.nl; W: METSTRADE.com

Venue and dates

The Event will be held in the Europa Complex, Holland Complex and Elicium of the RAI Amsterdam Convention Centre from Tuesday 17 November 2020 to Thursday 19 November 2020.

Opening hours

The Event will be open to visitors on Tuesday 17 November from 10 a.m. to 6 p.m., Wednesday 18 November from 10 a.m. to 6 p.m. and Thursday 19 November from 10 a.m. to 5 p.m. For Participants, the Convention Centre will be accessible on Event days from two hours before the opening until two hours after the closing of the Event.

Construction and dismantling

Shell scheme ('ready-to-use') stands can be decorated between 8.00 a.m. to 8.00 p.m. on Sunday 15 November 2020 and between 8.00 a.m. to 5.00 p.m. on Monday 16 November 2020. Goods should be removed and stands dismantled and removed between Thursday 19 November 2020 from 6.30 p.m. until Friday 20 November 2020, 12 noon.

Exhibition Committee

The Exhibition Committee consists of representatives of the above mentioned authorities and invited members. An Entry Committee has been appointed by the Exhibition Committee for assistance. The Exhibition Committee retains the right to review the acceptance of products at all times. The Exhibition Committee retains the right to refuse products which are not consistent with the Event programme as described below. In case of doubt, it is advisable to seek advice from the organisation before registration.

Entry Committee

An Entry Committee has been appointed by the Exhibition Committee for assistance.

The function and authority of the Entry Committee includes:

- Evaluating the exhibits as described under 'Event programme' following the ICOMIA product listing;
- Evaluating compliance with the rules as given under 'Participants';
- Maintenance and interpretation of the remaining provisions of both the Specific Terms and the General Terms;
- Monitoring compliance with the regulations relating to lay-out, decorations, safety, advertising, unfair competitions, noise nuisance, etc.

Event programme

The Event programme comprises:

- Equipment, materials and systems for the small boat and leisure craft trade and industry;
- Equipment, materials and systems for the design, construction and operation of leisure craft marinas.

The complete and official product description of products which are permitted to exhibit at METSTRADE is communicated to prospects and exhibitors on request by the organisation via metstrade@rai.nl. The complete and official product description/Event programme is also available online via METSTRADE.com.

It is the exhibitor's responsibility to ensure that the products which are displayed comply with all national and regional standards applicable to the country of exhibit (Dutch and EU regulations).

- Exhibitors of propulsion engines represent and warrant that all marketed and physically displayed engine products comply with the EU essential requirements for exhaust emissions as expressed in Annex 1.B of EU Directive 2013/53/EU on recreational craft and personal watercraft.
- Exhibitors of outboard engines and sterndrives with integral exhausts also represent and warrant that they comply with the essential requirements for sound emissions as expressed in Annex 1.C of EU Directive 2013/53/EU on recreational craft and personal watercraft.

In order to verify that these conditions have been complied with, applicants for exhibition space agree to submit on request a copy of the EU Declaration of Conformity for the marine engine products that will be marketed and displayed at the show.

Exhibitors agree to cooperate fully with and respond to any questions from any authorities or others as appointed by the organisation. Exhibitors agree that it is their sole responsibility to comply with emissions or safety regulations; and that none of the show parties nor the show may be held responsible for any penalties, burdens or costs that are associated with or result from the enforcement of environmental or safety laws by the appropriate officials.

Please note that:

- 1) **Boats** are **not** accepted, the only exception being small inflatable boats/tenders with a max. of 3.20 meters length.
- 2) The boats in question may not rise above the stand. Inflatable (auxiliary) boats of any size with integral inboard engines are also expressly forbidden
- 3) Services e.g. financial or advisory; as opposed to goods, are not accepted.
- 4) Boat trailers of a length exceeding 4 metres are expressly forbidden. It is not permitted to exhibit products in and/or on the trailer. It is permitted to stack several trailers on top of each other, always provided that they remain within the dimensions of the stand;
- 5) Marine accessories are accepted only if they are strictly marine related;
- 6) Semi manufactured products are accepted only if they are strictly marine related;
- 7) Cutlery is accepted only if they are strictly marine related;
- 8) Water sports accessories such as tubes, wakeboards and canoes are excluded from the METSTRADE Event programme.

