

RULES

Governing the use of and monitoring of the use of the collective service mark RMFI of the association called CFA Society VBA Netherlands

Article 1 definitions

In these rules the following terms shall have the following meanings:

- The Society: the association called CFA Society VBA Netherlands;
- The Mark: the collective service mark RMFI (abbreviation of Risk Manager Financial Institutions);
- Users: the natural persons or legal entities that are authorised to use this Mark in accordance with these rules.

Article 2 use of the Mark

(paragraph 1)

The board of the Society is authorised to grant the right to use the Mark for an indefinite period to natural persons or legal entities that comply with the requirements set out in Article 3. Users are not authorised to transfer the right to use the Mark to third parties or grant a licence with respect to the Mark to third parties.

(paragraph 2)

The Users must pay an annual fee to the Society for the right to use the Mark. The level of this fee is set by the board of the Society.

Article 3 common characteristics

Users must be members of the Society.

Users must be registered in a Register maintained by the Society.

Users must at all times be able to prove that they have obtained the Risk Management for Financial Institutions diploma from Vrije Universiteit Amsterdam or another educational institution recognised - and considered equivalent - by the Society. The holdership of this diploma or any other diploma recognised by the Society shall upon request be demonstrated by submitting the original diploma.

The Mark implies a guarantee of high quality with regard to the services for which it is registered and for which it is used. Users must at all times comply with the terms and conditions set by the Society for the use of the Mark. These rules have been laid down in the Articles, the Internal Regulations and

other rules that have been or may be defined as part of or in accordance with the Articles of Association.

Article 4 **manner of use of the mark**

The Users may not use the Mark in any other manner than in the manner and the form defined by the board of the Society and in any case only in such a manner that the good name of the Mark and the honour and reputation of the Users and the Society shall not be harmed.

Article 5 **monitoring and control**

(paragraph 1)

The monitoring of and control over the use of the Mark is the responsibility of the board of the Society and the board shall be enabled to do so by the Users.

(paragraph 2)

The Users must at all times allow experts appointed by the board of the Society access to their places of work, offices, companies, and accounts in order to allow these experts to assess whether the Users continue to meet the requirements that are set out in Article 3 and that are aimed at guaranteeing the common characteristics of the services for which the Mark is registered.

In the interest of this investigation the Users are obliged to provide all the information required by the experts about their use of the Mark.

Article 6 **sanctions**

(paragraph 1)

If the board finds that a User does not meet the requirements for the use of the Mark set out above in Article 3, the board may revoke the User's right to use the Mark, either or not with immediate effect and either or not for a limited period of time. The board may also decide to suspend, terminate or revoke the User's membership, in accordance with the relevant rules contained in the Articles of Association.

(paragraph 2)

The board may decide to make all or some elements of this decision public, possibly stating the reasons for such decision. The board shall also decide on the manner in which such information will be made public.

(paragraph 3)

The User shall be notified immediately of a decision as described in the foregoing paragraphs by means of a registered letter.

Article 7 **suspension of the use of the mark**

The User must immediately suspend the use of the Mark and in future refrain from using the Mark or any similar mark and refrain from anything that might give the public the impression that he is authorised to use the Mark if:

1. the right to use the mark is revoked in accordance with Article 6;
2. the User, even after having been summoned to pay, remains in default with regard to his obligation to pay the fee referred to in Article 2 paragraph 2 to the Society within 14 days.

Article 8 removal from the Register

If article 7 applies, the Society shall remove the person concerned from the Register.

Article 9 mark infringement

(paragraph 1)

All users must report any infringement of the collective Mark that they become aware of to the board.

(paragraph 2)

The Users are authorised to take legal action, together with the Society, against anyone who makes unauthorised use of the Mark or any similar mark, or to join or intervene in any such legal action between the Society and the infringer.

(paragraph 3)

If the Users no longer use their authority as described in paragraph 2, the Society acting by itself against the infringer must let the special interest of the Users prevail and in its claim for damages include the special damage suffered by one or more of the Users.

Article 10 Adoption and amendment of the rules

(paragraph 1)

These rules have been adopted by the General Meeting of the Society. The General Meeting is also authorised to amend these rules.

(paragraph 2)

A decision to amend the rules may be adopted during a meeting of the board, subject to the requirements defined in the Articles of Association of CFA Society VBA Netherlands for taking legally valid decisions. Every User is authorised to present proposals for amendment of these rules to the board.

(paragraph 3)

Every User must comply with any amendments to these rules as soon as the Benelux Trademarks Office has been notified of these amendments.

Article 11 **other provisions**

(paragraph 1)

The Users are no longer bound by these rules as soon as the registration of the Mark has lapsed, has been declared null and void or has been revoked.

(paragraph 2)

Notwithstanding the provision set out in the previous paragraph, the Users shall remain subject to the measures and sanctions as referred to in article 6 with regard to infringements that have occurred during the period that the registration of the Mark was still legally valid.

Adopted by the General Meeting of CFA Society VBA Netherlands on 31 May 2018