

GLOBAL ANTICOUNTERFEITING GROUP

STATUTES

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1-NAME AND DOMICILE

The name of the Association is the **Global-Anti-Counterfeiting Group (GACG)** and its head office has its domicile in Paris :

16 rue de la Faisanderie
75116 Paris
France

2. AIMS OF THE ASSOCIATION

The Association is a non- political, non-governmental and non-profit- making organisation and has the following aims:

- a.** To create awareness of the importance of effective intellectual property protection to prevent counterfeiting of goods and services throughout the world.
- b.** To disseminate knowledge and information about counterfeiting and ways of combating it in order to raise public awareness about the problem as well as to educate and inform.
- c.** To facilitate the introduction of effective measures to tackle counterfeiting including the establishment of anti counterfeiting groups throughout the world.

In pursuing its aims, the Association will always seek to complement rather than replicate the existing services provided by its members.

3. WAYS AND MEANS OF ACTION

- a.** Organising meetings, seminars, conferences and courses to foster cooperation and exchange of knowledge and information about counterfeiting for members and other interested parties.
- b.** Co-operation with other national and international anti-counterfeiting groups and organisations which have similar aims.
- c.** Researching and gathering global information regarding the extent, cost and dangers of product counterfeiting.

4. MEMBERS

- a.** The Association has full members and associate members.
- b.** Full membership is open to any national or international anti-counterfeiting associations or organisations providing they are:
 - 1.** Non profit making;
 - 2.** Comprised of an adequate number of companies and organisations whose products and services cover a range of different industries and are not limited to any one industry sector;
 - 3.** Considered beneficial to the aims and purposes of the Association by the Board;

The Association will ensure that membership is kept as inclusive as possible at all times.

- c.** Associate membership is available to other national and international associations and organisations involved in anti counterfeiting activities providing their membership is considered by the Board to be beneficial to the aims and purposes of the Association.
- d.** The Board decides on the admission of members. If the Board should reject an application for membership, a renewed application can be made. A decision regarding the renewed application will then be taken at the next Annual General Meeting.
- e.** Membership becomes valid only after payment of the admission fee and the first subscription fee.

5. MEMBERSHIP FEES

The admission fee and the subscription fees shall be determined by the Board at each Annual General Meeting.

Fees will be used exclusively to fulfil the aims of the Association.

6.1 ANNUAL GENERAL MEETING

- a.** The Association shall each year hold a General Meeting as its Annual General Meeting in addition to any other General Meeting in that year and shall specify the Meeting as such in notices calling it. Not more than 15 months shall elapse between the date of one Annual General Meeting of the Association and that of the next. The Annual General Meeting shall be held at such time and place as the Board shall appoint. The notice calling the Annual General Meeting shall be sent off in writing at least two months before the date of the meeting.
- b.** All General Meetings other than Annual General Meeting shall be called Extraordinary General Meetings.
- c.** Proposals from the members to be discussed and decided upon at the Annual General Meeting shall be forwarded in writing to the Board at least one month before the Annual General Meeting. The Board shall confirm the receipt of such proposals in writing to the member.

d. The business of an Annual General Meeting shall be:

- I- To elect a Chairman for the meeting and to approve the agenda of the meeting;
- II- To approve the annual report presented by the Board;
- III- To receive and consider the income and expenditure accounts as well as the balance sheet and the reports of the Board and the Auditors;
- IV- To elect Board members in the place of those retiring;
- V- To appoint Auditors;
- VI- To approve the annual membership fee;
- VII- To appoint a board of election which will suggest new members to replace those retiring from the Board as well as Auditors;
- VIII- To deal with special issues proposed by the members.

e. No business shall be transacted at any General Meeting unless a quorum of full members is present in person or proxy at the time when the meeting proceeds to business. The quorum is had when five full members or 10% of the full-members at least are present in person or by proxy.

f. At the annual General Meeting, decisions shall be made on a majority of the voting members that are present in person or proxy. A resolution put to the vote during the meeting shall be decided on a show of hands unless a poll is demanded by the Chairman or at least three full members who are present in person.

g. No member shall be entitled to vote either in person or proxy if any moneys presently payable by him to the Association are in arrears for the period of three months from its due date.

6.2 BOARD

The members who comprise the interim board and who have the common aim of fighting against counterfeiting are:

- * Union des Fabricants
- * VBP (Vereinigung zur Bekämpfung von Produktpiraterie)
- * Indicam (Istituto di Centromarca per la lotta alle contraffazione)
- * SNB (Stichting Namaakbestrijding)
- * The Swedish Anti-Counterfeiting Group
- * The Anti-Counterfeiting Group
- * IACC (The International Anticounterfeiting Coalition)
- * ICC-CIB (Counterfeiting Intelligence Bureau)
- * ABAC/BAAN
- * APM (Aktionskreis Deutsche Wirtschaft gegen Produkt- und Markenpiraterie)
- * The Finnish Anti-Counterfeiting Group
- * The Norwegian Anti-Counterfeiting Group
- * The Danish Anti-Counterfeiting Group
- * Andema

- a. All Board members shall be elected by the members at the Annual General Meeting for a renewable two-years length.
- b. The Board appoints officers among its members by the means of a secret vote. These officers are:

- * a Chairman;
- * one or many Vice-Chairman
- * a Secretary and an Assistant-Secretary if necessary;
- * a Treasurer and an Assistant-Treasurer if necessary.

There shall be a maximum of 12 members of the Board, minimum 6, excluding the Chairman.

- a. The Board shall meet at least two times a year. Decisions are taken by a majority; in the event of a tied vote, the Chairman shall have the casting vote.
- b. Minutes shall be taken at each Board meeting.
- c. The Board is competent to make decisions when at least two thirds of the Board members are present.

7. CHANGE OF STATES

A decision to change the statutes of the Association is invalid unless the decision is approved at two consecutive Annual General Meetings and based on a qualified majority of votes.

The statutes may be changed or altered through a decision based on a qualified majority at the first Annual General Meeting.

8. EXPULSION OF MEMBERS

Members who act against the Association's aims or purposes or breach the statutes of the Association may be expelled after a decision by the Board. To be valid the decision must be unanimous.

9. DISSOLUTION

When the dissolution is decided by at least two third of the members present at the Annual General Meeting, the Annual General meeting shall appoint one or more liquidators and the capital assets is devolved according to article 9 of the French law of July 1st 1901 and to the implementing rule of August 16th 1901.

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