Products that are excluded from the METSTRADE Event programme, but are despite of this rule displayed on site, will be removed from the stand on the risk and costs of the exhibitor.

Participants

The products described under Event programme may only be exhibited by companies who are either original equipment manufacturers and/or authorised distributors of these materials and equipment. (Authorised) distributors are accepted only under the condition that they can show a confirmation from their manufacturer and stating that the manufacturer will not be present at METSTRADE and that this particular distributor is authorised by the manufacturer to exhibit at METSTRADE. If this is questionable, the organisers reserve the right to ask for written verification. Authorisation is at the full discretion of the organisers, who may refuse exhibitors without incurring any liability.

Demonstrations

Special activities at stands, such as product presentations, performances and shows, may only take place if written permission is granted by RAI. Please note that permission must be requested in writing at the latest 30 days before the beginning of the construction period. This permission is subject to various conditions, including that the activity must be situated in such a way that interested visitors do not block the corridor.

Participation package

A registration fee of € 495 is charged per application. The registration fee is non-refundable.

This registration fee includes:

- Name on participants list in the exhibition catalogue
- Name on participants list at the website METSTRADE.com
- Company name ('Company Profile') for company presentation at METSTRADE.com
- Access to the Exhibitor Portal and Web Shop and ability to use several offers from preferred suppliers
- Exhibitor badges (based on the size of stand)
- One license for Visit Connect, the lead generation tool of RAI Amsterdam.

For each additional company that exhibits within the space rented by a main Participant, a non-refundable registration fee of € 495 will be charged to the main Participant per additional company – with a maximum of two companies per 12 m². This additional 'co exhibitor' will receive the same package as the main Participant (see mentioned above) plus the mentioning of the company name and country on the fascia board of the stand, depending on the available space on the fascia board. Please fill in an additional registration form per co-exhibitor.

Costs of Stand Space

The tariffs for stand rental per m², as referred to in article 7 in the Standard Terms are:

Stand package	Application before 1 March 2020	Application from 1 March 2020
Standard* package	€ 390.00/m ²	€ 414.00/m ²
Deluxe** package	€ 435.00/m ²	€ 459.00/m ²
Royal*** package	€ 463.00/m ²	€ 487.00/m ²

The above mentioned prices are excluding registration fee and VAT. The minimum stand space available is 12 m² (4 m width x 3 m deep). Rental of stand space is possible per standard measurement of 4 m x 3 m or in multiples of these modules. Different stand dimensions can only be arranged in consultation with the organisers. Account is taken, wherever possible, of the exhibitors' wishes for the number of m² and preferences for stand dimensions and location. However, the organisers cannot guarantee in advance that the exhibitors' wishes will be accommodated.

Shell scheme stand construction packages/ regulations

Exhibitors are not allowed to handle stand construction themselves. Nor are they allowed to attach any eye-catching objects outside or above the standard stand or to attach any other high or projecting objects in, on or around the stand. It may be possible to obtain an exception to this rule, depending on the exhibition material, after consultation with the organisers and with their written permission. The stand must however remain in its original state. With regards to the application of stand decorations it is mandatory to use the double sided tape provided by the organisers. Please note that the coloured piping of the aisle carpet is **not** part of your stand. All exhibits are displayed at the discretion of the Entry Committee, which retains the right to refuse and remove products.

