



## Intellectual Property Policy Statement

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

As the leading nonprofit association serving the professional audiovisual communications industry worldwide, AVIXA recognizes the importance of protecting intellectual property rights. These rights are a key 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 encourages each of its members to develop and implement 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 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.

### AVIXA's Role

AVIXA may assist members in protecting their intellectual property rights 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.

However, there are limitations to what AVIXA can do on its own or at the request of a member. In particular, AVIXA cannot bar allegedly infringing products from being exhibited at its trade shows without a controlling government order, like a court order. There are a number of reasons for AVIXA to take this position. For example, AVIXA has neither the expertise nor the authority to decide infringement claims and is not in a position to judge claims of ownership or infringement that arise at a trade show or other venue. Further, as is the case with most trade associations, AVIXA maintains a strict policy of not placing itself in the middle of legal disputes between or among members. As such, AVIXA does not provide intellectual property protection or planning services and does not mediate disputes among members. AVIXA also does not initiate legal actions on behalf of members.

## Members' Options

Steps a member should consider taking in order to protect its intellectual property rights include:

- (1) Establish a protection program designed to lessen the risks of infringement and to quickly identify potential instances of infringement; consulting with an attorney familiar with intellectual property protection will help make such a program effective.
- (2) In the event of an actual or threatened infringement, work with the member's intellectual property attorney to take appropriate action (e.g., sending a cease-and-desist letter or filing a lawsuit).
- (3) In the event that a court-issued injunction or other order is granted to the member, the member may present that order to AVIXA, after which the trade show management team of AVIXA will take the necessary steps to comply with the order, which may include requiring the other party to cease displaying its products at applicable AVIXA events.

## 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, <http://www.uspto.gov>
- U.S. Copyright Office, <http://www.copyright.gov> and [www.stopfakes.gov](http://www.stopfakes.gov)
- World Intellectual Property Organization, <http://www.wipo.int>
- European Patent Office, <http://www.epo.org>
- European Community Trademarks Office, <https://oami.europa.eu>

This AVIXA Policy Statement is effective September 13, 2017. 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.