

La marque du vrai produit suisse



The symbol for genuine Swiss products

# Terms and Conditions for the Protection, Utilisation Fee, Use and Monitoring of the Crossbow Trademark (User Contract)

between

Tel.: .....

Fax: .....

Email: .....

Web address: .....

*(hereinafter named the User)*

and

**SWISS LABEL**  
Association for the promotion of  
Swiss products and services with the  
crossbow trademark

*(hereinafter named SWISS LABEL)*

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## **SWISS LABEL**

**Association for the promotion of Swiss products and services**  
**Société pour la promotion des produits et services suisses**

Schwarztorstrasse 26, Postfach/Case postale, CH-3001 Bern/e

Tel. 031 380 14 35, Fax 031 380 14 15

Email: [info@swisslabel.ch](mailto:info@swisslabel.ch), <http://www.swisslabel.ch>

## Protection of the Trademark

**Art. 1** In accordance with Article 3 of the Statutes, SWISS LABEL, the association for the promotion of Swiss products and services with the crossbow trademark (Bern) and owner of the crossbow trademark, hereinafter named the Trademark, has registered the following trademarks in the Swiss and international Trademark Protection Registers and ensures that they are used in accordance with the relevant legislation. See Appendix for the current scope of protection.

## Rights and Obligations

**Art. 2** The User recognises herewith that SWISS LABEL is the exclusive owner of the Trademark.

**Art. 3** SWISS LABEL herewith grants the User the non-exclusive right to apply the Trademark to his products and services of Swiss origin for export and for sale in Switzerland. However, the User is not entitled to grant unauthorised sublicences. Sublicences may only be granted with the prior written permission of SWISS LABEL.

**Art. 4** The Trademark may only be used for products wholly produced, or satisfactorily processed or finished in Switzerland. Swiss origin is defined under the criteria of the Federal Council's regulations governing certification of origin of 4. July 1984 (SR 946.31). The portion of Swiss value of a product (incl. raw material costs, semi-finished products, accessories, expertise, other manufacturing costs and marketing fees, but excl. advertising costs) must be at least 50 per cent. The Certificate of Origin will suffice as evidence of the Swiss character of a product for export.

**Art. 5** For Swiss services, the origination criteria specified under Art. 4 will apply analogously.

Service providers are entitled to use the Trademark specifically if:

- Their registered office is in Switzerland;
- The company is under majority Swiss ownership;
- The company is run under Swiss management.

**Art. 6** The User undertakes to use the Trademark solely for products and services that conform with the quality standards generally recognised in Switzerland for the respective branch.

**Art. 7** In cases of doubt, the Executive Committee of SWISS LABEL is entitled to apply additional assessment criteria to judge the Swiss character of products and services.

**Art. 8** The User is entitled to unrestricted use of the Trademark in its lodged and registered form on products and packaging, in catalogues, brochures, operating instructions, all forms, printed matter and advertising (particularly as supplied by SWISS LABEL electronically or in the form of adhesive labels, stickers etc.). However, he is not entitled to use the Trademark in such a way as to mislead his clientele.

**Art. 9** SWISS LABEL monitors and checks the proper use of the Trademark, for example through periodic inspections or random sampling. If such an inspection necessitates access to company business premises, it must be carried out only in the presence of a representative of the User and during normal business hours.

If the inspection reveals an infringement of the conditions of use, the User will be responsible for the costs of the inspection and all related actions.

**Art. 10** SWISS LABEL is entitled to levy a contract penalty of up to Fr. 5,000.— and to demand compensation for damages. In cases of grave disregard, particularly where clientele has been repeatedly misled and the Trademark repeatedly misused, SWISS LABEL is further entitled to terminate the User Contract with immediated effect. SWISS LABEL will retain all utilisation fees paid.

## Fees

**Art. 11** The User will receive his entitlement to the Trademark when the present User Contract has been concluded.

The annual utilisation fee is calculated according to turnover:

Turnover category		Utilisation fee
Up to	0.5 mill. SFr.	SFr. 180.—
0.5 -	1 mill. SFr.	SFr. 360.—
1 -	5 mill. SFr.	SFr. 480.—
5 -	10 mill. SFr.	SFr. 720.—
10 -	50 mill. SFr.	SFr. 960.—
50 -	100 mill. SFr.	SFr. 1,200.—
Over	100 mill. SFr.	By agreement, but at least SFr. 1,500.—

SWISS LABEL is entitled to adjust the annual utilisation fee in accordance with the Statutes.

