

4. Identification Concept

Membership of the VEM Trademark Association [Warenzeichenverband VEM e.V.] (hereinafter referred to as the WZV) gives companies both the right and the obligation to identify their products and services with the collective trademark VEM.

The Board of WZV stipulates the following:

1. Aim of identification by the VEM trademark

Identification by VEM should help to:

- continuously increase the commercial acceptance of VEM
- improve the level of trademark recognition
- carry and enhance VEM as a quality trademark.
- expand sales markets and achieve higher market shares
- safeguard the protective right of the trademark

2. Measures required to use the VEM trademark

- 2.1 In accordance with the valid association and trademark statute, each member is obliged to identify its products and services covered by the association's product listing, as well as its business papers with the VEM trademark.
- 2.2 Existing individual trademarks can be used with agreement from the WZV although the priority application of VEM must not be affected in any way.
- 2.3 Besides the usual identification on the rating plate, the products shall be given in a suitable and cost-effective manner an additional VEM identification, appropriate to the size of the product, e.g. moulding or engraving in housing components, metal plate, label or painting. The regulation does not apply to products on which labelling would be impracticable or of no benefit, e.g. built-in or very small motors or similar.
- 2.4 Packaging such as boxes, cartons and other enclosures must be effectively identified with the VEM trademark. This can be done by printing, template, label or similar.
- 2.5 The VEM trademark must also be used for all company identifications. Insofar as a company belongs to several WZV, identification must take place through the addition "Member of Trademark Association VEM e.V".
- 2.6 In addition to the company identification, subsidiaries run by member companies in Germany and abroad, service facilities or temporarily-run assembly sites must be effectively identified with the VEM trademark.
- 2.7 In order to guarantee a representative image of the installation personnel on domestic and foreign sites, member companies are advised to provide corporate working clothing with the VEM trademark.
- 2.8 The VEM trademark should be used as an advertising tool in advertisements in daily newspapers and editorial articles in specialist publications. In principle, all application options of VEM must be exhausted in advertising.

3. Measures required to acquire and protect industrial property rights

- 3.1 In the case of export contracts or long-term contracts with distribution companies, agreements must be concluded on use of the trademark, especially at trade fairs and exhibitions, creation of catalogue and advertising material, promotional appearances under the VEM trademark, incorporation into industrial property right monitoring. Agreements with WZV to be concluded beforehand if necessary.
- 3.2 The member companies are obliged to enable their employees travelling abroad on business to consider the industrial property right aspect and in particular to note industrial property right infringement during their period of activity.
- 3.3 The member companies are obliged to support on request the WZV in furnishing the necessary documentary evidence regarding use of the VEM trademark in certain countries.
- 3.4 Each member company is obliged to notify the WZV regarding any changes to the product range immediately on request so that the industrial property right protection can be stored according to international product categories.

4. Responsibility and monitoring

- 4.1 The marketing departments are responsible for fulfilling the tasks of the member companies arising from this concept.
- 4.2 Fulfilment of the aforementioned measures is monitored by the board and/or Managing Director of the WZV.

5. Scope of validity

- This concept applies to all members of the VEM Trademark Association [Warenzeichenverbandes VEM e.V.], and is based on § 4 of the trademark statute and was negotiated and concluded in the meeting of association members on 04.12.1998.