Shell scheme stand construction packages/ types

Three different shell scheme stand packages are available. Full details and artist impressions are available via METSTRADE.com and can be obtained from the organisers. The following fittings and facilities are included in the uniform stand construction packages (based on the minimum stand size of 12 m²):

STAND PACKAGE	Standard*		Deluxe**		Royal***	
	< 36 m2	≥ 36 m2	< 36 m2	≥ 36 m2	< 36 m2	≥ 36 m2
Standard partition walls (250 cm high)	white		grey		beech + colour of your choice ¹	
Fascia board with stand number, company name, country	white		white		white	
Lockable storage (100 x100 cm)	yes		yes		yes	
Carpet tiles, available in various colours (standard colour = anthracite)	yes		yes		yes	
Company logo (full colour) on carpet tile	-		1		-	
Track lights 15W LED (1 track of 60 cm has 2 lights)	4 (2 tracks)	8 (4 tracks)	4 (2 tracks)	8 (4 tracks)	4 (2 tracks)	8 (4 tracks)
Table	1	2	1	2	1	2
Chairs	3	6	3	6	3	6
Reception counter	1	2	1	2	1 ²	2
Brochure rack	-	-	1	2	1	2
Double wall socket (220 V, 2 kW daytime power) incl. power consumption	1		1		1	
Daily basic cleaning of the stand	yes		yes		yes	
Invitation cards (print, to be ordered in the Web Shop)	200		200		300	
Starter license Visit Connect (lead generation tool)	1		1		1	
Free Wi-Fi (for email purposes only)	yes		yes		yes	
Daily lunch package including orange juice, delivered to your stand ³	-		yes		yes	
Twice daily coffee and tea, delivered to your stand	-		-		yes	
Mineral water (12 bottles), delivered on the first day of the show	-		yes		-	
Refrigerator, replenished daily	-		-		yes	

¹ Within the Royal Stand Package you can choose anthracite, silver, red or blue walls complimentary to the beech walls.

² Within the Royal Stand Package you will have 1 reception counter in the chosen colour of your wall with company logo. If you have more than 36 m2 the second counter is without the logo.

³ The catering of the stand packages has been determined on a fixed amount of food and/or beverages per day, based on your stand size:

0 - 17 m ² :	4 persons
18 - 35 m ² :	8 persons
36 m ² and more:	12 persons

Please note an artist impression of the different stand packages is available via METSTRADE.com. All packages are subject to change.

Space allocation

Space is allocated at the organisers' discretion, based on the availability of space and taking the wishes of each exhibitor as much into account as possible. If a waiting list needs to be established as a result of lack of space, this will be handled by date of receipt of the registration form. No rights can be claimed from allocations of prior METSTRADE exhibits. Account is taken, wherever possible, of your wishes for the number of m² and preferences for stand dimensions and location. However, the organisers cannot guarantee in advance that your wishes will be met.

Invitation cards

Exhibitors can order printed and digital invitation cards for distribution to their clients. Printed invitation cards can be ordered in batches of 50 at a cost of € 27.50. The first 200 (Standard and Deluxe package) or 300 (Royal stand package) ordered printed invitation cards are free of charge and can be ordered via the Web Shop. Purchased invitation cards cannot be refunded by RAI Amsterdam. Digital invitation cards can be ordered free of charge.

Terms of Payment

In accordance with the provisions of article 7 of the Standard Terms, the uniform stand construction package costs should be paid in two instalments, namely:

- 1st advance invoice of 25% of the total number of square metres reserved, plus the registration fee: within 21 days of the date of the first advance invoice (advance invoices are sent from 365 days before the exhibition).
- 2nd advance invoice of 100% (minus the 25% of the first advance invoice): within 21 days of the date of the second advance invoice (these are sent from 90 days before the exhibition).

No advance invoices are sent from 90 days before the exhibition. In the event of application less than 90 days before the first build-up day of the exhibition the amount owed should be paid **in full** together with the application, but at least four days before the first build-up day.

Media Solutions

To set your company in the spotlight before, during and after the Event, RAI offers participants several Media Solutions such as online advertising, advertisements in the show catalogue, advertising in- and around the Convention Centre, video & narrowcasting.

