

INTELLECTUAL PROPERTY VIOLATIONS

What should exhibitors do about trademark or other intellectual property violations?

IHA fully recognizes and supports the efforts of its exhibitors in developing and protecting intellectual property, including trademarks, copyrights, patents, exclusive distribution rights and other such valuable business assets. **IHA rejects the concept adopted by some cultures that product innovation and design is free to be copied once in the public domain.** Without the protection of intellectual property laws, industry innovation would be stymied and product development would be reduced to useless knock-offs of inferior quality.

Intellectual property law is recognized as a personal rights issue between two parties; the owner of the intellectual property and the alleged violator. IHA is not one of these parties. At the recommendation of the Board of Directors and outside legal counsel, IHA will not participate as the judge, jury or law enforcement body in determining guilt or innocence in such matters. These matters are determined by intellectual property specialists and the courts. IHA will:

- Support its exhibitor-base by assisting in the enforcement of court decisions once enacted, including assistance with the Show-site delivery of court injunctions and the delivery of court documents;
- Track reported incidents to identify alleged repeat violators;
- Deliver education via seminars on the various forms of intellectual property protection;
- Provide access to government programs created to deter intellectual property abuse; and,
- Assist in finding legal assistance while at the Show.

Proven violators may have their Show privileges suspended or terminated entirely during the space assignment process.

WHAT ARE YOU EXPECTED TO DO?

1. First and foremost, **consult with your own attorney** as soon as possible regarding your enforcement options. If you do not have an attorney, IHA will work with you to find an intellectual property attorney in Chicago who can help you, but the legal assistance will be at your expense.
2. Information of an alleged violation or suspected violation should be brought to the attention of IHA as early as possible, including notification before the Show begins, by completing a detailed IHA Intellectual Property Complaint form. **This form can be obtained on-site from the Floor Manager at the Exhibitor Help Center desk in your respective building** or in the Show Office located in room N426ab. The purpose of the Intellectual Property Complaint form is to begin tracking a pattern of behavior for the accused violator should you win a claim in court and IHA determines to take action against the losing party.
3. Provide as much detail as possible about the alleged violation, including who, what, where and when.
4. Attach to the complaint form any documentary proof, e.g., court or regulatory order or decision, contract, photographs, patented trademark registration, or domain name registration.
5. Do not engage in self-help, such as physical confrontation, removal of product from the booth of another, or verbally arguing on the Show floor or premises. Your unauthorized removal of product from another exhibitor's booth can be considered theft and you can be prosecuted. Bring the problem to the attention of Show Security or IHA to complete an incident report.

IHA STAFF ASSISTANCE

1. IHA will review the Intellectual Property Complaint form and log the complaint; however, IHA is not a legal enforcement body. **Ownership disputes of trademarks, copyrights and patents are personal rights issues and are handled in a court of law** between the patent/trademark owner and the alleged violator.
2. IHA will work with you to find a lawyer, if necessary, to provide you with legal assistance. However, IHA recommends that you seek legal counsel in proximity to your office so that you can easily continue working with them after the Show. IHA will assist security, law enforcement, process-servers, or other legal authorities to enforce your court or regulatory orders or decisions onsite. Such enforcement may include removing a product or literature from a booth, closing down an exhibitor's booth or taking the necessary action to enforce a court/regulatory order or decision.
3. In some circumstances, IHA may refer an alleged violation to IHA's Board of Directors, who may suspend or cancel an exhibitor's future Show privileges.



march 2, saturday, 10:00 am - 5:30 pm
march 3, sunday, 8:30 am - 5:30 pm
march 4, monday, 8:30 am - 5:30 pm
march 5, tuesday, 8:30 am - 3:00 pm

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POWER HOUR:
5:30 - 6:30 pm,
Saturday - Monday!
(appointments recommended)
An opportunity to extend buyer
meetings an additional hour
after the 5:30 pm close

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