

Guangdong International Science and Technology Exhibition Co., Ltd.
Protection of Exhibition Patent of Guangdong Province 2024

Chapter I General Provisions

Article 1 For purposes of maintaining the normal trade order of Music Guangzhou 2024, which organised by Guangdong International Science and Technology Exhibition Co., Ltd. (the “Organiser”), strengthening the patent protection awareness of the participating enterprises and protecting the legitimate rights and interests of the patentees and exhibitors, this regulation (the "Regulation") is formulated in accordance with the related law and measures of the People's Republic of China.

Article 2 This measure only applicable to accept the complaints regarding the suspected infringements happened within the area of fairground (the "Suspected Infringements") at Music Guangzhou which organised by the Organiser.

Chapter II Complaint Review Panel

Article 3 In order to protect the Intellectual Property Rights (the “IPR”) and to promote the robust business development of the exhibition The Exhibition Organiser will establish an "Intellectual Property Right Office" (the "Complaint Review Panel, CRP") at the fairground to offer consultation of IPR and accept the complaints regarding the Suspected Infringements happened within the area of fairground.

Article 4 The Organiser will invite the officers from Guangdong Intellectual Property Office to attend the exhibition (the “Exhibition”) as the IPR experts, jointly set up an onsite CRP, which equals to Intellectual Property Right Office, supervising and assisting the CRP to investigate and handle the complaints regarding the Suspected Infringements in accordance with relevant rules and regulations of the Exhibition.

The exhibitors shall strengthen their awareness of the IPR protection and strictly abide by the relevant laws and regulations on the protection and management of the IPR in China. To comply with the relevant regulations and requirements of the Exhibition, strengthen self-examination and self-correction of their exhibits, exhibit packaging, publicity materials and any display parts during the move in and show period are also required to prevent the infringement suspicion. If any Suspected Infringement is found, the respondent shall be actively cooperated with the investigation, communication and handling of the CRP.

All trading exhibitor groups shall strengthen the education of IPR protection for exhibitors, establish a responsibility system, accomplish with the Organiser to strictly review the exhibits and earnestly carry out self-examination and self-correction work.

Article 5 The exhibitors who have IPR or authorizations for their exhibits, exhibit packaging, publicity materials and any display parts shall bring their legal and valid certification documents

for verification. The exhibitors are strictly prohibited to exhibit, quote for and conclude a deal with any suspected infringing product without the authorisation of the patentees.

Designated booth representatives shall take full responsibility for follow-up IPR matters related to the booths during the Exhibition, and provide it' s Power of Attorney to the CPR (signed or sealed by the exhibitor, and record the entrusted matters and authority and booth representatives' ID copy).

Chapter III Complaints Acceptance and Handling process

Article 6 The right holder may file complaints with the CRP when they find any exhibits or publicity materials displayed on the booths at the fairground suspected of infringing their patents.

Article 7 The complainant shall be the owner of patent, trademarks or copyrights, the interested party of the IPR or its agent. The interested party shall include the authorised or licensed user, or the legitimate successor of the IPR.

Article 8 The complainant shall fill out the Exhibition Suspected Infringement Complaints Registration Form (on-site), submit and be liable for the following materials in two copies with original for verification when filing a complaint with the CRP:

(1) A legitimate and effective certificate of the ownership of IPR:

a. Where any patent is involved therein, the Patent Certificate, The patent announcement text, The certification of legal status of the patent (a copy of patent register, patent evaluation report is also required for design and utility model patents), Identity certification of the patentee (photocopy and original (for verification) of ID card or the copy of the registration certificate of the legal person or other organisation with the official seal and the Identity certificate of the legal representative or person in charge, the same below) should be submitted; the licensee with independent right to accomplish a complaint needs to submit the authorisation license contract and Identity certification documents; the legal patentee needs to submit proof of legal documents for complaint;

b. Where any trademark is involved therein, the certification documents of trademark registration (Trademark registration certificate or trademark transfer certificate, signed by the complainant) and the credential of the trademark owner shall be submitted;

c. Where any copyright is involved therein, the certification of copyright and the credential of the copyright owner shall be submitted.

(2) The name of suspected infringing Exhibits, name and booth number of respondent;

(3) Copy of business license of complainant (stamped with the common seal of the complainant), if the complainant is not the IPR holder, the complainant shall provide a copy of license agreement in respect of such IPR (stamped with the common seal of the complainant) and Identity document;

(4) If the complaint is raised by an agent, the original copy of Power of Attorney and the Identity document of the agent (photocopy and original for verification) shall be submitted. The Power of Attorney should be signed or stamped by its principal, and record the entrusted matters and

authority. The intermediary service agency should submit the qualification/practice certification documents and original copy of introduction of the manager and the agency;

(5) If the complainant is a foreigner, foreign entity or other foreign organisation, shall submit the valid certifications and their patent ownership documents duly notarized by a notary public in its own country and attested by the Chinese embassy or consulate in such country. Documents in foreign languages must be accompanied by a Chinese translation stamped by a notary. If the complainant is from Hong Kong, Macau and Taiwan area, the valid certifications submitted shall be duly notarized in Identity document and their patent ownership documents shall be handled in accordance with the relevant regulations of the Ministry of Justice and other departments;

(6) Exhibitor badges of the complainant or the agent;

(7) The complainant has to provide evidence and cause against the Suspected Infringement;

(8) Any other materials the CRP may require.

Article 9 The complainant shall warrant that all the materials are authentic and effective, and shall indemnify the respondent, and be liable for any loss and damage resulting from the unauthentic complaint materials or any other unfaithful complaint.