With his signature, the User accepts the terms and conditions of the present User Contract and guarantees that he has answered the following questions truthfully. He accepts that adherence to the Use Contract may be monitored. Upon conclusion of this Contract, the User becomes a member of SWISS LABEL and recognises its statutes.

Place/date: \_\_\_\_\_

**SWISS LABEL**  
Signature:

The User:  
(Company stamp and signature)



## User Contract Questionnaire

***This information will be handled in the strictest confidence and is intended only for the internal use of SWISS LABEL.***

1. Where are the headquarters of your company?

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2. Is your company a subsidiary/branch firm of a foreign company?

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3. Where and in what proportions does the equity capital of your company come from?

Origin of equity capital: \_\_\_\_\_

Swiss share: \_\_\_\_\_

4. Members and nationality of the Management Board and Executive:

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5. For which products/services would you like to use the Trademark?

Value of Swiss portion

_____	_____
_____	_____
_____	_____

6. Does your company have ISO certification or other evidence of compliance with generally recognised Swiss and branch quality standards for the company products specified under Article 6?

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7. How high is your annual turnover (only for the turnover category for which the trademark is to be used)?

up to 0.5 mill.

0.5 - 1 mill.

1 - 5 mill.

5 - 10 mill.

10 – 50 mill.

50 – 100 mill.

over 100 mill.

8. Who in your company is the contact for SWISS LABEL?

Name:

First name:








Email:

Telephone:

Fax:








**Appendix to the trademark terms and conditions and the trademark user contract:**

Overview concerning geographic and goods-related scope of protection per country, as on 6th August, 2004

Title	Country and named states	Gp.	Class(es)	Country ISO
	Austria	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	AT
	Bosnia-Herzegovina	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	BA
	Benelux (= Belgium, Netherlands and Luxemburg)	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	BX
	Switzerland	CH	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 4	CH
	Germany	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 10	DE
	Egypt	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	EG
	Spain	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	ES








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	France	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	FR
	Croatia	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	HR
	Hungary	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	HU
	Italy	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	IT
	Liechtenstein	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	LI
	Morocco	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	MA
	Monaco	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	MC

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	Macedonia	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	MK
	Portugal	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	PT
	Romania	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	RO
	Sweden	SE	01, 07, 08, 09, 11, 14, 16, 23, 24, 25, 26, 27, 29, 30 Details from page 22	SE
	Slovenia	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	SI
	United States of America	US	13 Details from page 11	US
	Serbia and Montenegro	IR	01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 Details from page 7	YU

**Overview of claimed goods for Switzerland (all listed goods must be of Swiss origin):**

**Class 1:**

Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; dyes for foodstuffs; tanning substances; adhesives used in industry.

**Class 2:**

Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

**Class 3:**

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

**Class 4:**

Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.

**Class 5:**

Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

**Class 6:**

Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of metal, not included in other classes; ores.

**Class 7:**

Machines (not included in other classes) and machine tools, especially for the textile, foodstuffs, tobacco and plastics industries; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements; incubators for eggs.

**Class 8:**

Hand tools and implements (hand-operated); cutlery; side arms; razors.

**Class 9:**

Scientific, nautical, surveying, electric and electronic (not included in other classes), photographic, cinematographer, optical, weighing, measuring, signalling, checking (monitoring), life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of data, sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; batteries, accumulators; fire-extinguishing apparatus; vacuum cleaners.

**Appendix to the trademark terms and conditions and the trademark user contract:**

Overview concerning geographic and goods-related scope of protection per country, as on 6th August, 2004

**Class 10:**

Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.

**Class 11:**

Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

**Class 12:**

Vehicles; apparatus for locomotion by land, air or water.

**Class 13:**

Firearms; ammunition and projectiles; explosives; fireworks.

**Class 14:**

Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

**Class 15:**

Musical instruments.

**Class 16:**

Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printers' type; printing blocks.

**Class 17:**

Natural rubber, gutta-percha, vulcanised rubber, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible hoses (not of metal).

**Class 18:**

Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and suitcases; bags not included in other classes; umbrellas, parasols and walking sticks; whips, harness and saddlery.

**Class 19:**

Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments (not of metal).

**Class 20:**

Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

**Class 21:**

Brushware and wickerware, household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.

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Overview concerning geographic and goods-related scope of protection per country, as on 6th August, 2004

**Class 22:**

Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

**Class 23:**

Yarns and threads, for textile use.

**Class 24:**

Textiles and textile goods, not included in other classes; bed and table covers.

