

Media Intellectual Property Guidelines

Algorithmic Objective Corp. ("**Algotive**"), a firm incorporated in the state of Delaware in the United States, sets forth these terms ("**Terms**") that make up these Media Intellectual Property Guidelines ("**the Intellectual Property Guidelines**"). If required, read, print, and keep a copy of the Intellectual Property Guidelines for your records, because Algotive will not.

For purposes of these Intellectual Property Guidelines, you are an advertiser if you are a person or company advertising a product or service. As an advertiser, you are responsible for ensuring that your keywords and the content of your ads, including trademarks and logos, do not infringe or violate the intellectual property rights of third parties. We take allegations of trademark infringement very seriously. Please review our Intellectual Property Guidelines below for details on trademarks, copyrights, counterfeit products, and how to file a complaint.

Definitions

1. Terms.

a. **Copyright.** Set of legal norms and principles that affirm the moral and economic rights that the law grants to authors, for the simple fact of the creation of a literary, artistic, musical, scientific or didactic work, whether published or unpublished. For purposes of these Intellectual Property Guidelines, it refers to products and services promoted on a website.

b. **Trademark.** Any sign perceptible by the senses and capable of being represented in such a way as to determine the clear and precise object of protection, distinguishing goods or services from others of the same kind or class on the market. For purposes of these Intellectual Property Guidelines, it refers to the trademark used in the ad text or keywords.

c. **Counterfeiting.** Malicious use, for commercial purposes, of a trademark equal or similar to another, for the same products, services or establishments, as well as of a work protected by copyright, without having the explicit consent of the author or a person duly authorized by him in the country of production. For purposes of these Intellectual Property Guidelines, it refers to products or services that mimic the characteristics of the trademark.

d. **Pirated Products.** Copies made without the consent of the copyright owner or a person duly authorized by the copyright owner in the country of production and made directly or indirectly, and made directly or indirectly from a product or service where the making of such a copy would have constituted infringement of copyright or a related right under the law of the country of import. For purposes of these Intellectual Property Guidelines, it refers to goods that are a copy of the product (e.g., software).

e. **Counterfeiting Policies.** Guidelines or criteria that are taken into account regarding the possible existence of Counterfeit Products. For purposes of these Intellectual Property Guidelines, it refers to products or services that mimic the characteristics of the trademark.

Brand Owner

2. **Trademark Owner.** If a trademark owner ("**the Owner**") is concerned about the misuse of their trademark in the text of an advertisement, the Owner should contact the advertiser directly to resolve the issue. If you are not satisfied with the outcome, and your dissatisfaction stems from an advertisement related to Algotive, the Owner may also contact Algotive by following the Procedure for Submitting Notices of Infringement for that market and selecting the option "Misuse of the mark in the ad text". See "Trademark Infringement Investigations" below for more details.

a. Please note that Algotive is not a mediator. Therefore, Algotive encourages Owners to contact advertisers directly who believe they are misusing their brands.

Trademark Infringement Investigations

3. **Trademark Infringement Investigations.** Algotive will investigate a complaint about trademark infringement in the text of a search ad and take appropriate action after receiving all necessary information. The research is designed to ensure the quality and accuracy of the results of our ads and to help our users avoid confusion.

a. Algotive enables fair use of trademarks in ad text, such as:

- i. Use of a trademark by a reseller of genuine goods or services.
- ii. Informational websites about goods or services represented by the trademark, such as product reviews.
- iii. Ordinary uses of a term in the dictionary.
- iv. Comparative advertising (with restrictions).

Ad and keyword research in certain countries

4. **Hong Kong.** In addition to trademark infringement investigations, Algotive will also investigate a complaint about trademark infringement in the use of keywords after receiving all required information through the Procedure for Submitting Notices of Infringement. Advertisers may not bid on keywords, or use in the content of advertisements, any term whose use infringes the trademark of a third party or is illegal or infringes the rights of a third party.

a. Use of a third-party trademark may be permitted if its use is truthful and legal, for example, if:

i. Its website provides information (e.g., product reviews) about the goods or services represented by the trademark, and its main offering is not any product or service that competes with the goods or services represented by the trademark.

ii. You clearly use the ordinary use of a term in the dictionary, and your main offering is not any product or service that competes with the goods or services represented by the mark.

iii. You are a reseller whose website sells authentic products or services that are distributed under the brand.

5. **Other countries.** All other marketplaces must file a complaint about the use of a trademark in the text of an advertisement through the Procedure for Submitting Notices of Infringement.

Counterfeit Policy

6. **Counterfeiting Policy.** Algotivе prohibits the advertising of counterfeit products on our advertising network. A counterfeit product is one that copies without permission the trademark and/or distinctive features of a product in order to impersonate the genuine product or promote an almost identical replica or imitation of the original product. The names of trademarks or designer products may not be modified with "counterfeit", "fake", "replica", "copy of", "inspired by", "pirate" or any synonym thereof.

a. **Complaint process.** Upon receipt of a sufficiently detailed complaint containing all required information, Algotivе will investigate and, if appropriate, remove from our network an advertisement that violates this policy. If you are the Owner and wish to file a complaint regarding the advertising of counterfeit products, you must indicate this through the Procedure for Submitting Notices of Infringement.

b. **Scope of the Counterfeiting Policy.** Our Counterfeit Policy refers to the actual products promoted on a site, while Algotivе Trademark Guidelines refer to the use of the trademark in the ad text itself.

c. **Counterfeit vs. Copyright and Pirated Products:** A counterfeit product mimics the characteristics of a trademark, while a pirated product is an illegal copy of a product itself (e.g., software).

d. **Action in case of suspicion.** If you believe an ad violates this policy, follow the Procedure for Submitting Notices of Infringement.

Intellectual Property Rights

7. Intellectual Property Rights.

a. Ads may not infringe the Intellectual Property (IP) rights of others (including, for example, the use of logos, trademarks, and copyrighted material).

b. Advertisers represent and warrant that they possess all necessary rights and authorizations to promote any content that may be subject to third party proprietary rights. Algotive is not obligated to validate or examine advertisements at any time, or to resolve disputes on behalf of its customers. However, on occasion, Algotive may ask you for additional information related to its ads.

c. Advertisers are encouraged to maintain a process that complies with “*The Digital Millennium Copyright Act of 1998*” (“the DMCA”), or its local equivalent.

General Provisions

8. **Headers.** Section headings are set for reference only and have no legal effect.

NOTIFICATIONS

Notice on the current version of the Intellectual Property Guidelines. You can consult the current version of the Intellectual Property Guidelines on the Intellectual Property Guidelines page in Media.

Example downloaded from Algotive Site