

REGULATION OF USE OF THE CONSORTIUM MARK

Approved by the Board of Directors held of 10 April 2018

Article 1

Pursuant to Articles 8 and 9 of its Articles of Association, the Consortium has established and is the owner of the mark given in Annex 1 to this Regulation, which consists of an ellipse with a burgundy red background and which contains the wording “Aceto Balsamico di Modena” and the acronym ABM in white colour as the relevant graphic contours.

The mark may be accompanied with the wording “Consorzio Tutela” [protection Consortium] and used also in different colour schemes. Specifically, the mark may be used as distinguishing mark on bottles and labels of Aceto Balsamico di Modena IGP - Balsamic Vinegar of Modena (BVM), as set down in the Articles here below, also in a colour scheme with a gold background with wordings and contours in white for the product that is defined as “aged”.

This mark shall replace those previously adopted and used by the Consortium and by the Consortium Members.

Pursuant to Article 34, paragraph 3 letter c), the Board of Directors has adopted this Regulation of Use that supersedes and replaces the one presently in force.

Article 2

The mark is used by the Consortium in its institutional and communication activities, as well as on the bottles of Balsamic Vinegar of Modena of the Consortium and its use may be granted, pursuant to Articles 8 and 14 letter c) of the Consortium’s Articles of Association, to the Members regularly admitted to the Consortium and compliant with all the obligations set down by the Articles of Association, with the prior written authorization issued by the Consortium and in accordance with the procedures for use as established by the Consortium, as well as in compliance with the rules and principles set down in this Regulation, in the Articles of Association and the applicable legislation.

The Consortium Members shall have the right to apply for the authorization to use the mark also on communication materials concerning Balsamic Vinegar of Modena or on other corporate documentation. After assessing the type of use, the Consortium may grant or deny the authorization for use, imposing, where applicable, to have the mark accompanied by the wording “[enterprise that is a] member of the Consorzio Tutela Aceto Balsamico di Modena”.

All players that are not members of the Consortium or have been expelled or have lost membership shall be prohibited from using the mark.

Article 3

The mark may be used by the Consortium Members also as an identification mark (distinguishing mark) of the bottles of BVM duly certified and intended for end consumers or for professional use, in accordance with the Production Specifications; to the contrary, it may not be used on containers of BVM sold in bulk.

The distinguishing mark may be applied directly to the bottle or included in the label, in compliance with the provisions set down in Article 4 below.

The use of the distinguishing mark is optional and voluntary; likewise, the user is free to choose the method to affix it. The use of the mark and its specific modalities shall be formally authorized by the Protection Consortium, in accordance with the principles, rules and procedures set forth below.

Article 4

The mark logo that has a burgundy red background and white or off-white contours and wordings shall be used to distinguish a product that has been aged for a minimum period of 60 days (a product that, pursuant to this Regulation, is defined as “matured”).

The distinguishing mark logo that has a golden background and white or off-white contours and wordings shall be used to distinguish an “aged” product, with ageing period of at least 3 years.

The distinguishing mark may be affixed on the bottle neck or on the label.

The distinguishing mark to be affixed on the neck of the bottle has two lateral winglets on which there is the wording “CONSORZIO TUTELA” in accordance with the specifications given in Annex 2.

The above distinguishing mark used on the bottles of aged product, in addition to the above, has the wording “invecchiato” or “aged” below the mark ellipse (Annex 3 and 3b).

The distinguishing mark placed in the label does not have lateral winglets and, above the mark ellipse, has the wording “CONSORZIO TUTELA” inside a frame all around the mark in accordance with the specifications given in Annex 4.

The same provisions shall apply to the distinguishing mark placed in the label of the aged product, except for the term “invecchiato” (“aged”) that, in this case, does not have to be combined with the mark, since it is already in the product label as given in Annex 5

In the section of the label where the Consortium mark is affixed there shall necessarily be also the brand or company name of the producer, bottler or other food sector player that is responsible for the information given in the label.

Article 5

As regards sizes and colours, the distinguishing mark may be used exclusively in the two versions given below:

- Distinguishing mark with lateral winglets: burgundy red large (30x55 mm,) - burgundy red small (25x46 mm) - burgundy red miniature (20x46 mm), Pantone 202 C; golden large (30x55 mm) - golden small (25x46 mm) - golden miniature (20x46 mm), shining gold leaf; as given in Annexes 2, 3 and 3b.
- Distinguishing mark with no lateral winglets: burgundy red (height of the oval 23/20/17 mm), Pantone 202 C; golden colour (height of the oval 23/20/17) Pantone 871 C, or shining gold leaf; as given in Annexes 4 and 5.

The graphic design of the distinguishing mark, in its set different sizes, shall be established by the

Consortium that makes it available to the typographers authorized by the Consortium itself to reproduce the Consortium mark.

Article 6

The use of the distinguishing mark is optional and voluntary and it is reserved exclusively to the Members of the Consortium to identify containers of BVM produced and/or bottled at the Members' plants.

The right to use the distinguishing mark is subject to the submittal to the Consortium of a written application using the specific forms and to the receipt of the related written authorization.

Any non-compliance with one or more instructions and rules set down in this Regulation and in the authorization for use shall entitle the Consortium to start the claim procedure as per Article 8 below.

Article 7

The distinguishing mark may be reproduced only by typographers that have been specifically authorized by the Consortium with the execution of a specific agreement.

The typographer shall undertake to reproduce the distinguishing mark in accordance with the graphic design and sizes as indicated by the Consortium and with all the relevant technical characteristics.

The business relation between the authorized typographer and the Consortium Member shall be direct, with no intermediation by the Consortium.

All authorized typographers shall send a copy of all requests for the mark reproduction, as received from its customers, to the Consortium for its information, specifying quantities, type and size of the distinguishing marks to be reproduced.

At the end of every calendar year, all authorized typographers shall provide the Consortium with a summary setting forth the quantities of distinguishing marks printed and delivered, broken down by type and size.

Article 8

In case of non-compliance with the provisions set down in this Regulation, in the Articles of Association and in the authorizations issued by the Consortium, the Consortium shall send a formal reprimand to the non-complying Member requesting the relevant remedy to be put in place within 30 days at the most. After the above term to remedy has elapsed to no avail, the Board of Directors may resolve that the right to use the mark be suspended by right for a period from 1 to 6 months.

After the above formal reprimand, the Consortium Member may submit, within 30 days of receipt of the relevant warning, a defence brief in writing justifying its actions. The Board shall examine the above defence brief and, considering the arguments, may confirm or withdraw the request to remedy the situation in question.

After 3 formal reprimands, the Board shall assess the possibility to permanently prohibit the

Consortium Member from using the mark and, in very serious cases, the possibility to exclude such Member from the Consortium.

Article 9

The new version of the Regulation shall enter into force on 1 September 2018 and, effective from such date, the new versions of the distinguishing marks may be used. After 60 days of the entry into force of the Regulation, no distinguishing marks that do not comply with the new Regulation provisions may be printed. Any distinguishing marks that were printed before the entry into force of the new Regulation may be used while stock lasts.