**Class 25:**

Clothing, footwear, headgear.

**Class 26:**

Lace and embroidery, ribbons, braid (not included in other classes) and shoelaces; buttons, hooks and eyes, pins and needles; artificial flowers.

**Class 27:**

Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; parquet, wall hangings (non-textile).

**Class 28:**

Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

**Class 29:**

Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats; salad dressings; tinned foods.

**Class 30:**

Coffee, tea, cocoa, chocolate and chocolate goods, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ice cream; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments), spices; ice.

**Class 31:**

Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt.

**Class 32:**

Beers; mineral and carbonated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

**Class 33:**

Alcoholic beverages (except beers).

**Class 34:**

Tobacco; smokers' articles; matches.

**All of the aforementioned goods are of Swiss origin.**

**Overview of claimed goods for the IR group (international registration),  
(all of the listed goods must be of Swiss origin):**

**Class 1 - 34**

**Germany**

**Overview of classes for the USA:**

**Class 13:**

Firearms, namely pistols, revolvers, guns and automatic firearms with a small calibre.

**Overview of classes for Sweden:**

**Class 1:**

Polymerisation and co-polymerisation products.

**Class 7:**

Sewing machines, electric motors and generators.

**Class 8:**

Cutlery including knives, forks, spoons, electric shavers.

**Class 9:**

Electrical special generators, converters; devices to close, interrupt and divert electric circuits; insulated wires, flex, cables for electrical engineering; gas meters, fluidimeters and electricity meters; electrical instruments and apparatus to measure, test, regulate electric current; cash registers, calculators and bookkeeping machines.

**Class 11:**

Electrical light bulbs.

**Class 14:**

Watches and jewellery, precious metals and alloys.

**Class 16:**

Pencils, mechanical pencils, lead refills, coloured crayons, chalk, fountain pens, typewriters.

**Class 23:**

Yarns.

**Class 24:**

Woven and knitted fabrics.

**Class 25:**

Garments and pieces of clothing, to include shoes.

**Class 26:**

Embroideries.

**Class 27:**

Linoleum, floor coverings, wallpaper, parquet.

**Appendix to the trademark terms and conditions and the trademark user contract:**

Overview concerning geographic and goods-related scope of protection per country, as on 6th August, 2004

**Class 29:**

Edible oils and fats, margarines.

**Class 30:**

Chocolate, baked goods, confectioner's goods.

**Overview of claimed goods for Switzerland (all listed goods must be of Swiss origin):**

**Class 1:**

Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; dyes for foodstuffs; tanning substances; adhesives used in industry.

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Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

**Class 3:**

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

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Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.

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Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

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Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of metal, not included in other classes; ores.

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Machines (not included in other classes) and machine tools, especially for the textile, foodstuffs, tobacco and plastics industries; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements; incubators for eggs.

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Musical instruments.

**Class 16:**

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**Class 24:**

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**Class 26:**

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**Class 27:**

Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; parquet, wall hangings (non-textile).

**Class 28:**

Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

**Class 29:**

Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats; salad dressings; tinned foods.

**Class 30:**

Coffee, tea, cocoa, chocolate and chocolate goods, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ice cream; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments), spices; ice.

**Class 31:**

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**Class 32:**

Beers; mineral and carbonated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

**Class 33:**

Alcoholic beverages (except beers).

**Class 34:**

Tobacco; smokers' articles; matches.

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**Germany**

**Overview of classes for the USA:**

**Class 13:**

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**Overview of classes for Sweden:**

**Class 1:**

Polymerisation and co-polymerisation products.

**Class 7:**

Sewing machines, electric motors and generators.

**Class 8:**

Cutlery including knives, forks, spoons, electric shavers.

**Class 9:**

Electrical special generators, converters; devices to close, interrupt and divert electric circuits; insulated wires, flex, cables for electrical engineering; gas meters, fluidimeters and electricity meters; electrical instruments and apparatus to measure, test, regulate electric current; cash registers, calculators and bookkeeping machines.

**Class 11:**

Electrical light bulbs.

**Class 14:**

Watches and jewellery, precious metals and alloys.

**Class 16:**

Pencils, mechanical pencils, lead refills, coloured crayons, chalk, fountain pens, typewriters.

**Class 23:**

Yarns.

**Class 24:**

Woven and knitted fabrics.

**Class 25:**

Garments and pieces of clothing, to include shoes.

**Class 26:**

Embroideries.

**Class 27:**

Linoleum, floor coverings, wallpaper, parquet.

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