



association des praticiens du droit des marques et des modèles

GOVERNING REGULATIONS 28 January 2022

ARTICLE 1

The ASSOCIATION OF TRADEMARK AND MODEL LAW PRACTICIANS, abbreviated as "APRAM", is governed by these bylaws, which are part of the Association's bylaws.

ARTICLE 2: ACTIVE AND TRAINEE MEMBERS

2.1. Any person wishing to join the Association as an Active Member, , or a Trainee Member as defined in Article 5 of the Articles of Association , must send a written request to the President of the Supervisory Committee, accompanied by documents proving that he/she meets the prescribed conditions and is sponsored by two Active Members, working in two different entities, one of which must be independent of the candidate for membership, with the exception of University Members who do not require sponsorship to join the Association.

This application must include the candidate's commitment to respect the provisions of the Articles of Association, the governing regulations, the decisions taken by the competent bodies and to pay the membership fees from the first year of membership.

2.2 Membership as voted by the Board of Directors shall be acquired only upon payment of dues. Failure to pay within one (1) month of the first call for dues will result in a reminder to pay within the additional one (1) month period. If, at the end of this cumulative period of two (2) months, the candidate has still not paid its dues, its application for APRAM membership shall be considered null and void. Consequently, in order to become a Member, the candidate shall have to make a new application, under the same conditions as set out above.

As an exception to the foregoing, University Members are exempt from paying any dues, and their membership is acquired on the day of their admission by the Board of Directors.

2.3 The Supervisory Committee shall investigate the candidate's good character and verify the documents provided.

The Committee may ask the candidate to provide additional information or proof, in particular, as to the duration of his or her practice and the nature of his or her main activity.

The Committee, shall make the candidate's file and its opinion available to the Board of Directors, which shall take a decision at its next meeting.

ARTICLE 3: FREE AUDITORS

3.1 Any person wishing to benefit from the status of Free Auditor within the meaning of Article 5 of the Articles of Association must send a written request to the President of the Supervisory Committee, accompanied by a letter of motivation and documents justifying that he/she is sponsored by two Active Members, working in two different entities, one of which must be independent of the candidate.

This request must include the candidate's commitment to respect the provisions of the Articles of Association, the governing regulations, the decisions taken by the competent bodies to pay the membership fees and this, from the first year of membership.

3.2 The Supervisory Committee, shall investigate the candidate's good character and verify the documents provided.

The Committee, may ask the candidate to provide additional information or proof, particularly concerning the length of time he or she has been in business and the nature of his or her main activity.

The Committee, shall make the candidate's file and its opinion available to the Board of Directors, which shall take a decision at its next meeting.

ARTICLE 4 : HONORARY MEMBERS

On the proposal of the Bureau, the Board of Directors shall appoint any individual of great merit to the Association as an honorary member.

ARTICLE 5: REGISTER OF MEMBERS AND FREE AUDITORS

All Members and Free Auditors shall communicate their postal and electronic addresses (hereinafter "the Address") to the Secretary and keep him/her informed of any changes in their professional activities or in the address of their place of work.

In addition, Members and Auditors are required, to the extent possible, to update their professional contact information by accessing the space reserved for Members and Auditors on the Association's website.

When a mailing is returned, the Association will suspend all further mailings to the Address of the person concerned until such time as the person concerned has provided the appropriate information.

The Secretary shall keep a record of all Members and Free Auditors and shall keep it up to date. This list shall be available for consultation by each Member

ARTICLE 6: RESIGNATION

Any Member who, except for a major impediment, does not participate in three successive meetings of the body to which he/she belongs (Board of Directors, Executive Committee, Supervisory, Appeal and Treasury Committee , etc.) is considered to have resigned.

ARTICLE 7: MEMBERSHIP FEES

The amount of the fees is fixed by the General Assembly, on the proposal of the Board of Directors. This fee must be paid within two months of its call.

University Members and Honorary Members are not subject to this fee.

Free Auditors will pay the membership fee, multiplied by two.

Failure by a Member or Free Auditor to pay dues by June 30 of the current year will result in the suspension of the sending of any communication of information to that Member or Auditor, including invitations to working sessions and other documents issued by the Association. Any payment of dues after the aforementioned date of December 31 shall be subject to a 10% penalty.

ARTICLE 8: COMMITTEES

On the proposal of the Bureau, the Board of Directors decides on the creation and abolition of the ad hoc committees referred to in Article 10.B of the Articles of Association .

8.1. For each committee, the Board of Directors appoints a President and a Vice President ,chosen from among the active members of the Association proposed as substitutes by the Chairperson of the committee concerned .. Appointments are subject to a majority vote of the members present or represented of the Board of Directors.