VAT Regulations

Due to VAT rules regarding the place of supply of services, whereby RAI does not have to invoice Dutch VAT on stand rental and stand construction, Participants must enter their full VAT number on the Registration Form or enclose a statement from the tax authorities that qualifies them as a taxable person. If this information is not provided, we are obliged to charge Dutch VAT on all our invoices. This rule only applies to non-Dutch Participants.

Disputes

Any complaints should be made within 30 days of the last day of the exhibition. Complaints brought to our attention beyond this deadline will not be addressed.

Protecting your Intellectual Property

Exhibitions have proven to be an excellent platform to showcase new innovations for technology and products to the market for the first time. Research has shown that learning about new innovations is one of the most important reasons for visitors to attend an exhibition. But when your company is investing time, money and resources in research and development you want to make sure you can protect your innovations and receive the full benefits of the investments made. RAI Amsterdam understands how important this is for you and is pleased to provide some practical tips on how to protect your Intellectual Property (IP) rights in The Netherlands and avoid IP conflicts.

What is IP?

Intellectual property refers to “creations of the mind: inventions; literary and artistic works; and symbols, names and images used in commerce.” In this context, we refer to, for example, patents, trademarks or industrial designs:

- **A patent** is an exclusive right granted for an invention, for example a product or process that provides a new (technical) solution to a problem. Registering a patent would provide the owner of the patent with protection for their inventions.
- **A trademark** is a distinctive sign that identifies certain goods or services provided or produced by a company or individual. By registering a trademark, it ensures that the owners of the trademark have the exclusive right to use them on their goods, products and services.
- **An industrial design** refers to the ornamental or aesthetic aspects of a product or design. It can refer to three-dimensional features, like shape or surface, or to two dimensional features, like patterns, lines or colors.

Registering your IP

How, when and where to register your innovations (products and brands) differs per country and region. As an international business, it may very well be prudent to register your IP in all of the countries in which you do business. For more information we refer to the World Intellectual Property Organization, a United Nations funded organization which deals with IP regulations worldwide: www.wipo.int

What can you do

Protecting IP is the responsibility of the exhibitors themselves. As an exhibition organiser, RAI Amsterdam does not have specific knowledge of product development in your industry. Furthermore, METSTRADE 2020 is an independent platform for the industry, and can only advise and assist you in case of (suspected) infringement. You are best protected by registering patents and by identifying and warning (possible) infringers with a cease and desist letter before the exhibition starts. Of course we understand that conflicts may arise during the exhibition, and for that purpose RAI Amsterdam has set up an IP Legal Desk to provide you with preliminary advice in urgent matters. More information on how the IP Legal Desk can help you before and during the show is described hereafter.

Global trade show – European patents!

Even though METSTRADE 2020 is an international trade show serving a global marketplace, Dutch (or European Union) regulations and laws apply to the show.

Only exhibit products of which you hold the IP rights!

If you have a product that possibly infringes anyone's IP rights, don't exhibit this product, especially if you have received a warning from the IP right holder. RAI Amsterdam will always follow and comply with a court decision. So avoid disappointment and problems during the show.

Before the Exhibition - Three steps to avoid IP issues

As an exhibitor, you don't want the hassle of dealing with IP rights issues during the trade show. You want to spend your time meeting clients and prospects, and doing business. It is best to avoid any IP conflict at the show altogether. There are several ways you can prevent an IP conflict, by taking some time in advance of the show to identify possible infringers and taking action to avoid them exhibiting the (possibly) infringing product(s).

1. **Review the exhibitor list:** The exhibitor list at <http://www.metstrade.com> is regularly updated. Most companies even list (some of) the products they will be exhibiting on their own webpage which is linked to the exhibitor list. Review this list in advance to see if there are any companies of which you suspect that they might infringe on your IP.
2. **Warn suspected infringers:** If you see a company on the exhibitor list that might infringe your IP, send them a cease and desist letter warning them not to exhibit these products at METSTRADE 2020, or face immediate legal action from you. A template letter is available in the Exhibitor Portal. Please keep in mind that RAI Amsterdam is not an IP mediator and that you will have to make your own consideration as to when to send a letter and its contents. In view hereof, you will also find a list of attorneys in the Netherlands below which we recommend you contact in order to assist you on a more tailor made letter, or can help you prepare legal action in case the products are exhibited after all.
3. **Request a border seizure:** If you suspect that products infringing your IP will be brought into the Netherlands, you are entitled to request that the Dutch Customs confiscate these goods. If the Customs agree with your request, they will stop these goods at the border and ask you to look at the products to see if they really infringe your intellectual property. The contact details of the Dutch Customs Agency can be found below.