Article 10 If any of the following occurs, the CRP shall not accept the complaint:

(1) Where the materials submitted by the complainant is untrue or incomplete and the complainant does not supplement the relevant materials required after notified by the CRP;

(2) Where the Identity of the claimant does not include specified in Article 6;

(3) Where the patent is being applied for patent right invalidation proceedings and the reasons and evidences for invalidation are sufficient;

(4) Where the patent right involves a dispute and is subject to a trial procedure of a people's court or the mediation procedure of a department in charge of patent or an arbitration procedure;

(5) Where the patent right has been terminated or its owner is handling patent restoration formalities;

(6) Where any right to the exclusive use of trademark has been invalidated or cancelled, in progress of invalidation or revocation request, and reason and evidence for invalidation or revocation are sufficient;

(7) Where a complainant or claimant has filed a litigation with the people's court;

(8) Where the complaint is made less than 5 hours prior to the move out period of the exhibition.

(9) Other situations identified by the CRP.

Article 11 Rejection of Complaint:

(1) If the complainant has filed the complaint against the same exhibit for infringing the same IPR during the past exhibitions and files an complaint regarding the same IPR against the same respondent, unless the complainant can provide the effective administrative decision, civil judgement or arbitration award or other relevant documents obtained through taking legal actions after the previous exhibition, the CRP shall have right not to accept the complaint.

(2) With regard to the complaint of Suspected Infringement relating to the internal structure of products and the product manufacturing method, the CRP may require the complainant to provide further evidence to prove the Suspected Infringement in addition to the required complaint

materials. If the complainant fails to provide such materials, the CRP may refuse to accept the complaint.

(3) With regard to the large equipment, internal structure of precision instruments, methods of manufacturing products and so forth which are difficult to affirm at the fairground, the CRP may refuse to accept the complaint;

(4) With regard to the software copyright infringements which are difficult to determine on-site, the CRP may refuse to accept the complaint.

Article 12 After the complaint is accepted, the Organiser will send its staff to the booth of the respondent for on-site inspection and affirmation. The respondent shall cooperate with and assist the staff to inspect the suspected infringing exhibits. If the suspected infringement is initially affirmed, the respondent shall immediately provide evidence to prove that it has legal ownership over the objective of the complaint and there is no infringement involved. If the respondent cannot provide valid proof of non-infringement for the suspected infringing exhibits, the Organiser shall have right to order the withdrawal or temporary detention of the suspected infringing exhibits.

Article 13 Authorised booth representative of the respondent should sign for the Letter of Commitment (judgement service letter) requested by the Organiser. If the respondent has any objection to the disposal decision made by the Organiser, the respondent may provide supplementary evidence of non-infringement to the CRP of the Organiser within one working day (subject to the schedule of the exhibition). If the evidence is valid, the Organiser shall immediately send back the temporarily detained exhibits and allow them to be continuously exhibited; if the evidence is invalid or is provided overdue, or is not provided, the Organiser shall have right to confiscate the temporarily detained exhibits or force the respondent to withdraw from the Exhibition.

Article 14 If the CRP deems it necessary, the CRP may allow and assist the complainant to collect evidence by means of photographing, videotaping, etc., and the respondent shall cooperate.

Article 15 The Organiser may assist the Guangdong Intellectual Property Administrative department to collect evidence by sampling from or registering and preserving the exhibit suspected of infringement, the respondent shall cooperate.

Article 16 In order to maintain the order of the Exhibition, after the CRP has handled the complaint and before the end of the Exhibition, the complainant shall not adopt any further action against the respondent at the Exhibition venue.

Article 17 The Organiser cooperate with Guangdong Intellectual Property Office to investigate the illegal activities of patent counterfeiting or trademark infringement. The booth which is found to have involved in patent counterfeiting or trademark infringement shall be investigated and punished in accordance with the law.

Chapter IV Legal Liabilities

Article 18 If any personnel of exhibitors or non-exhibitors who negotiate with the respondent without permission of the CRP and cause dispute at the Exhibition venue which negatively impacts the order of the Exhibition, the Organiser shall have right to refuse their entrance into the Exhibition venue or order them to leave the Exhibition venue.

Article 19 If the exhibitor refuses to enforce the decision made by the CRP or the Guangdong Intellectual Property Administrative department and continue to display the exhibit, or the exhibitor displays the removed exhibits again without permission of the CRP, the Organiser shall have right to revoke the participation qualification of the exhibitor.

Article 20 The Exhibition Organisation Commission shall have the right to revoke the exhibiting qualification of the exhibitor that display the suspected infringing Exhibits for times and adversely affects the reputation of the Exhibition.

Chapter V Others

Article 21 The conclusion made by the Organiser and the CRP regarding the Suspected Infringements is only the result of the Organiser's handling of the obligations stipulated by relevant laws and regulations, the protection of IPR, and the maintenance of the order of the Exhibition, It is only valid during the Exhibition.

Article 22 Should the complaint or handling the complaint causes any loss or damage to any complainant, respondent, other exhibitor or non-exhibitor, the party which suffers the loss or damage shall pursue legal liabilities against the responsible party through legal actions. The Organiser and the CRP shall assume no responsibility for such loss or damage.

Article 23 In the event of any discrepancy or inconsistency between the Chinese and the English versions of the regulations, the Chinese version shall prevail Music Guangzhou reserves all the right for the final explanation.

Article 24 Any dispute arising from the implementation of these Measures shall be settled by the parties through negotiation. If negotiation or mediation fails, the parties shall bring a lawsuit to the Guangzhou Intellectual Property Court according to law.

Intellectual Property Right Office of
Guangdong International Science and Technology Exhibition Co., Ltd.
18 December 2023