



**VIA
FRANCIGENA**
road to Rome

Cultural route
of the Council of Europe
Itinéraire culturel
du Conseil de l'Europe



REGULATIONS FOR THE USE OF THE LOGO AND PROPRIETY BRANDING OF THE EUROPEAN ASSOCIATION OF THE VIE FRANCIGENE

Article 1.

USES AND OWNERSHIP OF THE LOGO AND BRAND “VIA FRANCIGENA”

1.1. The European Association of the Vie Francigene (henceforth AEFV) protects and promotes the official path of the Via Francigena, as certified by the “Programme of the Cultural Routes of the Council of Europe”, and approved variations of the route, also as a tourism product; a European model of excellent quality and service.

To this end AEFV utilises the registered trademarks of the ‘**Figure of a pilgrim**’, henceforth referred to as ‘Trademark’, and the **figure of the pilgrim next to the flag of the Council of Europe**, to be referred to as the ‘Logo’, of which, AEFV is the legal owner.

1.2. The logo identifies all institutional activities of the AEFV; instead the purpose of the brand is to ensure adequate visibility of reception and hospitality services along the route, as well as any products, activities and services related to the needs of those engaged with the route (the consumers).

1.3. The logo:

- Permits the identification of any activities connected to the AEFV, as the *carrier network* of the Via Francigena for the Council of Europe;

And the trademark:

- Accompanies all products associated with the Via Francigena to create a system of quality;
- Enables immediate identification of products, services and activities related to the Via Francigena, as a guarantee of the social, ethical and environmental values which characterize it.

Article 2.

THE TRADEMARK AND LOGO

2.1. Trademark

1. The trademark “Figure of a Pilgrim”. Registration of a company trademark, representational, without claim on colour n. 16012651, classes 9, 14, 16, 18, 25, 35, 39, 41, 43I (International Classification, Nice).
2. The trademark “Figure of a pilgrim”. Registration of a company trademark, representational, without claim on colour n. 6024509, Classes 25, 35 (International Classification, Nice).
3. Swiss trademark “Figure of a Pilgrim”. Registration of a company trademark, representational, without claim on colour n. 572422, classes 9, 12, 16, 25, 35, 39, 41, 43M (International Classification, Nice).

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Associazione Europea delle Vie Francigene – rete del Consiglio d'Europa

Sede: *Casa Cremonini*, piazza Duomo 16, I-43036 Fidenza (PR)

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4. Italian representational trademark no. 1271237, to distinguish products belonging to the merchandise categories of the European Association of the Via Francigena no. 16, 18, 25, and no. 1324896 to distinguish products belonging to the merchandise categories of no. 3, 14, 19, 21, 30, 32, 34 (international classification of Nice). The trademark depicts the **figure of a pilgrim, with a shoulder bag and walking stick, walking on a paved road.**

2.2. Logo. The logo combines the AEFV “Figure of a pilgrim” and the designation ‘Via Francigena – European Association’ with the flag of the Council of Europe. The logo should be reproduced in its full form, as shown below.



Article 3.

WHO CAN REQUEST USAGE RIGHTS TO THE LOGO FOR INSTITUTIONAL BUT NOT COMMERCIAL PURPOSES

3.1. The EAVF logo may be utilized by:

- EAVF members with membership fees paid up to date;
- Associations registered as “Friends of the European Association of the Via Francigena”;
- Other individuals who request usage rights from the AEFV:

The request for usage rights of the logo (henceforth ‘license’) is subject to the approval of all drafts of materials on which the logo will be affixed, and by completing a special application form for free usage. Authorization is granted at the discretion of the AEFV and is, and remains, circumscribed and limited to the environment and to the end identified in the authorisation.

Article 4.

WHO CAN APPLY FOR USAGE RIGHTS TO THE TRADEMARK

4.1. Those who may use the trademark of the AEFV:

- Enterprises of agriculture, trade, tourism, crafts, reception, accommodation and other economic entities of Via Francigena related tourism.

4.2. Those who may request usage rights of the trademark are required:

- To respect the Regulations of the Controls and Programmes specific to the sector/product/service potentially prepared by the AEFV for the category for which usage is required;
- That in the last five years, those requesting:
 - a) Do not possess any criminal convictions, nor are subject to criminal proceedings
 - b) Have not committed offenses and/or violations against landscapes – according to existing

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- environmental regulations
- c) Have not declared, nor in process of declaring bankruptcy, unless in rehabilitation according to articles 142, 143 and 144 of the provisions approved by Royal Decree 16 of March, 1942, no. 267.
 - d) Are not under security or prevention measures according to the laws of 27 December, 1956, no. 1423, 10 February, 1962, no. 57, 31 May, 1965, no. 575, and 13 September, 1982, no. 646, and successive amendments, nor is undergoing criminal proceedings.