Be prepared: Bring your patents, registrations and trademarks to the show.

The IP Legal Desk or a law firm you may contact can only assist you if you can show your patents, registrations, trademarks etc. It is therefore important to bring these documents with you to the show.

The IP Legal Desk at METSTRADE 2020

Our in-house counsel will be available to advise you on what steps you can take to protect your products, brands and trademarks. If need be she can refer you to a specialized attorney who can also advise you what to do if you decide to go to court in the Netherlands if IP infringement is suspected or detected at the show. The IP Legal Desk can be contacted on the last build up day (November 16th) and the first day of the show (November 17th) by going to the Organiser's Office.

During the event - What to do if your IP is infringed

If you see or suspect infringement of your IP rights during the trade show you can deliver a cease and desist letter to an infringing exhibitor and go to a Dutch court for a "preliminary proceeding", a provisionally ruling to stop the display of the products and materials.

IP Legal Desk

Contact the IP Legal Desk (available on call) and present your case in the Organiser's Office (Monday 16 November & Tuesday 17 November) who will carry out a *prima facie* review of your case and relevant legal documents such as registrations for patents and trademarks to determine if action is possible.

RAI Amsterdam does not have the means to enforce the removal of any products without a court ruling. We can only request the product to be removed, and ban an exhibitor if a court ruling has been granted.

Cease and desist letter and preliminary proceedings

1. **Deliver a cease and desist letter:** Deliver a cease and desist letter to an infringing exhibitor, demanding that they stop exhibiting the infringing products or face immediate legal action. A template letter is available in the Exhibitor Portal or the IP Legal Desk in the Organiser's Office can assist and advice you.
2. **Go to court for a Preliminary Proceeding:** If the exhibitor refuses, you can go to a Dutch court in a Preliminary Proceeding. Basically, you would be asking the court to make an urgent provisionally ruling that demands that the products can no longer be exhibited. If the court rules in your favor, a bailiff can immediately confiscate the products and related promotional materials at the exhibition. RAI Amsterdam will always cooperate with bailiffs and comply with court rulings. A list of recommended attorneys based in the Netherlands can be found below. The IP Legal Desk available on call via the Organiser's Office the last build up day (November 16th) and the first day of the show (November 17th) can also assist and advice you.

Useful contact information**Patent institutions, customs and recommended attorneys****Patent Institutions**

European Patent Office
www.epo.org

World Intellectual Property Organization
www.wipo.int

European Union IPR Helpdesk
www.iprhelpdesk.eu

Dutch Customs

Dutch Customs
Team Intellectual Property Rights (IER)
PO BOX 3070 | 6401 DN Heerlen | +31 88 151 21 23 | dutchcustoms-ipr@belastingdienst.nl

Recommended attorneys in the Netherlands

Brinkhof Advocaten
De Lairessestraat 111-115 | 1075 HH Amsterdam | +31 20 30 53 200 | www.brinkhof.com

Bingh Advocaten
Stadhouderskade 14A | 1054 ES Amsterdam | +31 (0)20 753 2900 | www.bingh.com

Disclaimer

This Intellectual Property Policy is part of the Specific Event Terms for METSTRADE 2020 as well as the Standard Event Terms of RAI Amsterdam. RAI Amsterdam cannot be held liable for any damages as a result of its assistance in protecting IP Rights, or the outcome of a court decision and/or settlement between parties involved in an IP conflict.

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