

DE JURISTEN

TRADEMARK POLICY

1. General

International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine is the owner of the registered trademark IFAPP, registered on October 6, 2021 with a trademark number 018482727.

This trademark was registered for the following goods and services:

- Class 35: Association services, especially promoting the interests of pharmaceutical doctors and scientists in the pharmaceutical industry;
- Class 41: Teaching, specifically providing of training and certification in the following fields: The development of medicine, medical matters, Clinical research and provision of teaching classes.

2. Prior unambiguous consent required for trademark use

The trademark IFAPP can only be used with the explicit written consent of the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine. This consent is specific, which means that it only applies for the clearly defined situation and the desired purpose for which consent has been obtained. Every other use than authorised by the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine will constitute a trademark infringement if the corresponding conditions have been met and can be sanctioned on the basis of the Belgian Code of Economic Law.

The alteration or modification of the trademark IFAPP shall not automatically lead to the trademark being used without prior written consent. After all, certain adaptations or changes do not prevent the trademark from still being considered 'used' within the meaning of point 3 of this trademark policy.

If you wish to obtain authorisation for the use of the trademark IFAPP, please do contact us on the mail address secretariat@ifapp.org. provide us with information regarding your identity, the pursued purpose and use. We will then contact you in order to authorize, adjust or refuse the concerned application.

3. Non-authorised uses

According to legal regulations, it is not permitted to use the registered trademark IFAPP without prior permission in the following cases. These are purely indicative and non-exhaustive. Not permitted is: Use (e.g. on goods or their packaging, in advertising, in comparative advertising which does not comply with the conditions of paragraph 4, bullet point 2 of this trademark policy, as a keyword or adword, or as a trade or company name) of the word IFAPP as a trademark (to identify one's own goods/services in commerce), if this is done for economic gain, for the same goods/services as those for which IFAPP is registered, and this use has a negative effect on one or more of the functions of IFAPP.

Use of the trade mark in advertising may adversely affect the trade mark's **function of origin** if the advertising suggests that there is an economic link between you and the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine or if the advertising is so vague as to the commercial origin of the goods/services that consumers are unable to determine on the basis of that advertising whether there is an economic link between you and the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine or not.

Use of the trademark may have a negative impact on the **investment function** of the trademark if it substantially interferes with the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine's' use of the trademark to build or maintain its reputation (for example, by using the trade mark in a manner detrimental to the reputation of the trade mark).

- Use of the word IFAPP as a trademark (see first bullet point), if it is done for economic gain, for goods/services similar to those for which the trademark IFAPP is registered, if it is likely to mislead the relevant consumer as to the commercial origin of the goods and/or services (i.e. if she might think that the goods/services originate from the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine or that there is an economic link between you and the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine.

For instance, **use** of the trade mark in **advertising** may create confusion as to the commercial origin of the goods and/or services if the advertising suggests that there is an economic link between you and the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine, or if the advertising is so vague as to the commercial origin of the goods/services that consumers are unable to determine from that advertising whether or not there is an economic link between you and the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine.

- The use of the word IFAPP as a name or as a generic term for the trade mark goods/services concerned.
- Registering the word IFAPP as a domain name when you have no right or legitimate reason to do so and are using the domain name in bad faith.

4. Authorised uses

According to the legal regulations, it is allowed to use the registered trademark IFAPP without prior permission in the hereinafter mentioned cases. These are purely indicative and non-limitative:

- The use of the word IFAPP for other than economic purposes.
- The use (see first bullet point in paragraph 3) of the word IFAPP, if this is for economic gain, to refer to or identify the trademark goods/services as being goods/services of the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine, provided that this is done in accordance with fair market practices.

Such reference use may be for example for signalling to consumers the resale of branded goods originally placed on the European market by or with the consent of the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine, for comparative advertising permitted by law, for offering legitimate alternatives to the branded goods/services, for purposes of parody/artistic expression/criticism/commentary, or where it is necessary to indicate the intended purpose (of your goods) as an accessory or spare part of the branded goods.

(In order to be called "**legally permissible comparative advertising**", the comparison must be objective, and the advertising must not be able to mislead or confuse the consumer, or harm the good name or reputation of the brand or the branded goods/services, or take unfair



advantage of the reputation of the brand, or present the goods or services as imitations of the brand goods/services in question).

Contrary to fair market practices is suggesting a relationship between you and the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine, affecting the value of the trademark (for example, taking unfair advantage of the trademark, or disparaging or denigrating it), or presenting your goods as imitations of the trademark goods.

The use (see first bullet point of paragraph 3) of the word IFAPP, when done for economic advantage, to signal to consumers the resale of trademark goods originally placed on the European market by or with the consent of for sale, that no serious harm is done to the reputation or good name of the trademark, and that no impression of commercial relationship is created between you and the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine (for example, advertising that is not fair and proper but takes unfair advantage of the trademark).

- Local use of the word IFAPP as a tradename, provided such use already took place before the trademark registration of IFAPP. If this is the case, please contact us at our mail address secretariat@ifapp.org. In this case, we will try to reach a positive and fair settlement that allows both uses to coexist simultaneously.

- The use of the word IFAPP as a trademark (see first bullet point in paragraph 3), when it is done for economic gain, for goods/services similar to those for which the mark IFAPP is registered, but is not liable to confuse the relevant consumer as to the commercial origin of the goods and/or services.

5. Mention

Every time the trademark IFAPP is used, the following wordings have to be mentioned: "The trademark IFAPP is protected by the International and European trademark law and belongs to the International Federation of Associations of Pharmaceutical Physicians and Pharmaceutical Medicine. Every unauthorised use may lead to a trademark infringement". These wordings need to be disclosed in a clear and transparent manner, in proximity to the concerned trademark.

Anyone who mentions the trademark, obligates himself to encourage third parties to uphold the same principles on the authorised uses in order to maintain fair commercial practices.

6. Distinctive image

Every time the mark IFAPP is used, it should be presented in a separate and distinctive way. The trademark cannot be portrayed in any combination, collage or any unclear manner. Wordmarks should be mentioned separately, underlined, cursive or in bold in order to distinguish itself as a trademark.

7. Symbol (for international trademarks)

When the mark IFAPP is used, it should always be combined with the symbol ®.

8. Conformity with our Terms & Conditions

Moreover, every use of the trademark should be in conformity with our general terms and conditions that you can find on our website.



9. Contact

If you have any further questions about this trademark policy or the use of our trademark, please contact us at our mail address secretariat@ifapp.org.

