



## Intellectual Property Policy Statement

*[This Statement is adapted from the Intellectual Property Policy Statement of the National Association of Music Merchants (NAMM), with that Organization's kind permission.]*

As the leading non-profit association serving the professional audiovisual communications industry worldwide, AVIXA supports the protection of its members' intellectual property rights. These rights are an important foundation of our industry, providing creators and innovators with necessary benefits of their creativity. These rights come in various legal forms, such as copyrights, trademarks, patents, trade secrets and other inherent authorship rights recognized in many countries. AVIXA urges its members to develop protection and enforcement programs for their creative endeavors in consultation with an attorney experienced in the field of intellectual property rights.

### AVIXA's Position

AVIXA condemns counterfeiting and infringement. AVIXA is committed to the principle that intellectual property (IP) rights are to be respected, and that the use of intellectual property rights without the consent of the owner or otherwise pursuant to law violates rights of authors, inventors and corporations. Copyrights, trademarks, patents, and other forms of intellectual property are protected by state and federal laws in the United States and by the laws of other countries. At AVIXA, we believe that inventors, manufacturers, publishers, and other creators and owners of intellectual property are entitled to protect their rights in accordance with the law.

### Allowed Member Assistance

AVIXA can assist members in protecting their intellectual property through:

- (1) Educating members to recognize, protect and enforce their intellectual property rights;
- (2) Working with the U.S. and other governments to support international respect for and enforcement of intellectual property rights;
- (3) Cooperating with courts and governmental agencies with regard to enforcement of intellectual property rights; and
- (4) Providing our members with resources that may assist in protecting IP rights.

### Resources

There are numerous information resources available via the Internet on the subject of intellectual property rights. Among these resources are:

- U.S. Patent and Trademark Office, [www.uspto.gov](http://www.uspto.gov)
- U.S. Copyright Office, [www.copyright.gov](http://www.copyright.gov) and [www.stopfakes.gov](http://www.stopfakes.gov)

This AVIXA Policy Statement is effective February 13, 2009. It is subject to change, interpretation, and withdrawal with or without notice. This Statement does not create any new obligations or burdens upon AVIXA, and is provided only as an informational statement to AVIXA members and interested third parties.

- World Intellectual Property Organization, [www.wipo.int](http://www.wipo.int)
- European Patent Office, [www.european-patent-office.org](http://www.european-patent-office.org)
- European Community Trademarks Office, [www.oami.europa.eu](http://www.oami.europa.eu)
- Japan Patent Office, [www.jpo.go.jp](http://www.jpo.go.jp)
- Korea Intellectual Property Office, [www.kipo.go.kr](http://www.kipo.go.kr)
- China (PRC) Intellectual Property Office, [www.sipo.gov.cn](http://www.sipo.gov.cn)
- United Kingdom Patent Office, [www.patent.gov.uk](http://www.patent.gov.uk)
- Germany Patent and Trademark Office, [www.dpma.de](http://www.dpma.de)
- France Intellectual Property Office, [www.inpi.fr](http://www.inpi.fr)
- Canada Intellectual Property Office, [http://strategis.gc.ca/sc\\_mrksv/cipo](http://strategis.gc.ca/sc_mrksv/cipo)

### AVIXA Limitations

There are limitations as to what AVIXA can do on its own at the request of a member. Such limitations are necessary for several reasons. For instance, interference on AVIXA's part might be deemed a restraint of trade under antitrust laws. It is a longstanding policy of AVIXA and most trade associations not to get involved in legal disputes over intellectual property or other legal disputes between members. AVIXA has neither the expertise nor the authority to decide infringement claims, we urge members to consult with legal counsel qualified to advise on these subjects. Examples of limitations:

- (1) AVIXA cannot bar allegedly infringing products from being exhibited at its trade shows without a court order.
- (2) AVIXA does not provide intellectual property protection or planning services, nor do we mediate disputes among our members as a neutral trade group.
- (3) AVIXA will not be able to initiate legal actions on behalf of our members (or other industry participants) or to enforce their rights against infringers.
- (4) We will not be able to judge claims of ownership or infringement that arise at the trade show.

### Protecting Your Intellectual Property Rights

It is the responsibility of the creators or owners of intellectual property rights to take the necessary actions to ensure protection of their rights consistent with their business goals. Examples of necessary actions:

- (1) Develop a protection program. Consult with an intellectual property attorney about taking the necessary steps to protect the organization's intellectual property.
- (2) In the event of an actual or threatened infringement, utilize an intellectual property attorney to send cease and desist letters and, if necessary and worthwhile, to file legal actions against the alleged infringer requesting damages for the infringement and an injunction preventing the infringer from continuing to do so.
- (3) If a valid, court-issued injunction or restraining order is presented, AVIXA's Show Management will comply with the order of the court, which may require an infringer to refrain from displaying its products at AVIXA's exhibitions.