Any candidate for the chairmanship of a committee, including any chairperson whose term is renewable, must submit his or her candidacy in writing to the President no later than fifteen days prior to the Board of Directors' meeting called to decide on the appointment of a chairperson for said committee

The term of office of each President and Vice President is two years, renewable two (2) times. Renewal is subject to a majority vote of the members of the Board of Directors present or represented.

8.2. A member of the Board of Directors of the Association shall be designated as the reference person for the Committees, in order to ensure their proper functioning.

8.3 On the proposal of the Board of Directors, the Board of Directors may also decide to create and abolish committees which, because of their particular purpose, may derogate t, in whole or in part, from the rules of operation and duration provided for in Articles 8.1 and 14 of these Regulations.

The Board of Directors appoints the President of these committees by a majority vote of the members present or represented.

ARTICLE 9: PRESIDENT-ELECT

On the proposal of the Bureau, the Board of Directors shall elect, by a majority of the votes of the members of the Board of Directors present or represented, at least six months before the expiry of the term of office of the President-elect, the President-designate within the meaning of Article 11(b) of the Articles of Association, respecting the objective of alternating between the families as set forth in Article 11(a) of the Articles of Association

ARTICLE 10: AUTHORITY

For the purpose of electing Committee Chairpersons and the President-Elect, each member of the Board of Directors may receive one proxy and represent up to two (2) members who are unable to attend.

ARTICLE 11: ACCOUNTING

The accounting books are signed each year by the President. The statutory year corresponds to the calendar year.

ARTICLE 12: PENALTIES

On the advice of the Supervisory Committee, the Board of Directors shall decide on the application of a sanction against any member who has not respected his or her obligations within the framework of the Association, in particular failure to pay the membership dues before December 31 of the current year.

The sanctions consist of:

- a warning,
- a private reprimand,
- a public reprimand with entry in the Register of Proceedings of the General Assembly,
- a suspension of up to one year,
- a cancellation of membership.

The decisions shall be made by a two-thirds majority of the members of the Board of Directors. The vote is secret.

ARTICLE 13: APRAM`S OPINION

When the Association is called upon to make its opinion known to external authorities, it shall endeavour, to seek consultation with other Associations concerned with Intellectual Property.

ARTICLE 14: COMMITTEE MEETINGS

The Committees referred to in Article 8.1 of these Governing Regulations shall meet at the initiative of their President Vice-President or any other person delegated for this purpose, at least twice a year or at shorter intervals depending on the subject matter.

When a Committee President is not a member of the Board of Directors, the Bureau may delegate a member of the Board to follow the work of that Committee

The President of the Committees who are not members of the Board of Directors are, however, invited twice a year to the meetings of the Board of Directors to present their work. In addition, the

Presidents of the Committees (with the exception of the Supervisory Commission) must submit, at the last Board meeting of each year, a roadmap of their work and projects for the following year.

The Committees study new texts from their draft to their adoption and monitor their implementation.

They examine any substantive or current issue in their field that may be of particular interest to APRAM members and, in general, they take stock of any important development, including in case law.

They collect from their members any significant case law that may be published by APRAM.

When a subject of interest to several Committees so warrants, the President shall coordinate the work of these Committees.

Non-director Committee President may be invited to attend certain meetings of the Board of Directors to present the progress of their work and the proposals they wish to make.

A report is drawn up after each Committee meeting by the Committee President, or by a rapporteur, before being forwarded to the Bureau, which decides whether or not to distribute them to third parties on the proposal of the Committee President.

In addition, the Presidents of the Committees are required to present, at each General Assembly, a report on their activities for the year preceding each General Assembly.

In case they are unable to attend, a written report must be sent to the President at the latest 24 (twenty-four) hours before the General Assembly.

The minutes are published on the Association's website.

Article 15: PERSONAL DATA

APRAM processes, under the conditions set out in its Privacy Policy, the personal data of its members or future members, for the purpose of examining applications and membership, monitoring and managing members' activities and in particular the payment of fees and participation in events organized by the Association. The conditions for the processing of personal data can be consulted in the privacy policy. Given APRAM's international action and the diversity of its members, personal data (i.e. contact form containing members' contact details and a mention of their profession) may be consulted by members residing abroad and, in particular, outside the European Union.

This transfer is based on the consent of the members, provided that this consent has been given by the members via their personal space.

In return, APRAM members undertake to consult and/or use, on a personal basis, personal data solely for the purpose of contacting a member and/or for the implementation of and/or contribution to the implementation of the actions carried out by APRAM. APRAM members shall refrain from consulting and/or using the personal data of any other member for purposes other than the implementation of and/or contribution to the implementation of the actions carried out by APRAM.

Members or candidates may contact APRAM at secretariat@apram.com with any questions about how APRAM handles personal data.

ARTICLE 16: COMING INTO FORCE

These Governing Regulations were adopted by the Board of Directors at its meeting of 28 January 2022. They come into force immediately.