The aforementioned requirements must be satisfied:

- a) In the case of sole proprietorship, by the owner, and when designated to the management of the enterprise, by the branch, headquarters, or director.
 - b) In the case of a company, by all of the shareholders of a general partnership, by all members of a limited partnership or a joint-stock company and by the administrators for all other types of companies, including consortiums and cooperatives.
 - c) In the case of a Consortium or Association, by the President
- Use of the trademark is granted at the discretion of AEVF

Article 5. USAGE POLICY

5.1. The AEVF, through the following regulations, reserves the right to set specific regulations regarding the use of the trademark in relation to different types of products and services protected by registered trademarks. The regulations follow current standards and, in any case, bind the entities whom the EAVF has granted use of the trademark and/or logo.

Article 6. APPLICATION FOR LICENSE OF USE OF THE LOGO

6.1. Interested parties should submit applications to the EAVF (located at the Municipal Department of Culture, Palazzo Farnese, Piazza Cittadella no. 29, 29121 Piacenza, Italy).

6.2. The application must contain the following information:

- a) the applicant's personal details (name, address, VAT number);
- b) company registration number of the Chamber of Commerce under which it is subject;
- c) copies of the original documents proving tax contributions (DURC) or equivalent documentation
- d) declaration of having read these regulations and any subsequent additions
- e) declaration of compliance with safety and environmental regulations
- f) details of the product or service, accompanied by a graphic rendering and/or a photographic representation of the products or service to which the trademark will be affixed;
- g) consent to the handling of personal data for administrative purposes and brand promotion.

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6.3. AEFV will notify applicants of the outcome of their application, which may include:

- a) acceptance;
- b) rejection;
- c) request for additional information, or information missing from the application

6.4. For the presupposed activities and those connected to the concession of use of the trademark, the EAVF avails itself of the activities of the Francigena Service srl, to whom the applicants pay the variable fee, established, periodically, by the EAVF, in accordance with the applicant.

6.5. The duration of the relationship and sum due from the applicant, in relation to their use of the trademark, are indicated in the act of concession. The duration of enrolment will be indicated at the time the license is awarded. The applicants may submit an application for a temporary extension of the concession, provided that the conditions and requirements of the original application remain unchanged. In any case the concession of the extension in question is reserved for the indisputable judgement of the EAVF.

Article 7.

GENERAL RULES CONNECTED TO THE USE OF THE TRADEMARK

7.1. Applicants are above all required to:

Respect current regulations related to specific sectors, in particular, those relevant to food safety, environmental protection, urban planning and landscaping, labelling, and safety in the workplace.

Comply with guidelines issued by the Council of Europe and the European Union;

Comply with the regulations of policies specifically implemented for sectors/products/ services, which are highlighted in the quality requirements and instructions for use;

Utilise the trademark on products or services, as well as promotional material, in accordance with these specific policies.

Follow the specific instructions provided by the AEFV;

Cooperate with the AEFV, taking note of any potential violation or abuse that could concern the trademark, namely the signs attributable to the EAVF;

Ensure their use of the trademark is exclusively for the purpose, activities and uses authorised and allocated by the EAVF, ceasing its use within the preemptory expiration date indicated in the act which regulates the relevant rapport;

7.2. The AEFV reserves the right to modify the Usage Policy. In such circumstances all users of the brand will be promptly notified.

7.3. The Dealer is required to release AEFV from any claims or damages by a third party in relation to goods sold or services rendered under the brand.

7.4. The Dealer is required to terminate or suspend use of the trademark without compensation, if, for any reason, the Dealer temporarily or permanently falls outside of the requirements for use of the trademark (see Art. 4.2).

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7.5. Nothing can be requested or obtained, for whatever reason, by the Dealer for any promotion or development of the brands and logos which may occur during the period of the license.

Article 8.

PROCEDURES AND CONTROL SYSTEMS

8.1. Control of the requirements, presented in the Rules for the Dealers, also after the license expires, remains with the AEFV or with another body appointed by it.

8.2. The AEFV reserves the right to carry out, directly or through third parties, checks on places of production, processing and marketing of goods, or of services provided under the license of use of the trademark, to verify the veracity of all statements put forth by applicants. Upon completion of a check, a document will be drawn up detailing the results, identifying any measures that may need to be taken, which may include precautionary suspension or termination of usage rights.

8.3. The AEFV reserves the right to appeal by all means, formal and informal, to protect its logo and brands.

Article 9.

DISPUTES

9.1. Any dispute arising from this regulation and its interpretation, or to any issue linked to it, will be initially handled through a procedure of mediation organised according to d. lgs. no. 28/2010, before the Chamber of Commerce of Parma as governed by The Regulation Mediation Body.

9.2. If the mediation process does not result in a verbal resolution, the dispute will be transferred to a sole arbitrator, in accordance with the Rules of the Chamber of Commerce of Parma in force at the time of the initiation of the arbitration. The arbitration will be formal in nature. The Arbitrator will decide according to the law, in accordance with the Arbitration Rules of the CCAA Parma and of the mandatory provisions of the code of civil procedures. The arbitrator's decision will be final and binding for all parties. The location of the arbitration is Parma. The procedure can be initiated by either of the mediation parties by a written application to the Chamber of Commerce of Parma, after the procedure of mediation indicated by point